

**Sixty-ninth 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 [68/151](#), in which the Assembly requested the Secretary-General to submit to it at its sixty-ninth session a report on the implementation of the resolution. The report was prepared by the Office of the United Nations High Commissioner for Human Rights. It summarizes information received from stakeholders, and concludes with recommendations.

\* [A/69/150](#).

\*\* The present document was submitted late owing to the need to consult with partners.



## I. Introduction

1. In its resolution [68/151](#), the General Assembly acknowledged the efforts and initiatives undertaken by States to prohibit discrimination and segregation and to engender the full enjoyment of economic, social and cultural as well as civil and political rights. The Assembly emphasized that, despite efforts in that regard, millions of human beings continued to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary manifestations, some of which took violent forms.

2. In the same resolution, the General Assembly welcomed the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action and underlined the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Durban Declaration and Programme of Action. The Assembly further reaffirmed that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations was a matter of priority for the international community.

3. In accordance with previous practice and pursuant to resolution [68/151](#), the present report summarizes information received from various stakeholders. In preparing the report, the Office of the United Nations High Commissioner for Human Rights requested information from Member States and various stakeholders on the implementation of the resolution. Submissions were received from 14 States: Azerbaijan, Greece, Italy, Mauritius, Mexico, Oman, Qatar, Russian Federation, Singapore, Togo, Tunisia, Turkey, Uruguay and Uzbekistan. Contributions were also received from four national human rights institutions or national equality bodies. The report also provides an update on the activities of the Office in this field.

## II. Information received from Member States

### Azerbaijan

4. The multi-ethnic and multid denominational composition of the population is an important feature of contemporary Azerbaijan. The fundamental provisions of Azerbaijan's ethnic policy are contained in the Constitution. Paragraph 3 of article 25 provides: "The State guarantees equality of rights of all citizens, irrespective of race, ethnicity, religion, language, sex, origin, property status, occupation, beliefs or membership of political parties, trade unions or other voluntary associations. Human and civil rights and freedoms may not be restricted on the grounds of race, ethnicity, religion, language, sex, origin, beliefs or political or social affiliation."

5. Projects are being carried out for lawful regulation of the activities of religious communities, for the protection of the principle of freedom of religion and for the free performance of religious ceremonies and rites. Preparation of educational and awareness programmes that focus on different religions is a priority for the Government and such programmes are implemented regularly.

6. Seminars, trainings and meetings covering all regions of Azerbaijan are being conducted in order to develop interreligious dialogue, strengthen tolerance and inform citizens about the essence of religions.

7. Article 111 of the Criminal Code penalizes acts that seek to establish and maintain the superiority of one racial group by the oppression of another racial group, inter alia:

(a) Denial of the right of members of a racial group or groups to life and freedom by murdering members of a racial group or groups, causing grave damage to their health or serious harm to their mental capacities, or subjecting them to torture or cruel, inhuman or degrading treatment or punishment or to arbitrary arrest or unlawful deprivation of liberty;

(b) Deliberate creation of living conditions for a racial group or groups with a view to bringing about their complete or partial physical extermination;

(c) Implementation of any legislative or other measures with a view to hindering the participation of a racial group or groups in the political, social, economic and cultural life of the country and to impeding the full development of such group or groups by denying the members their fundamental human rights and freedoms.

## **Greece**

8. To address multiple forms of discrimination faced by certain groups of women, such as Roma women, migrant women or Muslim women in Thrace, the General Secretariat for Gender Equality of the Ministry of the Interior, while planning and implementing the National Programme for Substantive Gender Equality, is also implementing the National Programme on Preventing and Combating Violence against Women, which refers to all forms of gender-based violence. The programme takes into consideration the need to respond to different social, ethnic and cultural backgrounds as well as different religions, beliefs and states of health, among other issues.

9. Other actions aimed at combating discrimination, racism and xenophobia and at increasing tolerance have been planned and will be implemented in the context of the 2013 Annual Programme of the European Integration Fund for Greece, as well as in the context of the multiannual programme of the Asylum, Migration and Integration Fund for Greece (2014-2020).

## **Italy**

10. In accordance with European Union directives 2000/43/EC and 2000/78/EC and their respective transposition decrees establishing the principle of equality with respect to all forms of discrimination on the grounds of gender, ethnicity, race, sexual orientation, religion, personal beliefs, age and disability, the National Office against Racial Discrimination has been established as a national equality body, entrusted by law with promoting equality and eliminating discrimination by assisting victims and monitoring discriminatory phenomena.

