



General Assembly

Distr.
LIMITED

A/CONF.211/PC.1/L.2
24 August 2007

Original: ENGLISH

DURBAN REVIEW CONFERENCE
Preparatory Committee
First organizational session
Geneva, 27-31 August 2007
Items 4, 5, 6, 7, 8, 9 and 10 of the provisional agenda

**ORGANIZATION OF WORK: ADOPTION OF THE RULES OF PROCEDURE
OF THE PREPARATORY COMMITTEE AND OTHER ORGANIZATIONAL
MATTERS**

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**ORGANIZATION OF THE WORK AND DATES OF THE SUBSTANTIVE
SESSIONS OF THE PREPARATORY COMMITTEE AND FORMULATION
OF A CONCRETE PLAN FOR THE PREPARATORY PROCESS**

Draft decisions

Proposals of the Bureau-designate of the Preparatory Committee and Proposals of the Chairperson-designate of the Preparatory Committee¹

Draft decision 1

Rules of procedure for the Preparatory Committee

The Preparatory Committee decides to use as rules of procedure for the Preparatory Committee, the rules of procedure of the General Assembly, section XIII, insofar as applicable.

Draft decision 2

Rules of procedure for the Durban Review Conference (Chairperson's proposal)

The Preparatory Committee decides to recommend the rules of procedure of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance as provisional rules of procedure for the Durban Review Conference.²

Draft decision 3

Participation of, and consultation with, observers at the sessions of the Preparatory Committee

The Preparatory Committee decides to apply the following criteria and practices for participation by non-governmental organizations at the sessions of the Preparatory Committee:

(a) The mechanism established by the Economic and Social Council in its resolution 1996/31 of 26 July 1996, and practices observed by the Commission on Human

¹ The present document contains the draft decisions agreed upon by the Bureau-designate of the Preparatory Committee of the Durban Review Conference and proposals by the Chairperson-designate and recommended to the Preparatory Committee for adoption by consensus. The objective is to facilitate the deliberations of the Preparatory Committee during its organizational session which will be held in Geneva from 27 to 31 August 2007.

² See the rules of procedure adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/2).

Rights, shall be the framework for participation of, consultations with, and accreditation of non-governmental organizations, while ensuring their most effective contribution;

(b) Non-governmental organizations in consultative status with the Economic and Social Council are invited to participate fully in all the sessions of the Preparatory Committee, pursuant to Council resolution 1996/31 of 26 July 1996;

(c) In the case of non-governmental organizations not in consultative status with the Economic and Social Council, but accredited to participate in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and its follow-up mechanisms:

- (i) The Secretariat will send to Member States an updated list of non-governmental organizations not in consultative status, but accredited to participate in the World Conference and its follow-up mechanisms;
- (ii) Non-governmental organizations in this category shall be invited to participate fully at the sessions of the Preparatory Committee, unless there are observations made by Member States within 14 days from the date they receive the note verbale with the list of non-governmental organizations mentioned above. The standard process established in Council resolution 1996/31 will be applied;
- (iii) In the event that a Government raises questions, concerning the accreditation of a non-governmental organization, the final decision shall be taken by the Preparatory Committee, in accordance with the standard process established in Council resolution 1996/31;

(d) In the case of non-governmental organizations not in consultative status with the Economic and Social Council and not accredited to participate in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and its follow-up mechanisms:

- (i) Non-governmental organizations interested in the processes for the first time and wishing to participate in the sessions of the Preparatory Committee should submit applications to the Secretariat, in accordance with the criteria established in Council resolution 1996/31;
- (ii) The Secretariat shall post on the website of the Office of the United Nations High Commissioner for Human Rights the procedures and relevant forms regarding the participation of non-governmental organizations;
- (iii) The Secretariat shall continue to review all applications received to ensure that they meet the requirements established in Council resolution 1996/31;
- (iv) Where non-governmental organizations have had their consultative status withdrawn or suspended under paragraph 57 (a) or (b) of Council resolution 1996/31, the Secretariat shall include information as to the reasons for withdrawal or suspension including the date of the decision, in the list circulated to all Member States;
- (v) The Secretariat shall send to Member States, on a periodic basis, the updated list of applications received. Member States may submit comments on any of the applications in the list within 14 days from receipt of the above-mentioned list. The comments of Member States shall be communicated to the non-governmental organization concerned, which will be offered the opportunity to respond;
- (vi) In cases where the Secretariat believes, on the ground of the information provided, in accordance with Council resolution 1996/31 that the non-governmental organization has established its competence and relevance of its activities with regard to the work of the Preparatory Committee, it shall recommend to the Preparatory Committee that the non-governmental organization be accredited. In cases where the Secretariat does not recommend the granting of accreditation, it shall make available to the Preparatory Committee its justifications for not doing so;

(vii) In the event that a Member State raises questions concerning the accreditation of a non-governmental organization, the final decision on such cases shall be taken by the Preparatory Committee in accordance with the standard process established in Council resolution 1996/31;

