Day 1 (4 June 2003)

Morning session:

Prof. Mushakoji, while welcoming the participants, emphasized the importance of the venue of the UNESCO International Experts Meeting being Osaka. He mentioned that the city has evolved a unique approach to human rights in Japan, in coming to terms with the discrimination inherent in local practices.

Mr Asai from the Japanese Education Ministry and National Committee for UNESCO outline the national committee’s work in the area of combating racism in the national domain.

Mr Ali Moussa-Iye from UNESCO then presented the UNESCO Director General’s message.

This was followed by the election of the Chair of the meeting. Prof. Mushakoji was unanimously elected by acclamation. Mr Diène was elected as Vice-Chairman by acclamation. Four rapporteurs, Prof. Muntarbhorn, Mr. Nair, Dr. Boston and Ms. Saliagina were then appointed by acclamation.

This was followed by a round of introductions by the participants.

Prof Muntarbhorn then presented the conclusions of the Bangkok consultation. He focused on the major issues that included the need to deal with the problem of denial of racism which was endemic in the Asia Pacific region; the struggle for land; the dialogue with and amongst religions; the issue of Islamophobia and the problem of human trafficking. He then highlighted the four major objectives: 1. raise awareness. 2. create better material for education on combating racism. 3. strengthen institutional capacity and 4. create a regional platform for combating racism.

In the report back from the African region, Mr Moussa-Iye outlined the importance of the Durban Declaration and Programme of Action. He stated that there was a need for mobilization against all forms of racism; in particular, he mentioned the rising phenomenon of xenophobia that would need to be addressed. He mentioned that Durban was a major turning point in the universal recognition accorded to the deleterious effects of slavery and colonialism. He drew attention to the increasing discrimination arising out the spread of AIDS and HIV positive cases. One fallout from the Durban meeting was the increasing recognition of the African Diaspora across the world. He mentioned that the African Union had decided to establish a bureau to deal with the African Diaspora. He recommended the need for fashioning indicators for monitoring the Durban Declaration and Programme of Action and the need for comparative studies.

Mr Diène, the UN Special Rapporteur of the Commission on Human Rights on Contemporary forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, emphasized the fundamental importance of dealing with the issue of caste. He said that Africans had been victims of racism but African societies had also been actors of racism. He also drew attention to the phenomenon of ethnocide that would need to be addressed comprehensively.

In the report back from the Arab region, Dr. Jureidini noted that the region enjoyed a sharing of the Arab language and culture. However, the region was afflicted by a high level of xenophobic sentiment. He said there were two outstanding issues that needed to be tackled: the denial of the legacy of slavery and
contemporary forms of slavery in the region and the issue of Palestine. He also touched upon the difficult areas of the relationship between the States and Islam; the problem of statelessness in the region that had not been focused upon adequately; the issue of discrimination against migrant workers and homosexuals. He reminded participants to the continued call from the Arab world for a comprehensive definition of terrorism. He reiterated the need to target civil society organization in the Arab world in this regard. He mentioned the fact that there was no standard history book for children in Lebanon.

These introductory reports from the regional meetings were followed by a discussion which highlighted the need for capacity building at the local level in the global fight against racism. Prof Muntarbhorn emphasized the need to do preventive education both at the preschool and outside the school which had been neglected in the existent design. Mr Diène drew attention to the reality of discrimination against Africans in Asia and the Arab world. He said that the complex relationship between race, religion, culture and ethnicity should not be forgotten. He drew attention that the issue of anti semitism in some quarters had been raised as a way to delegitimize the Durban process.

This was then followed by the Latin American report where there was a lack of recognition of the national identity of the Afro Latin American population. He highlighted the all pervasive racism and racial discrimination against the Afro Latin American and indigenous populations in all walks of life. He said that this in turn had lead to the loss of legitimacy of the state and a recognition of the weaknesses of the structure of the state. He said that the issue of race could not be divorced from the social and economic inequity suffered by the affected populations. The results of the consultations process and academic research about the causes of the racism in the LAC, have shown that the indigenous and Afro–Latin American communities have internalised their perception of inferiority, they have lost the sentiment of respect and solidarity, self determination and vital role in their primordial decisions that led them to the extreme of social paralysis and immobilization. In this context, the major challenge for the region is that the strategy has been to tackle racism in the discourse and in the formal legislation, at the same time that the objective conditions of racism are kept untouched. This conditions maintain the informal relations of hegemony and subordination of groups. Therefore, it is necessary to tackle racism, acknowledging the diversity of population without making it institutionally invisible the problem to the official literature. It is all about recognizing the difference to overcome the indifference and the institutional blindness. With the statistical data on the afro descendant and the indigenous peoples in Latin America and the Caribbean, UNESCO will strengthen its contribution to reflection and research on social, political and cultural conditions that are conductive to the construction of democratic citizenship that respects diversity in multi-ethnic and multicultural societies, like the LAC.

