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Conference Room Paper on the Global Consultation on

Racism and Racial Discrimination held in Geneva from 3-6 October 1988

The General Assembly, in its resolution 42/47, mandated the Secretary-General to organize in 1988, in the framework of the Programme of Action of the Second Decade to Combat Racism and Racial Discrimination, a global consultation involving representatives of the United Nations system and of regional intergovernmental and interested non-governmental organizations in consultative status, to focus on the co-ordination of international activities to combat racism and racial discrimination. It was further requested to disseminate widely the results of that Consultation.

The Global Consultation took place from 3 to 6 October 1988, in the Palais des Nations at Geneva.

Discrimination is the negation of human rights and fundamental freedoms. While discrimination and its doubtless most flagrant manifestation, racism, persist, we cannot hope to build an international society based squarely upon equal human dignity and worth. We cannot remain idle in the face of the glaring affront to basic human dignity that is constituted by that institutionalized form of racial discrimination, apartheid. Our common humanity demands of us a response of concern, solidarity and of action.

In organizing this Consultation, the Centre for Human Rights gave particular attention to the request of the General Assembly to mobilize maximum international pressure to attain the objectives of the Second Decade and to implement the measures laid down in the Programme of Action. It was in that spirit that we believed, as we prepared the meeting, that by a stimulating and profound exchange of views, by providing interesting, thought-provoking and useful experiences, ideas and recommendations, we would help to give fresh impetus to the global struggle against racial discrimination.

The composition and format of the Consultation were thus carefully designed to respond to both the spirit and the letter of the relevant Assembly resolution. The broadly representative group of participants was drawn from all sectors of the international community of human rights activists, NGOs and experts. Emphasis was laid on describing and evaluating the work contribution of the intergovernmental human rights organs and bodies, as well as Secretariat departments of the United Nations System, the specialized agencies and other international organizations and institutions. At the same time, the voice of scholars, scientists, university professors and of non-governmental organizations was prominently heard.

In the course of its meetings, the Consultation considered the following topics:

1. The international challenge of racism today;
2. The origins of racism and racial discrimination;
3. Contemporary forms of racism, with particular reference to apartheid;
4. Vulnerable groups and racism;
5. Current and future United Nations action in the field of racism and racial discrimination;
6. Co-ordination and strengthening international action at all levels against racism and racial discrimination.

Having in mind the results of the Global Consultation, it is encouraging that the composition, the format and the agenda of the meeting enabled the consideration of a broad variety of aspects as to racism, racial discrimination and apartheid, and provoked new and interesting propositions and recommendations for further action. It is for this reason that a first conclusion from the work done during the Global Consultation, should be to suggest to the General Assembly to authorize a further consultation of that kind at a later stage.

The Consultation had the privilege of receiving an important message from the Chairman of the Special Committee against Apartheid, H.E. Major-General Joseph Garba, who had been invited to participate, but was detained by pressing commitments in New York at the General Assembly. The message stressed that the leadership exercised by the Special Committee in the struggle against the evil of apartheid, required a deserved universal support and mobilization aiming at the total eradication of this crime against humanity which the policies of apartheid constitute.

A further valuable contribution to the deliberations was made by the representative of the Special Committee on the Situation with Regard to the Granting of Independence to Colonial Countries and Peoples, who pointed out that the dismantling of colonialism was inextricably linked to the fight against racism and racial discrimination, of which apartheid has become one of the most odious and repugnant manifestations. For many countries, independence from colonial will also meant freedom from racial injustice

Another outstanding and valuable contribution to the Consultation was made by Madame Danielle Mitterrand, Founding President of "Fondation France Libertés", who came to Geneva despite her numerous and very important engagements, to address the body. Madame Mitterrand underlined that, if we united our forces, our determination and common will, we would hasten the end of genocide, racial hatred and discrimination. It was in that spirit that we should continue to enlarge the whole gamut of ethnic and social rights, which had progressively been developed in the second half of the 19th century and which had to be enshrined in the "armoury of rights" of our time.

