

LAST CETIM PUBLICATIONS

Efficace, neutre, désintéressée?

Points de vue critiques du Nord sur la coopération européenne

Joint publication

Ecological crisis, spread of viruses... in spite of its carefully established borders, the North now realizes that we all form one world. "Let us make a clean sweep of our responsibilities and unite ourselves to better experience the decades to come!" the defenders of a new Overseas Development Aid (ODA) appear to be suggesting.

A technical ODA, neutral, which could support an optimal functioning of the markets and protect the famous "global public commons". Thus does the mainstream message come across.

But is this the purpose of development aid? Can development aid remain an instrument of domination or become a tool of cooperation, with all that this implies, among all peoples, placed on equal footing? Isn't it imperative to reflect upon what "other" Europe – Switzerland included – we want? What other North/South relationships we also wish?

Responding to an article by Jean-Michel Severino (the current Director General of the French Development Agency) that illustrates the mainstream thinking about ODA, the authors of this piece offer us avenues for envisioning another type of European international cooperation and solidarity policy.

Price: CHF 10.- / 6 €, 192 pages, ISBN: 978-2-88053-074-7, PubliCetim n°33, October 2009. It can be ordered from CETIM.

En finir avec la dépendance à l'aide

by Yash Tandon (traduction of *Ending Aid Dependence* by CETIM)

This is certainly not a question of the upteenth book on development aid. The originality of this book, its force and its radicality, are summarized in its title: ending aid dependence (implied development aid). Yash Tandon, former director of the South Centre in Geneva, an intergovernmental organization of developing States, offers us a compassionate and healing reflection (in the sense of inspiring optimism), a view point for changing the South, destined for all those who interest themselves in questions of bad development. He draws his inspiration from Julius Nyerere, the first President of Tanzania, to propose another definition of development summarized by the following mathematical formula: $\text{development} = \text{SF} + \text{DF} - \text{IF}$; here SF represents the Social Factor (the indispensable well-being of a person), DF the Democratic Factor (the right of people to participate in decisions that affect them), and IF the Imperial Factor (the right of nations to govern themselves and to be free of all imperial domination). This formula contrasts the one generally accepted (and used by agencies of the UN): $\text{development} = \text{growth} + \text{accumulation of riches}$.

Yash Tandon writes without falling into demagoguery or the "leftist" utopian ideas... Long from condemning all types of outside aid and using all the necessary nuances, he proposes, for seeing more clearly in the industry of aid, a classification of aid following five colors (as a glimpse at the classifications of subventions, authorized or not, by the WTO).

Finally, Yash Tandon dedicates an entire chapter to a realistic and feasible strategy for putting an end to aid dependence in seven steps, pointed out in proper order, the most important of which consisting of radical changes of the mentalities (of the South and North) and the revitalization of the national project (a term wrongfully tarnished in our days).

In sum, a practical book, written simply, without stonewalling, which has the advantage of proposing concrete solutions to escaping from bad development, and running completely against pseudo technical and cosmetic measures adopted by the signatories of the Paris Declaration on the efficiency of aid (which increases dependence). A book that should make its mark.

Price: CHF 12.- / 8 €, 200 pages, ISBN: 978-2-88053-075-4, PubliCetim n°34, October 2009. It can be ordered from CETIM.

Ending Aid Dependence, original English version, 144 pages, ISBN: 978-1-906387-31-0, Ed. Fahamu Books (www.fahamu.org) and South Centre (www.southcentre.org), September 2008.

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n° 35
www.cetim.ch
cetim@bluewin.ch
CCP: 12-19850-1
CCP: (Euro) 91-13687-6,
PofichBe, Postfinance, Berne

6, rue Amat,
1202 Geneva/Switzerland
Tél.: +41(0)22 731 59 63
Fax: +41(0)22 731 91 52

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EDITORIAL

The 3rd World Conference against racism in Durban in 2001 marked a step in the fight against this global evil. In this country scarred by 50 years of Apartheid, the people who were victims of crimes such as slavery, colonialism and Apartheid, demanded justice in the streets. The States present then engaged themselves in combating against all forms of racism and discrimination by means of a Declaration and an ambitious Programme of Action.