(e) Indigenous Peoples' representatives that are accredited in accordance with the Economic and Social Council resolution 1995/32 of 25 July 1995, and who express willingness to participate, shall be accredited to the sessions of the Preparatory Committee. Other interested Indigenous Peoples' representatives can also be accredited, following standard procedures established under Council resolution 1996/31;

(f) Participation of national human rights institutions in the sessions of the Preparatory Committee shall be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005, while ensuring the most effective contribution of these institutions;

(g) The sessions of the Preparatory Committee are also open to participation by other observers such as:

- (i) Entities having received a standing invitation to participate as observers at the sessions and in the work of the General Assembly;
- (ii) Intergovernmental organizations having received a standing invitation to participate as observers at the sessions and in the work of the General Assembly;
- (iii) Specialized agencies;
- (iv) Associate member of regional commissions;
- (v) United Nations organs, bodies, programmes and relevant mechanisms, including human rights bodies and mechanisms.

Draft decision 4

Dates of the substantive sessions of the Preparatory Committee (Chairperson's proposal)

The Preparatory Committee decides that its first substantive session shall be held in Geneva from 21 April to 2 May 2008 and that its second substantive session shall be held from 6 to 17 October 2008. (Pending confirmation from the Office of the United Nations High Commissioner for Human Rights that it would not clash with the Third Committee of the General Assembly.)

Draft decision 5

Dates for the Durban Review Conference

The Preparatory Committee decides that the Durban Review Conference shall take place during the first half of 2009.

Draft decision 6

Level of participation

The Preparatory Committee decides that participation in the Conference should be at the highest possible level.

Draft decision 7

Reports, studies and other documentation for the Preparatory Committee and the Durban Review Conference (Chairperson's proposal)

With a view to reviewing progress made with regard to the implementation of the Durban Declaration and Programme of Action including further actions, initiatives and practical solutions for combating contemporary scourges of racism, the Preparatory Committee decides:

(a) To request Governments, the specialized agencies of the United Nations system and relevant United Nations bodies, regional organizations, governmental and non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related

intolerance, the Special Rapporteur on freedom of religion or belief, the Five Independent Eminent Experts to follow up on the Implementation of the Durban Declaration and Programme of Action, the Five Experts on Complementary International Standards, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and other relevant human rights mechanisms to assist the Preparatory Committee by undertaking review and submitting recommendations, through the Office of the High Commissioner for Human Rights, as contributions to the outcome of the Review Conference;

(b) To request the Office of the United Nations High Commissioner for Human Rights, in order to facilitate the review process, to assist the members of the Bureau in drafting a questionnaire that will be sent immediately after the end of the organizational session of the Preparatory Committee to all stakeholders listed above;

(c) To establish an intersessional open-ended intergovernmental working group³ to review the written contributions and submit a report to the first substantive session of the Preparatory Committee. So as to facilitate this process, the Office of the High Commissioner will prepare the first compilation of the written responses received before submitting that document to the intersessional open-ended intergovernmental working group for its examination. The intersessional open-ended intergovernmental working group will present the report to the Preparatory Committee at its first substantive session;

(d) To request the Office of the High Commissioner to coordinate these studies and reports, and ensure their completion without delay and their submission to the intersessional working group.

³ The Preparatory Committee is to decide, in regard to the intersessional open-ended intergovernmental working group to assist the preparatory process, whether it would recommend the following: (a) the establishment of a new working group; or (b) to entrust this task to the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action (IGWG).

Draft decision 8

International, regional and national preparatory initiatives

The Preparatory Committee decides to call upon States and regional organizations to hold international, regional and national meetings and/or to undertake other initiatives in the context of the preparatory process for the Durban Review Conference, and requests that reports from such activities, on the outcome of the respective deliberations, are submitted to the Preparatory Committee through the Office of the United Nations High Commissioner for Human Rights.

Draft decision 9

Secretary-General of the Durban Review Conference

The Preparatory Committee decides to request the Secretary-General of the United Nations to designate the United Nations High Commissioner for Human Rights as Secretary-General of the Durban Review Conference, who, in this capacity, will assume the responsibility for the preparations of the Conference.

