

**Draft Resolution 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 Program of Action**

EU Explanation of vote (YES)

Mr. Chairperson,

I have the honour to speak on behalf of the European Union. [alignment formula].

As this draft resolution comes to action, the European Union would like to reiterate our strong commitment to combat all forms of racism, racial discrimination, xenophobia and related intolerance. To highlight this commitment, the European Union has designated 2007 as 'European Year of Equal Opportunities for All', as part of a framework strategy designed to ensure that discrimination is effectively tackled, diversity is celebrated and equal opportunities for all are promoted.

In this spirit, the EU has repeatedly stressed that the international follow-up to the Durban Declaration and Plan of Action should be agreed upon by consensus. Last year, we were very pleased, it was possible to reach an agreement on this resolution. We, however, also manifested our concerns on some issues, particularly on a review plan to the Durban DPA and complementary standards.

This year, the Main Sponsors put forward further proposals on both of these issues. Even though our concerns still hold, the EU actively engaged in negotiations with the Main Sponsors with the aim of reaching an agreement. In this regard, we would like to pay tribute to the work of the Costa Rican delegation who played an invaluable role in facilitating the discussions and bringing positions together.

Mr. Chairperson,

The EU has continuously underlined that the follow-up to the Durban DPA is already ensured by a number of mechanisms, which have been carrying out important work. We were able, nonetheless, to agree with the Main Sponsors' proposal to hold, in 2009, a review of the implementation of the Durban DPA. On the basis of OP33 of the resolution and also the views exchanged during the negotiations over this draft, it is our understanding that the review will be conducted at a high-level meeting in the framework of the UNGA and will focus on the implementation of what was agreed in Durban, without any reopening of the DPA. It is also our understanding that any preparatory work conducted by the Human Rights Council will not entail the creation of any new mechanism, but that, instead, the HRC will use for this end its existing follow-up mechanisms,

namely the Inter-Governmental Working Group on the Effective Implementation of the Durban DPA.

Regarding complementary standards, the EU recalls the report of the Committee on the Elimination of Racial Discrimination on the implementation of the Convention, which states that "It is a State's failure to ratify or to implement the Convention, rather than gaps in the Convention itself, which is the key issue in combating the contemporary forms of racism." This conclusion is fully in line with the earlier acknowledgement contained in the Durban Declaration. The EU believes that the failure of States to implement their obligations should serve as the guiding principle for our discussions about new complementary standards, and calls upon all States to ratify and fully implement the Convention as a matter of priority.

The Inter-Governmental Working Group made some progress on this issue this year, but its greatest achievement was that it was able to present consensual conclusions and recommendations that were also consensually endorsed by the HRC at its first session. It took a lot of work and flexibility from delegations from all regions and groups, under the wise and determined leadership of the Permanent Representative of Chile in Geneva, Ambassador Juan Martabit, to reach such positive results. We have to respect this work and recall all conclusions and recommendations as a whole. The EU truly hopes that, in line with this understanding, we may continue our common work on the basis of consensus at the Working Group's fifth session.

Mr. Chairperson,

The EU would like to thank all delegations for the flexibility shown in these negotiations. The EU is, once again, in a position to vote in support of this draft resolution. The EU reiterates its firm will to cooperate with all delegations in combating racism and racial discrimination and looks forward to continued discussions aimed at consensus outcomes in this and other fora.

Thank you, Mr. Chairperson.