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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED FORMS OF
INTOLERANCE, FOLLOW-UP AND IMPLEMENTATION OF THE DURBAN
DECLARATION AND PROGRAMME OF ACTION**

**Written statement* submitted by the Organization for Defending Victims of Violence
(ODVV), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 February 2009]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The preamble of the Universal Declaration of Human Rights (UDHR) comprises of fundamental concepts and notions which were envisioned by its authors in the drawing up of the following articles, that include human family's unity, mankind's inherent dignity, the identification of the rights from this dignity, equality, freedom of expression and belief, development of friendly relations among nations among others. According to articles 1 and 2 of the UDHR all human beings are born free and everyone's entitled to all the rights and freedoms set in the Declaration.

Natural factors such as climate, geographical location, heritage, nutrition, and living conditions cause distinctions in race, wealth, poverty, colour of skin etc. These distinctions have always been the root cause of inequalities among individuals, and people's worth is measured through ethnicity measures, all of which have nothing to do with the principle of humanity, and it gives them dignity or wretchedness. This situation still exists in most parts of the world.

Most wars have erupted due to racism. Race and religion are used as tools to make people who look different from one another hate each other. "Xenophobia from worrying about losing your home or job to them. Who is this foreigner? I don't know him or her, and he or she doesn't know me?" It is ignorance which is the cause for fear, and refugees and migrants are vulnerable to these problems.

In a press conference on 4 November 2008, UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Githu Muigai noted that migrants, refugees and asylum seekers were among the groups most vulnerable to racial discrimination, he said that, unfortunately that trend had been aggravated in recent years with legitimate national security considerations having generated practices amounting to racial profiling. Competition for scarce resources, in light of the current financial crisis, could also foster more racial and ethnic tensions, with "foreigners and outsiders perceived as competitors for jobs and welfare. Regarding the recommendation on moving from the concept of "defamation of religions" to "incitement to racial and religious hatred", he said there was a long-standing controversy surrounding that issue. While some believed freedom of speech was fundamental to civilized society, others believed Islamophobia, anti-Semitism and anti-Christianity ought to be recognized as a specific form of xenophobia. Rather than spend a lot of time debating the need for protection against the defamation of religion, the previous Special Rapporteur had proposed in his last report that it was "probably more useful" to use the term "incitement to religious hatred". That recommendation was well based, as the Special Rapporteur ought to be in the business of protecting victims, and it was important to stay with "the language that helps us to do that".¹

In the United Kingdom where the laws are strict, the most senior Muslim police officer, Iranian born Metropolitan Police Commander Ali Dizaei was suspended for the second time in September 2008 amid fresh misconduct allegations. In 2003 Mr Dizaei was cleared at the Old Bailey of criminal charges relating to misconduct in public office and perverting the course of justice.

¹ www.un.org/news/briefings/docs/2008/081104_muigai.doc.htm

On the pretext of war on terror, the United States has put racism into practice outside of its borders. With the United States being a permanent member of the UN Security Council, the war on terror became the main global agenda. The negative developments following the Durban Conference, the strict and humiliating measures taken against migrants by the West, the publication of insulting caricatures of the Prophet of Islam, the rise in Islamophobia and appearance of new forms of racism, all on the pretext of the war on terror, have all caused a gradual rise in popular protests and objections against America's actions across the world. The international community wants the comprehensive implementation of the Durban Declaration and Plan of Action, and for the holding of the Durban Review Conference in 2009. The absence of the United States and Israel's absence from the upcoming conference clearly shows the nature of the neutrality and so-called democracy of these two countries.

More than 200,000 US public school students were punished by beatings during the 2006-2007 school year, Human Rights Watch and the American Civil Liberties Union said in a joint report released on 19 August 2008. In the 13 states that corporally punished more than 1,000 students per year, African-American girls were twice as likely to be beaten as their white counterparts.²

In its 2006 report, the European Commission Against Racism and Intolerance states, "ECRI is deeply concerned by the **negative climate of opinion** which plays a key role in the appearance of manifestations of racism or intolerance within society. This climate is fuelled by some media and also by the use of racist and xenophobic arguments in **political discourse**. Xenophobic discourse currently enjoys a free rein in countries where the transition to a multicultural society arouses fears which find an echo in a context of economic crisis and globalisation, raising for many citizens the issue of national identity. Once again, it is minority groups and different communities which are targeted, including by the traditional political parties of many countries."³

Sectarian violence still continues in Iraq despite the relative drop in terrorist attacks in the country. The latest of these attacks was the bomb attack that killed many Shia pilgrims in Iraq who were attending the ceremonies marking the martyrdom of Imam Hussein.

As a nongovernmental human rights advocating organization, the Organization for Defending Victims of Violence (ODVV) believes that the best way to fight racism and xenophobia is through education, interaction and dialogue.

With its past valuable gained experiences in holding human rights education courses, seminars, roundtables, and technical sittings, the ODVV declares its readiness and ability to be host to international conferences on racism, and or be a part of a network of international NGOs set up to fight racism.

² <http://www.hrw.org/en/news/2008/08/19/us-end-beating-children-public-schools>

³ CRI(2007)21