



# General Assembly

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## Human Rights Council

### Eighteenth session

Agenda item 9

### Racism, racial discrimination, xenophobia and related form of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

## Resolution adopted by the Human Rights Council\*

**18/15**

### **The incompatibility between democracy and racism**

*The Human Rights Council,*

*Guided* by the Universal Declaration of Human Rights, the Charter of the United Nations, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international documents,

*Recalling* the commitment reached in the Vienna Declaration and Programme of Action concerning the elimination of racism, racial discrimination, xenophobia and related intolerance,

*Recalling also* the Durban Declaration and Programme of Action, adopted in September 2001 at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

*Recalling further* Human Rights Council decision 2/106 of 27 November 2006 and Commission on Human Rights resolutions 2000/40 of 20 April 2000, 2001/43 of 23 April 2001, 2002/39 of 23 April 2002, 2003/41 of 23 April 2003, 2004/38 of 19 April 2004 and 2005/36 of 19 April 2005, on the incompatibility between democracy and racism,

*Acknowledging* that the Durban Declaration and Programme of Action, in its paragraphs 81 and 85, and the outcome document of the Durban Review Conference, in its paragraphs 10 and 11, recognize the incompatibility between democracy and racism,

*Remaining alarmed* by the rise of racism, racial discrimination, xenophobia and related intolerance in political circles, in the sphere of public opinion and in society at large,

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\* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its eighteenth session (A/HRC/18/2), chap. I.

*Acknowledging* that the United Nations Declaration on the Rights of Indigenous Peoples, in its second, third and fifth preambular paragraphs, recognizes, inter alia, that the diversity and richness of civilizations and cultures constitute the common heritage of humankind,

*Recognizing* that individuals belonging to groups in a vulnerable situation, such as migrants, refugees, asylum-seekers and persons belonging to national or ethnic, religious and linguistic minorities, continue to be the main victims of violence and attacks perpetrated or incited by extremist political parties, movements and groups,

*Reaffirming* that acts of racial violence do not constitute legitimate expressions of opinion, but rather unlawful acts or offences, and that acts of racism and discrimination endorsed by Governments and public authorities may threaten democracy,

*Recognizing* the importance of freedom of speech and expression and the fundamental role of education and other active policies in the promotion of tolerance and respect for others and in the construction of pluralistic and inclusive societies,

1. *Reaffirms* that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights, as established in the relevant international and regional human rights instruments, and may endanger friendly relations and cooperation among nations, international peace and security and the harmony of persons living side by side within one and the same State;

2. *Also reaffirms* that any form of impunity condoned by public authorities for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts;

3. *Emphasizes* that democracy, transparent, responsible, accountable and participatory governance responsive to the needs and aspirations of the people, and respect for human rights, fundamental freedoms and the rule of law are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

4. *Also emphasizes* that the elimination of all forms of discrimination as well as diverse forms of intolerance, the promotion and protection of rights of indigenous peoples and the respect for ethnic, cultural and religious diversity contribute to strengthening and promoting democracy and political participation;

5. *Condemns* political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, as incompatible with democracy and transparent and accountable governance;

6. *Urges* States to reinforce their commitment to promote tolerance and human rights and to fight against racism, racial discrimination, xenophobia and related intolerance as a way to strengthen democracy, the rule of law and transparent and accountable governance;

7. *Also urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies through promoting diversity, and to improve democratic institutions, making them more fully participatory and inclusive and avoiding marginalization and exclusion of, and discrimination against, specific sectors of society;

8. *Underlines* the key role that political leaders and political parties can and ought to play in strengthening democracy by combating racism, racial discrimination, xenophobia and related intolerance, and encourages political parties to take concrete steps to promote respect, solidarity and tolerance, and, in that respect, recognizes, inter alia, that developing voluntary codes of conduct that include internal disciplinary measures for

violations thereof, so their members refrain from public statements and actions that encourage or incite racism, racial discrimination, xenophobia and related intolerance, can help combat such manifestations;

9. *Emphasizes* the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants perpetrated with racist or xenophobic motivations, to investigate such crimes and to punish the perpetrators, and that not doing so violates – and impairs or nullifies the enjoyment of – the human rights and fundamental freedoms of victims, and urges States to reinforce measures in this regard;

10. *Also emphasizes* that human rights education and training is a key tool in countering the rise of extremist political parties, movements and groups, and that educational measures are crucial in promoting human rights and democratic values at an early age;

11. *Stresses* the need to increase appropriate preventive measures to eliminate all forms of racial discrimination, emphasizes the important role that Governments, political leaders, international and regional organizations, national human rights institutions, the media, non-governmental organizations and civil society can play in developing such measures, and encourages them to remain vigilant against the penetration of racist and xenophobic ideas into the political platforms of democratic parties ;

12. *Encourages* States to consider developing public information and awareness-raising and education campaigns with a transdisciplinary approach with a view to combating discrimination and intolerance;

13. *Stresses* the need to implement fully the obligations under the International Convention on the Elimination of All Forms of Racial Discrimination as the principal convention in the fight against racism;

14. *Invites* the relevant mechanisms of the Human Rights Council and United Nations treaty bodies to continue to pay particular attention to violations of human rights stemming from the rise of racism and xenophobia in political circles and society at large, especially with regard to their incompatibility with democracy;

15. *Takes note* of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the implementation of General Assembly resolution 65/199<sup>1</sup> and its pertinent recommendations;

16. *Invites* the United Nations High Commissioner for Human Rights to report to the Human Rights Council at its twenty-first session on the implementation of the present resolution.

*36th meeting*  
*29 September 2011*  
[Adopted without a vote.]

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<sup>1</sup> A/HRC/18/44.