In the report back from the European meeting, it was recommended that the States should increase their role in combating racism by regular monitoring and strengthen cooperation between state bodies and non-governmental organizations. The report-back emphasized the need for transposing international and European standards into the national legal jurisdictions and that there was a need to ensure training to state officials involved in the legal prosecution of extremism. The need for introduction of multicultural studies, respect for diversity and non discrimination in the school curricula was underscored. The need to build a regular dialogue and partnerships between organs of the state and civil society was highlighted.

The morning's discussion concluded that there was enough legal and constitution sanction against racism in most jurisdiction but that the challenge lay in the implementation and more so in the cognitive cultural level. The issue of racism on the internet was a case in point.

Afternoon session: Presentation of the results of the studies conducted by UNESCO

3 presentations of the results of the studies conducted by UNESCO on the Xenophobia were made. Professor Mushakoji touched upon 5 conceptual points in his research, and namely:

1. the notion of Xenophobia in the United Nations documents: according to his research, there is no UN document, where the xenophobia is mentioned independently of racism. The same discriminatory act is defined as racism in terms of the discriminating subject.
2. Xenophobia is an abjection of “radical others” as opposed to “others” sharing one’s own identity.
3. Xenophobia claims openly one’s supremacy over all “radical others” to compensate with one’s own inferiority as in the case of nazism. It does not claim openly its superiority when its supremacy is evident as in the case of civilizational xenophobia.

4. Xenophobia is not a mentality shared by a people, but a mental attitude constructed for political purposes by States and organizations, and therefore requires legal measures against their propaganda.

5. Xenophobia as an abjection of radical others cannot be eliminated unless “radical others” are recognized as an enriching interlocutor for the self in a dialogue of culture. This must become an objective of Human Rights education combating xenophobia.

6. to overcome the problems of the modern world; it is important to understand and reflect upon the heritage of others as well as your own.

The second presentation was devoted to the comparative studies made by Prof. Miyajima on “Xenophobia and Racial Discrimination in Japan: its Historical Context and New Challenges”. The Koreans were the first significant immigrant group in modern Japan. There were 600,000 of them in Japan in 1970-80s. About two third of them are estimated to be the second and third generation born and raised in Japan. The third generation became an “invisible minority” because of their proficiency in Japanese and high educational level. 1974 was important because of the first unique lawsuit on the issue of employment discrimination against Koreans, which opened the door to the labor market for Koreans. In the 1980s, a new wave of foreigners arrived in Japan from other Asian countries. Immigration laws were liberalized in 1989. As a result of this, Korean were no longer the largest minority. Total number of the foreign residents in Japan – 2,000,000 persons, including:

- 20% - Chinese,
- 8% - Philippinos,
- 18% - from Latin America.

Over the last 20 years the attitude of Japanese has changed positively in response to their growing contact with foreigners. However, some problems still persists, such as:

- rumors based on the fear and general suspicious of foreigners;
- discrimination in rental services;
- racial profiling by law enforcement bodies.

The attitudes of the young generation changed significantly as reflected in the growing number of interracial marriages between Japanese and Koreans. This is the first step to overcoming xenophobia. The educational system is not adequate for newly arrived people. An increasing number of foreign children do not succeed in Japanese schools (the rate of non-attended often reaches 40%). It is important to stress the negative role of the mass media in perpetuating xenophobia together with xenophobic expressions made by some governmental officials even during official ceremonies.

The third presentation was made by Dr. R. Jureidini and devoted to the theoretical comments on particular forms of xenophobia and touched upon the issue of foreign and domestic workers in the Arab world. There is a spatial dimension to xenophobia and the modern moral abhorrence to it results from modern western urban life where people from different backgrounds are obliged to be tolerant and accepting because we depend upon one another. In other words, where small communities no longer operate as closed and xenophobic. The term ‘ajnabi’ in Arabic means “foreigner” and was originally associated with a sense of superiority that was derived from the British, who occupied positions of power. With the rise of Arab nationalism, British foreigners were viewed as occupiers.

