

## CLADE in the Durban Review

Facing the coexistence of new and old forms of racism, the reaffirmation of Durban Declaration and Plan of Action is an achievement in the fight against all forms of discrimination

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The Durban Review Conference, held from 20 to 24 April 2009, is an achievement worth commemorating. It is a result, to a great extent, of the pressure put and the efforts undertaken by the civil society along these past eight years. The first paragraph of the [Durban Review Outcome Document](#), fully reaffirming the [Durban Declaration and Programme of Action \(DDPA\)](#) is particularly important since it recognizes the validity of DDPA within an increasingly tense global context in which old and new forms of racism, racial discrimination, xenophobia and related intolerance converge. The reaffirmation of the DDPA is, therefore, a victory of and for the victims of racism and discrimination worldwide.

Durban Review Process walked a difficult path, having been boycotted constantly by some States, underfinanced and with an almost nonexistent possibility for the participation of civil society. Only two regional preparatory Conferences were held, one in Africa and another one in Latin America and the Caribbean. The latter, which was meant to be an Americas Conference, was not so in the end due to the boycott of the United States and Canada.

The boycott of ten Member States (Australia, Canada, Czechoslovakia, Germany, Holland, Israel, Italy, New Zealand, Poland and United States) to the Durban Review Conference was even worse, thus proving their lack of commitment and political will towards the DDPA principles to overcome racism, as well as a refusal to engage in the dialogue and multilateral debate promoted by the United Nations.

The Durban Review Process did not ensure the adequate spaces for civil society's qualified and effective intervention, whether in the debates that took place before and during the Conference or whether in defining its outcome document. In the Review Conference, civil society organizations were able to participate in Parallel Events or by means of three-minute individual statements delivered in the Plenary Session, but never in the strategic moments of the multilateral and plural debate. As recorded in the [Declaration of Civil Society Representatives of Latin America and the Caribbean](#) in the Durban Review Conference, this "relative absence of the civil society in the process constitutes a dangerous precedent in relation to democratic participation mechanisms of UN processes, especially in the inaction to promote the active voices of those who suffer daily discrimination and hate.

Durban Review Conference, which gathered 5011 delegates of official delegations, civil society representatives and the media, was presided by Amos S. Wako, the

President of Kenya; the United Nations High Commissioner for Human rights, Navi Pillay, acted as Secretary-General of the Conference and Juan Antonio Fernández of Cuba was elected as Rapporteur-General. The approved outcome document is weak in its aim of evaluating advances, pending challenges and possible regressions since 2001. This task remains to be performed by the Member States and the United Nations, starting from the setting in motion of concrete monitoring and evaluation mechanisms.

This Review Outcome Document achieved to maintain the language of Durban and the key concepts that were present there such as that of Affirmative Actions. On the other hand, it is regrettable that key issues regarding racism and discrimination had been left out or barely mentioned, as noted by the above mentioned Civil Society Declaration, among them: structural violence against black and indigenous youth, religious intolerance towards religions of African origin, discrimination on the basis of sexual orientation and gender identity, redress as an essential mechanism for the promotion of racial equality and participatory democracies, the creation of mechanisms that ensure the recognition, on the part of the State, of ancestral lands, both indigenous and African-descendants', and the unequal access to the right to education.

In relation to the last item, the available data reveal the persistence of inequality in the access to, permanence in and completion of education due to factors related to racism, racial discrimination, xenophobia and related intolerance. In Latin America, for example, school exclusion rates for indigenous, African-descendant and migrant boys, girls, youth and adults are higher when compared to the average population.

In its [statement](#) delivered in the Review Conference Plenary, the Latin American Campaign for the Right to Education called the attention to this point and put forth some recommendations to the States, among them, that States ensure the fully implementation of the Durban Declaration and Plan of Action and that they recognize the persistence of racism, sexism and the multiple discrimination in society and school systems.

It also proposed that States give priority to the setting in motion of affirmative actions; data disaggregated by race, ethnicity and gender in the national censuses; the approval of legislation and the implementation of policies that promote pedagogical political projects in the education field, based on the value of difference, the recognition of the history and culture of the different peoples that are part of the nations, with a focus on rights. Finally, it proposed that States immediately ratify the main international agreements related to the fight against racism and discrimination, particularly the Convention against Discrimination in Education (1960).

The approval of the [Durban Review Outcome Document](#) and the space for multilateral debate promoted by this Conference should now foster -at national, regional and international levels- State policies and processes to overcome racism and discrimination that will be able to translate the assumed commitments into concrete changes.

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