



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2004/112
10 February 2004

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Item 6 of the provisional agenda

**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL
FORMS OF DISCRIMINATION**

**Views of the independent eminent experts on the
implementation of the Durban Declaration
and Programme of Action**

Note by the secretariat *

The secretariat has the honour to transmit to the Commission on Human Rights the Views of the independent eminent experts on the implementation of the Durban Declaration and Programme of Action adopted during their first meeting, held in Geneva from 16 to 18 September 2003.

Summary

The eminent experts on the implementation of the Durban Declaration and Programme of Action, at the conclusion of their first meeting from 16 to 18 September 2003, adopted a paper expressing their views. They stressed the centrality of human dignity, the respect for diversity and the importance of protection of civilians. They underlined the importance of the principle of non-discrimination in combating terrorism. In terms of priority areas for attention, they considered that access to education, access to justice and awareness-raising were of high importance. The experts recognized that the eradication of poverty was vital in the effort to eliminate all forms of discrimination. They also recommended that the international

* This document is submitted late due to technical issues

community find ways to measure racial inequalities, and a possible way to do this might be through the development of a "Racial Equality Index", similar to the "Human Development Index" developed and used by the United Nations Development Programme. The experts emphasized the importance of mobilizing civil society and young people to combat racism and intolerance. They also called on States to develop national action plans to combat racism, and underlined the importance of the implementation of the international legal framework, most notably the International Convention to Eliminate All Forms of Racial Discrimination.

Introduction

1. The General Assembly, in its resolution 56/266, requested the Secretary-General, in accordance with paragraph 191 (b) of the Durban Programme of Action, to appoint five independent eminent experts, one from each region, from among candidates proposed by the Chairperson of the Commission on Human Rights, after consultation with the regional groups, to follow the implementation of the provisions of the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. On 16 June 2003 the Secretary-General appointed the following five eminent experts: Martti Oiva Kalevi Ahtisaari, former President of Finland; His Royal Highness Prince El Hassan bin Talal of Jordan; Edna Maria Santos Roland of Brazil, who served as Rapporteur-General of the World Conference against Racism; Salim Ahmed Salim of Tanzania, former President of the United Nations General Assembly and the Organization of African Unity; and Hanna Suchocka, former Prime Minister of Poland. The appointed experts have a wealth of experience and a commitment to anti-discrimination and equality issues, as well as an international profile that will contribute to the implementation of the Declaration and Programme of Action.

Views communicated by the independent experts on the implementation of the Durban Declaration and Programme of Action to the High Commissioner for Human Rights

3. The independent eminent experts, in line with the Programme of Action, met in Geneva from 16 to 18 September 2003.¹⁾

4. The mandate of the independent eminent experts is "to follow the implementation of the provisions of the Declaration and Programme of Action" (Programme of Action, para. 191 (b)). In accordance with Commission on Human Rights resolution 2003/30, the work of the independent eminent experts is, inter alia, to assist the High Commissioner for Human Rights in preparing his annual progress report to the Commission and the General Assembly; and "to assist the High Commissioner in the assessment and evaluation of existing international standards and instruments to combat racism, racial discrimination, xenophobia and related intolerance with a view to preparing complementary standards" (para. 21).

¹⁾ Mr. Ahtisaari did not attend the session

5. The independent eminent experts had a detailed exchange of views with a variety of stakeholders, including representatives of States, United Nations bodies and agencies and representatives of civil society and worked closely with the Acting High Commissioner for Human Rights.
6. The experts emphasized, inter alia, the following issues:
 - (a) The experts were convinced that their work should follow a humanitarian vision based on an "ethic of human solidarity". The experts stressed the centrality of human dignity, respect for diversity and the importance of effective measures for the protection of civilians. They concluded that their future activities in cooperating with the High Commissioner for Human Rights would be carried out within the matrix of a shared humanitarian vision, which takes into account existing vulnerabilities of groups, communities and other stakeholders;
 - (b) The experts paid special attention to the possible linkages between racial discrimination, xenophobia and terrorism. They underlined the importance of the principle of non-discrimination in countering terrorism and strict adherence to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination;
 - (c) The experts considered that awareness-raising and access to education were crucial in the struggle against discrimination and urged stakeholders in the process to take that into account in their future implementation efforts;
 - (d) The experts were also convinced that access to justice was important, in particular for those who had historically suffered from racial discrimination;
 - (e) The experts emphasized the need for the elaboration and implementation of national plans of action relating to the struggle against discrimination and encouraged States to complete such plans with meaningful participation from national human rights institutions and civil society;
 - (f) The experts recommended that the international community find ways of measuring existing racial inequalities, possibly through the development of a "Racial Equality Index", similar to the Human Development Index developed and used by the United Nations Development Programme;
 - (g) The experts emphasized the importance of engaging civil society, inter alia through their good offices, by networking and by mobilizing diverse caucuses through a transdisciplinary approach;
 - (h) The experts stressed the importance of promoting a "culture of compliance" to help bridge the gaps between international legislation, resolutions and decisions and their implementation in relation to the realities on the ground;

- (i) The experts recognized that the eradication of poverty was vital to the elimination of all forms of discrimination and concluded that greater efforts must be made by the international community to provide sufficient resources to that end.
- (j) The experts emphasized that the media had an ethical responsibility in the struggle against discrimination and had a central role to play in awareness-raising;
- (k) The experts underlined the importance of involving young people in combating racism and intolerance and recommended that special efforts be made to facilitate their participation in the follow-up process;
- (l) The experts stressed the central role of the international legal framework and encouraged universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination. The experts appealed to States parties to the Convention to apply its provisions fully, and in this respect take into account the anti-discrimination agenda adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in fulfilling their obligations;
- (m) On the issue of updating international standards, the experts indicated that a study on this subject would be useful in facilitating their consideration of this issue, keeping in mind the deliberations of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.

7. The experts expressed their conviction that the fight against racial discrimination had been a core mandate of the United Nations since its founding. Despite progress and efforts being made by the international community, much remained to be done. In that regard, the experts took note of the fact that there was a universal will to overcome racism, racial discrimination, xenophobia and related intolerance despite differences of view on strategies and tactics. The experts appealed to all States to take concerted action to find common ground in this global endeavour.
