



Human Rights Council

Fifty-first session

12 September–7 October 2022

Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by Sikh Human Rights Group, 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.

[21 August 2022]

* Issued as received, in the language of submission only.



Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance: Follow-up to and Implementation of the Durban Declaration and Programme of Action

The Sikh Human Rights Group (SHRG) believes that Systemic Racism exists because there is no Systemic Diversity. There is yet to be a declaration or convention on diversity that will assist in making societies comfortable with natural, cultural and philosophical differences. Minorities, people of variable lifestyles, gender, social-economic backgrounds, and religious continue to protest for their right to equality and their voices to be heard. While there was a race to find a vaccine for COVID-19, the real pandemic of racism, xenophobia, and discrimination has been around for centuries, and there is still no vaccine for it. The world has been living with the pandemic of discrimination for centuries. Perhaps we need to look at complimentary cures.

We at SHRG believe the existing Durban Declaration and Programme of Action is lagging implementation either in spirit or in practice to achieve the aims it has set out because society remains uncomfortable with diversity in many parts of the world. While strengthening the law and anti-discriminatory policies are essential to address discriminatory attitude towards the 'other' or the minority groups of the world, SHRG feel we need to go further than the law. We need to encourage a culture of accepting diversity as natural and enact policies to help people be comfortable with diversity and eventually feel enriched by the diversity this world offers. This, in turn, will strengthen existing approaches.

While we recognise many countries have adopted policies of promoting diversity across the many sectors of the State, there are, however, many countries where individuals have to fight for basic respect, dignity, and equality through political campaigns and legal challenges; no country has come close to curing the discriminatory pandemic. SHRG believes measures to improve and create a positive approach towards diversity will compliment the campaign to end discrimination and can best be achieved through the United Nations. We propose that a Declaration on Diversity is the appropriate step.

A Declaration on Diversity will encourage States to adopt policies, learn from best practices and reduce discrimination against minorities and underrepresented groups. This will show solidarity around the globe when we need it most, show that voices have been heard and that no one died in vain while protesting for their human rights.

A Declaration on Diversity will provide emphasis and embody pluralism, where societies worldwide are encouraged to live in coexistence with one another, regardless of one's community, lifestyle, religion, ethnicity, gender, age, or background. We, as a world, need to do more than just tolerate one another's differences and give more than just civil rights. We need to inspire people to embrace diversity and not only feel comfortable with it but value it. We need to educate ourselves on the different struggles people around the globe and down the street from us have faced.

A Declaration on Diversity will also incorporate respect for biodiversity. It will promote a better understanding of the ecosystems sustained by diversity. Respecting diversity in nature and human life compliments each other.

We understand not all states will agree to all aspects of a Declaration on Diversity. However, we believe a glass ceiling needs to be broken. Now should be the time of change and encourage challenging and uncomfortable conversations to stand up for people who are still fighting for fundamental human rights, dignity, and respect in some states. A slow and gradual acceptance and adoption of the main articles within such a Declaration will be a success in itself as an initial charter for a positive action plan on fulfilling the sentiments and ambitions of the Durban Declaration.

We are often asked for specifics on a Declaration on Diversity. We understand and appreciate the requests. However, we would like to say that what we are proposing is a dramatic new form of approach to deal with discrimination.

The United Nations system and, to a great extent, the State system is used to the human rights regime as the basis of resolutions and action. In a somewhat simple explanation, the

human rights regime has right holders and those who are expected due to their power to ensure rights are observed and respected. Human rights work in an adversarial dynamic of right holders demanding respect for their rights. It also works in a benevolent system where those with the power to grant and respect rights do so proactively without waiting for demands placed.

It is to be expected that any new proposals within a conceptual paradigm that has existed for over 70 years, and indeed even longer as human rights philosophies, be clear and precise.

What we are proposing is a conceptual framework that is yet to be adequately developed within a world order of Hobbesian Sovereign States. The concept we suggest existed in many civilisations in the past and continues to be an aspect of some civilisations.

We are suggesting a step onwards from tolerating diversity because of human rights being fundamental to accepting diversity without a minority or the 'other' pleading for it or demanding it.

We propose that States look at best practices and take proactive steps at making minorities, interest groups, cultures and others that don't necessarily fit the narrow definition of 'normal' inclusive and normalised without feeling a sense of marginalisation or discrimination. We are suggesting a paradigm change.

For instance, States could set up a Department of Diversity and Minorities that would regularly interact with minorities and identify diversity. The Department would listen to concerns and barriers and take steps to address concerns and eradicate barriers with feasible policies. The Department could look at the balance of expectations and what can be realistically delivered. Too much attention to minorities can upset the majority and lead to populist politics. But a balanced approach and better understanding of diversity could help to eradicate discrimination and prejudice.

Some countries have already taken steps in positive approaches. A Declaration will commit more countries and encourage learning from best practices.

A conceptual change towards accepting diversity as systemic and finding coexistence tools will also encourage people to look at biodiversity differently.

We are humble enough to realise that we don't have all the answers but just an idea. It might appear to be utopian, but many ideas in the world, including human rights, began as utopias.

We think a group of eminent thinkers appointed by the UN could begin to look at the proposal and discuss the possibility of a positive approach to diversity that would compliment the human rights regime.