The de facto denunciation of the Israeli occupation of the Palestinian Territories was apparent in the hushed setting of the Conference, but also in the demonstrations organized by the civil society. Although delivered outside of the Conference, anti-Semitic remarks had served as a pretext for the United States and Israel to boycott the end of the conference. Their critiques, relayed by Western media, aimed at discrediting the whole Conference.

The Durban Review Conference that was held last April in Geneva suffered the same outcome. The format it employed on the floor and the fight against racism and discrimination was relegated to the background. First there was indignation from the Western States and Pro-Israeli organizations at the announcement of the presence of the President of Iran, M. Ahmadinejad, provoking an avalanche of critical statements against the United Nations, the High Commission of Human Rights, and against Switzerland. How could they tolerate the presence of such a person?

Then there was the spectacular event of 21 European Union representatives leaving the room "of one man", during the Iranian President's statement, and the speedy adoption the next morning of the Final Document of the Conference to save the consensus although not one NGO was able to speak before the audience...

This conference, which should only have been an evaluation of actions taken by the States in this domain, brought to light the rift that continues to subsist between those States with a history of colonization and those who were colonized.

Backing up a bit, we come back to the article below which explains what happened before and during these four days of meetings and on the underlying issues of the Durban Declaration and Programme of Action.

The fight against racism: the last obstacle to North-South Relations?

The CETIM actively followed and contributed through two written statements and one oral at the Review Conference of the World Conference against racism, racial discrimination, xenophobia and the related intolerance (hereafter called "Review Conference" and "Durban Conference" respectively) which was held from the 20th to the 24th of last April in Geneva. CETIM also supported and participated in the public rally against racism and xenophobia organized by 60 NGOs on the 18th of April in Geneva.

Below you will find a succinct analysis on the underlying issues again revealed by this meeting after the Durban events in 2001. The fight against racism and all forms of discrimination has once again polarized existing tensions between former colonialist states and former colonized states on questions of recognition of colonial-era crimes and the slave trade and their impacts on the present situation of concerned countries and of a right to monetary reparations.

The Durban Conference: Remembering important elements

Convened in Durban from the 31st of August to the 8th of September 2001, the World Conference against racism, racial discrimination, xenophobia and related intolerance was the 3rd Global Conference against racism. The two preceding conferences were held in 1978 and 1983 in Geneva but had not been successful in establishing a common declaration.

It was not by chance that this conference took place in South Africa in 2001. This United Nations Summit should have marked a turning point after 50 years of Apartheid and white domination in the country. In terms of popular participation, this was an historic "event". In addition to the 163 States present, more than 3000 NGOs came from the entire world and hundreds of South Africans followed the debates of the Civil Society Forum and took part in street protests.

A Declaration and a Programme of Action were finally adopted on September 8 by consensus in spite of the withdrawal of the United States and Israel from the Conference on September 3.

An anti-Semitic Declaration?

This Declaration is often wrongly presented as an anti-Semitic and anti-Israeli declaration by detractors that are, in particular, Israel and the United States. These last two players never miss the opportunity to

confuse this declaration with the anti-Semitic protests that took place in the framework of the Civil Society Forum in the margins of the Conference.

Nevertheless, at the reading of this Declaration were the suffering of the victims of racism and of anti-Semitism under its diverse forms which are forcefully evident, as in article 61: "We recognize with deep concern the increase in anti-Semitism and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas against Jewish, Muslim and Arab communities".

As for its anti-Israeli or unilateral character, we refuse this idea. If the Declaration and the Programme of Action cite Israel, it is to ask for an end of the occupation, respect for the right to self-determination and for justice and security for all the countries concerned with the Israeli-Palestinian conflict. "We are concerned about the plight of the Palestinian people under foreign occupation. We recognize the inalienable right of the Palestinian people to self-determination and to the establishment of an independent State and we recognize the right to security for all States in the region, including Israel, and call upon all States to support the peace process and bring it to an early conclusion" (art. 63); "We call for a just, comprehensive and lasting peace in the region in which all peoples shall co-exist and enjoy equality, justice and internationally recognized human rights, and security" (art. 64) and finally "As for the situation in the Middle East, calls for the end of violence and the swift resumption of negotiations, respect for international human rights and humanitarian law, respect for the principle of self-determination and the end of all suffering, thus allowing Israel and the Palestinians to resume the peace process, and to develop and prosper in security and freedom" (art. 151)

The Declaration and the Programme of Action also remember that "We recall that the Holocaust must never be forgotten" (art. 58).