At its first meeting, on 3 October, the Global Consultation considered "The international challenge of racism today". Mr. Bernt Carlsson, United Nations Commissioner for Namibia, Ambassador Konstantin Tellalov, Chairman of the Bulgarian Human Rights Commission, Mr. Edem Kodjo, Director of the Panafrican Institute for International Relations and Mr. Marek Hagmajer, President of the Committee of Non-Governmental Organizations addressed the Consultation under this item.

During the consideration of this topic, it was stated that the international community was confronted today with a new challenge of racism and racial discrimination which infiltrated many parts of human society and questioned its spiritual and moral foundation.

Though apartheid continued to be racial segregation in its most institutionalized form and constituted a crime against humanity, racial discrimination should not exclusively be considered in the context of apartheid. Under the slogan of protecting the nation against "waves of people of other colour" extremist movements tried to influence the mind and the feelings of men and women, particularly among young people. Unemployment, infectious diseases like AIDS and a mentality which reduced and assigned all evils to the foreigner, were mentioned as further aspects which could lead to racial discrimination and racial prejudices. Reference was also made, in this conjunction, to the role played by certain economic, social and cultural forces, whose activities might enliven racial prejudices and ideas, to the international migration of labour, to forms of tribalism and nationalism, which could cause expulsion, massacres, national and racial hatred and discrimination. After the crimes of nazism, it was said, and the holocaust of the Second World War, it was intolerable to accept that human beings were further discriminated and segregated because of their skin, their religion,

their culture and their sex. Referring to the fortieth anniversary of the proclamation of the Universal Declaration of Human Rights, tribute was paid to the work of the United Nations system in combating racism, racial prejudice and discrimination, and in protecting and promoting respect for human rights and fundamental freedoms. In order to respond to the new challenges, it was suggested that particular attention should be given to the full implementation of international standards relating to the elimination of racism and racial discrimination at the international and national level, as well as to measures aimed at strengthening the role of all types of the educational system in the spiritual and intellectual formation of the moral and ethical attitude of young people.

It was emphasized that an attitude of mind which recognizes the "other", responds and understands the various differences among human beings, their customs, traditions, religions and cultures were important criteria to eradicate racial prejudices and discrimination. For racism entails indifference, intolerance and heartlessness.

Under this item, the speakers repeatedly referred to the situation in South Africa and Namibia and underlined the responsibility for combating racism, racial discrimination and apartheid by the United Nations, the specialized agencies, governmental and non-governmental organizations.

It was further underlined that racism was also a negative factor for social progress and development by excluding gifted individuals from education or access to scientific and other careers by reasons of their race. Furthermore, it was said that racism gave rise not only to internal tensions but also to conflicts between States which might escalate and endanger international peace and security.

On Monday, 3 October 1988, p.m., the Global Consultation devoted its deliberations to the origins of racism and racial discrimination.

The following panelists addressed the meeting on the above topic:

Prof. Albert de Pury, Dean of the Faculty of Theology, University of Geneva (Switzerland); Prof. Joseph Ki-Zerbo, Professor of History, University of Dakar (Senegal); Prof. Samir Amin, Professor of Economics, Director of the African Office of the Third World Forum, Dakar (Senegal), Professor Danilo Türk, Professor of International Law, University of Ljubljana (Yugoslavia).

In the course of the meeting, the question was raised as to whether monotheistic religions, in their archaic form, contributed in a certain way to the origin of racism, in spite of the fact that they all accept that human beings descended from the same parents.

Reference was made to the fundamental unity of human beings: scientifically, the very notion of race was ambiguous since it comprised various conflicting elements.

