

United Nations



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Executive Office of the Secretary-General  
Cabinet du Secrétaire général

To: DSG,

21/10/13

Attached please find for clearance the draft report of the SG on Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (DDPA).

As a summary of submissions from Member States and other stakeholders, on efforts to combat discrimination and implement the DDPA, the report does not contain any controversial or politically sensitive information. Regarding UN efforts, the report informs about the UN Network on racial discrimination and the protection of minorities that was established following a decision by the Secretary-General in 2012. The Network has heightened the profile of minority rights in the UN system.

PU recommended strengthened language in the conclusions and recommendations, which notes that no country can claim to be free of the destructive influence of racism. The report accordingly urges Member States to pay particular attention to those who are most marginalized and whose rights are particularly at risk, including Roma, who are frequent targets of racial discrimination and other human rights violations.

13-08800

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States are also encouraged to ratify the International Convention on the Elimination of Racial Discrimination at the earliest possible time, and States parties to the Convention to comply with it and submit their overdue reports to the Committee on the Elimination of Racial Discrimination.

A handwritten signature in blue ink, appearing to be 'AR'.

Political Unit  
21 October 2013

**Received in ODSG**

*21 October 2013*

**Seen by:**

*ER*

13-08800

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UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

MEMORANDUM INTERIEUR • INTEROFFICE MEMORANDUM

SEP 24 2013

13-08800

A: Jan Eliasson,  
TO: Deputy Secretary-General, BOSG

DATE: 18 September 2013

DE: Navi Pillay,  
FROM: High Commissioner for Human Rights

REFERENCE:

OBJET: **Report of the Secretary-General on Global efforts for the total elimination of**  
SUBJECT: **racism, racial discrimination, xenophobia and related intolerance and the**  
**comprehensive implementation of and follow-up to the Durban Declaration and**  
**Programme of Action – for clearance**

1. Please find attached, for clearance, the Report of the Secretary-General on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action, submitted in accordance with General Assembly resolution 67/155.
2. The present report summarizes information received from various actors, including Member States, United Nations entities, Regional Organizations, and civil society organizations. The report also gives an update of activities undertaken by the Office of the United Nations High Commissioner for Human Rights and the Durban follow-up mechanisms.
3. The report recommends for stronger political will and to take urgent measures with a view to reverse the continuing trends of increasingly hostile racist and xenophobic attitudes and violence. ✓
4. Finally the report encourages Member States to invite the Working Group of Experts on People of African Descent to carry out country visits, and also those Member States that have not yet done so, to develop and implement national action plans in order to combat racial discrimination and related intolerance. International and regional organizations are also encouraged to intensify collaboration in fighting against racism, racial discrimination, xenophobia and related intolerance. ✓
5. The report is being submitted past the deadline in order to reflect states contributions received in different United Nations languages, some of which required translation.
6. This report in itself does not contain any controversial or politically sensitive information.

4RT/04/001

United Nations

A/GA/slot number 30551



## General Assembly

Distr.: General  
9 September 2013

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### Sixty-eighth session

Item 67 (b) of the provisional agenda\*

**Elimination of racism, racial discrimination,  
xenophobia and related intolerance: comprehensive  
implementation of and follow-up to the Durban  
Declaration and Programme of Action**

**Global efforts for the total elimination of racism, racial  
discrimination, xenophobia and related intolerance and  
the comprehensive implementation of and follow-up to  
the Durban Declaration and Programme of Action\***

### Report of the Secretary-General

#### *Summary*

The present report is submitted pursuant to General Assembly resolution A/RES/67/155 of 11 February 2013 entitled “Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”, in which the Secretary-General was requested to submit to the Assembly, at its sixty-eighth session, a report on the implementation of that resolution, with recommendations.

\* Late submission.



## Contents

	<i>Page</i>
I. Introduction.....	3-4
II. Contributions received .....	4-40
A. Member States .....	4-35
B. United Nations entities.....	35-37
C. Regional organizations.....	37-39
D. Civil society organizations.....	39-40
III. Update on activities.....	40-45
A. Office of the United Nations High Commissioner for Human Rights (OHCHR).....	40-41
B. Durban follow-up mechanisms.....	42-45
IV. Conclusions and recommendations.....	45-46

## **I. Introduction**

1. In its resolution 67/155, the General Assembly emphasized its alarm at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large as a result, inter alia, of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies.

2. In the same resolution, the General Assembly underlined the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination and stated that it was conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes played a role in weakening the rule of law and democracy, tended to encourage the recurrence of such crimes and required resolute action and cooperation for its eradication.

3. In accordance with previous practice and pursuant to General Assembly resolution 67/155, the present report summarizes information received from various actors. In preparing the report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) requested information from Member States and various stakeholders on the implementation of the resolution. The Office of the High Commissioner received submissions from: Argentina,

Armenia, Bahrain, Belgium, Bosnia and Herzegovina, Colombia, Cuba, Cyprus, Denmark, Greece, Honduras, Hungary, Italy, Kazakhstan, Mexico, Poland, Portugal, Qatar, Romania, the Russian Federation, Singapore, Sweden and Syria. The United Nations Economic Commission for Latin America and the Caribbean (ECLAC/CEPAL), the European Union (UE), the Organization for Cooperation and Security in Europe (OSCE)/ Office for Democratic Institutions and Human Rights (ODIHR) and the United Nations Interregional Crime and Justice Research Institute (UNICRI) also contributed to this report. Contribution was also received from The Kantor Center for the Study of Contemporary European Jewry, at Tel Aviv University (Israel)

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## **II. Contributions received**

### **A. Member States**

#### **Argentina**

[Original: Spanish]

4. Since its establishment, the National Institute to Combat Discrimination, Xenophobia and Racism (INADI) has carried out activities to raise the profile of historically vulnerable groups and to raise awareness within society about non-discrimination and respect for diversity. In the past year it has conducted numerous activities to

promote the recognition of different cultures in Argentina and has developed various training and reference materials.

