

CIVIL SOCIETY OF THE AMERICAS DECLARATION TO THE DURBAN REVIEW CONFERENCE

We, African descendents, Indigenous peoples, Gypsies, women, migrants, refugees, internally displaced, youth, lesbians, gays, transvestites, transsexuals, bisexuals, persons with disabilities, persons freedom less, and people living with HIV/AIDS, gathered in Brasilia on 13 to 15 June 2008

Manifest that

1. The Civil Society of the Americas emphasizes the importance of the World Conference against Racism as a significant event for all victims of racism, racial discrimination, xenophobia and all related forms of intolerance in the Americas.

2. After seven years of the approval of the Durban Declaration and Programme of Action, and in spite of the efforts of the Civil Society and of some States in the Region, there is still no institutional or budgetary resources to implement the established commitments, and the States have not created the conditions for an effective participation in parity of the civil society in the design and implementation of the policies.

3. The women keep facing racism, discrimination and xenophobia due to gender, race, ethnicity, sexual orientation, religion, age, disability, which manifest in several forms of abuse and sexual exploitation, exclusion, human trafficking and domestic and institutional violence.

4. We live in a context where the increment of religious, economic and ideological fundamentalisms, which denies cultural diversity and human rights of the victims of racism, are associated with a dehumanizing neo-liberal development model which consequences are multiple forms of exclusion, poverty, inequality increase, racism and discrimination.

5. The structural racial violence that affects the majority of 150 million African Descendants in the Region is alarming and unacceptable, demanding immediate, urgent and committed actions by both the States and the international and intergovernmental institutions. This racial violence is manifested by forced dislocations, criminalization of young people, genocide justified by youth delinquency or internal conflicts, lack of public policies, political denial, social exploitation of young people and girls, trafficking of young women, denial of the right to civil registration and legal identity, violence against women and over-representation of young people in the prisoner system.

6. Similar practices affect some people due to their sexual orientation and gender identity/expression, which are aggravated, in some circumstances, when these practices enjoy legal support.

7. We Indigenous peoples are owners of our lands and territories ancestrally occupied, although the States have been implementing public policies that allow private investments to exploit our natural resources and knowledge without prior consultation or free and informed consent by the Indigenous peoples specially with regard to our territory.

8. The ownership over the lands, territories and ethnic territories, including soil and subsoil, of the peoples and communities of African Descent has been threatened by practices of the capital concentration and private investments with the State consent, causing the forced dislocation of whole communities.

9. The usurpation of our lands and territories obliges the dislocation of Indigenous and African Descendants toward urban centers increasing poverty in all aspects, racism and discrimination in all its forms.

10. The lack of concrete policies that recognize the right to land, education and health has put at risk the survival and sustainability of the Quilombola communities, 'palenqueras' and 'cimarronas', traditionally identified with African ancestral.

11. The leaving of the Government of Canada from the Durban Review Conference and the indecision of the Government of the United States violate their commitments with international treaties with regard to the International Convention for the Elimination of Racism and all forms of discrimination, the Universal Declaration of Human Rights and all multilateral processes of the United Nations.

We demand and request the States:

1. To carry out censuses based on concrete indicators disaggregated by gender, race and ethnicity, with participation of Indigenous peoples and African Descendants in the whole process, which allows us to know the situation in regard to the Millennium Development Goals until 2015.

2. To conclude the negotiations for the Inter-American Convention for the Elimination of Racism and all Forms of Discrimination and Intolerance.

3. To ratify the article 14 of the Declaration of the Convention against the Racism so that the Committee on Elimination of Racism and all forms of Discrimination is allowed to receive individual complaints of racism.

4. The elaboration and implementation of legislation and anti-discriminatory public policies with appropriate budget and with participation of social organizations in their formulation, execution and evaluation.

5. To include sexual orientation, gender identity/expression as causes of discrimination at the Durban Review Conference in Geneva 2009. On the other side, the legal guarantee and juridical equality for free exercise of sexual orientation and free expression of gender identity. It implies that rights and democratic States ensure the full exercise of human rights and citizenship through financing affirmative actions and public policies.

6. Shall the States who signed the Durban Declaration and Programme of Action be coherent in their discourses and internal actions with a public recognition of the existence of racism and discrimination, creating relevant policies to face it.

7. To impel and strengthen policies, programs and participative actions, with democratic values that promote development considering ethnic cultural identity of Youth people of African descent and Indigenous.

8. To develop effective actions such as prior consultation and free and informed consent to protect the ancestral territories historically home to African Descendants and Indigenous like the 'quilombos' in Brazil, the communitarian councils of black communities and Indigenous reserves in Colombia.

9. An extensive and effective debate that leads to concrete actions and legal reforms needed to strength participative, parity, intercultural, inter-generational democracies.

10. Development of coordinated policies to face environmental racism in all international agendas on climate change, energy and food crisis, trade and democracy, and on media, new technology, including nanotechnologies, biotechnologies, etc.

11. To respect and incorporate the United Nations Declaration of the Rights of Indigenous Peoples (approved on 13 September 2007) to the national laws as the recognition of the successful struggle by Indigenous people to overcome discrimination and historical and moral racism. We also exhort the countries that still have not ratified the ILO Convention 169 to do that.

12. Structural reforms in a term of at most 3 years of the judicial systems and penal proceedings in such a way that guarantee access to justice without discrimination for youth of African Descent, as well as effective measures that face criminality and police brutality.

13. The protection, restitution and administration of the heap and cultural inheritance of African descendants included our sacred places, our traditional places of residency, traditional religions, language, music, dance, medicinal knowledge, monuments and all expressions in all aspects of our material and intellectual cultures and spiritually.

14. Immediate public policies that guarantee the rights of childhood and adolescence of African descendants especially regarding the universal access to and permanence in the educational system. which should consider their cultural identity and the right to non discrimination observing the International Convention of the Rights of Children.

15. To involve gypsies/Roma people in the public policies, and support the cause of the Roma people according to the approved in Santiago 2000.

16. Develop public policies that include the role played by the massive media as instrument that allows make visible the struggle against racism, discrimination, xenophobia and other related forms of intolerance.

17. In attention to the WHO's (World Health Organization) mandate, shall be guaranteed universal access to medicines and be fostered local production to warrant the quality of life for persons living with HIV/AIDS. It shall be promoted prevention initiatives.

18. To ratify the article 14 of the Declaration of the Convention against the Racism so that the Committee on Elimination of Racism and all forms of Discrimination is allowed to receive individual complaints of racism. Additionally, the American States shall attribute a Constitutional Status to the international treaties of Human Rights.

19. The United Nations agencies in each one of the countries and at Regional level shall involve the civil society in the programs for combating racism. We reiterate that the governments must implement all actions predicted in the Durban Programme of Action in the Region.

20. The United Nations support and ensure effective participation of the civil society in the Durban Review Conference and in all preparatory process, included fund to provide the civil society with financial support to attend properly the Civil Society Forum and the Conference in Geneva 2009.

21. WE REITERATE OUR COMMITMENT AND OUR ACTIVE PARTICIPATION IN ALL DURBAN REVIEW PROCESS AS WELL AS ALSO IN THE IMPLEMENTATION AND MONITORING OF ACTIONS BY STATES AND INTERNATIONAL INSTITUTIONS, PARTICULARLY THE UNITED NATIONS AGENCIES.

Brasilia, June 15, 2008.