Attention was drawn to the link between colonialism and racism, with particular reference to Africa's colonial and post-colonial era, and mention was made of the fact that economic interests were one of the most important aspects of racism. In this context, it was pointed out that apartheid was the most pernicious and extreme manifestation of racism today and that a world-wide effort should be made to dismantle it. The view was expressed that ignorance plays a major role in the persistence of prejudice and racial discrimination and the need for a constructive involvement at all levels of society for a better acceptance of human differences and diversity of races and cultures was stressed.

The link was made between European expansion during the last century, the ideology of liberalism and racism. Concern was expressed regarding today's indirect forms of colonialism. It was also said that more efforts were required in order to eradicate racism and racial discrimination, particularly through education, and an appeal was made in favour of a universal acceptance of existing human rights instruments against racism and racial discrimination with the view to establishing an international human rights culture.

It was pointed out that racial discrimination might take various aspects. Sometimes it could appear to be simply racial prejudice. In such a case, education could be a remedy. Sometimes it might take the aspect of domination of one class of society upon another. In fact the question was much more complex. Racial discrimination is part of human history and it has been shown that the course of history is not sufficient to eradicate racism and racial discrimination. In this context, the principle of equality in the application of law to everyone was raised and it was said that in certain circumstances inequality in the application of law should itself be used to correct certain inequalities.

In the course of the discussions, emphasis was put on the very close relationship between racism, racial discrimination, apartheid and the search for a full achievement of economic, social and cultural rights. It was said that the two objectives were interdependent. The situation of refugees, migrant workers and indigenous populations was given as an example.

On Tuesday, 4 October 1988, at its morning session the Global Consultation discussed contemporary forms of racism, with particular reference to apartheid. The following panelists addressed the meeting: Rev. N. Barney Pityana, Director of Programme to Combat Racism (World Council of Churches);

Mr. Nicholas D. Kitikiti, Deputy Permanent Representative of Zimbabwe, Geneva); Mr. Kader Asmal, Senior Lecturer in Law (Trinity College, Dublin); Mr. Thodore S. Zoupanos, Representative of the Centre against Apartheid; and Mr. Asbjorn Eide, Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

The practice of apartheid was referred to as the most unacceptable form of racism and racial discrimination. The complete eradication of this crime should be a common target for the international community during the coming years. The role played by churches inside and outside South Africa was raised. It was also suggested that more research be done on the constitutive elements of apartheid in order to better tackle the problem. In this context, emphasis was put on the element of exploitation as one of the more important aspects and the international dimensions of this element were underlined. This is why it was difficult to eradicate apartheid. A general appeal was made for a strict application of mandatory sanctions against South Africa as recommended by the General Assembly.

South Africa should not be regarded as a terrorist State. The consideration of the South African situation should be enlarged to include the aspect of violation of international law. The conflict in southern Africa should not be regarded as a regional conflict. The essential problem was the existence of apartheid within South Africa.

One of the important aspects of the South African problem was the militarization of the country and the pressure the South African army put on the neighbouring States. As a consequence, the South African Government became more and more repressive. In confronting such a situation, the United Nations options were most complex.

Mention was made of the phenomenon of "heterophobia" and it was stated that when a State organized itself around one culture or one religion, it created the possibility of heterophobia. The same phenomenon appears wherever economic insecurity exists. In the course of the debate, reference was made to the situation of the Palestinians and non-Jews in the occupied territories.

On Tuesday, 4 October 1988, at its afternoon meeting, the Global Consultation discussed the issue of vulnerable groups and racism. On the issue of racism and indigenous peoples, attention was drawn to the fact that indigenous populations are particularly exposed to racism and racial discrimination. It was suggested that Governments should adopt legislative, administrative, economic and social measures with a view to eliminating policies and practices of discrimination against indigenous individuals, groups, communities and nations, for the purpose of ameliorating the living conditions of indigenous peoples, and achieving harmonious relations between the indigenous and non-indigenous peoples.

In this context, positive discriminatory treatment by international instruments, national constitutions and other legislative and administrative measures could be appropriate.

