

## **UN DURBAN REVIEW CONFERENCE REPORT**

### **April 20 to 24, 2009 – Geneva, Switzerland**

Following the 2001 United Nation's World Conference Against Racism (WCAR) in Durban, South Africa, a resolution resulted in the decision to repeat Durban taken by the UN General Assembly in December 2006. The resolution sought "to convene in 2009 a review conference on the implementation of the Durban Declaration and Program of Action (DDPA)."

In 2007, Canada's Harper government embraced the Israeli-Zionist contention that the 2001 Durban conference had been an anti-Semitic "hate fest" and became the first government in the world to announce that it would boycott the DDPA Review. Exploiting the opportunity to undermine debate on the very topics they were determined to avoid – Palestine and reparations for the slave trade – Israel and the United States subsequently joined the Canadian-led boycott.

Despite these efforts to undermine the DDPA Review, an impressive array of delegates from around the world gathered in Geneva from April 20 through 24 to carry it out.

CUPE was part of the eleven members of the CLC delegation to this conference and our delegates were Sister Yolanda McClean, Brother Brian Barron and Brother Harminder Magon.

We all travelled to Geneva, Switzerland to participate in the UN Durban Review Conference (DRC) which assessed the progress member nations of the UN are making to eliminate racism.

Racism still poses tremendous threat to justice and wellbeing of people around the globe and has powerful actors who seek to erode and prevent the UN programmes and commitments against racism from being realized. Thus there was a greater need than ever for Civil Society to come together in support of the implementation of the agreed UN framework against racism and plan for renewed activities and work against racism and racial discrimination.

The Civil society forum was organised on request by non-governmental organizations (NGOs) Civil Society organizations from all parts of the world. This event helped the Canadian NGOs and the Canadian Labour Congress (CLC) delegations to network and exchange concrete issues for the DRC conference.

For two days prior to the DRC Conference we attended the Civil Society Forum, the debates alternated between guest speakers and group work sessions, discussing many thematic issues like anti-black racism, discrimination and xenophobia against migrants, trafficked persons, multiple discrimination against women, interface of race and sex and discrimination against indigenous peoples, including environmental racism. Karl Flecker of the CLC was also one of the guest speakers at this forum. The thematic of his discussion was on discrimination and socio-economics.

The Forum in consultation with NGOs proposed to sign a common declaration that was presented to the Durban Review Conference.

Following the Forum a joint statement on behalf of African Canadian Legal Clinic, Canadian Arab Federation, Canadian Labour Congress, Charter of Human Responsibilities (Canada), Council of Agencies Serving South Asians, and Independent Jewish Voices (Canada) was presented as follows:

“We represent a broad and diverse cross section of racialized and ethnic communities from Canadian civil society, committed to combating racism.

We denounce the failure of our government to participate in the Durban Review Conference, a process of critical importance to victims of racism the world over. As civil society organizations, we are here to affirm our commitment to this Review Conference, which is intended to assess the progress UN member nations have made to implement the DDPA.

As Canadian civil society organizations we are deeply dismayed with our government’s decision to withdraw from the conference, long before even a single substantive paragraph had been written. Canada’s refusal to participate in the UN process is a demonstration of its failure to acknowledge the persistence of racism and state responsibility to address it.

The governments which have chosen not to participate have maligned the Durban process itself by describing it as anti-Semitic. While the struggle against anti-Semitism is important, in this instance it is being used as a pretext for ignoring all other issues before this critical conference. We are witnessing a cynical alliance among Western nations to avoid addressing the legacy of the Trans-Atlantic Slave Trade, the human rights of Palestinian people, and the expropriation of the land and resources of indigenous peoples across the world.

As Canadian civil society, we know that racism is a pernicious reality faced in our workplaces and communities on a daily basis by Aboriginal peoples, African Canadians, Arabs and Muslims and racialized communities as well as racialized immigrants, refugees and migrants.