11. The National Office against Racial Discrimination has implemented counter-discrimination measures, promoted the inclusion of Roma, Sinti and Camminanti and other vulnerable social categories such as the elderly and persons with disabilities and has struggled with homophobia and transphobia, taking into consideration the multiple forms of discriminations to which people belonging to these groups are subjected.

12. The Observatory for Protection against Discriminatory Acts was established in 2010 in response to demands from potential victims of discrimination for protection against hate crimes through the adoption of a comprehensive approach, including interventions by police forces.

13. The Observatory aims to address underreporting and the increase in discriminatory offences committed on the grounds of ethnic or racial origin, gender, religion, sexual orientation and gender identity, disability, age and language; to react immediately and efficiently to these offences through the police forces and the carabinieri corps; to enhance the sharing of information collected during investigations, training opportunities and exchange of good practices among police forces, including at the international level (i.e., INTERPOL); to monitor all forms of discriminatory phenomena; to improve awareness of these phenomena; and to promote initiatives to prevent such offences and raise public awareness about this subject.

14. On 30 July 2013, the draft national plan of action against racism and xenophobia was introduced on the occasion of the launch of the working group in charge of drafting the plan.

15. The National Plan of Action as adopted aims at implementing a comprehensive strategy to support national and local policies to prevent and repress racism, xenophobia and related intolerance and to foster a multi-ethnic and multicultural, open and democratic society. In accordance with Legislative Decree No. 215/2003, the National Plan of Action focuses on discrimination based on race, colour, ethnic or national origin, religion or belief; it also takes a gender- and culture-sensitive approach.

16. The communication from Italy also explained the international and national legal frameworks in force, followed by a statistical overview of potential victims of discrimination. It also referred to the need to elaborate specific indicators in this field.

## **Mauritius**

17. The Constitution of Mauritius prohibits discrimination on the grounds, inter alia, of caste, colour, creed and race. It also provides that no law shall be discriminatory either in itself or in its effect.

18. The National Human Rights Commission has been operational since April 2001 and is empowered to inquire into any written complaint from any person alleging that his/her human rights have been, are being, or are likely to be violated by an act or omission by any person performing a public function conferred by any law, or otherwise in the performance of the functions of any public office or any public body. It also has the power to inquire into written complaints from any other person of an act or omission by a member of the police force, other than an act or

omission that is the subject of an investigation by the Ombudsperson. The Commission may equally review the safeguards provided in laws and policies that protect human rights, review factors or difficulties that inhibit the enjoyment of human rights and exercise such other functions as it may consider conducive to the promotion and protection of human rights.

19. The Equal Opportunities Act prohibits any direct or indirect discrimination on the basis of status such as age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation. The Equal Opportunities Commission, which has been operational since 2012, is mandated to enforce the provisions of the Act.

20. Other policy measures have been put in place to promote racial harmony and unity in diversity for the preservation of the cultural heritage and the promotion of national languages.

## **Mexico**

21. In Mexico, a consistent anti-discrimination policy and institutional framework has been strengthened and gradually expanded. The principle of equality and non-discrimination is protected by article 1 of the Constitution of the United Mexican States, which explicitly prohibits all forms of discrimination.

22. Since 2008, Mexico has been promoting a process of strengthening the legal and institutional anti-discrimination framework. As a result, on 7 February 2014, the Congress passed an amendment to the Federal Law to Prevent and Eliminate Discrimination to provide greater protection with respect to equality and non-discrimination.

23. A number of federal entities have incorporated anti-discrimination provisions in their legal framework under the terms of article 1 of the Constitution.

24. With a view to harmonizing state laws with federal laws and international treaties, the National Council for the Prevention of Discrimination developed a model law for the prevention and elimination of discrimination.

25. The National Council developed the National Programme for Equality and Non-Discrimination for the period 2014-2018, which articulates the national policy on equality and non-discrimination and involves the entire federal public administration.

26. The National Programme stresses the obligation of the State to create equal conditions and opportunities for people, individually and collectively. It also includes an assessment of the current situation with respect to discrimination in the country and the actions required to prevent and punish discrimination and create a legislative framework to safeguard the right to non-discrimination.

27. With respect to actions that the State must undertake in order to eradicate discrimination, the National Programme aims to strengthen the incorporation of equality and non-discrimination in all public affairs; promote policies and measures that ensure that all institutions of the federal Government offer protection against discriminatory acts; ensure progressive measures to decrease inequality gaps affecting the population in the enjoyment of their rights; and strengthen existing knowledge about discrimination in the country in order to reduce it.