Draft decision 10

Sources of funding (Chairperson's proposal)

The Preparatory Committee decides:

(a) To request the United Nations Secretary-General to provide the necessary resources for the preparations for the Durban Review Conference and to consider providing the necessary financial and technical assistance for the convening of the regional preparatory meetings;

(b) To request the High Commissioner for Human Rights to revitalize the voluntary fund for the Durban Review Conference. This voluntary fund would cover expenses, other than those covered by the Regular Budget, related to the preparatory process for the Durban Review Conference, including for the needs of the intersessional working groups, the participation of the representatives of national human rights institutions and non-governmental organizations, especially those from developing countries, as well as human rights treaty bodies and thematic special procedures;

(c) To appeal to all Governments, international organizations, intergovernmental and non-governmental organizations, private sector and individuals, to contribute generously to the voluntary fund, and, to this end, requests the Secretary-General and the United Nations High Commissioner for Human Rights to undertake initiatives to encourage contributions;

(d) To call upon the United Nations High Commissioner for Human Rights to assist, financially and technically, States and regional organizations, which convene international, regional and national meetings and/or undertake other relevant initiatives, including at expert level, in the framework of the preparatory process for the Durban Review Conference; and also urges the United Nations bodies and specialized agencies and particularly the United Nations regional economic commissions, in coordination with the United Nations High Commissioner, to provide financial and technical assistance to the organization of the above-mentioned preparatory activities and stresses that such assistance should be supplemented by voluntary contributions;

(e) To recommend to the General Assembly to appeal for contributions from extrabudgetary resources to cover the cost of participation of representatives of least developed countries in the preparatory processes, including the first and second substantive sessions of the Preparatory Committee, the relevant regional preparatory meetings and in the Durban Review Conference.

Draft decision 11

Objectives of the Durban Review Conference (Chairperson's proposal)

The Preparatory Committee in identifying the objectives of the Durban Review Conference decides to consider paragraph 33 of General Assembly resolution 61/149 of 19 December 2006 in which the Assembly decides to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action and paragraph 6 of Human Rights Council resolution 3/2 of 8 December 2006 in which the Council decides that the Durban Review Conference will concentrate on the implementation of the Durban Declaration and Programme of Action, including further actions, initiatives and practical solutions for combating all the contemporary scourges of racism. It shall, furthermore, take into account paragraph 5 of Human Rights Council resolution 3/2 in which the Council reaffirms that the

Durban Review Conference will be undertaken on the basis of and with full respect for the Durban Declaration and Programme of Action and that there will be no renegotiation of the existing agreements contained therein.

Draft decision 12

Venue of the Preparatory Committee Sessions and Durban Review Conference

The Preparatory Committee decides that:

- (a) The venue of the Preparatory Committee Sessions will be Geneva;
- (b) The venue of the Durban Review Conference will be decided by the Preparatory Committee at a later date.

Draft decision 13

Adoption of the draft provisional agenda for the first substantive session of the Preparatory Committee

The Preparatory Committee decided to adopt an agenda for its first substantive session. The agenda contains the following items:

1. Opening of the session.
2. Adoption of the agenda.
3. Organization of work.
4. Submission of the provisional agenda of the Durban Review Conference.
5. Reports of preparatory meetings and activities at the international, regional and national levels.
6. Review of reports, studies and other documentation for the Preparatory Committee and the Durban Review Conference and contributions of human rights bodies and mechanisms.

7. Draft outcome document of the Durban Review Conference.
8. Organization of the work of the Durban Review Conference and other matters.
9. Adoption of the report of the Preparatory Committee.

Draft decision 14

Organization of the work for the substantive sessions of the Preparatory Committee and the formulation of a concrete plan for the preparatory process

The Preparatory Committee decides to base its work over the next two years on a flexible timetable that takes into account the possibility of conflicting work agendas and other time constraints of the Committee members which would best facilitate the work of the Preparatory Committee. (See timetable contained in the Annex.)

Annex

MAIN ELEMENTS FOR A TIMETABLE FOR THE PREPARATORY PROCESS OF THE DURBAN REVIEW CONFERENCE

(a) First organizational session of the Preparatory Committee (August 2007)

Elaboration of the objectives of the Durban Review Conference

Presentation of a PBI by the Secretariat, based on the draft decision

Establishment of an intersessional open-ended intergovernmental working group
(see draft decision 7)

First phase of the intersessional meetings of the Preparatory Committee (September 2007-April 2008)

The Secretariat to draft a questionnaire, together with the Bureau, immediately after the first organizational session (see draft decision 7 (c))

Send the questionnaire (beginning of November, to receive replies by January 2008)

The Secretariat to prepare the first compilation of the written contributions and transmit it to an intersessional open-ended intergovernmental working group

Possible regional meetings (January-March 2008)

The first session of the intersessional open-ended intergovernmental working group reviews written contributions and submits a report to the first substantive session of the Preparatory Committee (February 2008)

(b) First substantive session of the Preparatory Committee (April -May 2008)

Second phase of the intersessional meetings of the Preparatory Committee (May-September 2008)

Possible regional meetings (June-September 2008)

Second session of the intersessional open-ended intergovernmental working group to commence negotiations on the draft outcome document

(c) Second substantive session of the Preparatory Committee (October 2008)

To discuss outcome document

**Third phase of the intersessional meetings of the Preparatory Committee
(October 2008-January/May 2009)**

Negotiations on draft outcome document to continue

(d) Durban Review Conference (will take place during the first half of 2009)

Finalization and adoption of the outcome document.