With the growth of all oil wealth in the 1970s the definition and conceptualization of foreigners changed. Arab countries needed migrant labor. Initially, most migrants came from other Arab states. In early 1980s manifestation of xenophobia occurred against Yemeni, Palestinian, and Egyptian workers because of their political affiliations and activities. When the oil prices declined Arab workers were replaced by Asian workers from India, Pakistan, Bangladesh and Indonesia. Most domestic workers came from the Philippines, Sri-Lanka and Indonesia. Today there are 1.8 million foreign domestic female workers in the Arab States. Xenophobia intensifies during periods of economic downturns. Even though nationals do not want to fill the unskilled jobs held by foreigners, they complain that migrants undermine the employment opportunities of nationals. This is a worldwide phenomenon.

Migrants are allowed in the country only on the temporary contractual basis. Citizenship is almost impossible. Low-skilled jobs have now become ‘racialized’, because they are primarily occupied by Asians and Africans. Attitudes towards them are characterized by disdain and sometimes abuse.
In recent years attempts have been made to replace foreigners with nationals. This is called the indigenization process. This process is complicated because foreigners comprise the majority of the labor force in Arab states. The forms of discrimination encountered by foreigners include:

- ban on Arabs marrying foreigners;
- the families of foreigners cannot accompany them;
- domestic workers suffer great indignities, such as violence or the threat of violence, withholding of their passports by the employer, severe restrictions on their freedom of movement, long work hours and difficulties in withdrawing their labor without becoming criminalized as illegal aliens.

There is only one international convention that covers the rights of migrant workers, including domestic workers and illegal migrants. This has only recently come into force. No Arab migrant-receiving state has signed this Convention and are unlikely to. In addition, Arab States have not provided migrant domestic workers with adequate protection because they are largely out of sight in private homes. Their conditions can be compared to the 19th-century system of indentured labor.

The report made by Mr. Boston summarized the commissioned UNESCO paper on the conceptualization and implementation of Affirmative Action (AA) in the United States, India and Brazil. It was pointed out that it is currently a critical time for AA in the USA. This is because of the pending US Supreme Court decision. The decision will have wide ranging implications on AA in education, employment, and business opportunity. The Brazilian government is facing a similar legal challenge. The opponents of AA have used the courts to defeat advances created by AA. For this reason, stronger actions are needed, such as constitutional amendments that recognize AA as just compensation for historical injustices. In the US, the principle of strict scrutiny is used to test the constitutionality of AA. Few programs have passed this test. It was pointed out that Brazil suffers from the illusion of a color-blind democracy. This makes the implementation of AA more difficult.

Some of the best practices to promote AA include those that create opportunity while maintaining competition. In the area of business development, the use of:

1. Set-asides: these serve a fixed portion of contracts for bids among minorities.
2. Bid preferences: these adjust minority contractors’ bids downward by a fixed percentage.
3. Require the use of minority subcontractors.
4. Provide tax incentives for the use of minority contractors.

Other practices include:

1. Dividing large contracts into smaller parts.
2. Providing support in securing loans and technical assistance.
3. Establishing business incubators

In applying AA, an important challenge is to determine the appropriate goal to set. It was recommended that the goal be tied to the percent that minority contractors or workers represent of the total contractors or workers in the market area.

In University admission, the best AA policy is to award points for various criteria, e.g. standardize test scores, grades and other talents. Then additional points should be added for individuals belonging to specific minority groups. This makes the selection process flexible and it avoids rigid quotas.

The presentation made by Ms. Morohashi was dedicated to the new forms of discrimination related to globalization. It stressed, that in the processes of globalization, inequalities are being increased and these inequalities are to be carefully considered as new forms of discrimination. The various forms of discrimination caused by globalization include:

- increased economic gaps between North and South
- urban poverty within the industrialized countries
- migrants as the most vulnerable groups without sufficient protection from exploitation, especially women and children who are often victims of trafficking
- reinforced xenophobia against migrants and their families
- ghettoization of “undesirable” population in urban areas.
The responsibility of the media, political parties, transnational companies, which might increase discrimination, should be taken into account in UNESCO’s reflections.

**Mr. Sorensen** from the European Center for Monitoring Racism and Xenophobia (EUMC) touched upon the issue of Cultural Diversity and Racism in Mass media. He started with description of his organization’s activities, the EUMC, an active participant in Durban, a new body of EU, which was established to promote tolerance and equality and to combat racism and xenophobia within the European Union. Its main task is to:

- collect data on racism in EU member states;
- provide the parliaments and EU governments with this information;
- carry out relevant research;
- exchange information on the integration of migrants and ethnic minorities and good practices in employment, education and public service.