Emphasis was put on the necessity of taking all possible measures to allow indigenous peoples to maintain and develop their culture.

Reference was made to several recommendations of the Sub-Commission and the last session of the Sub-Commission's Working Group on Indigenous Populations, in particular, to the draft of the Universal Declaration of Indigenous Rights and to the proposal to proclaim 1993 as the International Year for the Promotion of Indigenous Rights.

The situation of migrant workers was also considered by the Global Consultation and it was said that migrant workers were particularly vulnerable to racism and racial discrimination. It was stated that often racial discrimination overlapped with discrimination against non-nationals. The role played by ILO, in this regard, was praised, as well as its strong involvement in the struggle against racism and racial discrimination by the promotion of its standards and their observance. It was pointed out that ILO instruments have always focused on equality of treatment, irrespective of nationality.

Refugees comprised another vulnerable group discussed under this issue, it was indicated that the action of the United Nations High Commissioner for Refugees, in accordance with his mandate, does not deal with the cause or origins of the refugee movement, but only with their effects. The link between the struggle against racism and the protection of refugees and the protection given to them was particularly emphasized. In this context, the increasing co-operation with NGOs was underlined.

Regarding the protection of minorities, the question was raised as to what should be done to improve the fate of minorities in various countries. The close link between the prevention of discrimination and the protection of minorities was also raised.

It was therefore recommended that the action of the United Nations regarding the protection of minorities should largely be related to the prevention of discrimination. In this regard, studies should be undertaken and an analysis should be made on how to approach in a concrete manner the situation of minorities in different parts of the world.

The topic "Current and future United Nations activities in the field of racism and racial discrimination" was discussed on 6 October 1988 at the morning session. The following panelists addressed the meeting: H.E. Ambassador Alioune Sene, Chairman of the Commission on Human Rights; Prof. Erica-Irene Daes, Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities; Mr. George O. Lamptey, Chairman of the Committee on the Elimination of Racial Discrimination; Prof. Fausto Pocar, Vice-Chairman of the Human Rights Committee; Mr. Ibrahim Badawi, Chairman of the Committee on Economic, Social and Cultural Rights.

The importance of the role played by the Commission on Human Rights in the struggle against racism and racial discrimination was particularly emphasized. Attention was drawn to the agenda of the Commission and its recurrent items, such as the right to self-determination, the question of apartheid, of indigenous populations and religious intolerance which show that the principle of non-discrimination remains one of the main preoccupations of the Commission.

From the beginning, the Commission on Human Rights had expressed the view that the struggle against all kinds of discrimination was one of the key challenges that our society had to face. Since its creation in 1948 the Commission on Human Rights had constantly been one of the main organs of the United Nations for the protection of human rights and fundamental freedoms. By adopting resolutions, proposing new approaches and entrusting the Sub-Commission to undertake studies on a wide range of problems of discrimination, the Commission on Human Rights had been and continued to be at the frontline of the struggle against racism, racial discrimination and apartheid. Reference was made, in this context, to the very important study by Mr. A. Khalifa on "Adverse consequences".

On many occasions, the Commission on Human Rights proposed that seminars and colloquia be organized on the specific topic of racism and racial discrimination in order to obtain a global perspective and to better identify the phenomenon. The possibility of devoting one per cent of the UN budget to human rights activities was raised so that sufficient human means and financial resources could be devoted to the elimination of racism and racial discrimination.

Regarding the work of the Sub-Commission, attention was drawn to two new studies which should be conducted within the framework of the Second Decade on the status of liberation movements under international law and on the status of indigenous peoples under international law.

Mention was made of the various studies on racial discrimination and discriminatory treatment already undertaken by the Sub-Commission. It was said that, as its full name indicates, the Sub-Commission should continue and reinforce its action for the elimination of all kinds of discrimination, particularly, discrimination based on race.