It is important to remember that at the moment of its writing the second Intifada of the Palestinian people had been underway for one year in the Occupied

**THIS BULLETIN
IS ALSO AVAILABLE
IN FRENCH AND
IN SPANISH**



Contre le travail des enfants ?

Joint publication Vol. XVI (2009) n°1

Problematic child labor, particularly crucial in the countries of the South, has benefited this past few years from growing attention on behalf of politics, various forms of media, and the public. More than 200 million children are of concern. The emotional charge that commands discourses, as legitimate as it is, often masks the complexity of the phenomenon. To declare an incompatibility between working and children is a historical, social and cultural stance. According to place and time, children can be considered as fully accountable subjects and socioeconomic actors, in addition to their work as a function of structured and valued socialization. Where and when does the exploitation begin? What are the determining factors that put children in premature or forced work? If poverty - of households, of education systems, of nations - appears as the prime contextual factor favoring child labor, the exploiting parties refer to logical economic, political, and judicious models of development and to unjust and unequal North-South relations. Among the initiatives taken in the name of the 'greater interest of the children', a division persists. While the principal international institutions mobilized on this question focus their priorities on the respect of the "rights of children", a number of social organizations of the South fight, for the "rights of children workers". Is this just a nuance in vocabulary or radically different approaches?

Price: CHF 22.50 / 15 €, 176 pages, ISBN: 978-2-84950-21-98, Ed. CETRI (Belgium) and Syllepse (France), 2009. It can be ordered from CETIM.

INFORMATION

Since the 31st of August the CETIM team has reorganised, following the retirement - after 20 years of devoted service - of director Florian Rochat. Florian will nevertheless continue to help the team on a voluntary basis. For this reason, a collective direction was instated at the last General Assembly of CETIM: Melik Özden is responsible for our Human Rights program and relations with the UN, Céline Brun is in charge of communication and assists Melik and Julie Duchatel is responsible for publications. The team is happy to continue its collaboration with our accountant Yves Chassot and the computer experts Julien Pierrehumbert and François Combremont.

CETIM ADVISES YOU THE FOLLOWING READINGS

Pinochet, le procès de la dictature en France

by Jac Forton

3,000 dead and missing, plus more than 30,000 tortured: it is the "outcome" of the dictatorship of Augusto Pinochet in Chili (1973-1990). Among the victims, there were several French nationals, such as Alphonse Chanfreau, Etienne Pesle, George Klein, and Jean-Yves Claudet. These four freedom activists disappeared during the first few months of the dictatorship. None ever saw them again. After numerous years of impunity, France prepares itself to judge those responsible for their disappearance. Pinochet died in 2006.

The accused, his accomplices, will be absent. The process is no less essential to the fight against the impunity of regimes violating human rights. The election of Salvador Allende, the coup d'Etat of Pinochet, his removal and the attempts to send him before justice: after a reminder of the Chilean backstory, Jac Forton presents us with an exceptional survey, full of sensibility and modesty, on the last days of the philosophy student, the agricultural advisor, the pediatrician, and the engineer.

Jac Forton, a specialist of the Chilean dictatorship, lived in Chili for thirteen years, five of which during the dictatorship. Activist of the CETIM and Amnesty International, for whom he represents France on the respect of human rights in Chili and Guatemala. He is the author of two works on Chili: *20 ans de résistance et de lutte contre l'impunité au Chili 1973-1993* (Editions du CETIM) and *L'affaire Pinochet - La justice impossible* (L'Entreligne). The investigation presented here represent the labors of a decade of research on the French victims of the Pinochet dictatorship.

Price: CHF 28 / 17.80 €, 192 pages, ISBN: 978-2-35282-021-5, Editions Toute Latitude (Toulouse, France), May 2009. It can be ordered from CETIM or from Editions Toute Latitude: www.toutelatitudo.com.

not to mention the question of sexism present in all societies—, who traveled to the Conference in order to denounce their situations and demand justice and reparation from the Northern countries as much as from the Southern.

