



INTERNATIONAL RACE RELATIONS ROUND TABLE

**AUCKLAND, NEW ZEALAND
2-5 FEBRUARY 2004**

Introduction

1. Representatives of fifteen national human rights institutions and specialized agencies dealing with race (NI) met in Auckland, New Zealand, from 2 to 5 February 2004. The meeting was part of a series of focused discussions supported by the Office of the United Nations High Commissioner for Human Rights (OHCHR) with representatives of NI. It was informal, inclusive and participatory. All present emphasized the importance of the Principles relating to the status of National institutions for the promotion and protection of human rights (the Paris Principles) adopted by the United Nations General Assembly on 20 December 1993.
2. This was the first time since 2001 that race relations focal points had met as a specific group, and they were able to exchange best practices and discuss substantive issues including:
 - (a) The general mandates of such institutions and common points of reference;
 - (b) Key challenges for each country;
 - (c) The impact on race relations of legal and security issues (such as immigration policies and policies relating to refugee and asylum-seekers);
 - (d) Impacts of global events on religious tolerance and race relations;
 - (e) Specific actions to combat racism and other intolerance, particularly through effective relationships with government, political parties and government agencies, with the media and communications sector and with the business sector, and dealing with remedies;
 - (f) The development of outcome indicators/measures;
 - (g) Regional perspectives on programmes to achieve equality; and
 - (h) Recent international developments.

3. Specific objectives of the Round-table included:
 - (a) To provide a forum for NI to meet and exchange best practices;
 - (b) To contribute, as appropriate, to the related discussions at the international level;
 - (c) To provide an initial list of indicators of success of NI networks in the area of racial and other discrimination;
 - (d) To establish an informal network of NI dealing with racism and racial discrimination.
4. Participants found the Round Table valuable as a means of discussing common experiences and challenges.

I. KEY CHALLENGES FOR NATIONAL INSTITUTIONS IN COMBATING RACIAL DISCRIMINATION IN THE TWENTY FIRST CENTURY

5. The following issues emerged as key challenges:
 - (a) There is widespread denial of racism, racial discrimination, xenophobia and other forms of discrimination, while at the same time there is a continuation of systemic social, economic and cultural patterns of racial inequality, as revealed in persistent social disparities and poverty (including in the areas of health, education and labour).
 - (b) The observance of fundamental human rights and freedoms is the real basis for the advancement of racial equality.
 - (c) A wide variety of human rights violations relating to racial inequality continue to occur. New and different forms of racism are a cause of grave concern, even as peaceful solutions to conflicts are reached. Of particular concern are the impact of civil strife and conflict, the different forms of racial discrimination experienced by women and girls, and the impact of new technologies.
 - (d) Despite important efforts by Governments and civil society, gaps between legislative or policy directives and reality persist for a variety of reasons, including:
 - (i) Failure to improve access to education and resources;
 - (ii) Entrenched attitudes;
 - (iii) Intersectional causes and effects such as gender and race discrimination.
6. Participants highlighted the need for special efforts with regard to:
 - (a) The wide variety of causes of religious intolerance and religious ignorance. There are strong links between religious intolerance and racism grounded in

specific historical contexts and deeply affected by aspects of more recent international and national events;

- (b) Specific incidents of religious intolerance towards Muslims that have occurred within national boundaries and in the context of movement across borders; these include harassment, discrimination, assaults, and other forms of serious and extreme violence;
- (c) Economic disadvantage that individuals and groups face because of discrimination and other violations of human rights;
- (d) A range of contextual matters and challenges which affect the advancement of race relations, including the movement of peoples within and across national boundaries, and the lack of implementation of international human rights standards at the national, local and territorial levels, including those relating to indigenous peoples, and in particular, land and language;
- (e) The often severe effect on indigenous peoples and minority¹ groups in times of conflict;
- (f) Mechanisms for the participation of indigenous peoples and minority groups in policy and consultative processes due to the existence of specific issues concerning indigenous peoples and territorial and land rights;
- (g) The balancing of the rights of individuals while ensuring the maintenance of law, order and the security of the State in the light of the events of 11 September;
- (h) Persons suffering forms of multiple discrimination, for example, indigenous and migrant women.