What binds these communities are disproportionate levels of poverty, lack of access to decent work, education, housing and healthcare – all color-coded inequalities that are on the rise in Canada. With economic conditions continuing to deteriorate, these marginalized communities will continue to suffer disproportionately. Governments have withdrawn from this Conference in order to avoid addressing these fundamental human rights issues. We are here to demand these rights be actively respected and promoted. Their withdrawal clearly indicates lack of commitment and refusal to address the growing problem in their countries and around the world.

The situation of racialized and indigenous populations in Canada has worsened since 2001, with no little or no comprehensive government remedial action. Our Canadian government would have received a failing grade, had it chosen to participate.

We join in solidarity with other racialized and colonized communities all over the world. With or without our government, Canadian civil society will continue to fight to eliminate racism everywhere.”

There was also a demonstration for an International March against Racism organized by the Swiss organizations. The starting place was at the Place de Neuve in the old downtown Geneva. More than 800 hundred people that showed up and many NGOs had their flags and banners. This was the first international anti-racism demonstration in Geneva.

On this bright sunny afternoon there was a sociable atmosphere and very engaged activists that participated in this pacifist demonstration.

Our delegates listened to the opening comments from Ms. Navanethem Pillay, UN High Commissioner for Human Rights. She reminded everyone this UN Review Conference is intended to take stock of progress and implementation of the Durban Declaration and Programme of Action (DDPA), a landmark anti-racism document that was agreed by consensus at the end of the 2001 World Summit against Racism in Durban, South Africa.

Eight years on, anti-racism pledges and measures have not yet succeeded in relegating discriminatory practices and intolerance to the heap of history’s repugnant debris, said Pillay. She urged delegates to transcend their differences and find consensus.

Unfortunately, the opening day of the Conference was dominated by controversy generated by the appearance of Iranian President Mahmoud Ahmadinejad, who has gained international notoriety for attempting to cast doubt on the Nazi holocaust. In the event, Ahmadinejad's speech dealt with a range of issues, with the bulk of it criticizing Israel's expulsion of Palestinians from their land in 1948, its continuing occupation of the West Bank and Gaza, and the unquestioning support that Israel receives from the United States and other countries of the West.

The Canadian government’s decision to withdraw from the UN process was a shameful abdication of multilateral responsibility. The persistence of color-coded economic and social disparity facing the growing number of racialized and aboriginal persons throughout Canada made the Canadian government’s absence there all the more disgraceful.

We were successful in making our presence known despite our government’s absence, networking with the other NGOs and our special meeting of the Canadian delegation with the Deputy High Commissioner of UN on Human Rights.

A group of Canadian civil society organizations including the CLC met with Ms. Kyung-Wha Kang, Deputy High Commissioner for Human Rights for a brief meeting.

We figured, just because Canada has failed to send an official delegation to this important conference, should not hold us back from going to the top and telling the High Commissioner’s Office what we know to be happening in the struggle to eliminate racism and discrimination.

Our group met the night before to discuss the agenda items for this meeting. Knowing that our time would be brief with the Deputy High Commissioner, we prepared an agenda on issues that we wanted to highlight. Again, there was consensus on the topics which included: introduction of civil society in Canada; role of the High Commissioner in the monitoring and implementation of the DDPA and the DRC Outcome document; post Durban mechanism and the current situation in Canada.

Our delegation was warmly greeted by the Office of the High Commissioner for Human Rights. Our objective, given Canada's official absence, was to share a few cases of the persistence of racism and discrimination in Canada.

At the meeting, our diverse civil society delegation were able to discuss anti-terrorism legislation and the impact on racialized communities; the impact of political bias and consequent decisions to silence and cut funding of community organizations such as Canadian Arab Federation; and the situation of First Nations, African Canadians, migrants, racialized immigrants and other racialized communities.

