



General Assembly

Distr.
GENERAL

A/HRC/10/WG.3/2
31 October 2008

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Intergovernmental Working Group on the
effective implementation of the Durban
Declaration and Programme of Action
Sixth session
Geneva, 3-7 November 2008

INFORMATION NOTE BY THE SECRETARIAT

**Update on the sixth session of the Intergovernmental Working Group
on the effective implementation of the Durban Declaration and
Programme of Action**

Introduction

1. This note is intended to provide some background information pertaining to the work accomplished by the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action during the first part of its sixth session (21 January to 1 February 2008).

Change in mandate of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

2. Following the adoption of the Durban Declaration and Programme of Action at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in 2001, the Commission on Human Rights, in its resolution 2002/68, created the Intergovernmental Working Group. Pursuant to this resolution, its mandate was: “(a) To make recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action;” and “(b) To prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects”.

3. Regarding the preparation of complementary international standards, the Intergovernmental Working Group has devoted an important part of its agenda to discussions on the following questions: (a) Are there gaps in the legal framework for countering racism, racial discrimination, xenophobia and related intolerance; (b) If so, how are they to be filled? Answers to these questions should contribute to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects in accordance to recommendation 199 of the Durban Declaration and Programme of Action.

4. The fifth session of the Intergovernmental Working Group (3-7 September 2007) marked the conclusion and closure of its debates and deliberations on the issue of complementary international standards, as the Human Rights Council, in its decision 3/103, entrusted this task to the Ad Hoc Committee on the elaboration of complementary international standards. The present Intergovernmental Working Group mandate consists in making recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action.

5. The former Chairperson-Rapporteur of the Intergovernmental Working Group, Juan Martabit (Chile), transmitted its report to the sixth session of the Human Rights Council on 25 September 2007 and, in a letter dated 25 October 2007, informed the Council of his resignation as Chairperson-Rapporteur.

The first part of the sixth session of the Intergovernmental Working Group

6. The Intergovernmental Working Group held the first part of its sixth session from 21 January to 1 February 2008. Following the opening of the session, Dayan Jayatilleka (Sri Lanka) was elected Chairperson-Rapporteur and it adopted its agenda. Thereafter, the session was postponed to the following week to allow sufficient time to develop its programme of work.

7. Following a series of informal consultations with regional groups and individual delegations toward the preparation of a draft programme of work, the Intergovernmental Working Group resumed its session on 28 January 2008. With the view to achieve consensus as to the contents of the programme of work, additional discussions were held in plenary and the programme of work for the first part of the sixth session of the Intergovernmental Working Group was adopted by consensus on 29 January. The meeting of 30 January marked the beginning of its substantive work.

8. Consistent with its agenda and programme of work, the Intergovernmental Working Group proceeded to examine agenda item 3, entitled “Overview of recommendations as part of contribution to the Durban Review Conference”. This item of the agenda and programme of work reflects the request from the Preparatory Committee of the Durban Review Conference under decision PC.1/10 of the Preparatory Committee at its first session (see A/62/375) and Human Rights Council resolution 3/2 of 8 December 2006, in which it requested that the Intergovernmental Working Group and other mechanisms “assist the Preparatory Committee by undertaking review and submitting recommendations, through the Office of the High Commissioner for Human Rights, as contributions to the outcome of the Review Conference”.

9. The preparation of the contribution of the Intergovernmental Working Group was undertaken on the basis of a document (A/CONF.211/PC.2/7) entitled “Compilations of conclusions and recommendations” containing the recommendations and conclusions adopted by consensus through its five sessions. The Intergovernmental Working Group agreed not to engage in a process of renegotiation of its conclusions and recommendations.

10. The review of previous recommendations began with the first session of the Intergovernmental Working Group in 2003 through its fifth session in 2007. In its contribution, the recommendations and conclusions have been either updated, deleted or italicized to indicate their non-relevance. The Intergovernmental Working Group removed references to complementary standards from its contribution as its mandate in this regard had been altered. Its review resulted in the adoption of the document entitled: “Compilation of conclusions and recommendations adopted by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action” (A/CONF.211/PC.2/7), which was submitted to the Preparatory Committee of the Durban Review Conference as part of the Intergovernmental Working Group’s contribution. The first part of the sixth session ended with the adoption of the narrative part of the report on its future work.

The second part of the sixth session of the Intergovernmental Working Group

11. The second part of the sixth session of the Intergovernmental Working Group is scheduled to be held from 3 to 7 November 2008. It has held consultations to decide on the programme of work of the second part of its session. At the consultation with regional

coordinators held on 22 September 2008, the Chairperson-Rapporteur suggested that the Intergovernmental Working Group could organize its work on the basis of the document it submitted to the Preparatory Committee as its contribution. The suggested programme of work benefited from support by consensus on the part of the regional coordinators.

12. Hence, at the second part of its session, the Intergovernmental Working Group will hold discussions on the identification of best practices regarding the implementation of the recommendations it has issued in the course of its five sessions (omitting those on complementary standards, which fall under the mandate of the Ad Hoc Committee)
