



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination
Eightieth session

Summary record (partial)* of the 2126th meeting

Held at the Palais Wilson, Geneva, on Monday, 13 February 2012, at 10 a.m.

Temporary Chairperson: Ms. Edelenbos (Chief of the Petitions and Inquiries Section, Human Rights Treaties Division)

Chairperson: Mr. Avtonomov

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.15 a.m.

Opening of the session

1. **The Temporary Chairperson** (Chief of the Petitions and Inquiries Section, Human Rights Treaties Division) declared open the eightieth session of the Committee on the Elimination of Racial Discrimination. She welcomed the new Committee members who had been elected on 30 November 2011 — Mr. Vázquez and Ms. January-Bardill, who was unfortunately unable to attend the session — and congratulated Mr. Avtonomov, Mr. Calí Tzay, Ms. Dah, Mr. Diaconu, Mr. Huang Yong'an, Mr. Lahiri and Mr. Murillo Martínez on their re-election.

Opening statement by the Chief of the Petitions and Inquiries Section, Human Rights Treaties Division

2. **The Temporary Chairperson**, speaking as Chief of the Petitions and Inquiries Section, Human Rights Treaties Division, reported a number of developments since the seventy-ninth session of the Committee. Djibouti had ratified the Convention, bringing the number of States parties to 175. On 22 September 2011, the United Nations General Assembly had held a one-day high-level meeting to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action. The substantive statement issued by the Committee at its previous session, in which it had emphasized that the Durban Declaration and Programme of Action, together with the outcome documents of the Durban Review Conference, provided a comprehensive United Nations framework for combating racism, racial discrimination, xenophobia and related intolerance, had helped advance negotiations between Member States and a political declaration had been adopted by consensus. Mr. Kemal had represented the Committee at the high-level meeting and had participated in the round-table discussions on the theme “Victims of racism, racial discrimination, xenophobia and related intolerance: recognition, justice and development”.

3. A high-level thematic debate on the achievement of the goals and objectives of the International Year for People of African Descent had been convened by the United Nations Secretary-General on 6 December 2011 to mark the closure of the Year, and had been attended by Mr. Murillo Martínez. With the thematic discussion on racial discrimination against people of African descent the Committee had held during its seventy-eighth session, and the subsequent adoption of a general recommendation on the same subject, the Committee had made a valuable contribution to the Year.

4. At its sixty-sixth session, the General Assembly had adopted a resolution on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of, and follow-up to, the Durban Declaration and Programme of Action. Within the framework of the resolution it was envisaged that a programme of action would be formulated, drawing on the expertise of the Committee, with a view to proclaiming the United Nations Decade for People of African Descent for 2013–2023.

5. The fourth and last regional expert workshop on the prohibition of incitement to national, racial or religious hatred had taken place in Santiago, Chile, on 12 and 13 October 2011, and been attended by Mr. Calí Tzay. The reports of the expert workshops would soon be available and would be of great use to the Committee's thematic discussion on racist hate speech, which would take place at its August 2012 session.

6. The treaty body strengthening process had reached a decisive stage with the “Dublin II” wrap-up meeting held on 10 and 11 November 2011. The chairpersons of seven treaty bodies, including Mr. Kemal, had attended the meeting. The outcome document contained specific recommendations addressed to treaty bodies, States, and the Office of the United

Nations High Commissioner for Human Rights (OHCHR), all of which should reflect on what was expected of them and what they could and wished to implement. The outcome document, which had been sent to Committee members electronically in December 2011 and was also available in their files, had recently been endorsed by the Committee on the Rights of the Child. There would be an opportunity for an in-depth discussion on the topic with Mr. Salama, Director of the Human Rights Treaties Division, during the current session. The High Commissioner for Human Rights had recently held consultations for States in Geneva, in which Ms. Dah had participated, and would hold similar consultations in April 2012 in New York, following which her report was expected to be published in June 2012. She introduced Mr. Simon Walker, who had replaced her as Chief of the Civil, Political, Economic, Social and Cultural Rights Section of the Human Rights Treaties Division.

Solemn declaration by the newly elected members of the Committee under rule 14 of the rules of procedure

7. In accordance with rule 14 of the rules of procedure, Mr. Avtonomov, Mr. Calí Tzay, Ms. Dah, Mr. Diaconu, Mr. Huang Yong'an, Mr. Lahiri and Mr. Murillo Martínez, re-elected members of the Committee, and the newly elected member Mr. Vásquez, made the following solemn declaration:

“I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Elimination of Racial Discrimination honourably, faithfully, impartially and conscientiously.”

