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# The World Conference against Racism: What Was Really Achieved

JERRY V. LEAPHART

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I attended the United Nations' World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance (WCAR), in Durban, South Africa, from August 31 to September 8, 2001.<sup>1</sup> While there, I had the opportunity to engage in a debate with Congressman Tom Lantos and another American delegate to WCAR broadcast on BBC radio.<sup>2</sup> The debate, which aired on the evening of September 3, 2001, just after the highly publicized walkout by the United States' delegation became public, demonstrated what I believe to be Lantos' distorted notion of the conference's outcome. Lantos' opinions, reiterated in the previous edition of this journal, represent a clever attempt to disguise the fact that the entire approach taken by the U.S. toward WCAR was a continuation of a long-standing reluctance to participate in conferences on racism. I continue to dispute Mr. Lantos' view that the walkout was a principled act to save the United States from association with a process that had been "hijacked."<sup>3</sup> To the contrary, the U.S. walkout did more harm than good to the anti-racism agenda that so many countries and people around the world are fighting for. As I stated in a plenary session a few days after the withdrawal, the move was more like a temper tantrum characteristic of a country accustomed to acting unilaterally in its foreign affairs.<sup>4</sup>

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It is misleading, to put it mildly, for Mr. Lantos to have referred to WCAR as anything other than a successful UN conference. Certainly, the conference was not a “debacle,” as he puts it. That word might properly describe what happened, say, at the World Trade Organization (WTO) conference held in Seattle in late 1999. That conference can legitimately be described as a failure not only because it was marred by violent protest. More importantly, Seattle failed to achieve its intended objective—namely, agreement on launching the so-called Millennial Round of trade talks. The WTO delegates went home empty handed.

Normally, the success or failure of a UN-sponsored conference is measured by whether a *consensus* Declaration and Programme of Action are issued at the conclusion of the event. By that yardstick, Durban was a resounding success. As indicated in the official “Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,” WCAR resulted in a Declaration (the Durban Declaration) and in a Programme of Action.<sup>5</sup> Both the Declaration and the Programme of Action are far-reaching and far more comprehensive than any prior UN pronouncement on racism.

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Mr. Lantos, in his article, fails even to mention that a consensus Declaration and Programme of Action resulted from WCAR. More importantly, he did not provide any meaningful comment on the actual outcome of the conference or upon the substance of its official pronouncements. His opinion on the conference may be said to be incomplete at best because, as indicated, the United States’ delegation walked out early, was not present during most of the debate, and was not present when consensus was reached.

Sadly, Mr. Lantos is not the first American commentator to have omitted mention of WCAR’s actual and official outcome. Each of the three mainstream United States-based weekly news magazines failed to mention the *Durban Declaration and Programme of Action* in their initial articles covering the conference.<sup>6</sup>

In contrast to Durban, and as mentioned above, one can properly refer to the WTO conference held in late 1999 in Seattle as a failure. Durban, however, was not marred by the kind of violence seen in Seattle and the few demonstrations that did take place were peaceful. True, there was bitter tension between Jewish and Muslim communities, and the NGO Forum document contained language that was fairly criticized as anti-Semitic. That document was not endorsed by

Mary Robinson because of that language. We must remember that the insistence on equating Zionism with racism, for example, was discarded as a dead letter when it was brought up, and no specific references to Israel were in fact included in the final Declaration and Programme of Action. For the most part WCAR was peaceful, purposeful, and, by the standard usually applied to UN conferences, successful. Indeed, the success of the conference can be judged by the way the between 10,000 and 16,000 attendants confronted and overcame their challenges, ranging from discomforts due to Durban's strained tourism infrastructure to the divisive language at issue in the Declaration and Programme of Action.

