

General Recommendation No. 33

Follow-up to the Durban Review Conference

The Committee on the Elimination of Racial Discrimination,

Welcoming the adoption of the Outcome Document of the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

Welcoming the reaffirmation by the Review Conference of the Durban Declaration and Programme of Action, as adopted at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001, as well as the commitment to prevent, combat and eradicate these phenomena,

Noting that the Durban Review Conference reaffirmed that the International Convention on the Elimination of All Forms of Racial Discrimination is the principal international instrument to prevent, combat and eradicate racism, racial discrimination, xenophobia and related intolerance and that full implementation of the Convention is fundamental for the fight against all forms of racism and racial discrimination occurring today worldwide,

Welcoming the acknowledgment by the Durban Review Conference of the interpretation given by the Committee on the Elimination of Racial Discrimination to the definition of the concept of racial discrimination as contained in the Convention, so as to address multiple or aggravated forms of racial discrimination,

Welcoming the expression of appreciation by the Durban Review Conference with regard to the early warning and urgent action procedure and the follow-up procedure established by CERD,

Concerned by the consequences which the world financial and economic crisis could have on the situation of persons belonging to the most vulnerable groups, mainly racial and ethnic groups, leading to an aggravation of discrimination they may suffer,

Concerned by situations of serious, massive and multiple racial and ethnic discrimination which may result in genocide, and recalling in this connection its Decision of 2005 on follow-up to the Declaration on the Prevention of Genocide, as well as its indicators of patterns of systematic and massive racial discrimination, with a view to preventing such developments,

Expressing its satisfaction at the recognition by the Durban Review Conference of the role and contribution of the Committee in promoting the implementation of the Convention,

Conscious of its own responsibilities in the follow-up to the World Conference and the Review Conference and of the need to strengthen its capacity to fully discharge these responsibilities,

Stressing the vital role of non-governmental organizations in the struggle against racial discrimination, and encouraging them to continue to provide the Committee with pertinent information for the fulfilment of its mandate,

Taking note of the emphasis placed by the Review Conference on the importance of effective national monitoring and evaluation mechanisms in order to ensure that all appropriate steps are taken to follow up on the concluding observations and general recommendations of the Committee,

I. Recommends that the States parties to the International Convention on the Elimination of Racial Discrimination:

a) If they have not yet done so, consider making the declaration under article 14 of the Convention, in order to enable individuals to resort to the envisaged remedy if they consider to be victims of violations of the rights enshrined in the Convention;

b) If they have made the optional declaration under article 14, increase awareness of this procedure so that its potential can be fully realized;

c) If they have not yet done so, ratify the amendment to article 8 of the Convention on the financing of the Committee;

d) Consider withdrawing their reservations to the Convention, if any, taking into account the evolution in the field of human rights since its adoption;

e) Comply with their reporting obligations under the Convention through timely submission of their periodic reports and other information requested by the Committee, in conformity with the relevant guidelines;

f) Be mindful that their response to the current financial and economic crisis should not lead to a situation which would increase poverty and underdevelopment and, potentially, a rise in racism, racial discrimination, xenophobia and related intolerance against foreigners, immigrants, indigenous peoples, persons belonging to minorities and other particularly vulnerable groups all over the world.

g) Engage with national human rights institutions and civil society, in a spirit of cooperation and respect, while preparing their periodic reports and with regard to follow-up;

h) Cooperate with the Committee in the early warning and urgent action procedure and in its follow-up procedure;

i) Include in their periodic reports information on action plans or other measures to implement the Durban Declaration and Programme of Action, taking into account the Outcome Document of the Review Conference;

j) When fulfilling their primary responsibility to implement the substantive provisions contained in articles 2 to 7 of the Convention, take into account the relevant parts of the Durban Declaration and Programme of Action and the Outcome Document of the Review Conference;

k) Consider establishing or strengthening national monitoring and evaluation mechanisms to ensure that all appropriate steps are taken to follow up on the concluding observations and general recommendations of the Committee.

II. Also recommends:

a) That States which have not yet acceded to the International Convention on the Elimination of All Forms of Racial Discrimination sign and ratify the Convention as soon as possible, with a view to achieving its universal ratification;

b) That States include in their national reports to the universal periodic review mechanism of the Human Rights Council information on measures to prevent and combat racism, racial discrimination, xenophobia and related intolerance;

c) That all international sporting bodies promote, through their national, regional and international federations, a world of sports free from racism, racial discrimination, xenophobia and related intolerance;

d) That the Office of the High Commissioner for Human Rights, through appropriate activities and programmes, further increase awareness of the struggle against racism, racial discrimination, xenophobia and related intolerance, including with regard to the work of treaty bodies and other human rights mechanisms in this area;

e) That the Office of the High Commission for Human Rights continue its efforts to increase awareness and support for the work of the Committee on the Elimination of Racial Discrimination, including through webcasting of the meetings of the Committee, and to provide the Committee with adequate resources to enable it to discharge its mandate fully, as part of the overall endeavor to strengthen the work of the treaty bodies;

f) That the relevant United Nations bodies and specialized agencies provide technical cooperation and assistance to States in order to enhance the effective implementation of

the Convention, taking into account the Durban Declaration and Programme of Action and the Outcome Document of the Review Conference.

III. Expresses its willingness:

a) To continue to cooperate fully with all relevant organs, agencies and entities of the United Nations system, in particular the Office of the High Commissioner on Human Rights, in following up the Durban Declaration and Programme of Action, taking into account the results of the Review Conference;

b) To continue to cooperate with all mechanisms established under the Human Rights Council, in order to promote the implementation of the recommendations of the Durban Declaration and Programme of Action and all other activities to combat racism, racial discrimination, xenophobia and related intolerance;

c) To continue its cooperation and joint activities with other human rights treaty bodies, with a view to achieving a more effective follow up to the Durban Declaration and Programme of Action, taking into consideration the outcome of the Review Conference Document;

d) To fully take into account in its activity the recommendations and conclusions retained in the Outcome Document of the Review Conference.