

REPORT BACK: DURBAN REVIEW CONFERENCE APRIL 20-24, 2009

Human Rights Project
Urban Justice Center

“Discrimination does not go away by itself. It must be challenged. Otherwise it can become a cause of social unrest and violence. We must be especially vigilant during this time of economic trouble... I deeply regret that some have chosen to stand aside. I hope they will not do so for long. Like Theodore Roosevelt, among others, my allegiance and sympathies have always been with the men and women in the arena, struggling with courage and determination to win the day. It may be easier to criticize those efforts from afar, but it does not advance the universal cause.” *Opening Comments by Mr. Ban Ki Moon, Secretary General of the United Nations, on April 20, 2009 at the Durban Review Conference.*

INTRODUCTION

It's been over two weeks since the Durban Review Conference took place when 143 countries and about 900 representatives from civil society (including non-governmental groups) came together to address the seemingly intractable problem of racism, racial discrimination, xenophobia, and related intolerances. In this round of the global fight against racism, the participating governments, members of civil society, and the United Nations emerged the winners. In spite of a well-funded and organized effort to sabotage their efforts, these groups came together to do the difficult work of negotiating a consensus document that outlines progress and further action needed by the global community to combat racism. The outcome document that resulted from these negotiations is not perfect but it nonetheless fully affirms the commitments made at the preceding World Conference Against Racism in 2001. The successful conclusion of the conference also gives hope that the long term winners will be the countless victims of discrimination around the world. On the wall of shame, we have the nine countries—the United States, Israel, Canada, Australia, Germany, Italy, Netherland, New Zealand, and Poland—that chose to sit on the sidelines and criticize; most disappointing among them is the United States of America. The last seven countries listed above pulled an inexplicable switcheroo in their decision not to attend given that they all accepted the initial commitments on which the conference was based. The Czech Republic walked out on the first day as well.

Contrary to what the media coverage would have one believe, the conference did not center around the unproductive behavior displayed by both the Iranian President and members of the European Union with their walk-out. Most countries took the process very seriously. Because the mainstream media did a poor job of covering the Durban Review Conference and its main purpose, this report back draws mainly from actual statements made (and that staff of the Human Rights Project witnessed) during the conference. A partial listing of some good coverage on the conference can be found at the end of this document.

THE IMPORTANCE OF THE DURBAN REVIEW CONFERENCE

A United Nations conference will not solve the problem of racism however it is a unique forum for tackling the problem on a global scale. In its role of providing a platform that “brings together the nations of the world, in all their diversity, to reach a consensus,” the United Nations came out on top. To further paraphrase Mr. Jonas Gahr Store, Minister for Foreign Affairs of Norway, “fighting racism is one of the contemporary struggles confronting humanity. There are other struggles—arms disarmament, combating climate change and fighting poverty to name a few. The method available to us to advance on these critical issues is to come together and seek common ground. Our method must be principled dialogue. The alternative is monologue which takes us

VOICES - EVERYONE AFFECTED BY RACISM HAS A STORY THAT SHOULD BE HEARD. The ‘Voices’ event was organized by the Office of the High Commissioner for Human Rights and held daily during the Durban Review Conference. The event was moderated by Ms. Gay McDougall, UN Independent Expert on minority issues

April 21, 2009
Robert Wilkins, USA

“As a Black man living in the United States, I am no stranger to racial discrimination. As a young boy growing up, I faced name calling at school by White students, as well as violence and threats of violence by White children. Over the years, I also learned about countless incidents of racial discrimination that were endured by my mother and grandparents.

Despite all of that, May 8, 1992 is a day that will always stand out in my mind. On that day, I saw racial discrimination, but it was not discrimination by an individual, it was discrimination by the State.”

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nowhere. We owe it to our constituencies to engage actively and to make every effort to succeed, and we need to do so in good faith. The outcome document produced by the Durban Review Conference was the result of a process conducted in good faith.”

The outcome document represents “a compromise between positions that were feared to be irreconcilable” as described by Minister Edson Santos of Brazil. And the outcome document was indeed a feat to be celebrated for the fact that it reaffirms in full the Durban Declaration and Program of Action (DDPA) i.e. the commitments made at the World Conference Against Racism in 2001. The DDPA is one of the most comprehensive frameworks for combating racism, racial discrimination, xenophobia and related intolerances. The DDPA details sources of racism, victims of racism, and offers measures that governments can implement to prevent and combat racism at the domestic, regional and international levels. The DDPA identifies the link between poverty, underdevelopment and discrimination, an issue that should be of particular importance in the current economic crisis. It highlights the importance of using a gender perspective in addressing racism, and looks at the specific discrimination faced by migrants. It also calls on governments to develop national plans of action to combat racism in all its forms. If the global community had the political will to act on the proposals of the DDPA in the years following its adoption, giant strides would have been made to eradicating the scourge of racism.