Forever emblazoned in memory will be the images of the representatives of the European Union leaving the room at the signal of the Ambassador of France (easily followed by the cameras thanks to his yellow satchel) amidst the cries of the six representatives from pro-Israeli organizations muffled by wigs and red noses, and the applause or whistles of the NGO representatives who were for or against Mr. Ahmadinejad.

As for Mr. Ahmadinejad's speech, no one really heard it.

As everyone expected, he vehemently denounced the legalized racism and xenophobia of the State of Israel towards its Arab citizens and the Palestinians in the occupied territories, but he did not deny or challenge the extermination of European Jews as certain people predicted or wished....

By coincidence or not, the text transmitted to the public by the Secretary of the Conference at the end of Mr. Ahmadinejad's statement contained remarks that were clearly negationist, a fact not lost on France or the 23 EU ambassadors in justifying their departure having anticipated negationist remarks before they occurred...

Ignoring what is happening in Iran and the Iranian government's politics at the national level, one can determine that Mr. Ahmadinejad's speech brought attention to the positions that had been defended since 2001 by a majority of Southern States, having lived through colonialism or slavery vis-à-vis the Western States. Furthermore, many of the representatives of Southern States who spoke after the Iranian President defended the same positions without provoking the same wave of indignation.

The persistent tensions between States hastened the adoption on the second afternoon of the Conference of the Final Document for fear that others might pull out of the conference.

On the last day of the conference, the High Commissioner for Human Rights, Navi Pillay, denounced the vast campaign organized from disinformation undermining the conference, criticized the gross exaggerations and denounced the fact that a propaganda machine had sought to turn the conference into a failure from the beginning.

Participation of NGOs

Contrary to all important conferences of the United Nations, no official Civil Society Forum had the right to stand before the Conference in opposition of certain States, which had forbid their participation

on the pretext that Non-Governmental Organizations had caused the failure of the Durban process. Nevertheless, a handful of NGOs⁵ organized an unofficial, three-day mini-forum in Geneva. Unfortunately the forum was not widely followed and the declaration adopted there was not able to be transmitted to the States.

Although the Final Document of the Conference was adopted on Tuesday and a number of States had already left the meeting, more than 120 NGOs from all over the world, including CETIM, joined together to denounce racism in all its forms.

What results?

Under this smoky screen, there were no real evaluations of the implementations of the Durban Declaration and Programme of Action and very few exchanges between States or NGOs.

However, one must nevertheless consider the holding of the Conference itself as the victory of a multilateral system. There was a great risk that the latter would crack under pressure, which was apparently what the ten boycotting countries expected even though they obtained everything they wanted from the negotiations of the Preparatory Committee.

As for the Final Document adopted by the consensus, the essential was saved. It contains important elements, for example the protection of the rights of migrants regardless of their status in the receiving country. The States also reaffirmed their determination and their commitment to assuring complete and effective implementation of the Durban Declaration and the Programme of Action (paragraph 1 and 52 among others).

World Apartheid⁶

We would have wished for a discussion of the actions brought by the States in the fight against the different forms of racism as we see them evol-

WHO ARE WE?

Through its publications and its work with the UN, the CETIM denounces the maldevelopment in general, ecological as much as economic and social, and promotes an exchange of critical views from both Southern and Northern societies. The CETIM is focuses in particular on respect for, implementation and promotion of economic, social and cultural rights, as well as issues related to the right to development.



ing today. Racism cannot be summed up in the evil practices and attitudes of individuals or groups or in bad practices of States, of employers and others even if these murderous and degrading aspects of daily life are not only deplorable but also contrary to the minimum respect of human rights and thus to be condemned for this simple reason. But in fact and moreover, all while perpetuating itself, racism has changed the color of its skin, if one may say so.

More accurately, it no longer refers only to the color of the skin, even if this remains a dominant aspect of discrimination. It goes beyond. In the context of current polarizing globalization, the victims are not only the peoples and the people "of color", although they still constitute the majority. This racism is added to and results from a much broader social inequality, an inequality among peoples as among individuals living in the same country.

This racism has become systemic, a part of the system of exploitation and domination prevailing at the global level. It targets the poor, the producer who is not sufficiently profitable to earn enough to live well, the insolvent because they are non-consumers, the elderly because they are "wards of society", the marginalized, the non-productive, the disqualified according to whatever criteria, the informal workers, the slum dwellers, the small farmers – those who are the vast majority of the people of the world.