5. INADI measures include the 2010 National Population and Housing Census, which, for the first time, included a question regarding indigenous and African descent. As part of this project, INADI was involved in the prior dissemination, training and awareness-raising process concerning people of African descent and discrimination.

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**Deleted:** seeking to make an impact on self-recognition of identity and awareness of African descent.

6. In 2011, INADI created the Intercultural Department under the Directorate for the Promotion and Development of Anti-Discriminatory Practices. The Department takes the lead in organizing workshops, training sessions, seminars and awareness-raising and dissemination events with the objective of increasing awareness of current racist practices in order to promote respectful dialogue between different cultural identities.

7. In December 2011, INADI helped to establish the Centre for Research, Development and Training on Cultural, Religious and Ethnic Diversity, known as DIVERSIA. The Institute's Education Department is running a project to revise primary school textbooks, which involves reviewing all the text and image content to identify any stereotypes or prejudices.

**Deleted:** A teaching guide "We are Equal and Different" has also been produced to provide the school community with tools for the prevention of discrimination in the classroom.



## Armenia

[Original: English]

8. In parallel to its national legislation which ensures equality of all citizens of the country in all spheres of life without any discrimination, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin, the Government of Armenia pursues a policy, which prohibits any manifestation of discrimination or its trends against individuals, groups or institutes.

9. It should be noted that the comprehensive National Human Rights Strategy, which is a mechanism through which Armenia's obligations in the field of human rights will be implemented, was adopted. It is a tool through which tasks are defined and relevant programs are developed for further implementation by state bodies, non-governmental organizations and other entities. 10. Mention

should also be made of the draft anti-discrimination law prepared by the Human Rights Defender office. The law would allow all the victims of discrimination to protect their rights and to prosecute the perpetrators. Effective mechanisms will be drafted in order to promote the realization of more efficient fight against discrimination and its prevention.

11. With regard to national and sexual minorities, Armenia has taken concrete steps towards implementation of its commitments with

**Deleted:** On the basis of this strategy the National Plan of Action will be elaborated and will contain policies related to human rights to be implemented in all relevant areas. ¶

the realization of a number of legal and institutional reforms aimed at strengthening the protection of human rights, including those aimed at strengthening the protection of the rights of persons belonging to national minorities.

12. The Department for Ethnic Minorities and Religious Affairs and the Coordinating Council for National and Cultural Organizations of National Minorities continue to play an active role in raising awareness on issues affecting national minorities and in seeking to resolve outstanding issues.

#### Bahrain

[Original: Arabic]

13. Bahrain in its contribution underlined the enactment in 2012 of the Child Act and the Private Sector Labour Code whose provisions apply equally to workers employed in the private sector, irrespective of their sex or nationality.

**Deleted:** (Act No. 37 of 2012),

14. Bahrain also recalled provisions contained in the Labour Market Regulation Act which grants migrant workers numerous rights and privileges established by law.

15. With regard to trafficking in persons, the law provides for the establishment of a committee for the evaluation of the status of foreign victims of trafficking in persons. The Committee in was established in 2008 and restructured in 2011.

**Deleted:** for the Evaluation of the Status of Foreign Victims of Trafficking in Persons

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16. In addition, a National Committee to Combat Trafficking in Persons was established in 2008 and restructured in 2009. The National Committee is responsible, among other activities, for: Formulating programmes to prevent and combat trafficking in persons and to protect victims of trafficking in persons from re-victimization; and encouraging and supporting research, information and media campaigns and social and economic initiatives to prevent and combat trafficking in persons;

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**Deleted:** and monitoring the implementation by the relevant government authorities of the recommendations and guidance contained in the conventions and protocols on combating trafficking in persons to which Bahrain is a party

#### Belgium

[Original French]

17. Belgium reported that since 2007, consultations were held between the federal State, the Communities and the Regions on the adoption of a national action plan coordinated by the Centre for Equal Opportunities and Opposition to Racism. On 13 January 2013 the Inter-federal Action Plan to Combat Homophobic and Transphobic Violence was adopted with the objective to create a general framework for action in consultation with the governments concerned and the various institutional stakeholders responsible for implementation. Since then, an Inter-federal Action Plan to Combat Homophobic and Transphobic Violence has been developed for the period 2013–2014.

18. On 19 and 20 June 2012, the draft cooperation agreement on the establishment of an inter-federal centre for equal opportunities and opposition to racism and the related policy note were individually approved by the different authorities. On 23 July 2012, both documents were also approved by the Consultation Committee. An inter-federal, inter-cabinet working group now meets every two weeks to work on implementation arrangements. An agreement has been reached within the group on the bill assenting to the cooperation agreement, which was approved by the Council of Ministers on 14 December 2012. The bill assenting to the cooperation agreement has now been sent before the Parliament.

**Deleted:** was approved on second reading by the federal Government and

19. Belgium has also taken steps to ensure more effective prevention of xenophobia or racial discrimination on the part of public officials and to strengthen efforts to combat these phenomena. In February 2012, the Ministry of Justice and the Ministry of the Interior created an anti-Semitism monitoring unit to meet the demands of the Jewish community in that regard.

20. It should also be mentioned that a bill is currently under discussion with a view to amending the legislation on racism with respect to the prohibition of meetings of racist and neo-Nazi groups.

**Bosnia and Herzegovina (BIH)**

[Original: English]



22. Racial discrimination as well as other forms of discrimination are directly prohibited by the BiH Constitution and are incriminated through several elements of felony under the Criminal Code. BiH in this regard implements a policy of eliminating racial discrimination both in the general framework and through promotion and recognition of equal status for all in legislative, judicial, administrative and other measures.

23. The adoption in 2009 of the Anti-discrimination Law, based on the European standards is also worth mentioning. According to this law, all public authorities have an obligation and duty to fight against discrimination, to refrain from it, and to remove obstacles that directly or indirectly result in discrimination. They also have duty to actively create conditions for equal treatment.

24. Bosnia and Herzegovina also reported on the continuous efforts it makes together with the Communication Regulatory Agency, with regard to combating incitement to violence motivated by hate-mongering through abuse of the press, audio-visual, electronic media and new communication technologies. In this regard, BiH makes efforts to ensure the freedom of press, speech and expression and that any incitement to hatred or violence is legally sanctioned.

