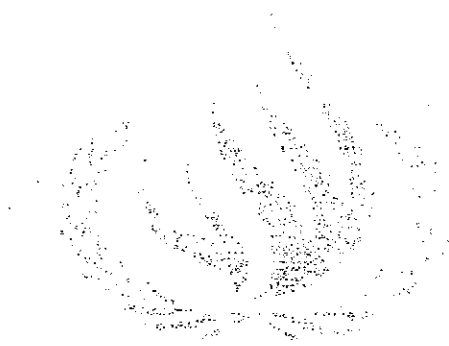


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Address by Navanethem Pillay,  
United Nations High Commissioner for Human  
Rights



to the  
Opening of the Durban  
2<sup>nd</sup> Preparatory Committee

Geneva, 6 October 2008

Excellencies,  
Distinguished Participants,  
Ladies and Gentlemen,

I am very pleased to address the second preparatory committee of the review conference against racism, racial discrimination, xenophobia and related intolerance. I wish to congratulate you for having come a long way since this process was set into motion earlier this year.

Starting from divergent perspectives, the first preparatory committee was able to forge consensus on difficult issues, including the objectives of the review conference, its venue and duration, as well as the modalities for civil society's participation.

Moreover, the two recent regional consultations in Brasilia and Abuja have set the stage for additional progress in the anti-racism agenda and debate.

It is my hope that decisions made over the past six months, as well as the decisions to be made at this meeting, will encourage all stakeholders to believe that with the requisite commitment and participation of all we should be able to minimize dissension and keep our sight on the goals that unite us.

No one disputes the importance of the issues at stake. Racism, xenophobia, discrimination and intolerance are problems that occur shamefully on a daily basis across the world.

Having grown up in apartheid South Africa, I know too well what it is like to live in an environment permeated by racism. Having presided over the International Criminal Tribunal for Rwanda, I heard the testimony of ordinary people who found themselves suddenly victimized by an explosion of ethnic hatred. I know—I think we all know—that the consequences of allowing discrimination, inequality and intolerance to fester and then spiral out of control can be genocidal. I also know that if we can find common ground and unite around a common purpose with courage and determination, we can end cycles of violence and discrimination and we can do justice to the individual and collective assertion of human rights for people of all races, all religions, all ethnicities.

I urge all Member States to travel that extra mile that makes historic change possible, and to focus on the concrete pledges undertaken in Durban that will help bring an end to all forms of discrimination. As I stated before the Human Rights Council last month, implementation of the Durban Declaration and Programme of Action (DDPA) still lags sorely and lamentably behind the solemn commitments that States pledged to fulfill seven years ago.

Many other old and new issues remain unresolved. For my part, I will spare no effort to facilitate the negotiating process, to bring everyone to the table and to ensure that victims of racism, inequality, injustice and intolerance are not left to believe that the international community is incapable of overcoming its differences in order to properly and fully address their plight. Different perspectives should not preclude negotiations on common ground: Indeed, the debate will benefit from a diverse, well-grounded and respectfully articulated range of opinions and experiences.

Excellencies,

As we celebrate the 60th anniversary of the Universal Declaration of Human Rights this year, we must take stock of the fact that racism, discrimination and intolerance are global problems which must be of concern to all. Indeed, they represent some of the greatest human rights challenges of our time. We also need to recognize that universal human rights norms and standards provide optimal guidance for protecting vulnerable groups from racism and intolerance. Seven years ago, building on this vital normative legacy, the DDPA provided the framework and platform on which to anchor our struggle against the odious practices of racism, racial discrimination, xenophobia and related intolerance.

The DDPA's agenda is holistic in its vision. It is neither restricted to the legal definition of the term "racism" nor does it limit itself to narrow measures to combat this scourge. Rather, it encompasses far-reaching measures for strengthening education, fighting poverty, securing development, improving the remedies and recourses available to victims of racism, and bolstering respect for the rule of law and for human rights.

Allow me to underscore, however, that international commitments are only as good as their implementation at the national level. I cannot overemphasize that the credibility of every country or group of countries in claiming better international protection against racism hinges upon giving effect to their stated commitments. Such pledges must be reflected in policies, institutions and legislation which benefit individuals and communities by tangibly improving their lives.

To this effect, the review of the DDPA's implementation must be regarded in its appropriate context alongside a wide array of different but complementary efforts, including those of human rights treaty bodies, Special Procedures, the Durban follow-up mechanisms, as well as the mandate of the Office of the High Commissioner for Human Rights.

I believe that in order to achieve the maximum gain from the DDPA review process, we need to embrace a multi-faceted approach.

First, we must pay heed to the findings and recommendations of human rights mechanisms, and in particular the International Convention for the Elimination of Racial Discrimination (ICERD), which should be

universally ratified. Moreover, we should think of ways to sound early warnings and give real teeth to alert systems in order to prevent tensions from escalating into murderous designs and acts. In this context, allow me to take the opportunity to note the important contribution to your second preparatory committee that a number of special procedures mandate holders have made. The work of special procedures independent experts in implementation of the DDPA is critical. Their views must be taken into consideration and their recommendations through their thematic and country studies must be given effective follow-up.