Thus the small white farmer of Arizona can be part of this whereas the highly qualified professional, "even" when of African or Asian origin, can escape from it, if not from the petty annoyances that he will continue to suffer painfully.

The effectiveness of the neo-Nazi groups and the extreme right as well as of other fundamentalist currents lies precisely their ability to divide those who are excluded from the "benefits of globalization", those populations that have become "superfluous", to make them affront each other and hate each other in the name of so-called cultural particularities or of inconciliable "races" rather than their joining together in opposition to the policies that are at the origin of their marginalization, exclusion, precariousness, ostracism.

The Durban I discussion allowed the beginning of critical reflection and the necessary controversies about precisely this racism, this apartheid at the global level. These reflections and controversies are necessary and urgent, for the future of humanity depends upon them. It is appropriate to pursue them, even if it means groaning and momentary ruptures. No durable solution to the problem of racism can be found if the systemic roots are not at least acknowledged and discussed. Once such a process is set in motion, no strategy can be devised nor can other challenges confronting all humanity be tackled, such

as those of the environment, if these issues are not addressed.

¹ See the Resolution of the General Assembly: A/RES/61/149.
² This conference was organized several years late with the knowledge that the following conferences would be held every five years.
³ Resolution previously cited, paragraph 33.
⁴ In CETIM bulletin n° 31 (April 2008) we presented an analysis of this debate over the defamation of religions within the Human Rights Council.
⁵ Civil Society Forum, which took place April 17-19 in Geneva.
⁶ This section contains extracts from our declaration *Durban I step forward, Durban II steps backward*. All of our declarations are available on our Website: www.cetim.ch.

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- Collective member:** CHF 200 / 120€ or US\$.
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PRESS CONFERENCE ON THE SITUATION OF INDIGENOUS PEOPLES IN PERU

The lung of the earth offered to petrol and mining companies

On August 6, CETIM co-organized a press conference with Coordinadora Andina de Organizaciones Indígenas (CAOI) at the UN. CAOI's coordinator, Miguel Palacin, strongly denounced the Peruvian government's attitude towards indigenous people living in the Peruvian part of the Amazon forest. In June, during the 11th session of the Human Rights Council, CETIM already highlighted this situation in an oral declaration.

A couple of reminders

Indigenous people have been peacefully demonstrating since last April, protesting against various legislative decrees issued by the Peruvian government. On June 5, very violent confrontations between indigenous people and armed forces took place in Bagua. According to our sources, these clashes killed about thirty on both sides, and confusion is reigning regarding the exact number of the injured and missing.

That day is a typical example of the systematic discrimination and criminalization put in place by the Peruvian government against indigenous peoples. A proof of that are the various arrest warrants issued against AIDSESEP's managers (Asociación Interétnica de Desarrollo de la Selva Peruana), in particular against its President Alberto Pizango, accused of offending behaviour and since then gone into exile in Nicaragua. But it is also the result of several years of disagreement between the indigenous peoples of the Peruvian Amazon and Alan García's government regarding the role of the Amazon forest in the country's development.

As part of the implementation of the Free Trade Agreement with the United States, the Peruvian government, since 2007, has favored the access of transnational petrol companies to the rich country soils, using two series of legislative decrees. The first series aimed at hardening penalties on social protest. The second opened the door to an increased exploitation of natural resources by companies.

With these measures, the government was able to increase the areas intended for oil exploitation from 13% in 2004 to 75% today! This increase is all the more worrying as Amazon constitutes 60% of the Peruvian territory. The government shows a strong will to transform the country from a petrol importer to a petrol exporter, and that without taking into account the environment, the various indigenous peoples concerned and to the detriment of their rights. There is a real risk to see them totally disappear.

As for the AIDSESEP, it denounces the violation of the indigenous peoples fundamental rights guaranteed by the ILO Convention n°169 that Peru ratified in 1994. The AIDSESEP declared these legislative decrees unconstitutional and demands to take part to the decision process relative to the development of Peruvian Amazon.