## **Oman**

28. Oman reported that equality is one of the bases upon which its governance is based. Its Basic Law stipulates that equality between citizens is a pillar of the society and is guaranteed by the State. It also provides for the equality of all citizens before the law and prohibits discrimination on the grounds of gender, origin, colour, language, religion, sect, domicile or social status. Moreover, the Basic Law ensures for every foreigner legally present in the Sultanate the right to protection of person and property. Every person present in the Sultanate can therefore have recourse to independent judicial institutions to claim any rights guaranteed by the Basic Law and the existing laws in the Sultanate.

29. The Sultanate ratified the International Convention on the Elimination of All Forms of Racial Discrimination and the provisions of the Convention are part of the national legal system

## **Qatar**

30. The Constitution and domestic laws of Qatar define discrimination in line with the definition provided in article 1, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination. The legal framework for State action takes account of the general rules underpinning the provisions of the Convention, in which the principles of equality and protection from discrimination are essential. Those principles are enshrined in part II of the Constitution and spelled out in detail in articles 34 and 35. Article 34 states: "Citizens have equal rights and obligations." Article 35 affirms the right to equality before the law and to protection from discrimination, stating: "All persons are equal before the law. There shall be no discrimination between them on grounds of sex, origin, language or religion."

31. The principle of equality before the law without any discrimination is protected by a set of laws. The Criminal Code criminalizes incitement to racial hatred and the Printing and Publishing Act prohibits the publication of materials that are likely to stir up social discord or cause confessional, racial or religious strife.

32. It should also be noted that the National Human Rights Committee ("A" status) was established pursuant to Act No. 38 of 2002 and amended by Decree-Law No. 25 of 2006 to bring it into line with the requirements of the principles relating to the status of national institutions (Paris Principles). The Act establishing the Committee was amended again by Decree-Law No. 17 of 2010 which confers legal personality and a separate budget for the Committee.

## **Russian Federation**

33. The Constitution of the Russian Federation prohibits any form of discrimination. According to article 19, all are equal before the law and the courts. The State guarantees equality of human and civil rights and freedoms, regardless of sex, race, ethnicity, language, origin, wealth, official status, place of residence, attitude to religion, beliefs, membership of voluntary associations or other circumstances. Any restriction on the enjoyment of human rights and discrimination based on social, racial, ethnic, linguistic or religious grounds is prohibited.

34. The Decree of 19 December 2012 N 537 of the President of the Russian Federation “On the strategy of the State nationality policy of the Russian Federation till 2025” sets out important goals, including ensuring equality of human rights and freedoms regardless of race, nationality, language, religion and other circumstances; preventing and eradicating all forms of discrimination on social, racial, national, linguistic or religious grounds; respect for the national dignity of citizens; and the prevention and suppression of attempts to incite racial, national and religious hatred, enmity or hostility.

35. The Federal Anti-Extremism Act, in its version No. 255-FZ of 25 December 2012, defines extremism as the advocacy of exclusiveness, superiority or inferiority on the grounds of social, racial, ethnic, religious or linguistic affiliation or attitude to religion. An organization may be characterized as extremist only by judicial procedure and only a court may adopt a decision recognizing a citizen guilty of extremist activities.

36. Other codes, such as the Criminal Code and the Code of Administrative Procedure, establish criminal or administrative liabilities. Recent changes to article 280 of the Criminal Code, on public calls for extremist activities, and article 282, on incitement to hatred or hostility and humiliation of human dignity, allow tougher sanctions for extremist activities, including extremist crimes motivated by racial or national hatred and enmity.

37. More recently, Federal Law 128-FZ “On amendments to certain legislative acts of the Russian Federation” was adopted on 5 May 2014. The Law criminalizes rehabilitation of Nazism, namely the denial of the facts established by the verdict of the International Military Tribunal for the just and prompt trial and punishment of the major war criminals of the European Axis, approval of the crimes established by the Tribunal as well as dissemination of false information about actions of the Union of Soviet Socialist Republics during the Second World War.

38. Measures to combat extremism and the dissemination of racist and xenophobic materials in the mass media are enforced by the prosecutorial bodies of the Russian Federation, while the Federal Agency for Press and Communications is mandated to provide, on a competitive basis, State support to enterprises and organizations in the electronic and print media that are working on projects aimed, inter alia, at preventing public demonstrations that promote racial or religious intolerance. Such support helps to strengthen inter-ethnic relations, cultural links and mutual respect; to provide information on combating extremism, nationalism, racial and religious intolerance; and to strengthen inter-ethnic relations and the unity of the Russian people, preserving the identity and cultural and moral values of the peoples and ethnic groups of the Russian Federation and promoting inter-ethnic understanding and friendship.

39. With regard to education, the Ministry of Education and Science is working actively to address racism, racial discrimination and xenophobia through education and the Government’s youth policy. Comprehensive work is being conducted with students and young people with a view to improving the content of general and vocational education in order to foster a general Russian civic identity, to prevent nationalism and separatism and to integrate students into world culture.