Our delegation were able to provide specific examples of racism experienced by these communities including the racialization of poverty, impact of discriminatory governmental policies such as the Temporary Foreign Workers Program, and lack of political action on issues of housing, employment, education and access to social services. Lastly, in response to the criticism of the Conference, the Independent Jewish Voices expressed their support for the Conference as Jewish people.

The Deputy High Commissioner was receptive to our information and emphasized the importance continuing this work back home. She clearly indicated that her Office would continue to push forward the fight against racism. She noted that it was the NGOs that pushed for this review conference and that they play an important role in ensuring the DDPA was not forgotten. In closing, we noted that it was important for civil society to work closely with her office to ensure that governments are accountable for their progress in eliminating racism.

Overall this meeting was a successful in conveying our message that the Canadian government would have received a failing mark under the DDPA or the Conference Review Outcome document. There was still much racism that our government still refuses to address.

Brother Brian Barron, our Diversity Vice-President for Aboriginal members was part of our delegation meeting with the Deputy High Commissioner and spoke about the situation for Aboriginal communities in Canada. The following is the text of his presentation:

"My name is Brian Barron and I am from the Ojibway Nation Treaty 1 of Canada Turtle Island, a member of the Canadian Labour Congress delegation, and CUPE member. I bring forward specific concerns of the lack of accountability and action from our elected officials of Canada.

First Nations poverty is extreme and epidemic in remote communities of the North and South, alarmingly high rate of unsafe housing and inhabitable housing is an everyday reality for First Nations Peoples. Far too many communities exist without safe potable water creating unsafe drinking water complications for the First Nations Peoples in poor health; our government is eroding the pledge to provide education opportunities diminishing the future of our Peoples to compete for jobs.

I seek guidance and support as a member of the First Nations Peoples of Canada who now have reached 1 million in our country. Coming to Geneva I had hopes to learn lessons that would help our Elders, Leaders address the compromised state our peoples are enduring. Poverty is crippling to our people in the North and South. Poverty directly affects 60% of Aboriginal children, yet nearly 50% of First Nations Peoples live in Cities with incomes lower than other Canadians. The aging population of First Nations Peoples is not even a consideration at this juncture as current daily living conditions remain at the forefront. First Peoples population has increased 45% over a decade making it one of the fastest growing human resources yet unemployment for men is 21% and 17% for women. Housing in the North is in dire straits with this fast growing population families are forced to live together with as many as five families living in a dwelling built to safely house one family, due to the neglect and lack of attention by our government. Over 100 communities live with a boil water order; sickness and poor health is a by-product of lack of safe water for hygiene as well to use for consumption. Again this overlap of non recognition and lack of attention has placed our people in a position of disadvantage.

Elected leaders are seeking not to honor the promise of education in exchange for treaties signed by our ancestors. Elders and Chiefs had the foresight to look to the future and trusted Canada would honor their pledge. There are simply no schools or schools, in such a sad state that they are unusable due to our harsh climate as well unsafe due to mold infestation. We speak of solutions as if solutions were over; solutions are taking place every moment of our lives. Canada must act now as time is running out for many as suicide rates are high.

Negativity must not be the catalyst for lessons that our youth must endure, the future should hold promise and opportunity. As I listened to a representative from Australia I heard of the sincere recognition and accountability by their government I could only ponder my government's lack of accountability and responsibility. Someone must tell Canada to listen to the people as it appears they have decided to not participate."

Hassan Yussuff, Secretary-Treasurer of the Canadian Labour Congress addressed the UN Assembly during the final days of the UN Durban Review Conference. His inputs were made on behalf of the Canadian Labour Congress, Education International, International Trade Union Confederation and Public Services International. The following is the text of his joint statement of Canadian Labour Congress, Education International, International Trade Union Confederation and Public Services International:

“Thank you for this moment to speak. Moments in time, though fleeting hold tremendous implications. The Secretary General welcomed us an important message about the significance of the Durban Review Conference. He made clear, now is the moment when we must stand firm on the fundamental principles that bind us. We have no other choice but to act in ways that demonstrate human rights and dignity for all. We all face immense social, economic and environmental challenges in this moment. If not now...when will be the moment when we equally and without evasion, truly eliminate racism, discrimination and related intolerance?”