**Deleted:** BiH has taken steps against Fascist and Neo-Fascists Organizations through the enactment of a Law banning such Organizations. The draft law is currently under deliberation in the Parliament.

**Colombia**

[Original: Spanish]

25. Colombia recalled its firm commitment to eliminate and punish all forms of discrimination based on race, sex, religion, nationality, gender, language, sexual orientation, economic status and other status and conditions. In this sense, it referred to its Antidiscrimination Law of 2011 which aims to ensure the protection of the rights of person, group of people, community or people that are violated through acts of racism or discrimination.

26. It should be noted in this regard, that the Ministry of Interior created the Observatory against Racism and Discrimination as a monitoring and tracking mechanism of acts of discrimination and racism, with a view to formulate public policy against racism and discrimination.

27. In order to advance the issue of equality and social inclusion, the National Development Plan 2010-2014, in its chapter IV on "Equal Opportunities for Social Prosperity" recognizes that to achieve a society with equal opportunities the State must ensure both sustainable economic growth and social development as a whole. Under this second objective, one of the main challenges is to achieve social inclusion of different ethnic groups.

**Cuba**

28. Cuba has State mechanisms for pursuing the fight against racism and racial discrimination and for combating homophobia, defending women's rights and tackling other forms of discrimination.

29. The government agency responsible for dealing with issues related to racial discrimination is the Ministry of Culture, which works closely on the matter with civil society organizations such as the Cuban Writers and Artists Union (UNEAC) and the Cuban chapter of Articulación Regional Afrodescendiente (ARA), the regional coordinating body for organizations of Afro-descendants.

30. To reinforce the Government's efforts and as a complement to the full protection afforded by Cuban law, it has been decided that a vice-president of the State Council will be tasked with pursuing and overseeing the fight against racism and racial discrimination.

31. Mention should be made on the plan of action which was drawn up for the International Year for People of African Descent which was extended through 2012 and is currently being restructured so that several of its activities can be carried forward.

32. Cuba also refers to its legal framework that averts and addresses any discriminatory acts of retaliation and ensures swift access to justice. Articles 41, 42 and 43 of the Constitution provide that all citizens have equal rights and duties, that discrimination on the

grounds of race, skin colour, gender, national origin, and religious beliefs or on any other grounds injurious to human dignity are prohibited and that acts of discrimination are punishable by law. Manifestations of discrimination are prohibited under the Constitution and other laws of Cuba and are considered "offences against the right to equality", as provided for in article 295 of the Criminal Code, which specifically criminalizes such discriminatory acts.

33. In addition to legal and constitutional safeguards, sectorial policies have been implemented to promote equality and non-discrimination including in the Medias, the educational system and the proportional representation in the Parliament and other governmental bodies.

#### **Cyprus**

[Original: English]

34. Cyprus noted the expansion of the powers of the Office of the Commissioner for Administration (Ombudsman) acting as an Anti-discrimination Authority and as a Commissioner for the protection of human rights. In this regard, in addition to the powers and competences under the Ombudsman Law, the Cyprus Ombudsman is afforded wide competences and powers as a discrimination Commissioner covering all forms of discrimination, and as Cyprus'



designated national preventive mechanism under Article 3 of the Optional Protocol to the UN Convention against Torture.

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Cyprus also noted that as a member state of the Council of Europe, the country is monitored every few years by the European Commission against Racism and Intolerance (ECRI).

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Deleted: a human rights body of the Council of Europe, composed of independent experts, which monitors problems of racism, discrimination on grounds of ethnic origin, citizenship, colour, religion and language, as well as xenophobia, anti-Semitism.

#### Denmark

[Original: English]

36. Denmark noted its full commitment to the principal objectives of the 2001 Durban Conference which is the complete elimination of racism, racial discrimination, xenophobia and related intolerance and which considers the International Convention on the Elimination of All Forms of Racial Discrimination to be the universal foundation for efforts to prevent, combat and eradicate racism.

37. It should be noted that the Government has presented two action plans aimed at increasing tolerance in society; an action plan from 2009, aimed at preventing extremist views among young people, and from 2010, aimed at promoting ethnic equality and respect for the individual. The major parts of the initiatives under the former Government's action plans have been implemented, while other initiatives have been adjusted according to the current Government's policies.

38. Improved integration of migrants and refugees is a core ambition of the Government. The Government sees integration as shared responsibility for several ministries with Ministry of Social Affairs and Integration being responsible for overall co-ordination. The aim of the Government's new policy is to ensure a holistic and inclusive approach to integration based on the needs of migrants as well as the needs of society and to ensure that integration policies stimulate inclusion and equal participation of all migrants and their descendants in the Danish society.

39. In November 2012 the Government launched its new vision for integration. The vision deals with seven main areas of concern, including among other, the management and monitoring of the integration effort (including the launch of a National Integration Barometer with indicators for successful integration); furthering education – focusing on better achievements of migrants and their descendants in schools and in the educational system; and strengthening active citizenship and social inclusion, equal opportunities and gender equality among migrants and descendants.

40. In 2012, Denmark allocated 20 million Danish Kroner (DKK) for initiatives to promote civic citizenship and to combat ethnic discrimination.<sup>41</sup> Since 2006 the Government has provided support for the campaign “Show Racism the Red Card” which aims to promote diversity and equal treatment and to combat racism, in the

**Deleted:** A grant to support local and national initiatives to combat ethnic discrimination is expected to be launched in 2013.<sup>¶</sup>

sphere of football. The Government have extended the funding by allocating another 3.375 mill. DKK to the campaign in 2012 - 2014, inter alia aimed at developing the campaign and creating local activities throughout Denmark under a broader scope entitled "Player Social Responsibility" aiming at combating discrimination and promoting inclusion of primarily citizens from ethnic minority backgrounds.