Election of officers, according to rule 15 of the rules of procedure

Election of the Chairperson

8. **The Temporary Chairperson** invited Committee members to nominate candidates for the office of Chairperson.

9. **Mr. Calí Tzay**, seconded by **Mr. Lindgren Alves**, nominated Mr. Avtonomov.

10. *Mr. Avtonomov was elected Chairperson by acclamation and took the Chair.*

11. **The Chairperson** thanked the Committee members for the trust they had placed in him. He intended to remain faithful to the Committee's traditions, not the least of which was that all proposals by Committee members were given due attention and that the Chairperson always relied on the Committee and never did anything without the Committee's consent.

Election of the Vice-Chairpersons

12. **The Chairperson** invited Committee members to nominate candidates for the three offices of Vice-Chairperson of the Committee.

13. **Ms. Dah** nominated Mr. Amir for the office of Vice-Chairperson.

14. **Mr. Lindgren Alves** nominated Mr. Calí Tzay for the office of Vice-Chairperson.

15. **Mr. Kemal** nominated Mr. Lahiri for the office of Vice-Chairperson.

16. *Mr. Amir, Mr. Calí Tzay and Mr. Lahiri were elected Vice-Chairpersons.*

Election of the Rapporteur

17. **Mr. Thornberry**, seconded by **Mr. de Gouttes**, nominated Ms. Crickley for the office of Rapporteur.

18. *Ms. Crickley was elected Rapporteur.*

19. **Mr. Kemal**, speaking as the outgoing Chairperson, warmly congratulated his successor, who was not only fully conversant with all aspects of the Committee's work but was also renowned for his patience and modesty. His democratic approach would stand the Committee in good stead.

20. He thanked the members of the outgoing Bureau and the secretariat for their valuable support during his term of office as Chairperson.

21. **Ms. Dah** commended the contribution to the Committee's work made by the two members who had completed their terms of office at the seventy-ninth session, Mr. Peter and Mr. Prosper. Mr. Prosper had also bequeathed a useful list of themes to the Committee; they should be explored at some point during the proceedings.

Adoption of the agenda (CERD/C/80/1)

22. **The Chairperson**, referring to the annex to the provisional agenda, said that the Committee's review of the report of Senegal had been deferred until the next session. The thematic discussion on racist hate speech, which was mentioned in the note on item 4 (Organizational and other matters), had also been deferred until the next session.

23. **Ms. Habtom** (Secretary of the Committee) said that racist hate speech would be discussed during a closed meeting of the Committee later in the session.

24. *The provisional agenda was adopted.*

25. **Mr. Lindgren Alves**, referring to the treaty body strengthening process, asked what action would be taken when, in mid-2012, the High Commissioner published her compilation of the various proposals made during the consultations. The matter had been under discussion ever since he had joined the Committee in 2002, but no substantive action had ever been taken.

26. **Ms. Edelenbos** (Chief of the Petitions and Inquiries Section, Human Rights Treaties Division) said that a discussion of the strengthening process with the Director of the Human Rights Treaties Division, Mr. Salama, had been scheduled for the third week of the Committee's session. The High Commissioner would compile and analyse the recommendations made by stakeholders and add her own suggestions. When her report was published, some of the recommendations would be taken up by the treaty bodies, but those concerning, for instance, resources and election of experts would require action by Member States. OHCHR would be encouraged to improve its servicing of the treaty bodies and there might also be recommendations on enhancing the involvement of civil society in relevant activities.

27. The Committee might wish to discuss the Dublin II Meeting Outcome Document and perhaps endorse some of its recommendations. An intergovernmental process was already under way, particularly at United Nations Headquarters. Informal meetings were being convened among Member States and a resolution might be submitted to the General Assembly, which would have to endorse any increase in resources for the treaty bodies.

28. **Mr. de Gouttes** said that it would be useful for Committee members to have access to all documentation provided for the Consultation for States parties on treaty body strengthening held on 7 and 8 February in Geneva and the Consultation scheduled for 2 and 3 April in New York.

29. Referring to a proposal by the Russian Federation to establish a working group, he asked whether there were any plans to coordinate its activities with the publication of the High Commissioner's report.

30. **Ms. Edelenbos** said that further informal meetings were to be held among Member States at United Nations Headquarters that day on the Russian initiative and a possible draft

resolution. She would keep the Committee informed of any developments. The High Commissioner's treaty strengthening initiative was closely bound up with the intergovernmental process, since decisions on such matters as meeting time and resources would be taken by the General Assembly.

The discussion covered in the summary record ended at 11.10 a.m.