With regard to the work of the Human Rights Committee, the important role played by this organ was highlighted, and it was suggested that an exchange of views between members of various UN organs dealing with the elimination of racial discrimination be organized in order to improve their functioning and reinforce their action aiming at combating racism and racial discrimination. It was also said that the Human Rights Committee would favour any initiative and collaboration regarding a world study on recourse procedures for the victims of racism and racial discrimination.

While recognizing the CERD is one of the main organs concerned with the struggle against racism and racial discrimination, the financial difficulties faced by the Committee were underlined. It was therefore recommended that the Secretary-General of the United Nations should be authorized to pay the expenses of CERD on the regular budget of the UN. This would allow CERD to continue playing its important role in the struggle against racism and racial discrimination. It was also said that more publicity should be given to the work of the Committee on the Elimination of Racial Discrimination that the international community would be better aware of its activities.

Concerning the work of the Committee on Economic, Social and Cultural Rights, it was stressed that it should be given all the necessary means including additional meetings in order to carry out its activities, bearing in mind the very close link between racism and racial discrimination and the implementation of economic, social and cultural rights.

On 5 and 6 October, the meeting discussed the co-ordination and strengthening of international action at all levels against racism and racial discrimination.

In the course of the discussion, doubt was expressed about the concept of setting up decades against racism since the struggle against racism should be a permanent one. It was also said that racism should not be too "intellectualized" in order not to lose our best allies, the young generation.

It was suggested that legal cases against racism and racial discrimination should be strengthened and that racist offences should be characterized as crimes under international law.

Attention was also drawn to the fact that today racism and racial discrimination express themselves in the discriminatory treatment accorded to migrant workers and refugees. A major manifestation of racism was the limitation of population movement when, on the other hand, the free flow of ideas, goods and capital was requested.

It was recognized that measures should be taken by States in order to ameliorate such situations. Nevertheless, this should not prevent the reinforcement of international action.

The role played by the United Nations in the field of sanctions against the racist régime of apartheid was praised and it was suggested that those countries in favour of such sanctions should envisage a better co-ordination of their action.

The important role played by non-governmental organizations was underlined, mainly regarding access to the United Nations system, which they offered to the victims of racism and racial discrimination and apartheid, as well as by giving them the possibility to come and defend their own cases before the various United Nations organs. The proposal was made to continue the discussions of this Global Consultation in small groups in order to deepen the various ideas developed during the meeting.

In the struggle against racism and racial discrimination, the dissemination of information was regarded as very important and it was suggested that, in order to make people more aware of such a phenomenon, the role of the two United Nations Information Centres (in New York and Geneva) should be strengthened.

The possibility of preparing a booklet on racism was also discussed.

The action carried out by UNESCO, ILO, WHO and FAO in their respective fields was explained and the close co-operation developed between United Nations bodies and specialized agencies regarding the elimination of prejudice, intolerance, racism, racial discrimination and apartheid was underlined.

The specific mandate given to UNESCO regarding education under the Second Decade was recalled, and the wish was expressed that all States should conform strictly with the principle of non-discrimination and equality in the matter of education and adhere to the principles set forth in the UNESCO Convention against Discrimination in Education.

RECOMMENDATIONS

1. Governments should strengthen the legal action against racism and racial discrimination by creating legal sanctions for racist offences. It was suggested that racism and racial discrimination should be referred to as a crime under international law.
2. In action to combat racism and racial discrimination, special focus should be put on the identification of various constitutive, legal and other elements of apartheid in order to make more effective the fight against racism, racial discrimination and apartheid.
3. The United Nations should encourage those States that have not yet done so to accede to or ratify the relevant regional and international instruments pertinent to racism and racial discrimination, such as the International

Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

4. The international community should heighten its efforts to provide increased practical and effective assistance to the victims of racism, racial discrimination and apartheid and to peoples and movements struggling against these evils, not only in South Africa, but also in the neighbouring countries. It was suggested that an appeal may be addressed to all States, intergovernmental and non-governmental organizations and concerned individuals to extend the maximum possible assistance to those peoples in their courageous struggle for the restoration of their fundamental rights.