40. In the new general education standards for the Russian Federation, the education process is understood as including not only acquisition of knowledge,

skills and competences, but also development of the student's personality and the adoption of spiritual, moral, social, family and other values.

41. For example, since 1 September 2012, a comprehensive 34-hour course on the fundamentals of religious cultures and secular ethics has been a mandatory part of the school programme for children in the fourth grade of elementary school.

42. Religious organizations also take an active part in project activities aimed at developing tolerance and preventing extremism among young people. They work to develop a programme of spiritual and moral education and instruction, help to prevent child neglect and juvenile delinquency and assist social institutions, foundations and other organizations involved in prevention, as well as in the rehabilitation and social adaptation of adolescents and young people who have been victims of xenophobia and ethnic conflicts.

## **Singapore**

43. As a multiracial, multilingual and multi-religious society, Singapore recognizes the importance of maintaining and fostering racial harmony. In this regard, the core principles of meritocracy and national identity based on multiracialism are a core element of government policies. Meritocracy ensures that all Singaporeans can progress and be rewarded on the basis of individual merit and that no one is discriminated against or disadvantaged on the basis of race, language or religion. Multiracialism recognizes the uniqueness and diversity of the society, wherein all ethnic communities enjoy equal status and each community is free to preserve and promote its cultural heritage and to practise its customs and beliefs, as long as this does not compromise national interests or infringe on the rights and sensitivities of other groups.

44. In this regard, a legal framework to prevent discrimination was put in place at the constitutional level. For example, article 12 of the Constitution states that there shall be no discrimination against any citizen of Singapore on the grounds of religion, race, descent or place of birth. Article 16, complementing article 12, protects against discrimination in education on the grounds of religion, race, descent or place of birth.

45. The Presidential Council for Minority Rights is mandated to scrutinize legislation passed by Parliament to ensure that proposed laws do not discriminate against any ethnic or religious community.

46. Other important policies undertaken by the Government are the implementation of a quota system for each ethnic group in public housing estates, with the aim of avoiding the formation of ethnic enclaves and encouraging residents to interact with Singaporeans of different races, and the National Service, compulsory military service for all Singaporean men at age 18, which fosters bonds between young men of different races and religions and allows them to work together to foster strong relationships and trust.

47. Most of the seats in Parliament come under the Group Representation Constituency scheme, under which members are elected in groups that must include at least one member of an ethnic minority. The system is designed to ensure equitable minority representation in Parliament. At the same time, it forces political



parties to practise multiracial politics rather than accumulate political capital based exclusively on race or religion.

## **Togo**

48. Togo has ratified the International Convention on the Elimination of All Forms of Racial Discrimination. In line with paragraph 58 of the Durban Programme of Action, Togo has adopted measures and policies aimed at encouraging all citizens and institutions to fight racism, racial discrimination, xenophobia and related intolerance.

49. To give effect to recommendations of the Committee on the Elimination of Racial Discrimination, the Government has incorporated the definition of the term “racial discrimination” as reflected in article 1 of the International Convention in the draft penal code and the draft code of criminal procedure, with a view to criminalizing acts of racism, racial discrimination, xenophobia and related intolerance.

50. Another important initiative is the establishment and operation of the Truth, Justice and Reconciliation Commission, which was intended to foster national unity and social harmony and to contribute to eradicating ethnic divides. In April 2014, the Government adopted a white paper relating to the implementation of the recommendations of the Commission.

51. Togo has identified human rights education as a powerful tool for encouraging all citizens to internalize a human rights culture and a culture of peace, tolerance and cultural diversity, and sensitization campaigns in universities and secondary schools have been organized to that end.

## **Tunisia**

52. Tunisia noted that its Constitution of 27 January 2014 contains important provisions that strengthen the principle of equality and non-discrimination and promote tolerance. While the idea of combating all forms of racism is provided for in the preamble to the Constitution, other articles, notably article 21, contain provisions relating to the principle of equality before the law.

53. Tunisia has also ratified the International Convention on the Elimination of All Forms of Racial Discrimination. According to article 20 of its Constitution, international treaty obligations may be invoked directly by a judge as part of the national legal system.

54. Laws on the organization of political parties and associations and on freedom of the press have been promulgated; they prohibit incitement to violence, hatred, intolerance and discrimination based on religion, class, gender or region, as well as propaganda based on racial discrimination.

## **Turkey**

55. The constitutional system of Turkey is based on the equality of all individuals before the law without discrimination, irrespective of their language, race, colour,

sex, political opinion, philosophical belief, religion and sect, or any other grounds (art. 10). In this regard, another “democratization package” was unveiled on 30 September 2013 that proposes comprehensive reforms for the improvement and enjoyment of a wide spectrum of civil and political rights for all citizens.