As a participant, I was struck by the attention drawn to the worldwide impact of racism in its various forms by people from around the world. Even though I had a particular interest in the racism resulting from the Transatlantic Slave Trade and its aftermath in the United States, I became acutely aware of the global effect of racism in its various guises: the Dalites of the Indian sub-continent, the Roma people (sometimes referred to as Gypsies), the indigenous people of many lands and continents, and

the perspective of African nationals from many countries, among others. Participants at WCAR were by and large respectful of one another, including, even, the Palestinian and Israeli participants who managed to avoid physical confrontation between and among their respective groups. They held boisterous demonstrations and counter demonstrations, but, again, they did so peaceably.

Significantly, the initial and unedited version of the conference declaration *condemned the Transatlantic Slave Trade as a crime against humanity*. In so doing, the unedited Durban Declaration may be expected to add weight to the movement for reparations for slavery and its aftermath in the United States and elsewhere. Readers of this journal are asked to take heed of the following language found in the unedited version of the Durban Declaration:

"We acknowledge that slavery and the slave trade, including the Transatlantic Slave Trade, were appalling tragedies in the history of humanity not only because of their abhorrent barbarism but also in terms of their magnitude, organized nature and especially their negation of the essence of the victims and further acknowledge that slavery and the slave trade are crimes against humanity and should always have been so, especially the Transatlantic Slave Trade and are among the major sources and manifesta-

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tions of racism, racial discrimination, xenophobia and related intolerance and that Africans and peoples of African descent, Asians and peoples of Asian descent and indigenous peoples were victims of these acts and continue to be victims of their consequences (sic).”<sup>7</sup>

The language of the final version of the Durban Declaration omits the “crime against humanity” language that was contained in the unedited version and, instead, states as follows:

99. *Recognizes* that combating racism, racial discrimination, xenophobia and related intolerance is a primary responsibility of States. It therefore encourages States to develop or elaborate national action plans to promote diversity, equality, equity, social justice, equality of opportunity and the participation of all. Through, among other things, affirmative or positive actions and strategies, these plans should aim at creating conditions for all to participate effectively in decision-making and realize civil, cultural, economic, political and social rights in all spheres of life on the basis of non-discrimination. The World Conference encourages States, in developing and elaborating such action plans, to establish, or reinforce, dialogue with non-governmental organizations in order to involve them more closely in designing, implementing and evaluating policies and programmes;

100. *Urges* States to establish, on the basis of statistical information, national programmes, including affirmative or positive measures, to promote the access of individuals and groups of individuals who are or may be victims of racial discrimination to basic social services, including primary education, basic health care and adequate housing;

101. *Urges* States to establish programmes to promote the access without discrimination of individuals or groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance to health care, and to promote strong efforts to eliminate disparities, *inter alia* in the infant and maternal mortality rates, childhood immunizations, HIV/AIDS, heart diseases, cancer and contagious diseases;

102. *Urges* States to promote residential integration of all members of the society at the planning stage of urban development schemes and other human settlements, while renewing neglected areas of public housing, so as to counter social exclusion and marginalization.

As the United States was a major participant in the Transatlantic Slave Trade and a major perpetrator of slavery and racial discrimination over a long time period, it would have been more appropriate for its Durban representatives

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to have been forthcoming about U.S. involvement in slavery and in post-slavery racism. And more to the point, it would have been appropriate for the United States to have stated what it intended to do in light of numerous indicators of disparity and of disenfranchisement among its citizens of color. Sadly, the U.S. delegation arrived at the conference late, announced its departure during the first day of the conference, and fomented, rather than curtailed, the dispute between Israelis and Palestinians. The U.S. representatives said next to nothing about slavery and the Transatlantic Slave Trade.

Even in his article several months afterwards, Mr. Lantos fails to comment meaningfully on the Durban Declaration and the Programme of Action. That failure occurs in a foreign affairs journal where accuracy and thoroughness in the treatment of such matters is the expected norm. In the introduction to his article, Lantos says the United States' walk out prevented the most anti-virulent language from surviving "the conference text." Aside from that, Mr. Lantos fails, utterly, to make mention of, let alone discuss, the outcome of a UN conference that he attended as an official country delegate. That glaring omission leaves his article open to a charge of being analytically incomplete.

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The only reference to the Transatlantic Slave Trade made by Mr.