#### Greece

[Original: English]

42. Greece referred to its relevant legislation relating to the rights of migrants which ensures the exercise of their fundamental rights and respect of their specificities within a system based on social justice without any special distinction based on origin. For instance, according to the law, migrants who live legally in Greece are subject to the relevant social security system and enjoy the same rights as natives. They also have access to national health system and are subject to obligatory school attendance as are Greek nationals.

43. With regard to Roma participation in political structures, Greek Roma fully enjoy all civil and political rights, including electoral and voting rights and participate in government structures responsible for the implementation of Roma programs.

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44. With a view to addressing effectively long-lasting issues Roma are faced with in the fields of housing, education, employment, health care and, all in all ~~to promote~~ their integration into the society, a new strategic framework for Roma in Greece has been set up since 2011.

**Deleted:** to promote

**Deleted:** Additional issues such as the civil and municipal situation of the population, as well as supplementary interventions on culture and awareness-raising of the majority population and the target group in question are equally addressed.

#### **Honduras**

[Original: Spanish]

45. Honduras refers to the adoption in January 2013 of its National Action Plan on Human Rights, which is the result of a nation-wide and multi-sectorial consultative process developed by the Ministry of Justice and Human Rights. The National Action Plan provides for targeted actions and specific protection for vulnerable groups, in particular indigenous peoples and Afro-descendants.

46. At the institutional level, it is useful to note that a Ministry for the Development of the Indigenous and Afro-Honduran Peoples and the Promotion of Policies on Racial Equality was created, whose objective is to achieve a comprehensive development of these peoples throughout the country.

47. Mention should also be made of the amendment in 2012 of the Penal Code which creates an aggravating circumstance in cases of hate crime including those cases where the offense is committed for reasons of membership of indigenous or Afro-Honduran group.



## Hungary

[Original: English]

48. Hungary referred to its legislation concerning the fight against discrimination which includes consistent, comprehensive and detailed provisions harmonising with European Union community law, Article II and XV of its Constitution and the international obligations of Hungary.

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49. It should also be noted that an independent Equal Treatment Authority was established in 2003 mandated to receive and deal with individual and public complaints about unequal treatment and to implement the principles of equality and non-discrimination.

50. As a practical example, the Equal Treatment Authority initiated the Social Renewal Operative Programme which will end in 2013 and which aims at enhancing the notion of equal treatment and non-discrimination using modern mass-media communication tools and public sports activities with a view to foster mutual understanding and acceptance between disadvantaged groups and the majority population.

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50. With regard to the role of civil society actors it should be noted that Hungary has passed in 2011 an Act regulating assembly rights, public interest legal status and the operation and support of civil society organisations. In this regard, a National Cooperation Fund has

been created to support the operation and professional activity of self-organized civil entities, including organizations fighting for equal treatment and against racism, xenophobia and intolerance.

**Italy**

[Original: English]

51. Italy mentioned its legal framework which includes specific provisions to combat hate speech, including actions directed to spread ideas grounded on racial or ethnic, national or religious hatred and the incitement to commit acts of violence or of provoking violence on a racial ground.

52. Legislation in force punishes also the constitution of organizations, associations, movements or groups which have, among their aims, the incitement to discrimination or to violence motivated by racial, ethnic or religious motivation. It also provides for a special aggravating circumstance for all the crimes committed on the ground of discrimination or racial hatred.

53. Along these lines, several measures have been taken with a view to strengthen the domestic legal framework. These include the recent adoption, inter alia, of the National Strategy on the Inclusion of Roma People (2012–2020), as well as the first National Strategy on the promotion and protection of LGBTI people's rights; and the

establishment of a National Working Group mandated to drafting the second National Action Plan Against Racism.

54. Italy also mentioned activities undertaken by UNAR, the National Equality Body, and in particular awareness-raising campaigns on the fight against discrimination in addition to ad hoc training courses; the establishment of the Observatory for the Security against Discriminatory Acts at the Ministry of the Interior, and the establishment of several regional Centres for the detection and handling of discrimination cases.

#### **Kazakhstan**

[Original: English]

55. With the ratification in 1998 of the International Convention on the Elimination of All Forms of Racial Discrimination, Kazakhstan took on the obligation to combat all forms of discrimination, including ethnic discrimination. Drawing on international standards, national legislation forms an adequate legislative foundation providing citizens with legal remedies for violations of their rights and freedoms. Citizens have the right to file complaints with any State body, court or NGO of their choice.

56. Kazakhstan has a Human Rights Commission attached to the Office of the President. The Commissioner for Human Rights (Ombudsman) is similarly involved in combating racial

discrimination. The Ombudsman's duties are to guarantee State protection for civil rights and freedoms and ensure that they are observed and respected by State institutions and officials.

57. With regard to State Policy on Ethnic Affairs, Kazakhstan noted the efforts being undertaken to gradually move away from ethnic self-identification by persons belonging to different ethnic groups and toward a common national identity. It should be mentioned in this regard that the country's civil society institutions include more than 800 ethno cultural associations, which focus on the field of inter-ethnic relations. They are addressing the integration of ethnic groups into Kazakh society as a whole, encouraging patriotism, assisting in the study of the State language and mother tongues, enriching the culture of inter-ethnic relations and seeking to build up international contacts.

#### **Mexico**

[Original: Spanish]

58. The Government of Mexico has sought to encourage the necessary social changes by enacting laws and constitutional reforms, strengthening institutions and adopting public policies. The objective of the anti-discrimination legislative reforms is to establish protection mechanisms to combat old forms of discrimination while at the same time preventing and eliminating the negative effects of more recent



problems and phenomena. To this end, Mexican legislation prohibits all forms or manifestations of discrimination, including racial discrimination and xenophobia.

59. On 24 April 2012, the Senate adopted an amendment to the Federal Act on the Prevention and Elimination of Discrimination, modifying the definition of discrimination to include racial segregation as well as racial discrimination and related forms of intolerance. The proposed amendment is currently being reviewed by the Chamber of Deputies.

