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Statement by H.E. Ms. Najat Al-Hajjaji

**CHAIRPERSON
PREPARATORY COMMITTEE
FOR THE DURBAN REVIEW CONFERENCE**

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**DEPUTY PERMANENT REPRESENTATIVE OF THE REPUBLIC
OF SOUTH AFRICA TO THE UNITED NATIONS OFFICE IN
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**VICE-CHAIRPERSON OF THE PREPARATORY COMMITTEE
FOR THE DURBAN REVIEW CONFERENCE**

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Mr. Chairperson,
Excellencies,
Distinguished Delegates,
Ladies and Gentlemen,

I have the honour to present to you, on behalf of Ambassador Najat Al Hajjaji, Chairperson of the Preparatory Committee for the Durban Review Conference, two reports: one on the first substantive session of the Preparatory Committee (PrepCom) held from 21 April to 2 May 2008 and another on the second substantive session of the PrepCom held from 6 to 17 October, 2008.

Consistent with General Assembly resolution 61/149 of 19 December 2006, the Durban Review Conference will be convened in April 2009. Following the adoption of the General Assembly resolution which also called on the Human Rights Council to undertake the preparations for this event, the latter established the PrepCom by its resolution 3/2 of 8 December 2006. The PrepCom became the main body responsible for all of the modalities pertaining to the preparation of the Durban Review Conference.

The Human Rights Council decided that the PrepCom shall hold one organizational and two substantive sessions to prepare for the Conference. You will recall that in the statement delivered before the Third Committee on 7 November 2007, it was reported on the work done by the organizational session of the Preparatory Committee for the Durban Review Conference which took place from the 27th - 31st August in Geneva.

It was also reported on the adoption by the Prepcom of several decisions based on consensus. The spirit of consensus has been guiding the work of the PrepCom. In fact, an important achievement of the PrepCom lies in its ability to adopt all decisions by consensus at the organizational session and at the two substantive sessions.

The decisions adopted at the organizational session include the objectives of the Review Conference. Due to their importance, I seek your indulgence to read them out.

- To review progress and assess implementation of the Durban Declaration and Programme of Action by all stakeholders at the national, regional and international levels, including assessing contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance, through an inclusive, transparent

and collaborative process and identify concrete measures and initiatives for combating and eliminating all manifestations of racism, racial discrimination, xenophobia and related intolerance in order to foster the implementation of the Durban Declaration and Programme of Action;

- To assess the effectiveness of the existing Durban follow-up mechanisms and other relevant United Nations mechanisms dealing with the issue of racism, racial discrimination, xenophobia and related intolerance in order to enhance them;
- To promote the universal ratification and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and proper consideration of the recommendations of the Committee on the Elimination of Racial Discrimination;
- To identify and share good practices achieved in the fight against racism, racial discrimination, xenophobia and related intolerance.

These objectives would be the basis of the assessment that Member States and all stakeholders should undertake at the national and regional level in preparation for the Review Conference.

Chairperson,
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In this connection, allow me to refer more concretely to some of the achievements of the first substantive session.

- Decision PC2/2 decided without a vote not to invite 33 NGOs to the first substantive session. These NGOs failed to provide information showing their relevance to the objective of the Durban Review Conference as required under ECOSOC resolution 1991;

- Decision PC. 2/3 allowed for the holding of a panel discussion on the objectives of the Durban Review Conference. The panel was composed of the members of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the independent eminent experts on the implementation of the Durban Declaration and Programme of Action, the Chairperson of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the Chairperson of the Ad Hoc Committee on the elaboration of complementary international standards. The presentations by the experts were followed by an interactive dialogue.
- Decision PC. 2/4 established the dates of the Intersessional open-ended Intergovernmental Working Group;
- Decision PC. 2/5 to 2/7 concerned the provisional accreditation of NGOs;
- Decision PC. 2/8 provided for the structure of the draft outcome document of the Durban Review Conference and stipulates that the outcome document will consist of a declaratory part and an action-oriented part containing further actions and initiatives;
- Decision PC. 2/9 related to information strategy for the Durban Review Conference;
- Decision PC. 2/10 was on documentation for the preparatory process for the Durban Review Conference.

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While the main objective of the Review Conference is to provide an opportunity to assess the implementation of the commitments undertaken by the international community at the 2001 conference, the role of the substantive sessions is to contribute to fleshing out the contents of the outcome document while bearing in mind the suffering endured by victims of racism, and to ensure improvement in their lives.