Lantos is his acknowledgment of the attempt by the United States' representatives to soften the language on that subject as much as possible. Mr. Lantos refers to this euphemistically in his article. He says that the U.S. would not agree to apologize for the horror of slavery in the U.S. and the Transatlantic Slave Trade, but did wish to find acceptable language to express regret for slavery and colonialism.

By comparing the above-quoted unedited version of the Declaration that condemns slavery as a crime against humanity, including the Transatlantic Slave Trade, and the final version of that language, it may be that the United States succeeded in doing post-Durban what it did not achieve, by virtue of walking out, during the conference itself. Those interested in pursuing this matter further may wish to track the circumstances by which the language on slavery and the slave trade morphed from the unedited version's treatment of slavery, including the Transatlantic Slave Trade, as a crime against humanity, to the final version's changing of that language. This does not imply criticism of the final language. Paragraphs 99 through 102 of the Durban Declaration still constitute strong condemnation of slavery and acknowledge the need for action, including that of reparations and of official apology, as remedial measures.

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## ASSESSING DURBAN'S ACHIEVEMENTS

Despite the walkout by the official delegation, the United States was still well represented at the conference by American non-governmental organizations (NGOs). Some estimates placed the number of African-Americans at WCAR, primarily as NGO delegates, at 2,000 or more. Many of the American attendees (irrespective of color) were keenly interested in advocating the recognition of the Transatlantic Slave Trade as a crime against humanity. The text of the unedited draft of the Durban Declaration may be a testament to the effectiveness of that advocacy.

In Durban, a press conference and briefing were scheduled for American NGOs for the afternoon of September 3, 2001. It was announced that members of the United States' official delegation would meet American NGO representatives and brief them at a meeting room at the University of Durban. I went to the briefing and found, upon arrival, that upwards of 200 Americans were there, the majority of whom were African-American.

The meeting and briefing took on the character of a protest rally with chants of:

“Was it crime?  
 Yes it was!  
 Against whom?  
 Humanity!”<sup>8</sup>

The United States, despite and perhaps because of the interest from civic groups, could have been expected to show up. No one from the United States' official delegation appeared. Instead, I ended up encountering Mr. Lantos in a BBC radio debate involving the efficacy of the United State's withdrawal. ■

### NOTES

1 My official credentials were on behalf of an American NGO, The Professional Institute for Advanced Wound Recovery Inc. (PIAWR), a non-profit healthcare company whose aims and purposes include those of fostering better healthcare for poorer persons and minorities in the United States and elsewhere. I also participated under the auspices of the Religious Society of Friends (Quakers) for the NGO Forum held just prior to WCAR. A statement was made to the WCAR plenary on behalf of PIAWR at the conference's eighteenth meeting on the afternoon of September 6. See “Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,” Chapter III, General Debate, par. 48, pg. 82; a video of that statement may be found under “Afternoon” at <[http://www.un.org/WCAR/statements/6sept\\_st.htm](http://www.un.org/WCAR/statements/6sept_st.htm)>.

2 Rabbi Abraham Cooper, Associate Dean, Simon Wiesenthal Center, Los Angeles, CA.

3 Tom Lantos, “The Durban Debacle: An Insider's View of the UN World Conference against Racism,” *The Fletcher Forum of World Affairs*, 26 (1), Winter/Spring 2002: 31-52.

4 In a statement to the plenary the author described the U.S. withdrawal as a “temper tantrum” and as “yet another unilateral act” by the government of the United States in its official foreign relations.

5 A/CONF.189/12 The text of the 149 page Report can be found at <<http://www.un.org/WCAR/coverage.htm>>.

6 See Newsweek, September 17, 2001, National Affairs, pg. 40; Time September 17, 2001, World, pg. 40; U.S. News & World Report, September 17, 2001, Editorial, pg. 120.

7 Unedited version issued on 8 September 2001.

8 After the meeting, I spoke with Omowale Clay who was a leading participant in the quoted rallying cry and a member of the December 12 Movement, one of many American NGO's at WCAR.

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