56. The Constitution states that international agreements are part of Turkish domestic legislation. As such, the International Convention on the Elimination of All Forms of Racial Discrimination is part of national legislation and the definition of racial discrimination laid down in the Convention is directly applicable in Turkey. In case of conflict with the provisions of the national laws on the same matter, international agreements in the area of fundamental rights and freedoms prevail. Moreover, other legislation provides for the prohibition of and protection against discrimination and racism.

57. A draft law on anti-discrimination and equality is under consideration by the Office of the Prime Minister. It provides measures against discrimination based on sex, race, colour, language, belief, ethnic origin, philosophical or political opinion, social status, marital status, state of health, disability or age. Once enacted, the prohibition shall be binding upon legislative, executive and judicial authorities as well as on all natural and legal persons.

58. The draft law envisages the establishment of an anti-discrimination and equality board that will monitor complaints of discrimination in the public and private sectors, as well as a consultation board composed of representatives of various relevant sectors of the society to assist the anti-discrimination and equality board.

59. Other mechanisms are also in place, such as the Office of the Ombudsman and the Turkish national human rights institution, which receives and investigates allegations of all human rights violations including allegations of discrimination by public officials.

60. With regard to human rights education, the regulation on textbooks and educational materials of the Ministry of National Education clearly states that textbooks shall support basic human rights and freedoms and provide an approach that rejects all forms of discrimination.

61. The Ministry of the Interior organizes periodic seminars, conferences and workshops on human rights for staff members of law enforcement agencies at various levels as part of their overall training.

## **Uruguay**

62. In accordance with Act No. 17.817 of 2004, it is in the national interest to combat racism, xenophobia and all other forms of discrimination, including discrimination based on race, skin colour, religion, national or ethnic origin, disability, appearance, gender and sexual orientation and identity. The Act established the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination to develop national policies and practical measures aimed at preventing and combating racism, xenophobia and discrimination and policies on positive discrimination.

63. The Commission keeps a record of racist, xenophobic and discriminatory incidents and files the corresponding legal complaint whenever it is deemed necessary, and issues opinions. Cases can be referred to the courts by interested parties or to the appropriate public bodies.

64. The Commission consists of representatives of the Ministry of Education and Culture, the Ministry of the Interior, the Ministry of Foreign Affairs and the Central Governing Council of the National Public Education Administration, as well as representatives and alternates nominated by relevant non-governmental organizations, including organizations devoted to people of African descent, sexual diversity, religious diversity, persons with disabilities and people of indigenous descent.

65. In addition to the Commission, various State mechanisms are in place to promote racial equality, such as the Advisory Service on Racial Equality in the Office of the President and the Office for the Promotion and Coordination of Affirmative Action Policies for People of African Descent, among other institutions.

66. According to the law, radio broadcasting services must include among their objectives the promotion of social development, human rights, cultural diversity, freedom of information and opinion and democratic values. They must not engage in party, political or religious propaganda or promote discrimination on the grounds of race, ethnicity, gender, sexual orientation, religion, age or any other criteria. Failure to observe these provisions constitutes grounds for suspending or withdrawing their licences.

## **Uzbekistan**

67. The Constitution of Uzbekistan establishes the principles of equality before the law, equal protection of the law and the prohibition of discrimination. Article 18 reads: "All citizens of the Republic of Uzbekistan have equal rights and freedoms and are equal before the law, irrespective of their sex, race, ethnicity, language, religion, social origin, opinions, or personal or social status." The fundamental principles of equality before the law and the prohibition of discrimination deriving from international instruments to which Uzbekistan has acceded are given expression in the Constitution.

68. With regard to the national policy on racial discrimination, the Government takes action to create an atmosphere of ethnic harmony and tolerance in society. This includes the development of institutions and legislative machinery to safeguard individual and collective rights, including those of racial and ethnic minorities; measures to preserve the cultural identity of minority communities and encourage their integration into Uzbek society; and proportional representation of minority communities in all areas of public life.

69. Other relevant measures to combat racial discrimination include the ban on political parties established along racial or ethnic lines (article 57 of the Constitution) and on voluntary associations seeking to spread racial and religious divisiveness (article 3 of the Voluntary Associations Act of 1991, as amended in 1992 and 1997); the prohibition against the use of religion to foment enmity, hatred and ethnic discord (article 5 of the Freedom of Conscience and Religious

Organizations Act of 1991, as amended in 1998); and the prevention of the use of the media to spread ethnic, racial or religious hatred (the Mass Media Act of 1997).