The Durban Review Conference was not only an “opportunity to assess the progress that the world has made in translating into action the commitments made in Durban, South Africa in 2001 as articulated in the Durban Declaration and Program of Action (DDPA), but also to renew the collective global spirit and political will to turn the goals set in the DDPA into reality.” These words borrowed from a statement by Nelson Mandela that was read at the conference remind us that the bulk of the work is ahead of us. As Mandela pointed out, the victims of racism are children, men and women, in their millions. Please see column to the right for some stories by victims of discrimination from around the world who participated in a side event titled “Voices.” The “Voices” side event served as a poignant reminder of the urgent need for the world’s leaders to put politics aside and get serious about implementing the DDPA. It was a powerful reminder that “no society-large or small, rich or poor-is immune to racism.”

SOME LESSONS LEARNED

No process is perfect, and the Durban Review Conference had much room for improvement. To begin with, civil society contribution at the conference itself was mostly symbolic as the outcome document was officially adopted before members of civil society had a chance to make oral statements. Furthermore, some official government delegates successfully silenced civil society contributions by frequently interrupting them and charging them with breaking with the “protocol” of the United Nations. Listed below are some ideas for enhancing civil society participation in future conferences.

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April 21, 2009

Elena Gorolová, Czech Republic

“Giving birth is one of the most beautiful things in the world but we Romani women have been prevented from exercising this capacity freely. In Czechoslovakia, the policy was to reduce the birth rate of Romani children. Some of the women who were involuntarily sterilized then experienced problems such as divorce. Their husbands did not want to live with them because they could not have any more children, which is a great shame for a Romani man. Most of the women in our group later also underwent hysterectomies for health reasons; to this day they all experience health problems such as migraine headaches, spinal pain, and stress.”

[Click here for full statement](#)

The most effective participation by civil society occurs before the conference

- The United Nations and funders should encourage and support more civil society participation in the preparatory meetings leading up to the conference as this is when the bulk of the negotiation takes place
- There is a need to educate civil society about the informal United Nations rules that govern conferences including for example the tacit agreement that governments should not be singled for criticism. By understanding the rules or protocol, civil society can challenge those that are not democratic or fair, and tailor contributions to fit within accepted guidelines

Side Events are an important part of the process

- In a forum governed mainly by official government delegates, the side events offer a much needed space to discuss relevant problems of racism and allow members of civil society to meet and share with each other. Civil Society should endeavor to plan and participate in joint side events including during the preparatory process. The Human Rights Project at the Urban Justice Center co-sponsored a side event on the economic crisis and racism with the US Human Rights Network at the Durban Review Conference.
- Some side events e.g. “Voices” should be incorporated into the high-level segments of the conference to serve as a reminder of the goals of the convening

Use multiple entry points to influence the process

- Members of civil society should use as many avenues as possible to influence the process including cultivating relationships with friendly governments, and representatives of the various United Nations mechanisms e.g. special experts, and raising their points in as many different meetings as possible

Make specific asks that fit into a long-term campaign strategy

- Civil society should have clear and specific demands to make, and should endeavor to have a coalition of groups supporting the ask
- The demands of civil society should be linked to a long-term campaign strategy that uses conferences as one phase in a broader strategy

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**April 22, 2009
Khalid Hussain, Bangladesh**

“I am a Bihari from Bangladesh. The Bihari community of Bangladesh was originally composed of Indian immigrants sympathetic to the creation of Pakistan in 1947. Their distinct language, culture and traditions set them apart from the Bengalis and they were never properly integrated into the local population. Since the partition of the East and West components of Pakistan in 1971, over 300,000 Bihari people have been living in 116 makeshift inhuman camps situated all over Bangladesh...Biharis are the most disadvantaged people in Bangladesh as we are not recognized citizens of this country, which we consider our home. We are marginalized and virtually stateless people. For the last 37 years, we have been suffering from racial discrimination, discrimination due to our language, intolerances, frustration and depression.”

[Click here for full statement](#)

DISPELLING SOME MYTHS

The Durban Review Conference was plagued with propaganda fueled by groups that did not want the conference to take place. Given the concerted efforts to discredit the conference, it is important to address some of the most flagrant misrepresentations that were circulated.

Is the DDPA anti-Semitic? No. Anyone who has questions should first [read the document](#). The DDPA consists of 341 paragraphs and only 6 of those paragraphs refer to the Middle East, anti-Semitism and directly related issues. These statements squarely condemn anti-Semitism and related forms of bias. The first of those six paragraphs recalls that the Holocaust must never be forgotten, and the second paragraph recognizes deep concern in the increase in anti-Semitism and Islamophobia in various parts of the world. The other four paragraphs refer to “the plight of the Palestinian people” and “the right to security for all States in the region, including Israel,” as well as call upon “Israel and the Palestinians to resume the peace process, and to develop and prosper in security and freedom.” This language is not anti-Semitic but rather a recognition of the universality of human rights from which no country can legitimately claim to be exempt from respecting, protecting and fulfilling basic and fundamental human rights and freedom. The Obama Administration has suggested that there was something problematic about the DDPA but has never specified the exact paragraphs or language that it does not approve of.