The media influences the attitudes, prejudices and capacity of people to act. The speed of communication has increased the power of media. The EMC sees the media as a fiend and a foe, because it can increase the understanding of cultures and create fear and prejudices. Following the event of September 11th the media represented Muslims and Islam negatively. A study conducted by EUMC found that act of violence towards Muslims increased and they were routinely abused and attacked.

There is a need to continue the discussion on the role of the media in creating and transporting images of different cultures in order to promote a dialogue between people.

The media is one of the key players in the dialogue between cultures. Media images and presentations are decisive factors in how the public perceives cultural differences.

EUMC makes the following recommendations, which may be included into the UNESCO Global Strategy against Racism and Discrimination:

- To involve representatives from ethnic minorities in discussion on news coverage.
- Media should reflect the composition of society by employing more immigrants and ethnic minorities. Ethnic minorities should become more proactive in dealing with the media. Young immigrants should see training as journalists.
- The last comment was related to the Internet. Extremist groups have taken advantage of this medium. It is estimated, that 90% of racist web-sites are made accessible by American service providers. The US supports the freedom of expression for Internet users with racist views. EUMC suggests, that the UN and UNESCO support the European Union initiatives to resolving this difficult problem.

The following comments were made during the general discussion:

Prof. Muntarbhorn raised the following issues:
- the need for more intercultural instead of multi-cultural discourse;
- the need for using “creative tension” instead of “clash”;
- who defines identity and how?;
- complexity and variety of definitions of xenophobia and related definitions;
- discrimination and racism are based on ignorance, on the one hand, and bigotry, on the other hand;
- need for more discussions with victims and survivors;
- all issues of nation building (mind-setting in terms of pluralism) should reexamine their policies on nationality and citizenship and recognize that non-nationals should enjoy human rights without discrimination;
- need for programmes targeted at young people with the participation of local leaders (religious, non-religious, etc.) with various aspects (including the issues of gender);
- political actors should be engaged to reduce scape-goating;
- UNESCO should reach out to power groups to prevent violations;
- ending discriminatory practices in law does not mean that those practices will cease in reality;
- affirmative action is not well understood by many countries;
- need to promote migration education (education ABOUT migrants);
Day 2 (5 June 2003)
Morning session:

The meeting of the second day started with a report prepared by Professor Hideaki Uemura was unable to be present. Prof Mushakoji summarized the report, entitled “Expectative Measures to Implement the Durban Declaration and the Program of Action”. The report reflected WCAR’s proposal for renewing the strategy for the struggle against racism.

The key proposals are as follows:

**Indigenous peoples, Afro-descendants, Asian-descendants, migrant workers should be chosen as a priority theme.** It was proposed that this theme be made a priority over the other six thematic areas. Efforts to raise awareness about the rights of indigenous peoples are crucial for UNESCO because these are the most vulnerable.

**Reinforcing Standard Setting Activity.** Although UNESCO has set numerous international standards regarding racism and human rights, many governments regard human rights as individual rights and civil rights. UNESCO should stipulate that social and cultural rights are an indivisible part of human rights and refer to specific international standards.

**Establishing Periodic Dialogue with Governments.** UNESCO must have dialogue with governments concerning the implementation of cultural, educational and social rights. This might improve the human rights situation because governments in Africa and Asia dislike monitoring.

**Reviewing UNESCO Programs from the perspective of Indigenous peoples, Afro-descendants, Asian-descendants, migrant workers.** UNESCO should establish an advisory committee composed of indigenous people and minorities to review existing and future programs.

One closing observation was that a weakness of the Durban Declaration was the lack of articles and a program to fight various forms of ethnocide or cultural genocide. It was suggested that UNESCO should deal with the problem of cultural genocide.

During further discussions, Mr. Diène noted that it is necessary to link affirmative action with the struggle against racism. While affirmative action remedies have been aimed at racial balancing, because they have not had this link they have failed to touch the deep-rooted cause of racism. It was suggested that UNESCO’s program should make this link.

It was also noted that while globalization causes inequalities, it also creates the possibilities in the cultural and artistic fields of bringing expressions of minorities to a worldwide audience. Such was the case with rap music, which emanated among urban youth in America as an alternative response to mainstream culture. It is now a worldwide musical language.

Prof. Mushakoji noted that it is important for UNESCO to have greater representation at its conferences of groups representing cultural phenomena that are outside of the mainstream, such as rap musicians. In this way, UNESCO will be able to develop partnerships with new cultural producers. In addition, he noted that on the question of affirmative action, it must also serve as a vehicle for creating greater gender equality.

