

WRITTEN QUESTION E-1399/09

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to the Council

Subject: Durban Review Conference

In 2001, the UN World Conference Against Racism held in Durban, South Africa, and in particular the NGO Forum that preceded it, was discredited. The UN High Commissioner for Human Rights, Mary Robinson, spoke out against what she called the 'hateful, even racist' anti-Semitic atmosphere that plagued the NGO forum. She refused to commend the forum's declaration to governments for their consideration. Nevertheless, in Durban the governments were able to produce an Action Programme that included important and timely recommendations for States concerning ways of combating racism and discrimination.

In December 2006, the UN General Assembly voted to convene a Review Conference on the implementation of the Durban final documents, which will be held in April 2009. This conference will provide an opportunity to review States' progress in implementing their commitments to combat racism made in 2001. Official negotiations on an 'outcome document' for the review conference began recently.

However, the current language of the draft under negotiation raises some serious concerns, namely:

- (a) the attempt to criminalise Israel, trivialise the Holocaust and to place the overwhelming focus on the Israeli-Palestinian conflict, to the detriment of the conference's overall agenda. Indeed, no other country-specific situations have been proposed for inclusion in the draft;
- (b) the risk of broadening the scope of existing international standards on incitement to racial and religious hatred, which raises concerns about the protection of freedom of expression;
- (c) the repeated calls to establish international guarantees against defamation of religions or belief, which threaten freedom of speech and which relate to religions as a whole, rather than the right of individuals to be protected against racism, racial discrimination, xenophobia and related intolerance.

Canada and Israel have already declared their intention to not participate and the United States has thus far not engaged in the process. Some EU Member States have established certain 'red lines' that would preclude their further participation.

Has the Council defined a strategy to ensure that the Durban Review Conference serves as a forum to assess States' implementation of commitments made in Durban? How has the Council coordinated the positions of the Member States on the substance of the review conference? Is there a Council common position; if so, what is it and when was it adopted? What does the Council expect the Durban Review Conference to achieve and how will it define its success? Under what circumstances would the Presidency suggest to Member States that they halt their participation in the process?