Did the United Nations invite President Ahmadinejad to speak at the conference? No. President Ahmadinejad requested to speak. The United Nations is a body of governments and if a head of State requests to speak, the United Nations staff or appointees do not refuse that request. As the High Commissioner for Human Rights Navi Pillay clearly stated “everybody has a right to speak at the United Nations, and more especially the head of State.” The order for speaking is determined by the order in which the requests are received. Also, heads of State are not interrupted when they speak. The unfortunate reality is that other heads of State ceded the floor to President Ahmadinejad when they refused to show up or even send official delegations to the conference. As High Commissioner Navi Pillay said “the best riposte for this type of event is to reply and correct, not to withdraw and boycott the Conference.”

A NOTE ON THE OBAMA ADMINISTRATION’S DECISION TO STAY AWAY

It was disappointing to learn that the Obama Administration decided not to participate in the Durban Review Conference. The decision was a clear departure from its stated policy of engagement even with “enemies.” President Obama stated that participating in the conference would have meant sanctioning something he did not believe in, but the administration is not clear on what exactly they do not believe in. Surely not combating racism? One can only assume that the Obama

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**April 22, 2009
Mariama Oumarou, Niger**

“I was only a child when I started to understand that I belonged to the Black Touareg. The Touareg community is hierarchical and distinguishes between two groups, according to the skin colour: the majority belongs to the black group, and the minority, to the white group. My master, Mr. Igdas, was a white Touareg. He was the master of my mother Nola and of my grandmother Amina. I was therefore also Mr. Igdas’ slave and was, as such, doing all the domestic work and other chores, according to his desire. I had to herd the goats, feed them, I had to gather dead wood for the cooking, to prepare food for the whole family, to clean the house, etc. For years, I thought that this family was mine. But as I grew older, I realized that the tasks I was entrusted with were different from the tasks of other girls of my age.”

[Click here for full statement](#)

Administration's decision was political and not substantive. As Minister Edson Santos of Brazil pointed out, "to walk out from the negotiating process is to surrender to the temptation of non-dialogue. It is the refusal to change...To abandon Durban is to stray from the long path we have built since the adoption of the Universal Declaration of Human Rights." We hope that the Obama Administration will reverse its position and work in earnest to implement the DDPA and support the next review conference – Durban +10.

ACTION ITEMS

- The Durban Review Conference was one step in the combat against racism. The next step is for civil society to push for the implementation of the DDPA, in particular to call for a United States national plan of action to combat racism, racial discrimination, xenophobia and related intolerance with a gender perspective. DDPA implementation should be linked to the United States' membership on the Human Rights Council.
- The United States has already ratified the International Convention on the Elimination of all forms of Racial Discrimination (CERD) and has been called to participate in the Durban Review process as one of its obligations under CERD. Both CERD and the DDPA make a link between poverty, underdevelopment and discrimination, and call for special measures to address the needs of groups that have been discriminated against. Civil society should push for the development of affirmative policies attached to the economic stimulus package that meets the specific needs of groups that have been over-represented in unemployment and low-wage employment as an obligation under CERD.
- United Nations conferences are reviewed every 5 years. The Durban Review Conference should have taken place in 2006 but was delayed. Civil society should start organizing early for the next review conference, Durban +10.

SOME MEDIA COVERAGE

- Oakland Tribune. [Rebranding of U.N. conference undid years of human-rights work](#), by Cecilie Surasky
- New America Media. [Obama Boycott of U.N. Racism Conference Disappoints African Diaspora](#), by Roberto Lovato
- MuzzleWatch. [American NGO Delegation: "The Fix is In."](#), by Cecilie Surasky
- AP. [Envoys back UN vow to combat racism](#), by Frank Jordans
- Facing South. [VOICES: From the U.S. South to the global South: Why Durban II matters](#), by Desiree Evans
- Earth Times. [Victims of racism bond on conference sidelines](#)
- Free Speech Radio News. [Obama administration decides not to attend racism conference](#), by Sacajawea Hall
- Foreign Policy in Focus. [Global Discussion on Racism](#), by Ejim Dike
- The Nation. [Race and the Obama Administration Comment](#), by Danny Glover

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**April 22, 2009
Barbara Shaw, Australia**

"I am a descendent of the Arrente, Kaytetye, Warlpiri and Waramungu people in the Northern Territory. I live at Mount Nancy Town Camp which is now Prescribed Area under the Federal Government Intervention....In June 2007 on the emotive pretext of protecting children from sexual abuse the previous Australian Government announced the Northern Territory Emergency Response based on special measures for Aboriginal people only living in designated Aboriginal Communities in the Northern Territory. The Government of the day suspended the Racial Discrimination Act of 1975 to put in place a legislative policy with punitive measures that targeted one race of people... The current Government (elected November 2007) is still implementing and expanding the Intervention to other Aboriginal Communities. Our people believe that the intent behind the Northern Territory Emergency Response was and is a land grab to secure natural resources and mineral in the national interest of the colonial Australian Government."

[Click here for full statement](#)