### **III. Information received from national human rights institutions**

#### **National Consultative Commission on Human Rights (France)**

70. The National Consultative Commission on Human Rights is the French national human rights institution, which has “A” status.

71. Since 2007, the Commission has been composed of 64 members who are representatives of non-governmental organizations working in the field of human rights and international humanitarian law, members of the main trade union confederations, representatives of religious denominations and people with recognized expertise in the field of human rights. The Commission also includes a parliamentarian, a senator, a representative of the Conseil économique et social and the Défenseur des droits. Its pluralistic composition and collegial organization guarantee its independence.

72. The Commission may be seized by the Government or take action on its own initiative on any matter of a general nature within its mandate, and expresses its positions through opinions, reports and studies.

73. Other aspects of its mandate are to advise ministries during the preparation of reports to be submitted by France to international organizations and to monitor the implementation of recommendations of these bodies.

74. The Commission submits a report annually to the Government on the fight against racism, anti-Semitism and xenophobia. This report is a useful tool for analysing and measuring the current situation and the evolution of racism, anti-Semitism and xenophobia in the country and for assessing the concrete measures taken by the Government to combat these phenomena.

75. In its 2013 report, the Commission recommended that France sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) on the general prohibition of discrimination.

76. The Commission also recommended strengthening the training and sensitization of law enforcement officers on issues related to racism and discrimination, with a view to combating the phenomenon popularly known as “racial profiling”; fostering strong political mobilization for the effective implementation of the National Action Plan against Racism and Anti-Semitism (2012-2014); creating an efficient statistical system to measure the magnitude of racist acts and assess the reality of racial discrimination and inequalities; including a better definition of indirect and multiple forms of discrimination in the French legal system; and creating a body to monitor racism, anti-Semitism and xenophobia on the Internet.

## **Ombudsman for Human Rights of Bosnia and Herzegovina**

77. The Ombudsman is the independent institution established to promote good governance and the rule of law and to protect the rights and freedoms of natural and legal persons guaranteed by the Constitution and international treaties. The institution has special powers and responsibilities under the law and provides physical and legal persons with access to information about their rights and obligations, the possibility of judicial and other protection and how to submit individual and group complaints, and proposes the initiation of mediation and other procedures.

78. The Ombudsman recently issued a series of recommendations for improving the position of Roma people in society and monitoring progress in that regard. The recommendations relate specifically to the implementation of strategic plans and programmes that have been adopted in the country.

## **National Commission for Human Rights (Rwanda)**

79. The National Commission for Human Rights of Rwanda recalled the commitment of the Republic of Rwanda to implement the Durban Declaration and Programme of Action. As a country with a recent history of genocide, all measures based on the human rights principles of equality and non-discrimination are provided for by law and policy.

80. Rwanda has ratified the core international human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime of Genocide. Its Constitution also provides for measures prohibiting racism and racial discrimination.

81. The Commission also provided information on recent measures taken by the Government to accelerate reconciliation and consolidate peace and social cohesion. These include the Seven-Year Programme (2011-2017) and its subprogramme for preventing and combating the ideology and acts of genocide; the seventeenth commemoration of the genocide against the Tutsi, entitled “The road to reconciliation”; and the Rwanda Reconciliation Barometer, which represents an attempt to deepen understanding of how ordinary citizens perceive and react to efforts aimed at promoting unity and reconciliation.

82. Another notable initiative is the Ndi Umunyarwanda (I am Rwandan) programme aimed at encouraging Rwandans to prioritize their Rwandan identity, build confidence in each other and foster a spirit of living together, placing national interest above individual or ethnic interest.

## **Ukrainian Parliamentary Commissioner for Human Rights**

83. The Law “On the fundamentals of preventing and combating discrimination in Ukraine” formalized the status of the Ukrainian Parliamentary Commissioner for Human Rights as a national equality body. Its mandate includes, inter alia, monitoring the observance of the principle of non-discrimination in all spheres of social life; examining complaints of discrimination; independent action and

provision of assistance to complainants in order to rectify grievances; and annual reporting to the Parliament of Ukraine on the situation of discrimination and observance of the principle of non-discrimination.

84. A new law, No. 4581, will give additional powers to the Commissioner, in particular to initiate in the public interest court action in cases of discrimination, to provide expert opinions in cases of discrimination at the request of the court, and to submit proposals for the improvement of anti-discrimination legislation and the application of measures of positive action.

85. In 2013, the Commissioner adopted the Strategy for Preventing and Combating Discrimination in Ukraine (2014-2017), which has five objectives. Their achievement will ensure proper monitoring of compliance with the legal guarantee of equality and non-discrimination and a reduction in the number of human rights violations committed against members of minority groups.

