

PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES

COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

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Working Group to Prepare a Draft Inter-American
Convention against Racism and All Forms of
Discrimination and Intolerance

DRAFT RESOLUTION

DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM AND
ALL FORMS OF DISCRIMINATION AND INTOLERANCE

(Presented by the Chair of the Working Group to Prepare a Draft Inter-American Convention against
Racism and All Forms of Discrimination and Intolerance)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly
(.....);

~~RECALLING the content of resolutions AG/RES. 1712 (XXX O/00) and AG/RES. 1774 (XXXI O/01), "Preparation of a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance"; AG/RES. 1905 (XXXII O/02), AG/RES. 1930 (XXXIII O/03), AG/RES. 2038 (XXXIV O/04), and AG/RES. 2126 (XXXV O/05), "Prevention of Racism and All Forms of Discrimination and Intolerance and Consideration of the Preparation of a Draft Inter-American Convention"; AG/RES. 2168 (XXXVI O/06), "Combating Racism and All Forms of Discrimination and Intolerance and Consideration of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance"; AG/RES. 2276 (XXXVII O/07), AG/RES. 2367 (XXXVIII O/08), AG/RES. 2501 (XXXIX O/09); AG/RES. 2606 (XI O/10), "Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance";~~
RECALLING the content of resolution AG/RES. 2677 (XLI-O11), "Draft Inter-American Convention Against Racism and All Forms of Discrimination and Intolerance" and all previous resolutions on the subject;

REAFFIRMING the principles of equality and nondiscrimination and recognizing that human diversity is a cherished asset for the advancement and welfare of humanity at large;

FIRMLY REITERATING the most resolute commitment of the Organization of American States (OAS) to the eradication of racism and of all forms of discrimination and intolerance and their conviction that such discriminatory attitudes are a negation of such universal values as the inalienable and infrangible rights of the human person and the purposes, principles, and guarantees enshrined in the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Universal Declaration of Human Rights, the Inter-American Democratic Charter, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Universal Declaration on the Human Genome and Human Rights;

~~TAKING NOTE of the commemoration in 2010 of the International Year for People of African Descent in accordance with United Nations General Assembly resolution 64/169 “International Year for People of African Descent,” as well as of the mandate of the OAS General Assembly contained in resolution AG/RES. 2550 (XL O/10), “Recognition of the International Year for People of African Descent,” and, in keeping with the latter, of the holding on March 15, 2011, of the Special Meeting of the Permanent Council of the Organization to celebrate the International Year for People of African Descent, as well as of other associated activities in the framework of the OAS;~~

OBSERVING with concern that even today a considerable number of human beings in our Hemisphere are still victims of longstanding and contemporary manifestations of racism, discrimination, and intolerance;

ACKNOWLEDGING the significant contributions made by member states, OAS organs, agencies, and entities, other agencies of the United Nations, civil society organizations and other organizations, in regards to the ongoing process of negotiations; and

HAVING PARTICULAR REGARD to the report on activities during the **2011-2012** period, presented by the Chair of the Working Group to Prepare a Draft Inter-American Convention Against Racism and all Forms of Discrimination and Intolerance to the Committee on Juridical and Political

Affairs (CAJP/GT/RDI-.....),

RESOLVES:

1. To reaffirm the will and the most resolute commitment of the member states to continue making efforts in the preparation and negotiation of such legally binding instruments as may be necessary to address the scourges of racism, racial discrimination, and all other forms of discrimination and intolerance.

2. To instruct the Permanent Council to extend the mandate of the Working Group of the Committee on Juridical and Political Affairs and to entrust it with the preparation of legally binding instruments with due consideration of a convention against racism and racial discrimination, as well as an optional protocol or protocols that would, in addition, address all other forms of discrimination and intolerance, in accordance with the work plan and methodology that is adopted, taking into account the progress set forth in the **documents “Draft Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance” (CAJP/GT/RDI.....) as well as “Draft of a Legally Binding “Instrument” Against all Forms of Discrimination and Intolerance” (CAJP/GT/RDI....)**. ~~“Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” (CAJP/GT/RDI 57/07 rev. 13), and to continue the negotiations based on said instruments. For such purposes and in order to receive additional contributions, the Working Group will consider convening a special meeting, at an appropriate time during the 2011-2012 term, with the participation of government experts and representatives of member states, specialized organizations of the inter-American system and other regional systems, United Nations specialized agencies, and nongovernmental organizations.~~

3. To instruct that the preparation, negotiation, and approval of the final drafts of said legal instruments be done simultaneously and concurrently, so as to ensure a comprehensive and coherent treatment of the scourges of racism, discrimination, and intolerance in the Hemisphere.

4. To instruct that this process continue to promote contributions from member states, organs, agencies, and entities of the Organization of American States (OAS), taking into account the

Inter-American Institute of Human Rights, the United Nations, and regional organizations; to urge those bodies to continue sending their written contributions to the Working Group for consideration; and, pursuant to the Guidelines for Participation by Civil Society Organizations in OAS Activities, contained in Permanent Council resolution CP/RES. 759 (1217/99), to request the Working Group to continue to receive contributions from groups in vulnerable situations and from interested civil society organizations.

5. To renew the mandates to the Justice Studies Center of the Americas (JSCA) and the Inter-American Commission on Human Rights (IACHR) set forth in paragraphs 5, 7, and 8 of resolution AG/RES. 2168 (XXXVI-O/06).

6. To request the General Secretariat to continue to provide support to the Working Group's activities, through the Executive Secretariat of the IACHR and the Department of International Law of the Secretariat for Legal Affairs.

7. To request the Permanent Council to report to the General Assembly at its forty-**third** regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.