

**Statement by Nigeria on behalf of the African Group on Agenda Item 9: Racism, Racial Discrimination, Xenophobia and Related Intolerance: Follow-up to and implementation of the Durban Declaration and Programme of Action**

**30 September 2009**

Mr. President,

I have the honour to deliver this statement on behalf of the African Group.

The African Group expresses its appreciation to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr Githu Muigai, for the presentation of his report.

The African Group has noted with concern, particular focus on the conceptual and legal frameworks on the issue of incitement to racial, or religious hatred, instead of reporting on the manifestations of defamation of religions, and in particular, on the serious implications of Islamophobia on the enjoyment of all rights by the adherents of Islam, as requested by Human Rights Resolution 10/22. The African Group seeks clarification on this issue, which in the opinion of the group, has overstepped his mandate, in breach of the Code of Conduct for Special Procedures Mandate holders as provided for in Resolution 5/2 of the Council.

The African Group does not share in the approach of the special rapporteur, which has seemingly, quoted in a selective manner and without proper contextualisation, from the report of Mr Doudou Diene, the former special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. Within this context, the Group is concerned by the seeming diminishing and denigration of concerns related to the negative impact of Islamophobia on the full enjoyment of all rights by adherents of Islam.

Mr. President,

The report of the special rapporteur seems to pre-empt the totality of the spirit of the 2001 World Conference against racism, racial discrimination, xenophobia and related intolerance, which has expressed and recognised its deep concern on the increase in Islamophobia in various parts of the world, as well as to undermine the mandate of the Ad Hoc Committee on Complementary Standards to prepare complementary standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their respects.

Furthermore, the African Group cautions against the incessant reference by the special rapporteur to the Outcome Document of the Durban Review Conference, including calling for its implementation at the domestic level, while the aforesaid document is yet to be adopted by the General Assembly, which is also expected to guide its implementation.

Finally Mr. President, the African Group encourages the special rapporteur to consult with progressive countries like Ireland, which has recently promulgated a bill on Defamation of Religions, a concept which the special rapporteur seeks to nullify.

Furthermore, the Group encourages the special rapporteur not to underplay the potential clash of civilizations, which has necessitated the establishment of a forum, the Alliance of Civilizations, which among other objectives, aims to foster inter-cultural dialogue and understanding.

I thank you.