The Secretary General appeared to be talking to my country’s empty seat – Canada when he said, “Some nations, who by rights should be helping to forge a path to better future, are not here.”

The international trade union movement knows that leaving the table is not an option. The international trade union movement has been challenging racism and discrimination in workplaces and our communities for a long time.

Some of our best practices include successful workplace training programs and collective agreement protections that support and advance human rights. We continue to stand in solidarity with too many who forfeited their lives in the defense of human rights.

Our commitment to this struggle is long standing. Though we don’t see trade unions reflected in the text, we know our presence lives in the DDPA and we will hold our governments accountable to rid workplaces and communities of the ugly thing that brought us all here.

The text and the DDPA will be tools we will use to combat and eradicate the worst of ideologies – the mistaken notion that some are not equal. No document is perfect, and it is with great regret that still some categories of people vulnerable to racism, xenophobia and

discrimination have received an inadequate measure of justice for reasons of cast, sexual orientation or gender. It is unfortunate the Millennium Development Goals were not framed as a key link to unshackle us from the bonds of system forms of racism and xenophobia.

We will continue to monitor and admonish governments who failed to sign, ratify or implement international mechanisms such as the International Labour Organization (ILO) standards; the Declaration of the Rights of Indigenous Peoples, rights of people with disabilities or migrant workers' rights.

We will use DDPA and the DRC outcome document to pressure our governments to ensure we all have access to decent jobs, good working conditions, equal pay for equal work and end the persistence of discrimination in the world of work which for too long has enabled racial discrimination.

My time is nearly up, let's hope ours is not."

*Some concluding thoughts:*

**Q. What are your thoughts on the Canadian government's boycott of the conference?**

Canada continues to face many challenges with racism and discrimination in our society. It's a reality that our racialized and Aboriginal communities face issues of poverty, access to decent employment and services such as education, housing and healthcare.

Since our Canadian government chose not to attend – with the consent of the opposition – to me, it showed that Canada didn't consider these issues as important, that it didn't want to address these issues. It was an international event that's at once noble and necessary for all states. Unfortunately, the important issues raised in the DRC were barely covered by media across our multicultural country. The Conference wasn't just focused on the Israel-Palestine issue, the Conference covered broader issues of discrimination.

Just to name a few for our human rights struggles in Canada that were raised at the DRC, there were issues on migrant workers, recognition of foreign credentials, social exclusion of Aboriginal peoples, environmental and land rights, colour-coded economic disparities and racial profiling.

We at CUPE should be proud that with the Canadian Labour Congress and other unions, attended the DRC to affirm our commitment to these issues.

**Q. Speaking as a representative of CUPE, what would you say were the advantages for our union participating in the Conference?**

There were many advantages: visibility for our union internationally, working in coalition with other Canadian and international unions and organizations to fight for equal rights, such as with the CLC and ILO. As a union, we lobbied with NGOs and created a network for social justice that included NGOs.

Our networking and our power for lobbying can be a great help in changing or advancing whatever issues we and our allies have at heart either nationally or internationally.

Our participation also means that our union does not just negotiate workplace issues; it puts us up front on addressing social issues.

**Q. As a representative for racialized members to the CUPE National Rainbow Committee and the National Aboriginal Council, what are the highlights of the Conference that you will be reporting back to the committees? What direction would you recommend the committees should take from this report?**

We will recommend that we take action on at least one of the issues that we mentioned were raised at the DRC, such as migrant workers, recognition of foreign credentials, etc.

We will need to create a plan of action like we did at the Durban Review Conference and include social justice partners, civil society, migrant workers and community organizations.

Submitted by:  
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