60. The 2012 National Programme for the Prevention and Elimination of Discrimination is intended to serve as the basis for public policies on preventing and eliminating discrimination. It focuses on four specific objectives: generating information and statistics, conducting research, disseminating information and providing training to establish and strengthen a culture of non-discrimination; progressively incorporating the principle and standards for the protection of the right to non-discrimination within Government services and encouraging their adoption at the state level; promoting the collaborative participation of society in building a culture of equality and non-discrimination; and conducting actions to promote non-discrimination and taking measures that contribute to equality of opportunities.

61. Mexico outlined its priority areas for the United Decade for People of African Descent, which will involve various activities which include among other; Public restitution of the identity of the Afro-descendent population; Raising social awareness and recognition of the contribution of the Afro-descendent population to shaping the country; Research and analysis of the situation of people of African descent in Mexico in order to design appropriate anti-discriminatory public policies; and Inclusion of people of African descent in the country's development through a State policy that guarantees non-discrimination and genuine equality of opportunities;

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Deleted: Training for public servants and judicial personnel on human rights and recognition of people of African descent; Combating discrimination and racism in the media and social media; Promotion of citizen participation by people of African descent; and Promotion of the human rights of people of African descent at the international level

#### Poland

[Original: English]

62. Poland informed that in accordance with the Equal Treatment Act of 3 December 2010 the Government Plenipotentiary for Equal Treatment is responsible for, among others, the development of the Action Programme for Equal Treatment.

63. The Plenipotentiary has been preparing – in cooperation with all the ministries and relevant offices – the first edition of the Programme for the years 2013-2016. The Programme sets goals and priorities regarding equal treatment in all spheres of social life, and indicates measures for counteracting discrimination based on sex, race, ethnic

origin, nationality, religion, denomination, disability, age, beliefs, sexual orientation and gender identity.

64. Issues related to counteracting discrimination on the grounds of race, ethnic origin and nationality are included in three priority projects implemented by the Plenipotentiary, namely: Equal Treatment as a Standard of Good Government; Equal Treatment as a Standard of Good Government in Regions Project; and Media of Equal Opportunities.

65. Poland also referred to its 2013 project “Immigrants facing Hate Crimes- How to Assert Your Rights Effectively”. The general objective of this project is to raise awareness of foreigners about hate crime laws in Poland. Actions, such as multilingual leaflets, billboards or internet websites will enable foreigners to learn how to react against crimes that are based on prejudice.

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#### **Portugal**

[Original: English]

66. Portugal refers to the activities of its public institute (the High Commissioner for Immigration and Intercultural Dialogue - ACIDI) that – among other competences - is responsible for adopting public policies aimed at combating racism, promoting the integration of immigrants and Roma communities and promoting Intercultural Dialogue, with a holistic approach. ACIDI's activities are based on

seven key principles: Equality, Dialogue, Citizenship, Hospitality, Interculturalism, Proximity and Initiative.

67. As examples of policies and measures which have proved effective in fighting racism, racial discrimination, xenophobia and related intolerance against all, Portugal mentioned: The two National Action Plans for the Integration of Immigrants, developed since 2007, which are essential instruments in the development of public policies on immigrant integration; and the Immigration Observatory –created in 2003 to stimulate dialogue between academia and political decision-makers in relation to the definition, discussion and evaluation of public policies in the area of immigrant’s integration in Portugal, including ethnic and racial discrimination issues.

#### **Qatar**

[Original: English]

68. Qatar refers to its institutional and strategic structure and policies and programmes designed to translate into reality the legislative protection afforded to human rights. In this regard, a number of institutions for the promotion and protection of human rights have been established at the governmental and non-governmental levels.

69. It should be noted in this regard, the establishment in 2002, of the National Human Rights Committee, as an independent national



institution for the promotion and protection of human rights in accordance with the Paris Principles.

70. In the same vein, the Doha International Centre for Interfaith Dialogue was established in May 2008 with the aim of disseminating and promoting the culture of dialogue and peaceful coexistence. The State had earlier established the Centre for Dialogue among Civilizations, in 2005, in order to strengthen the culture of dialogue and combat racism and extremism through meetings organized in cooperation with individuals and groups from all over the world, in particular youth, in order to discuss their cultural interests, the challenges of globalization and the problems of communication with others.

71. Qatar also informed on other important activities in combating all forms of racial discrimination and staging debates and discussion seminars. These include, for example, the second round-table for community dialogue, organized in 2011 by the Doha Interfaith Centre, in conjunction with the Steering Committee of Christian Churches, Qatar Debate and Friends' Cultural Centre, on the theme "The role of education in strengthening community ties in Qatar".

#### **Romania**

[Original: English]

72. Romania informed that its current legal framework fully complies with the international requirements in the field of the fight against racism, xenophobia and other related behaviours.

73. The domestic criminal legislation provides for sanctions against the perpetrators of racism, xenophobic and other related crimes both through the provisions of the Criminal code, as well as other special provisions of sector legislation.

**Deleted:** (e.g. G.E.O. no. 31/2002 prohibiting the organizations and symbols with fascist, racist and xenophobic character and the glorification of those found guilty of crimes against peace and humanity).

74. Another novelty is the enactment in 2012, of the Law for the implementation of the new criminal code. The aforementioned law amends/repeals certain provisions of the special legislation on different matters. In the field of combating discrimination, certain provisions of the G.E.O. no. 31/2002 prohibit the organizations and symbols with fascist, racist and xenophobic character and the glorification of those found guilty of crimes against peace and humanity.

75. Romania also mentioned its National Strategy for implementing measures on preventing and combating discrimination (NSIMPCD) which represents a support element, with an important contribution for the National Council for Combating Discrimination (NCCD) starting from tackling the management of current issues and aiming to programmes of planned development in order to prevent and combat all forms of discrimination in Romania. The aim of the strategy is to establish action guidelines in the field of preventing and combating

discrimination and to develop an inclusive and intercultural society.

The strategy is based on policies that promote interaction, equal opportunities, mutual understanding and respect.

#### **Russian Federation**

[Original: Russian]

76. In the Russian Federation several activities are undertaken to improve the work of State institutions on combating racial discrimination, ethnic strife and various forms of extremism. New laws were adopted which were accompanied by an active public discussion, making it possible to take account of the views of civil society institutions.