Ms. d’Artois noted that UNESCO must undertake an educational effort to better explain affirmative action to avoid negative effects and give new arguments to racist feelings.

**Presentation of the Draft Strategy of UNESCO on the Fight against Racism and Discrimination and Discussions/Recommendations:**
1. The draft Strategy of UNESCO on the Fight against Racism and Discrimination was summarized for the Meeting by UNESCO representatives. The draft Strategy is part of the follow up of the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, South Africa, 2001) and provides key orientations for UNESCO-related actions starting with the 2004-5 biennium.

2. Participants at the Meeting welcomed the draft Strategy, underlining its focused nature and targeted actions, particularly aimed at establishing key priorities and concrete programming for various geographic regions. They added the following recommendations to UNESCO in adjusting the draft text:

**General Recommendations:**

1. the advocacy of cultural diversity should be complemented by the need to ensure that it complements the universality of human rights – cultural diversity/“pluralism” - should enrich and not undermine human rights;
2. there is a need to refer more concretely to the Dialogue among Civilizations, a current UNESCO-supported project;
3. gender-sensitivity should be highlighted more prominently and integrated into all activities – racism and discrimination have different impact on men and women, and there is often multiple victimization in the process;
4. Indigenous peoples, Afro-descendants, Asian-descendants, migrant workers should be borne in mind more concretely by the draft Strategy and mainstreamed into all programming;
5. programming against racism and discrimination needs to be interdisciplinary and integrated, sensitive to the psychology of all concerned, with impact on not only the knowledge base but also attitudes and behavior;
6. there is a need to revisit the concept of “identity” – the way people perceive their identity, and to reflect on its relationship with xenophobia, racism and discrimination;
7. in addition to highlighting the plight of those of African descent, the issue of those of Asian descent should also be covered;
8. UNESCO should maximize cooperative activities with existing partners, including UNESCO National Commissions and associated schools, while broadening the partnerships to cover also, inter alia, spiritual and community leaders;
9. the quality of education should be underlined and this depends upon the capacity of teachers, especially at the primary and secondary school levels, which needs more support through a variety of incentives and training;
10. more inter-regional programmes should be initiated/fostered, e.g. programmes to interlink between the youths of different regions to prevent and overcome racism and discrimination;
11. while welcoming the variety of international instruments against racism and discrimination, there is a need to promote more effective implementation of the standards espoused by these instruments particularly at the national and local levels, as well as to withdraw the reservations entered by countries in regard to these instruments;
12. data and indicators on the issue, coupled with more information on ethnicity, need to be compiled/evolved through greater systematization, bearing in mind the need for objectivity in the process;
13. the victims and survivors of racism and discrimination should be consulted and involved in programmes of concern to them, including in the media, especially as this participation contributes to their empowerment;
14. adequate resources need to more committed to programming against racism and discrimination with a view to sustainability of operations and accessibility to the victims;

**Specific Recommendations for Key Sections of the Draft Strategy:**

15. in regard to activities projected for the Asia-Pacific region under the draft Strategy, there is a need for more programmes interlinking African and Asian youths;
16. in regard to activities projected for the African region under the draft Strategy, the issue of racism and discrimination should be examined not only from the angle of the external relations between the region and other regions, but also from the stance of internal relations in the African context;

17. in regard to activities projected for the European region under the draft Strategy, the dialogue between Europe and Arab countries should be supported by UNESCO in cooperation with the European Union;

18. in regard to priorities for the Latin-American and Caribbean region:
   a. Help the countries in the region to formulate and implement appropriate affirmative action policies, taking into account research findings, and specific socio-demographic data on afro descendants and indigenous peoples;
   b. Strengthen the capacities of Latino American and the Caribbean Universities and research bodies and NGOs with a view to developing research into responses that might serve a basis for the formulation of policies to combat racism and racial discrimination;
   c. Strengthen those communities of African descent and indigenous peoples defense, advocacy and communication capacities to promote multicultural diversity of the societies in the region through education, culture and information.

19. UNESCO should undertake more staff training including the Field Offices in regard to the issue of racism and discrimination;

20. as part of the action to make UNESCO more visible, the various mechanisms of UNESCO for receiving complaints in regard to discrimination should be used more extensively;

21. UNESCO should ensure complementarity between its actions and the work of other agencies and various United Nations “decades” targeting action for human rights in specific fields.