The engagement in the preparatory process and in particular in the substantive sessions displays a resolve on the part of international community to work toward a common goal for the benefit of the victims and humanity as a whole. The outcome documents of the regional meetings of Brasilia and Abuja, the submission of the regional contribution from Asia, and the contributions from the European Union and the Organization of The Islamic Conference respectively manifest the commitment of these regions and blocs to the Review Conference.

The first substantive session achieved a milestone by agreeing on the structure of the outcome document and the establishment of the Inter-Sessional Open-ended Inter-governmental Working Group (ISWG). The second substantive session took this process further by agreeing on a compilation in a single document of all the relevant paragraphs to fill the various chapters of the structure of the outcome document. This compilation will form the basis for negotiations, which lie ahead. Further contributions will be also welcomed.

In this regard allow me to share with you in a more specific fashion the contents of some of the decisions which were adopted at the second substantive session.

- Decision PC. 3/1 provided for (i) the process of negotiations on and drafting of the outcome document of the Durban Review Conference to commence; (ii) working document entitled "Certain indicative elements in relation to the outcome document" shall constitute a basis for discussion and negotiations at the present session of the Preparatory Committee, without prejudice to the possibility for other stakeholders to make further proposals; and that (iii) the drafting of the declaratory part of the outcome document shall be undertaken after the first reading of the five sections of the action-oriented part of the draft outcome document by the Preparatory Committee is completed.
- Decisions PC. 3/2, PC. 3/3, PC. 3/5 to PC. 3/8 dealt with the accreditation of NGOs to the Durban Review Conference and its preparatory process.
- Decision PC. 3/4 invited the High Commissioner to make a contribution to the Durban Review Conference through a report on the implementation of the DDPA

and submit proposals to enhance its implementation and on the implementation of relevant decisions and resolutions of the General Assembly and the Human Rights Council.

- Decision PC. 3/9 provided for the convening of a third substantive session of the Preparatory Committee in Geneva for up to 3 working days, on 15 to 17 April 2009; To establish an intersessional open-ended intergovernmental working group with a mandate to continue and finalize the process of negotiations on and drafting of the outcome document of the Durban Review Conference on the basis of the compilation of proposals resulting from the work of the second substantive session of the Preparatory Committee and any further contributions, and to report thereon to the third substantive session of the Preparatory Committee.
- Through this decision, the Preparatory Committee further decided that the intersessional open-ended intergovernmental working group shall meet for a total of up to 10 working days in advance of the third substantive session of the Preparatory Committee, including a meeting on 27 November 2008, the first session to be held from 19 to 23 January 2009, and the second session on 6 to 9 April 2009 or at any other date agreed by the working group.
- Decision PC. 3/10 on participation in the Durban Review Conference, requests the General Assembly to allocate adequate resources from the regular budget of the United Nations to facilitate the participation in the Review Conference of the relevant human rights treaty bodies and thematic special procedures and mechanisms of the Human Rights Council.

The two substantive sessions provided the opportunity to implement several of the decisions adopted at the organizational session and to evaluate progress as we move along the road-map established to achieve the Durban objectives by identifying key obstacles that have prevented additional progress in the eradication of the causes of racism, racial discrimination, xenophobia and related intolerance.

The Preparatory Committee will benefit from the participation of all stakeholders in the process. However, the limited financial resources available to the preparations continue to

be a major impediment. Lack of resources has prevented effective participation in the preparatory process of representatives belonging to least developed countries as well as those from national human rights institutions and non-governmental organizations. Hence, it is important to reiterate calls for financial contributions to be made to the Office of the High Commissioner for Human Rights toward the Durban Review Conference process.

Chairperson,
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We are five months away from the convening of the Durban Review Conference. As we continue to assess the implementation of the commitments undertaken by the international community at the 2001 conference, let us not forget that the ultimate objective is to guarantee a change in the day-to-day life of each individual and group of victims in all regions and countries of the world.

We are acutely aware that racism and discrimination are intertwined with destitution and exclusion, unequal access to resources and opportunities, and social and cultural stigmatization.

As we celebrate the 60th anniversary of the Universal Declaration of Human Rights this year, we must also take stock of the fact that, despite our best efforts at promoting the Declaration's fundamental principles of equality and non-discrimination, racism and its attendant problems continue to affect countless human beings in all regions of the world.

As we move forward with the preparations toward the Durban Review Conference let us remain focused on the fight against racial and other forms of discrimination as they are essential to the enjoyment of all human rights.

Thank you