



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA
BY MS. AQEELAH AKBAR, COUNSELLOR, PERMANENT MISSION OF ANTIGUA
AND BARBUDA, ON AGENDA ITEM 62: ELIMINATION OF RACISM AND RACIAL
DISCRIMINATION, IN THE THIRD COMMITTEE OF THE GENERAL ASSEMBLY**

- NEW YORK, 3 NOVEMBER 2008 -

Mr. Chairman
Excellencies,
Distinguished Delegates,

I have the honour to speak on behalf of the Group of 77 and China on agenda item 62, elimination of racism and racial discrimination and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

We wish to thank the Secretary-General for the reports submitted under this agenda item. We would like to welcome Mr. Githu Muigai, the new Special Rapporteur on Contemporary forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance and to thank him for his presentation today. We also extend special gratitude to his predecessor, Mr. Doudou Diene for his commitment to the discharge of his mandate.

We also wish to express our appreciation to the Chairperson of the Preparatory Committee for the Durban Review Conference for the successful preparatory process underway in Geneva and for today's presentation of the Reports of the First and Second Substantive Sessions of the Preparatory Committee. Allow me also to thank the Chairperson of the Committee on the Elimination of Racial Discrimination and other speakers for their presentations this morning.

Mr. Chairman,

Any denial or violation of the principle of equal rights runs counter to the very Charter upon which the United Nations is based. The G77 and China reaffirms that the International Convention on the Elimination of all forms of Racial Discrimination and the Durban Declaration and Programme of Action (DDPA) remain the basis for the effective elimination of racism, racial discrimination, xenophobia and related intolerance. As we prepare for the Durban Review Conference, we are mindful that the 2001 World Conference provided a platform for the identification of concrete measures and initiatives for combating and eliminating all manifestations of racism, racial discrimination, xenophobia and related intolerance at all levels.

In this regard, we commend the adoption by the General Assembly, on 20 October 2008 of a draft resolution on the Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade. We view the Permanent Memorial project as a partial fulfilment of paragraph 101 of the Durban Declaration and Programme of Action which, inter alia, calls upon the international community to honour the victims of slavery. We welcome the establishment of a

Committee to oversee the project and invite further contributions to the voluntary fund established for this purpose.

Mr. Chairman,

The Group of 77 and China welcomes the progress made at the national, regional and international levels in conformity with obligations and commitments of Durban. We are encouraged by those Governments that have adopted, since the World Conference, important legislative and administrative measures to combat racism as reported by the Secretary-General in document A/63/366. However, we recognize that the world has not remained static since 2001 and much more remains to be done to achieve the objectives of the World Conference. In some places, there has been erosion of the international legal framework, as well as other international commitments established to combat racism. We believe that the Durban Review Conference must reaffirm the need for political will to ensure that there is no impunity for criminal acts of violence associated with racism. The conference must also seek to provide maximum protection and remedies to victims.

We further believe that there has been a diminishing of civil liberties and an intensification of racial profiling since the tragedy of 11 September 2001. We are alarmed at these assaults on human rights and a resurgence of violent incidents of racism. Moreover, we are seriously concerned at the negative stereotyping of religions and the increase in incidents related to religious hatred. We note, however, the decisive steps taken by States, the United Nations system and the wider international community to oppose religious intolerance and to enhance dialogue with the aim of understanding and promoting tolerance and full respect of cultural and religious diversity.

The Group of 77 and China continues to be concerned at the use of information and communication technologies as a means to disseminate racist propaganda. We maintain that freedom of speech is a valuable component of a democratic society, and its exercise should not infringe on the rights of others. Also, attempts to disguise incitement to racism and hatred under the cloak of freedom of speech, negates the relevant provisions of related human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR).

Mr. Chairman,

We welcome the decision taken at the 3rd session of the Human Rights Council to establish an Ad Hoc Committee to elaborate complementary standards in the form of either a convention or additional protocol(s) to the International Convention on the Elimination of all forms of Racial Discrimination. These standards would bridge the gaps in the Convention and also provide new normative standards aimed at combating all forms of contemporary racism, including incitement to racial and religious hatred.

The tendency to criminalize certain groups of migrants as a result of racism and racial discrimination is particularly troubling to our Group. In this regard, we draw attention to the former Special Rapporteur, Mr. Diene, for speaking out against the exclusively security-based approach applied by some States to questions relating to immigration and the situation of foreign nationals, in particular immigrants, asylum-seekers and national, ethnic, religious or cultural minorities.

Mr. Chairman,

The preparatory meetings and the intersessional process for the Durban Review Conference have made considerable progress. In August 2007 a consensus decision was reached on the objectives of the Conference, namely, to assess the implementation of the Durban Declaration and Programme of Action, including further actions, initiatives and practical solutions for combating all the contemporary forms of racism; to find ways of enhancing the mechanisms mandated to follow-up on the DDPA; and to identify and share best practices.

In accordance with the Vienna Declaration and Programme of Action (VDPA), we call on the international community to treat human rights in a 'fair and equal manner' and in this regard, express our firm view that the Durban preparatory process should pay more attention to discrimination on the basis of economic, social and cultural rights.

Mr. Chairman,

The G77 and China regrets that there continues to be major challenges to funding for the Conference and its preparatory process. This has impeded effective participation, especially by civil society representatives from developing countries and the African Diaspora. We welcome their active participation in the Durban Review Conference in accordance with the regulations and practices of the United Nations.

We once again urge member States to contribute generously to the voluntary fund for the Durban Review Conference and sincerely thank those member States that have already made contributions. As called for in Decision PC1/12, we also would like to appeal for contributions from extrabudgetary resources to cover the cost of participation of representatives of least developed countries in the Durban Review Conference.

Finally,

We thank those member States, intergovernmental groups, UN agencies, civil society and all stakeholders who have contributed substantively to the preparatory process, and we are encouraged that substantial progress is being made on the draft outcome document. In the remaining period leading up to the Durban Review Conference, we strongly encourage open-minded constructive dialogue with the aim of arriving at a consensus outcome. We are confident that the entire international community will work together to ensure that the Review Conference achieves its objectives. The whole world will be watching.

Thank you, Mr. Chairman