

EXPLANATION OF VOTE

L 68 rev 1 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

I have the honour to speak on behalf of the European Union to explain our position on the draft resolution contained in document L 68 Rev 1 "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 Action".

The European Union shares the deep concern that despite many efforts, the objective to eradicate racism, racial discrimination, xenophobia and related intolerance has not yet been attained. Together with many partners, we remain engaged in efforts at the national, regional and international level to fight racism in an effective and sustainable manner.

Ten years after the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the EU remains fully committed to the principal objective of the 2001 Durban Conference, which is the total elimination of racism, racial discrimination, xenophobia and related intolerance.

The International Convention on the Elimination of All Forms of Racial Discrimination is and should remain the basis of all efforts to prevent, combat and eradicate racism. The UN General Assembly must play a role in promoting tangible improvements on the ground, and we will continue to support the work of the UN Special Rapporteur on Contemporary Forms of Racism in this regard.

Mr Chair,

Let me at the outset, underline our appreciation for the efforts of the South African facilitator, Mr. Luvuyo Ndimeni and the G-77 coordinator Mr. Marcelo Cesa, to organize informal consultations in an open and transparent manner as well as their positive and constructive attitude along during the negotiations.

We have engaged in good faith in the discussions on the draft resolution before us. The amendments put forward by the EU were aimed at i) re-establishing a clear focus on the necessary fight against racism without confusing racism with religious intolerance, ii) ensuring conformity with international law, iii) protecting all individuals from racism, regardless of the group or community they belong to, and iv) recalling that States have the primary responsibility to combat racism.

We are grateful that some of our concerns were met by the G-77 and China such as the explicit mentioning of the primary responsibility of States in the fight against racism, and the need to act accordingly as well as restablishing the focus on a consensus, more correct approach to the Durban process. We are also glad that the draft resolution calls for enhancing the effectiveness of the follow up mechanisms to the DDPA.

On other issues our concerns remain. Several paragraphs, such as OP 6, 10 and 13 introduce restrictions to the freedom of expression that are not in line with international human rights law. The draft resolution fails to take a balanced approach and does not recognize the positive role that freedom of expression can play in combating racism, racial discrimination, xenophobia and related intolerance.

The EU also regrets the selective references to groups or communities in society in the text. Needless to say, all individuals, regardless their ethnic, religious or identities should be protected against racism or discriminatory acts. Clear references to intolerance on the basis of religion or belief (OP31) should not be part of a resolution on combating racism.

We have also expressed a number of ongoing concerns about the contribution that a Decade of People of African Descent might make to continue to international efforts to combat racism. We believe this proposal needs further substantial consideration. We welcome the step by step approach towards considering it that it is taken in this resolution and we will work in a constructive way in Geneva and New York to make that achieve our objective is achieved.

Mr Chair,

The EU believes that the global fight against racism, racial discrimination, xenophobia and related intolerance, without singling out any region, is an issue that concern us all and in which the international community must be united. A shorter and more focused resolution might help us to obtain the clear, non-controversial message that the UN wants to convey to the world.

We acknowledge that substantial steps have been taken this year but we are not there yet. We make a plea to the G-77 and China to rethink the resolution and have a fresh approach to this matter. We believe that a more streamlined text focusing on the core messages will reunite the whole membership again on this issue.

Mr Chair,

For the reasons I have just mentioned before, the Member States of the EU will abstain on the draft resolution.

I thank you Mr Chair.