5. The Security Council of the United Nations should continue to consider urgently the imposition of mandatory sanctions, under Chapter VII of the Charter of the United Nations, against the apartheid régime of South Africa. It was suggested that of foremost importance among these measures are: the ending of all collaboration with South Africa; the prohibition of all loans and investments in South Africa, as well as the termination of trade with that régime; and an embargo on the supply of petroleum products and other strategic commodities to South Africa.

6. Co-operation and co-ordination in the field of the implementation of the Programme of Action among the relevant United Nations bodies and entities within the United Nations system, should be further strengthened to provide a new input from the relevant agencies with a view to ensuring effective implementation of the Programme of Action. United Nations organs, regional commissions and specialized agencies should be invited to provide new

substantive contributions, not only in terms of current developments in the areas of their concern, but also in terms of specific programmes being carried out, which might be relevant and useful for the strengthening of international co-operation against racism and racial discrimination.

7. In this framework, the Centre for Human Rights could be requested to organize inter-agency meetings to consider and discuss further measures to strengthen the co-ordination and co-operation of programmes related to the issues of combating racism and racial discrimination.

8. New ways and means should be considered to ensure the co-ordination of the various technical advisory services undertaken by the Centre for Human Rights and other entities within the United Nations system to combat racism and racial discrimination with a view to carrying out joint programmes and strengthening existing mechanisms for the protection of human rights, including the possibility of encouraging the establishment of national human rights commissions.

9. The Centre for Human Rights should continue to develop a broader relationship with the non-governmental organizations, by, inter alia, organizing seminars, consultations and briefings in order to help them to initiate, develop and present proposals regarding the combat against racism and racial discrimination.

10. In the field of information, wider publicity should be given to the work of the Committee on the Elimination of Racial Discrimination and a campaign of ratification of the relevant international instruments against racism and racial discrimination should be launched with a view to obtaining universal adherence to these instruments by the end of the Second Decade. In this

context, the proposed world information campaign for human rights, to be considered by the forty-third General Assembly, could play a most important role.

11. The General Assembly should look into the future financing of the Committee on the Elimination of All Forms of Racial Discrimination with a view to solving the present unsatisfactory financial situation of the Committee, which seriously affects its appropriate functioning.

12. The competent human rights organs of the United Nations should continue to consider the possibility of updating existing studies dealing with racism, racial discrimination and apartheid, and to undertake studies on specific factors leading to racism, racial discrimination and apartheid, and on contemporary forms of violations of the human rights of persons belonging to vulnerable groups, such as minorities, indigenous peoples, migrant workers and refugees.

13. In the understanding that one of the main objectives of the programme of action to eradicate racism, racial discrimination and apartheid lies in the field of education, new approaches should be made in co-operation with UNESCO to apply effectively the principle of non-discrimination and equality at all levels of the education system. Strong support should be given to the ongoing endeavours to fully mobilize the resources of students and other young people, employing their enthusiasm and idealism in combating racism, racial discrimination and apartheid.

14. In the fight against racism and racial discrimination, non-official channels should be used such as sports, music, painting and other artistic activities in order to encourage a fruitful dialogue among cultures and to help render public opinion more sensitive against racism and racial discrimination.

15. Governments should create favourable conditions and promote legal measures in order to further and protect the human rights of persons belonging to national, religious, linguistic and ethnic minorities, of indigenous peoples, of migrant workers and refugees.

16. Attention should be given to studies on the link between the elimination of racism, racial discrimination and apartheid and the full implementation of economic, social and cultural rights.

17. While satisfaction was expressed with the work of the Centre for Human Rights, it was agreed that the Centre should be strengthened in order to enable it to discharge even more effectively its growing responsibilities, not least in the field of combating racism and racial discrimination.