Second, States should comply with the recommendations issued by the three specialized mechanisms created in the aftermath of Durban, namely the Working Group of Experts on People of African Descent, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, and the Independent Eminent Experts Group. An additional mechanism, the Ad Hoc Committee on Complementary Standards was created by the Human Rights Council in 2006 to fill gaps in CERD, and to provide new normative standards aimed at combating all forms of contemporary aspects of racism. Since their inception, these mechanisms have sought to identify how to bolster the normative scaffolding needed to combat racism and made pertinent concrete suggestions. One such recommendation urged States to adopt action plans against racism, but many countries have failed to follow suit. OHCHR stands ready to provide support and share its experience in this matter.

Third, States could more systematically draw from the input, information and expertise that civil society and National Human Rights Institutions strive to yield. We should take full advantage of the review conference to re-evaluate how to better promote the involvement of civil society and concerned constituencies in the fight against the social and economic marginalization in which racism is rooted and in efforts to strengthen development opportunities and equality that can help stem discrimination.

Distinguished Participants,

Allow me to offer a very brief overview of OHCHR's own progress and activities in the aftermath of Durban. To be sure, we have placed the effective implementation of the DDPA among our organization's highest priorities. This is being done at several levels.

OHCHR services the follow-up-mechanisms to the World Conference. Further, OHCHR extends substantive and organizational support to the Committee for the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the preparatory committee of the review conference.

In addition, OHCHR carries out technical cooperation projects at the national level with several non-governmental organizations (NGOs) and national human rights institutions. These include awareness-raising activities to combat racism, racial discrimination, xenophobia and related intolerance. We also liaise with

NGOs and youth organizations in sharing information and facilitating their participation in pertinent meetings, seminars and workshops convened by OHCHR.

Moreover, OHCHR is the lead agency responsible for integrating the Durban Declaration and Programme of Action into the mandates, programs and projects of the United Nations. For this purpose, OHCHR has convened inter-agency meetings to undertake joint activities and exchange information.

In carrying out these tasks, OHCHR has frequently solicited information from Member States on the implementation of the DDPA and has produced publications as well as other awareness-raising and outreach material. In addition, regular reports providing updates on the implementation of the DDPA have been submitted both to the Commission on Human Rights, the Human Rights Council and the General Assembly.

Allow me to add that in fulfilling such highly demanding tasks, the OHCHR Anti Discrimination Unit will continue to do its best to meet the challenges of growing and competing requests by the Human Rights Council within the scope of resources available.

Let me also take this opportunity to point out the response to calls for voluntary contributions to support the preparatory process is disappointing. Regular budget allocations for the process are still pending consideration by the General Assembly, which will also be requested this fall to allocate funds for the review conference itself. Even with a positive response from the General Assembly, we will still require substantial voluntary contributions to enable my Office to support civil society's participation in the conference, and possibly representation from least developed countries as well. Thus, I would like to renew the request to all Member States to support this important process.

I am convinced that with good will and commitment to collegiality, as well as dedicated resources, it will be possible to achieve meaningful progress. We can overcome obstacles to progress by focusing on giving new momentum to our vital anti-racism struggle. This struggle concerns all of us in our increasingly multi-cultural and multi-ethnic societies. We must work together and pool ideas to eradicate the scourge of racism, discrimination and intolerance. This should be our compelling joint venture and our shared goal.

Distinguished Participants,

I wish to conclude with a few of my own observations as a newcomer to this process, which has been marked by controversy and division. Seven years ago at the 2001 World Conference against Racism, the virulent anti-Semitic behaviour of a few non-governmental organizations on the sidelines of the Durban Conference overshadowed the critically important work of the Conference. Measures were taken to address this betrayal of the core principles of the Durban Conference, and the NGO document was not forwarded to the Conference. The legacy of this Conference is and should be the Durban Declaration and Programme of Action,

a framework adopted by consensus that has given us a comprehensive plan of action to combat racism in all its manifestations. The Declaration expresses deep concern over the increase in anti-Semitism around the world and alarm over increasing prejudice related to religious beliefs, including Islamophobia.

The ongoing review process gives us a much needed opportunity to assess and accelerate progress on implementation of the Programme of Action, which would help end all forms of discrimination including anti-Semitism and Islamophobia. Unfortunately, this review process is burdened, understandably, with a fear that incidents expressing hatred and intolerance will be repeated. It would be tragic to allow this fear to compromise our efforts to find common ground and to hinder our ability to promote further effective action to eliminate hatred and intolerance of this very kind. For that reason I want to urge all governments to participate fully in this review process to help ensure that the review conference puts this fear to rest and does justice to the victims of discrimination in all of its forms.

We have yet to learn the lessons of the Holocaust, and every day men, women and children still lose their lives to violence that is motivated by racial, religious, and ethnic discrimination. I look forward to working with you to make the review conference a united call for renewed action to end racism, racial discrimination, xenophobia and related intolerance.

Thank you.