The capacity of national institutions to respond to the key challenges

7. There is a need for administrative and financial support for institutions, local and regional links and mechanisms, as well as adequate resourcing, to ensure meaningful access to NI by rights-holders.

8. NI should be pluralist and inclusive in their composition, policy-setting and other work.

9. NI are encouraged to have race relations units or focal points and to develop substantive policy capacity so as to effectively engage on race issues, including through a rights-based approach.

10. Participants noted the various legal and policy functions through which NI could affect race relations, including:

¹ Discussions concerning minority groups included the particular concerns of Afro-descendants, the Roma and the Dalits

- (a) Being aware of, and advising on, legal instruments and human rights norms to prevent race-based discrimination, including regional mechanisms, and the need for effective policy development and implementation;
- (b) Contributing to a clear definition of discrimination and developing mechanisms for the protection of religious rights and freedoms, including national bills of rights;
- (c) Monitoring activities and developing guidelines for use by government agencies;
- (d) Advising on the range and efficacy of temporary special measures, inter alia, quotas, specific laws, regional mechanisms and affirmative action, and encouraging a deeper understanding of the efficacy of such measures in advancing the realization of human rights;
- (e) Developing new and innovative strategies, including community dialogue and ways of gathering information beyond traditional forms of complaints-handling processes;
- (f) Ensuring that they have adequate powers and competency to undertake investigations;
- (g) Enhancing cooperation between NI in other countries to facilitate the handling of specific complaints and the sharing of experience;
- (h) Using the range of reporting strategies and mechanisms, including annual, parliamentary and extraordinary reports;
- (i) Using judicial processes to combat racism, including by taking appropriate cases to the courts and exploring different ways of censuring discrimination;
- (j) Using the complaints-handling functions of NI to provide effective redress for those who have suffered racial discrimination;
- (k) Developing indicators, measures and benchmarks of racial inequality, such as data collection and the use of ethnic descriptors, as well as gathering accurate statistics for effective public policy development;
- (l) Working with their respective governments to develop national action plans, including those addressing racism, and monitoring their implementation;
- (m) Developing their own race relations strategies which take into account the need for dialogue frameworks, including specific forums for religious and other leaders to engage with communities affected by religious and racial intolerance, and specific mechanisms to reinforce the importance of building tolerance and respect for religious freedom;
- (n) Developing a capacity to engage with the media and be able to communicate information effectively;

- (o) Encouraging and actively supporting human rights education by a variety of means for rights-holders and public authorities, including the judiciary, and for the wider civil society;
- (p) Undertaking research on racial and religious intolerance;
- (q) Publicizing human rights standards and violations.

II. WAYS AND MEANS OF ACHIEVING CHANGE THROUGH PARTNERSHIP

A. Government, political parties and State agencies

11. States have an obligation to promote and protect human rights and to develop action plans to combat racism. NI have an important role in monitoring State compliance. In working with government, political parties and State agencies to achieve the realization of human rights, NI need to ensure their independence and integrity. Participants highlighted:

- (a) The need to encourage the building of cooperative relationships across the political and social spectrum and with other cognate bodies to secure broad-based support for human rights standards and the roles and functions of NI;
- (b) The importance of engaging all political parties as well as government and responsible political leadership and offering assistance where appropriate;
- (c) The role of NI in articulating major human rights violations across all political lines and the importance of establishing multilateral relationships with parliamentary committees;
- (d) The importance of achieving the right to education for all, bearing in mind links between poverty and social development and the need to ensure the full enjoyment by everyone of all rights, whether civil, political, economic, social or cultural;
- (e) The importance of the participation of indigenous peoples and minority and marginalized groups in local, territorial and national elections;
- (f) The need to respect and promote diversity;
- (g) The need to address issues arising from different State policies on race relations, including integration and multiculturalism, and to combat forced assimilation;
- (h) The importance of Governments taking more positive measures such as the inclusion of human rights compliance as a requirement in government procurement policies and the issuance of licences.