Today the situation remains blurry. President García finally accepted to suspend for a while the two controversial decrees (10641 and 10902) and to open a dialogue with the different representatives of indigenous peoples. According to our latest information it seems, however, that he has nevertheless authorized in parallel two mining companies entrance into the forest. The AIDSESEP also accuses the government to try to divide the indigenous movement in line with the adage "divide and rule" by favouring certain organizations to the detriment of others and that by making use of corruption.

All that is most worrying as Peru possesses 84 out of the 104 existing ecosystems as well as the world fourth tropical forest. Yet, water, energy, earth and biodiversity are today real economic stakes. For some, they represent the "Pachamama" [Mother Earth] and must therefore be preserved by all means, while, for others, they are just goods to be commercialized.

CETIM and CAOI are in the process of creating a support group focused on the question of the criminalization of indigenous organizations in Peru, Chili and Columbia.

www.cetim.ch

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Territories and that the Israeli Occupation was in its 42th year. It seems difficult to ignore, in the midst of a conference on racism and discrimination in all of its forms, Israel's continuing occupation.

Recognition of past crimes

But the Durban Declaration and Programme of Action were not reduced to only this question. They denounce as much and with force: 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 (art. 13); the colonialism has led to racism, racial discrimination, xenophobia and related intolerance (art. 14); apartheid and genocide in terms of international law constitute crimes against humanity and are major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance... (art. 15).

The signatory States also raised the issue of xenophobia, which the non-citizens, in particular immigrants, refugees, and those requesting asylum, are subjected to (art. 16) and underlined that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance, and contribute to the persistence of racist attitudes and practices which in turn generate more poverty (art. 18).

They did not stop here, but recommended useful remedies, legal pathways, reparations, measures of indemnities and other measures expected nationally, regionally and internationally while providing legal assistance, for the victims of racism, racial discrimination, xenophobia and the intolerance that is associated with it.

From Durban to Geneva

On December 19 2006,¹ the General Assembly of the United Nations decided, as is its custom after large United Nations conferences, to organize a follow-up conference in April 2009, with the aim of examining the progress accomplished in the implementation of the Declaration and Programme of Action.²

By a voluntary slip of semantics on the part of the States in attendance, this Conference became one of "review". The resolution that established the Conference in Geneva is very clear on the subject: "[The General Assembly] decides to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action."³ The purpose was to examine, not modify, the States'

implementation of the Declaration and Programme of Action.

The United States, Canada and Israel, followed by the European States with varying degrees of conviction, had done everything to impose their vision and ask for the questioning of the Durban Declaration during the preparatory meetings, right up until the day before the Geneva Conference. There were three preparatory meetings between 2007 and 2009 in Geneva.

During these sessions, questions of defamation of religions and of Islamophobia as well as the Israeli-Palestinian situation were at the center of the debates. While the Organization of the Islamic Conference (OIC) with the support of Iran and other Muslim countries attempted to impose the concept of defamation of religions⁴ in the Final Document, the Western countries refused any reference to Israel.

The Muslim countries and the OIC finally withdrew their request concerning the defamation of religions, though the Western countries refused to back down on the question of mentioning Israel. These States used the fight against anti-Semitism until the last moment and threatened to boycott the Conference in order to paralyze all critique of racist, discriminatory, and xenophobic politics brought by the State of Israel against both Arab Israelis (Palestinians from 1948) and Palestinians of the Occupied Territories.

It is evident that all these strategies (critiques of the Declaration, disinformation, and threats of boycott) also had as their objective to prevent a 2nd "Durban" for the Western countries. It was necessary to avoid being confronted with claims for compensation by the former colonized States which are now stronger and have accounted for the horrors such as the slave trade and colonization that still ring true for a good part of the assembled countries. It was also necessary to avoid being placed apart by the Southern countries when speaking of new forms of racism in practice today in Europe and the United States against immigrants, illegals...

A Conference under pressure

The Conference opened in a context of general tension. Canada, the United States, Australia, New Zealand, Israel, Poland, Italy, Germany and the Netherlands had already announced their boycott, joined at the end of the first day of the meeting by the Czech Republic (representing the European Union).

Relieved by the Western press, certain States and some NGOs did everything possible to reduce the Conference to the President Mahmoud Ahmadinejad's statement. No one will have heard or read the positions of other States, nor the hundreds of testimonies of victims of racism and discrimination – Dalits, Roms, afro-descendants, natives, homosexuals,