77. With regard to countering extremism, a mechanism was set up to combat ultra-nationalistic and racist organizations. There is public and State monitoring of the prohibition in the media of hate speech and materials that incite racial enmity. Public monitoring is carried out by human rights organizations (such as the SOVA Centre for Information and Analysis, the Moscow Bureau for Human Rights, and the organization Memorial), religious bodies, ethnic cultural associations and the Social Forum of the Russian Federation.

78. In 2011, an interdepartmental commission to combat extremism was set up in conjunction with other State institutions with a view to establish and ensure cooperation in this area between the federal

authorities, civil society, ethnic voluntary organizations and religious organizations.

79. A number of initiatives are under way which aim to provide an in-depth systematic analysis and forecast of developments in an extremist context, as well as to prevent and detect violent crimes perpetrated against foreign nationals and combat unlawful acts of an extremist nature committed by radical groups.

80. In cooperation with voluntary associations (the SOVA Centre for Information and Analysis and the Moscow Bureau for Human Rights), the Ministry of Internal Affairs constantly monitors the media and the Internet resources for evidence of the preparation and commission of extremist offences and follows the activities of radical organizations and their leaders; the findings are used to plan subsequent preventive and investigative measures.

81. The Federal Communications, Information Technologies and Mass Media Regulatory Authority also gives priority attention to supervising and monitoring the prohibition on the use of the information media for carrying out extremist activities, inciting ethnic and religious discord and fomenting ethnic and religious hatred.

82. With regard to the educational system, the Ministry of Education and Science approved a plan of action for the period 2011–2013 for the training of specialists with an in-depth knowledge of the



history and culture of Islam. 83. Attention is also given to promoting attitudes of tolerance and preventing xenophobia, extremism and other forms of discrimination on ethnic or religious grounds. Special emphasis is placed on the fight against various manifestations of racism based on Nazi ideologies, above all among young people.

84. The subject of the Holocaust is included in the school curriculum and in State general education standards in order to teach the values of mutual understanding and tolerance, and training and retraining are given to teaching staff on current questions relating to the Holocaust.

#### Singapore

[Original: English]

85. Singapore shared in its contribution several initiatives it undertook with a view of ensuring social cohesion. These include: the implementation of an ethnic quota scheme for public housing where a cap is specified for each ethnic group in public housing estates; an electoral system based on the Group Representation Constituency (GRC) scheme through which most of the seats in Singapore's Parliament are elected in groups, where ethnic minorities must be included in any given slate of candidate in a GRC.

86. Other example highlighted by Singapore is the Community Engagement Programme (CEP) which was introduced in February

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**Comment [MN2]:** Suggest deletion of this part. Paragraph 82 is enough

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2006, and involves leaders from a cross-section of the society – grassroots organisations, businesses, unions, media, educational institutions, and religious and community leaders. This programme consists in a proactive approach to build closer ties across groups and put in place a community response framework where community leaders can be mobilised to help maintain social and psychological resilience in the aftermath of a crisis, especially those with race or religious overtones.

#### Sweden

[Original: English]

87. Sweden referred to its Discrimination Act which replaced previous anti-discrimination laws. It prohibits discrimination associated inter alia with ethnicity, religion or other belief.

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88. The Discrimination Act contains prohibitions against discrimination that are applicable in virtually all areas of society. The anti-discrimination provisions apply to working life, education, employment policy activities and employment services not under public contract, membership of certain organisations, goods, services and housing, and public meetings and public events, health and medical care and social services, the social insurance system, unemployment insurance and financial aid for studies, national military service and civilian service, and public employment.

89. Sweden also noted that the Equality Ombudsman monitors compliance with the Discrimination Act. The Office of the Equality Ombudsman was established in 2009 by merging the offices of the four previous anti-discrimination ombudsmen into a single agency.

90. Other important initiatives highlighted are: the implementation by the Swedish Government of a three-year initiative (2012-2014) to enhance children and young people's knowledge of xenophobia and similar forms of intolerance. As part of this initiative funding has for example been granted for an educational programme for teachers which focuses on methods for the teachers to counteract anti-Semitism and islamophobia; and the involvement as a partner in the EU project Good Relations, a project that aims to combat xenophobia and similar forms of intolerance through the promotion of good relations on the local level. The project will produce a framework for good relations and a guide that can be used on a local level within the EU.

91. A national action plan to safeguard democracy against violence-promoting extremism was adopted by Government in December 2011. The action plan contains fifteen measures to prevent and counter all forms of violence-promoting extremism focusing on the following areas: strengthening awareness of democratic values, increasing knowledge about violence-promoting extremism, strengthening structures for cooperation, preventing individuals from joining violent

extremist groups and supporting defections from them, countering the breeding grounds for ideologically motivated violence and deepening international cooperation.

## **Syria**

[Original: English]

92. Syria, in its contribution, noted that its society does not suffer from racism and racial discrimination within the national borders of the Syrian Arab Republic, which encompass a variety of different citizens and residents all of whom enjoy fundamental rights on an equitable and just basis; hence, there are no “hate crimes” in the sense commonly understood in some other societies. Nevertheless, those rights are guaranteed under the national legislation, including the Constitution. Syria indicated that it has acceded to all of the conventions adopted by the United Nations against racism and racial discrimination; the conventions to which it has acceded are incorporated into national legislation and are binding upon all government agencies and judicial authorities.

## **B. United Nations entities**

### **United Nations Economic Commission for Latin America and the Caribbean (ECLAC/CEPAL)**

93. ECLAC noted that one of its priority areas refers to indigenous peoples and populations of African descent. That is why ECLAC,



through its Population Division, has worked to contribute to the statistical visibility of indigenous peoples and people of African descent in the countries of the region, as a basic tool for the formulation of policies that target ethnic and racial discrimination. In this regard, there have been numerous technical assistance missions, technical meetings with the statistical institutes, organizations and other indigenous and African descent stakeholders were conducted, and reports with detailed recommendations and methodological manuals for ethnic inclusion in the data sources were produced.

