



27 May 2009

Dr. Navanethem Pillay
UN High Commissioner for Human Rights
OHCHR – Palais Wilson
CH 1211 Geneva 10
Switzerland

Dear High Commissioner Dr. Pillay,

We, the undersigned, would like to express our appreciation for your efforts at bringing the Durban Review Conference (DRC) to a consensual conclusion. At the same time, we cannot but convey our disappointment with the shallowness of the discussion about such a critical issue as racism, coupled with the outright exclusion and omission of the Palestinian people who were explicitly identified as victims of racism and racial discrimination in the 2001 Durban Declaration and Programme of Action (DDPA). The significance of the DRC was severely weakened in exchange for a "conflict-free" consensus that would allow the widest possible participation of Western states. This consensus was reached at the expense of the victims of racial discrimination.

We reiterate our protest regarding the ambiguous rules of procedure concerning the administration of public spaces and venues at the DRC. The United Nations precluded specific victims of racial discrimination, including the Palestinian people from having an *independent* platform to represent their own distinct and specific issues and concerns, while providing other groups precisely such a platform during the DRC (see Badil, Adalah and Al-Haq joint letter dated 9 April 2009). This preferential treatment allowed certain groups to acquire a major, if not exclusive, space during the DRC's side-events.

Moreover, the DRC failed to provide a *safe, peaceful and open environment* for NGO-delegates. Certain groups were allowed to hold side-events under the pretense of discussing a theme, such as anti-Semitism, and then promoted discussions that denigrated other religious and national groups, and incited hatred and worked to fragment civil society support for the enduring success of the DRC (see for instance Alan Dershowitz's speech which took place at the conference <http://tr.youtube.com/JVP18>). In addition, the distribution of unauthorized and anonymous material inciting hatred, misinformation and inter-religious conflict, such as the postcards of the "baby bomber" are noted with concern and dismay, especially as UN personnel were supposed to ensure that participants followed the appropriate guidelines.

It is our hope that one of the main lessons learned from this conference is that the voices of victims of human rights violations, including racism, should never take a back seat to political appeasement. We also hope that the UN will provide a safe, peaceful and open environment in similar conferences and events in the future, and implement its regulations objectively.

Sincerely yours,

Ingrid Jaradat Gassner, Director
Badil Resource Center for Palestinian and Refugee Rights

Hassan Jabareen, Advocate, General Director
Adalah – The Legal Center for Arab Minority Rights in Israel

Cc:

Dr. Ibrahim Salama, the Chief of the Treaties and Council Branch
Ms. June Ray, the Head of the Civil Society Unit
Mr. Orest Nowosad, the Coordinator of the Civil and Political Rights Unit