86. In 2014, the Commissioner joined efforts with a number of non-governmental organizations to launch a project aimed at developing a collective methodology and indicators to enable measurement of discrimination. It is expected that when the project is complete the indicators and methodology will be used for the Commissioner's own monitoring activities and forwarded to the State Statistics Services of Ukraine with the recommendation that they be adopted. The project also envisages the development of two additional sets of indicators to measure the progress of adoption of anti-discrimination laws and policies and their effectiveness.

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

87. The Office of the United Nations High Commissioner for Human Rights (OHCHR) leads the work of the Organization to prevent and combat discrimination and promote equality and universal respect for human rights and fundamental freedoms for all. It advocates for and supports reforms, including through the provision of technical advice and assistance to Member States in implementing their international obligations and recommendations adopted by human rights bodies and mechanisms in the field of equality and non-discrimination. OHCHR collaborates with Member States on the adoption of legislation, public policies, programmes, national action plans and other activities. It also supports efforts of national human rights institutions, specialized equality bodies, civil society and individuals as well as groups facing discrimination.

88. OHCHR services and supports the work of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination and related intolerance and the mechanisms established to follow up the Durban Declaration and Programme of Action.

89. OHCHR empowers 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 grass-roots organizations.

90. OHCHR also provides human rights expertise and advice, supports civil society organizations in their advocacy efforts, assists United Nations country teams

and engages with international human rights mechanisms to advocate for the adoption of laws that are in compliance with the International Convention on the Elimination of All Forms of Racial Discrimination. Advice on and support to Member States in the formulation of national policies and programmes, including national action plans to eradicate racism and racial discrimination and promote equality, was a main pillar of the anti-discrimination work carried out by OHCHR in 2013 and 2014.

## **A. Research and practical guidance tools**

91. In 2014, the Anti-Racial Discrimination Section finalized a practical guide on the development of national action plans against racial discrimination. The guide provides concrete suggestions for developing and implementing comprehensive, effective and sustainable plans. It provides background information on the concept of national action plans against racial discrimination, the institutional aspects of such plans and their content and structure.

92. In September 2013, a database on practical means to combat racism, racial discrimination, xenophobia and related intolerance was launched. The database contains a compilation of more than 1,500 records and information received and collected from about 100 Member States from all geographical regions. It includes legal documents, advice, legal precedents and know-how, including concrete measures to counter racial discrimination and xenophobia taken at the international, regional and national levels. It is a unique database with global coverage, helping Member States and other stakeholders to increase their knowledge and capacity to fight against racial discrimination and xenophobia.

93. In 2013, the Anti-Racial Discrimination Section prepared a fact sheet on xenophobia that was used for various trainings and expert meetings.

## **B. Advisory services and technical assistance**

94. At the country level, in January 2014 OHCHR organized a workshop on combating discrimination and promoting equality and social cohesion in Jakarta for the States members of the Association of Southeast Asian Nations (ASEAN). The workshop strengthened the capacity of over 70 government officials from the ASEAN region, representatives of the ASEAN Intergovernmental Commission on Human Rights, national institutions and civil society groups in the region to effectively address issues related to discrimination and reinforced cooperation between OHCHR and ASEAN.

95. OHCHR provided technical assistance to several countries on measures to combat racism, racial discrimination, xenophobia and related intolerance. The Anti-Racial Discrimination Section provided comments on the draft anti-discrimination law of Armenia and the draft law on the elimination of all forms of discrimination of Georgia. The Section organized a workshop on promoting equality and combating racial discrimination and related intolerance in Minsk in cooperation with the United Nations Development Programme in Belarus and the Ministry of Foreign Affairs. Representatives of various ministries and other stakeholders attended the event. The workshop enhanced the participants'

understanding of human rights norms and practices with regard to combating racism, racial discrimination, xenophobia and related intolerance.

96. In Kyiv, OHCHR organized a two-day conference on implementing legislation and policies on equality and non-discrimination with the support of the Ukrainian authorities, the Human Rights Adviser in Kyiv and the Ukrainian Parliamentary Commissioner for Human Rights. The event was attended by representatives of the Ministries of Justice and the Interior, the Office of the Ukrainian Parliamentary Commissioner for Human Rights and international and local civil society organizations.

97. In Chisinau, in collaboration with the Human Rights Adviser in the Republic of Moldova, four trainings for judges and prosecutors on international and regional human rights standards and practices with regard to equality and non-discrimination, including racism, racial discrimination, xenophobia and related intolerance, were organized. A training module on anti-discrimination legislation was developed that can be used for similar trainings in other countries.