94. Furthermore, ECLAC has contributed to strengthening national capacities for the use and analysis of demographic and socio-economic information and its policy impact. This has been accomplished through training workshops targeting indigenous and Afro organizations and institutes of statistics.

95. The Division has developed knowledge on demographic and social dynamics of indigenous peoples and populations of African descent, with emphasis on youth, territorial inequalities and child poverty; including policy recommendations.

**United Nations Interregional Crime and Justice Research Institute  
(UNICRI)**

96. UNICRI noted its participation to a joined consortium of 9 partners to implement the 24 months project "LIGHT ON – Cross-

community actions for combating the modern symbolism and languages of racism and discrimination” within the framework of the Fundamental Rights and Citizens programme of the European Commission.

97. The project LIGHT ON aims to develop a common culture of stigmatization of racism and promote the pro-active role of community actors contrasting racism, xenophobia and related forms of intolerance. LIGHT ON addresses the dangerous underestimation of the social disvalue and the progressive normalization of racist images and expressions in the society, through a community approach involving the different social parts: citizens, victims, law enforcement agencies and legal authorities.

98. In the specific framework of the LIGHT ON project, UNICRI’s aim is to build a better understanding of the issue of hate crime at international level, to address the topic as a way of promoting the values of equality and non-discrimination, and to raise awareness for the victims of this crime and for law enforcement agencies involved through ad-hoc training activities.

### **C. Regional organizations**

#### **European Union**

99. The European Union noted that the Commission is currently preparing two new reports relevant to the fight against racism,

xenophobia and racial discrimination, which will be adopted by the end of 2013: A joint report on the application of the anti-discrimination "Equality Directive" 2000/43/EC and "Employment Equality Directive" 2000/78/EC, which will provide an overview of the operation of the two directives in practice and look into the existing challenges to their efficient implementation and application; and a Report on the transposition of Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, which will present the Commission's assessment of Member States' compliance with the provisions of the Framework Decision and thereby provides a basis for any infringement procedures that the Commission is authorised to launch starting from 1 December 2014.

100. It should be noted that the Commission reviews annually the implementation of the National Roma Integration Strategies and reports to the European Parliament and the Council. The Commission's next progress report will be presented before the end of 2013. The report will evaluate the structural measures which are considered to be preconditions for the successful implementation of the National Roma Integration Strategies. These are: involving regional and local authorities, working closely with civil society, allocating proportionate financial resources, monitoring

transformation and enabling policy adjustment, and fighting against discrimination convincingly.

#### **OSCE/ODIHR**

101. OSCE participating States have acknowledged that hate crimes, racism and xenophobia as well as anti-Semitism and intolerance against Muslims, Christians and members of other religions or belief constitute a threat to stability and security throughout the OSCE region. They have adopted a comprehensive range of commitments to prevent and respond to hate-motivated violence and to promote mutual respect and understanding.

102. In line with its mandate, ODIHR assists participating States and civil society to effectively combat hate crimes and to promote mutual respect and understanding. ODIHR designed a broad range of programmes to build the capacity of law enforcement, government officials and civil society to combat hate crimes and to raise awareness through educational programmes. ODIHR activities also focus on monitoring, collecting and dissemination information on hate crimes and good practices designed to address them.

103. ODIHR is currently developing a practical guide for policy makers on how to collect hate crime data. It also reviews legislation related to anti-discrimination and hate crime upon the request of participating States.



104. In 2011, ODIHR published a Guideline for Educators on Countering Intolerance and Discrimination against Muslims.

#### **C. Civil Society Organizations**

**The Kantor Center for the Study of Contemporary European Jewry, at Tel Aviv University**

105. The Kantor Center referred to its publication “Legislating for Equality- A Multinational Collection of Non-Discrimination Norms” whose objective are to: provide a legal model for fighting racism, xenophobia, anti-Semitism and discrimination through national legislation; enable a comparison between existing national and international instruments relating to human rights and, in particular, promotion of equality and non-discrimination, in order to bring domestic laws into line with international legal norms; and provide a tool for researchers, legislators, human rights activists and all those working to protect the rights of minorities and victims of hate crimes and discrimination, as well as for domestic and international organizations that monitor compliance with these laws.

### **III. Update on activities**

#### **A. Office of the United Nations High Commissioner for Human Rights**

106. OHCHR leads the work of the United Nations to prevent and combat discrimination and promote equality and universal respect for human rights and fundamental freedoms for all. The Office advocated

for, and supported reforms including through technical advice and assistance to States in implementing their international obligations and recommendations by human rights bodies and mechanisms in the field of equality and non-discrimination. OHCHR particularly collaborated with Member States on the adoption of legislation, public policies, programmes, national action plans and other activities. OHCHR also supported efforts of national human rights institutions, specialized equality bodies, civil society and individuals as well as groups facing discrimination.

107. OHCHR continued to service the work of the Committee on the Elimination of Racial Discrimination (CERD) and follow up mechanisms of the Durban Declaration and Programme of Action.

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108. OHCHR has continued to empower groups and individuals facing discrimination by facilitating their participation in relevant activities, carrying out projects to strengthen their capacity to claim their rights, and supporting grassroots organizations.

109. OHCHR also provides human rights expertise and advice, supports civil society organizations in their advocacy efforts, assists the United Nations Country Team in providing comments on drafts and engages with a number of international human rights mechanisms to advocate for the adoption of laws which are in compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and which protect and promote the human

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rights of those who are marginalized. Advice on and support to Member States in the formulation of national policies and programmes, including National Action Plans (NAPs) to eradicate racism, discrimination and promote equality was a main pillar of OHCHR's anti-discrimination work in 2012-2013.

110. A UN Network on racial discrimination and the protection of minorities was established following a decision by the Secretary-General in 2012. Coordinated by OHCHR, the Network brings together over 20 UN entities to enhance dialogue and cooperation between relevant UN Departments, Agencies, Programmes and to develop guidance for the UN system on how to address racial discrimination and protection of minorities in line with the Universal Declaration of Human Rights and other key standards. The Network has already heightened the profile of minority rights in the UN system, including in connection with the 20th anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Linguistic and Religious Minorities in 2012.