B. The business sector

12. Participants highlighted the need:
- (a) To address both the legal and structural impediments in the key issues of equal working conditions, safety from harassment in the workplace, and equal access to employment;
 - (b) To address discrimination in the private as well as the public sector;
 - (c) To engage constructively with transnational corporations;
 - (d) To reach out to development banks to encourage them to combat discrimination through their respective constituencies and, in particular, the private sector;
 - (e) To encourage the United Nations to give active life to the Global Compact and to monitor compliance by the businesses that have signed the compact and for NI to monitor such commitments in their own countries;
 - (f) To reinforce the idea that holistic programmes are required for States and civil society in order to achieve human rights, including legal, political, social, economic, cultural and environmental programmes, and that the business sector, including both employer and employee organizations, need to be engaged in this process;
 - (g) To break down barriers in order to improve or ensure compliance with human rights standards in employment, including by fostering understanding of cultural practices, for example, in relation to indigenous peoples, and of the changing face of the workforce due to migration, and eliminating persisting occupational stereotypes concerning minorities;
 - (h) To promote with business the benefits of compliance with human rights, including enhanced public perception of its commitment to social responsibility, benefiting from the advantages of diversity, satisfying consumer demands, and avoiding law-suits and public disapproval;
 - (i) To encourage and assist in the development of good employer practices through training and education, and the provision of educational resources for businesses;
 - (j) To encourage the involvement in the decision-making processes of those affected by business practices, particularly in such areas as resource use and tourism;
 - (k) To recognize that the State has special responsibilities, as it may have a role as both an operator of State business and as the regulator of the business sector.

C. The media

13. Participants highlighted the importance of:
 - (a) Managing tensions that may arise from journalistic practices and standards, and offering assistance in the development of guidelines or materials to assist journalists;
 - (b) Enhancing the ways indigenous peoples and minorities are represented in the media and monitoring media coverage in this respect;
 - (c) Promoting media ownership by indigenous peoples and minorities;
 - (d) Bearing in mind the powerful intergenerational dynamic that can affect towards attitudes to race relations and the different ways that younger people receive information, devising strategies to deal with the ways in which racism can and does appear in the media, including on the Internet;
 - (e) Considering some form of joint international media monitoring.
14. Specific initiatives with respect to the media could include:
 - (a) Maintaining effective links with the media to promote positive stories, including regular meetings with senior editors and other leaders of the media to discuss NI concerns;
 - (b) Ensuring equitable access by minorities to programming of media outlets;
 - (c) Establishing media awards for good reporting;
 - (d) Promoting diversity, noting that journalists who are members of indigenous peoples and minority groups are often best placed to report news concerning their own communities;
 - (e) Developing media strategies on the basis of robust research;
 - (f) Engaging the media to provide assistance in campaigns to promote racial equality and harmony;
 - (g) Producing jointly with the media spots focusing on indigenous and minority groups and issues;
 - (h) Promoting alternative media such as community programming;
 - (i) Promoting the importance of indigenous peoples and minorities as media consumers.

III. INTERNATIONAL DIMENSIONS

15. Participants highlighted the importance of:
- (a) Ratification by Governments of the International Convention on the Elimination of All Forms of Racial Discrimination and the removal of existing reservations;
 - (b) Recognition by States parties to the Convention of the competence of the Committee on the Elimination of Racial Discrimination, in accordance with article 14 of the Convention;
 - (c) NI participation in the human rights treaty reporting process, including monitoring of the implementation of the concluding observations adopted by treaty bodies;
 - (d) NI participation in international forums dealing with race relations;
 - (e) Participation by Government and civil society, including political parties, in meetings of regional human rights mechanisms;
 - (f) Greater coordination amongst international actors with respect to race relations and racial discrimination;
 - (g) Breaking the deadlock blocking the adoption of a declaration on the rights of the world's indigenous peoples;
 - (h) Continuing to strengthen the relationship between NI and the Anti-Discrimination Units in the Office of the United Nations High Commissioner for Human Rights, and the exchange of information between NI.

Expression of Appreciation

Participants expressed their appreciation to the New Zealand Human Rights Commission and the Office of the United Nations High Commissioner for Human Rights for convening and organizing the Round Table.

Adopted at Auckland, New Zealand

5 February 2004