98. At the request of the Federal Commissioner for Human Rights of the Russian Federation and the Council of Regional Commissioners, the Anti-Racial Discrimination Section, together with the Senior Human Rights Officer in Moscow, organized a workshop for regional commissioners on promoting equality and preventing and combating discrimination.

99. OHCHR organized a workshop for 50 media representatives in Conakry. The objective of the workshop was to raise awareness of the Durban Declaration and Programme of Action, with a particular focus on the role of media in promoting tolerance and combating racism, racial discrimination, xenophobia and related intolerance.

100. In Nigeria, the Anti-Racial Discrimination Section supported the National Human Rights Commission and the Ministry of Justice in organizing broad-based national consultations for the development of a national action plan against racial discrimination to be integrated in the National Action Plan for the Promotion and Protection of Human Rights.

101. In Costa Rica, the development of a national action plan against racism and racial discrimination was supported and numerous meetings with communities of people of African descent, indigenous peoples, migrants and refugees across the country were facilitated with a view to providing space for dialogue and participation. The staff of the inter-institutional commission in charge of drafting the plan was also trained.

102. The Anti-Racial Discrimination Section collaborated with the National Council for the Prevention of Discrimination to ensure the elaboration of a new national action programme for equality and non-discrimination in Mexico covering the period from 2014 to 2018.

### **C. Servicing mechanisms established to follow up the Durban Declaration and Programme of Action**

103. OHCHR provides support to the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. The



twelfth session (April 2014) of the Working Group was devoted to devising a draft programme of activities for the International Decade for People of African Descent, drawing from the draft programme of action for the Decade ([A/HRC/21/60/Add.2](#)) developed by the Working Group of Experts on People of African Descent and the report of the Secretary-General on how to make the International Decade for People of African Descent effective ([A/67/879](#)). The draft programme of activities (see [A/HRC/26/55](#)) was submitted to the Human Rights Council. It identifies objectives and concrete activities to be conducted at the national, regional and international levels during the International Decade. The Council decided, in resolution [26/1](#), to urgently transmit the report to the General Assembly.

104. The Working Group of Experts on People of African Descent, which is also supported by the Office, carried out country visits to Brazil (4-13 December 2013) and the Netherlands (26 June-4 July 2014).

105. Support is also provided to the Ad Hoc Committee on the elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination. The fifth session of the Ad Hoc Committee was held from 22 July to 2 August 2013. During the session, the Committee considered the questionnaire and summary of responses received from Member States on three topics: xenophobia; the establishment, designation or maintaining of 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 the International Convention on the Elimination of All Forms of Racial Discrimination. The Ad Hoc Committee made recommendations on these three topics that will continue to be addressed and agreed on two new topics for its future consideration: 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.

106. In February 2014, the independent eminent experts on the implementation of the Durban Declaration and Programme of Action held their third (closed) meeting. During the meeting, the experts discussed their mandate, working methods and future activities (see [A/HRC/26/56](#)).

#### **D. Organizing commemorative events**

107. OHCHR organizes annual events on 21 March to commemorate the International Day for the Elimination of Racial Discrimination. The commemoration of the International Day in 2014 focused on the role of leaders in mobilizing political will to combat racism and racial discrimination. Participants included anti-apartheid leaders and activists from South Africa.

108. On 28 January 2014, a panel discussion in connection with the International Day of Commemoration in memory of the victims of the Holocaust (27 January) was organized.

## V. Conclusions and recommendations

109. Despite some progress in combating racism, racial discrimination, xenophobia and related intolerance, these phenomena have not been eradicated and no country can claim to be free from these forms of discrimination.

110. Stronger political will and urgent measures are needed to reverse the worrisome trends that has developed over the past few 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.

111. 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.

112. Member States, regional organizations, civil society and other stakeholders are encouraged to fully and effectively implement the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference.

113. Member States are encouraged to fully and effectively implement the obligations arising under the International Convention on the Elimination of All Forms of Racial Discrimination. Those States that have not yet done so are urged to ratify or accede to the Convention, with a view to universal ratification.

114. Member States are encouraged to invite the Working Group of Experts on People of African Descent and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to carry out country visits.

115. Member States and other stakeholders are invited to participate actively in the deliberations on the mechanisms established to follow up the Durban Declaration and Programme of Action and implement the recommendations emanating therefrom.

116. Member States that have not yet done so are encouraged to develop and implement national action plans to combat racism, racial discrimination, xenophobia and related intolerance.

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

118. In the context of the implementation of the programme of activities for the implementation of the International Decade for People of African Descent (2015-2024), all States, intergovernmental and non-governmental organizations, private institutions and individuals as well as other donors in a position to do so are encouraged to contribute generously for the implementation of the programme of activities.