111. A new Secretary Generals' Guidance Note on Racial Discrimination and Protection of Minorities, developed by the Network, was approved by Secretary General in March 2013. It provides guidance for the UN system on how to address racial discrimination and protection of minorities in line with the UN

Charter, Universal Declaration of Human Rights and other key standards, drawing from effective practices.

112. The Note sets out guiding principles and framework for UN action with a view to ensuring a comprehensive and coherent UN approach from headquarters to regional and country presences.

113. The Network is currently developing an action plan to support the implementation of the recommendations contained in the Guidance Note.

114. On 11 September 2013, OHCHR launched its Database on practical means to combat racism, racial discrimination, xenophobia and related intolerance. The database was developed over the past two years with the financial support of the Governments of Germany and the Russian Federation. The database consists of more than 1,500 documents with contributions from more than 90 countries.

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#### **B. Durban follow-up mechanisms**

##### **Ad-Hoc Committee on the Elaboration of Complementary Standards**

115. The 5<sup>th</sup> session of the Ad Hoc Committee on the Elaboration of Complementary Standards took place from 22 July to 2 August 2013. During the session, and further to Human Rights Council resolution A/HRC/RES/21/30, the Committee considered the questionnaire and summary of the responses received from Member States on the three topics: xenophobia; the establishment, designation or maintaining of

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national mechanisms with competencies to protect against and prevent all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance; and procedural gaps with regard to ICERD. In accordance with the programme of work, these topics were also further substantively considered by the Committee with the input of several experts in diverse fields.

116. The Ad Hoc Committee made recommendations on these three topics which will continue to be addressed in the future and agreed on two new topics, namely: prevention and awareness-raising, including through human rights education and training in the fight against racism, racial discrimination, xenophobia and related intolerance – and - special measures, including affirmative or positive measures, strategies or actions to combat all forms and manifestations of racism which will be discussed at its sixth session in April 2014.

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**The Intergovernmental Working Group on the effective  
implementation of the Durban Declaration and Programme of Action**

117. The Intergovernmental Working Group held its tenth session from 8 to 19 October 2012. Participants reviewed progress on implementation of recommendations adopted by the Working Group at its ninth session and shared experiences, including best practices, in implementation of the ICERD, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference.

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118. Participants also reviewed the activities of the “Respect diversity – football unites” campaign of the Union of European Football Associations (UEFA) for the European Football Championship of 2012. Furthermore, thematic discussions on the role of politicians and political parties in combating racism, racial discrimination, xenophobia and related intolerance, and on the enhancement of international and regional cooperation with regard to the implementation of the Durban Declaration and Programme of Action were held. The Working Group adopted conclusions and recommendations on the above-mentioned themes.

#### **The Working Group of Experts on People of African Descent**

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119. During the twelfth session the Working Group discussed the theme of “Recognition through Education, Cultural Rights and Data Collection”. The Working Group acknowledged the importance of the theme and urged the General Assembly to adopt and launch the International Decade for People of African Descent in 2013 and to consider in its deliberations the draft Programme of Action for the Decade elaborated by the Working Group under the theme “Recognition, Justice, Development”.

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120. The Working Group urged States to revise current curricula and teaching materials and develop ones which respect and recognize the history of people of African descent, including material on the transatlantic slave trade. States were also urged to cooperate with the

relevant United Nations agencies and bodies to promote and protect the culture, identity, tangible and intangible heritage of the continent of Africa and people of African descent in keeping with the Durban Declaration and Programme of Action.

121. In addition to adopting domestic legislation against racial discrimination, States were also urged to collect, compile, analyse, disseminate and publish reliable and disaggregated statistical data at the national and local levels with the explicit consent of the individuals and groups that are victims of racial discrimination, based on their self-identification and in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees. The Working Group reiterated its call for the establishment of a permanent forum on people of African descent at the United Nations.

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#### IV. Conclusions and recommendations

122. Some progress has been made in combating racism, racial discrimination, xenophobia and related intolerance. Still, these phenomena have not been eradicated and no country can claim to be free of their destructive influence. I urge all Member States to pay particular attention to those who are economically, politically and/or socially most marginalized and whose rights are particularly at risk. This can be persons belonging to religious minorities whereas in others it can be for example persons in need of international

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protection, internally displaced persons, migrant workers and their families in particular sectors, or specific minorities, such as Roma, who are frequent targets of racial discrimination and other human rights violations.

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123. Even stronger political will and urgent measures are needed to reverse the worrisome trends over the last years of increasingly hostile racist and xenophobic attitudes and violence. Intercultural dialogue, tolerance and respect for diversity are essential for combating racial discrimination and related intolerance.

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124. In order to review progress with regard to the comprehensive implementation of, and follow-up to, the Durban Declaration and Programme of Action and the outcome of the Durban Review Conference, all stakeholders are invited to regularly submit updated inputs, in accordance with requests for information.

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125. Member States are encouraged to invite the Working Group of Experts on People of African Descent to carry out country visits.

126. Member States and other stakeholders are invited to participate actively in the deliberations on the Durban follow-up mechanisms and to implement the recommendations emanating therefrom.

127. Member States and other stakeholders are encouraged to provide regular information to OHCHR on legislative and other developments in combating racism, racial discrimination, xenophobia and related



intolerance, so as to update the contents of the Database on practical means to combat racism, racial discrimination, xenophobia and related intolerance.

128. Member States that have not yet done so are encouraged to develop and implement national action plans in order to combat racial discrimination and related intolerance.

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129. International and regional organizations are encouraged to intensify collaboration in fighting against racism, racial discrimination, xenophobia and related intolerance.

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130. Member States that have not yet done so are strongly encouraged to ratify the International Convention on the Elimination of Racial Discrimination at the earliest possible time.

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131. States parties to the Convention are also encouraged to comply with their treaty obligations and submit their overdue reports to the Committee on the Elimination of Racial Discrimination.

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