



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination Ninety-fourth session

Summary record (partial)* of the 2585th meeting

Held at the Palais Wilson, Geneva, on Monday, 20 November 2017, at 10 a.m.

Chair: Ms. Crickley

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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 10.20 a.m.

Opening of the session

1. **The Chair** declared open the ninety-fourth session of the Committee on the Elimination of Racial Discrimination.

Opening statement by the Chief of the Groups in Focus Section, Human Rights Council and Treaties Division

2. **Mr. Nowosad** (Chief of the Groups in Focus Section, Human Rights Council and Treaties Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that the current session had come at a time when the basic principles and rights enshrined in the International Convention on the Elimination of All Forms of Racial Discrimination were being challenged by so-called nationalist marches in many countries, while intolerance had been normalized in public spaces by some senior leaders. In her presentation of the Committee's annual report (A/72/18) at the seventy-second session of the General Assembly, the Chair had warned of the rise of global toxic discourse and the continued vulnerability of minorities, indigenous groups, migrants and refugees. As highlighted by the High Commissioner in a statement made on 14 November 2017, the plight of migrants and refugees remained a matter of deep concern. All migrants were entitled to equal protection under international human rights law and solutions to address large movements of migrants and refugees should be grounded in existing international norms and standards, including the Convention. OHCHR had spared no effort to ensure that the Global Compact for safe, orderly and regular migration reaffirmed and operationalized States' commitments to upholding the human rights of all people, regardless of their migration status. In the current climate, it was important to recognize the efforts of those States, civil society partners and national human rights institutions who had joined forces to counter dangerous attempts to withdraw into the shell of narrowly defined identities and to target, stigmatize, stereotype or profile on the basis of ethnicity or nationality.

3. The Committee had continued to shed light on current forms of racial discrimination since its ninety-third session. At the thirty-sixth session of the Human Rights Council, the Chair had participated in a panel discussion on the impact of multiple and intersecting forms of discrimination, xenophobia and related intolerance on the full enjoyment of all human rights by women and girls, while, in October, she had represented the Committee at the fifteenth session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. During the current session, a thematic discussion on racial discrimination in today's world would be held, following up on the Committee's informal meetings in April and September 2016 with States parties and civil society, respectively. Focusing on racial profiling, ethnic cleansing and current global challenges would once again bring all relevant stakeholders together. Moreover, the Committee's readiness to use social media would allow it to share its work with a global audience, including civil society and national human rights institutions.

4. The Fifth Committee was currently considering the first report of the Secretary-General (A/71/118) on General Assembly resolution 68/268 (A/RES/68/268) concerning the 2020 review of the treaty body system. All treaty bodies had experienced an increase in the number of registered individual communications and the number of States party to the conventions whose implementation they monitored. To support that additional workload, the Secretary-General had recommended redistributing the meeting time allocated to each treaty body, increasing resources and establishing 11 new permanent posts. Unfortunately, however, the Advisory Committee on Administrative and Budgetary Questions had recommended only five temporary posts for approval. The resulting lack of human resources might negatively affect the entire treaty body system. If the recommendations made by the Secretary-General in his report were adopted that December, the Committee's meeting time would be reduced by 1.5 days and it would be expected to undertake 19 country reviews in 2018. The Secretary-General would prepare a second report on the implementation of resolution 68/268 in 2018 to evaluate the workloads of the treaty bodies over the previous four years and calculate the resources and meetings that each required.

5. To conclude, he wished to pay tribute to the five members who would be leaving the Committee at the end of the year: Mr. Lindgren Alves, Ms. Hohoueto, Mr. Kemal, Mr. Khalaf and Ms. Crickley, the current Chair.

6. **The Chair** said that, although she had fought against the reduction in the Committee's meeting time, it was only one part of the Advisory Board's overall review of the treaty bodies system. As such, there was little that could be done.

7. Article 1 of the Convention was unequivocal in its rejection of racial discrimination in purpose and in effect. It was clear that ethnic profiling was racial discrimination in effect, although the persons and institutions responsible did not admit it. Groups that had always been the target of racial discrimination, such as persons of African descent, indigenous peoples and Roma communities, continued to experience it. Currently, however, complex intersectional discrimination was experienced by a variety of groups, particularly persons assumed to be Muslim. It had also become clear that there were some in society who were at pains to avoid calling racial discrimination by its name. While xenophobia was acknowledged in the Durban Declaration and Programme of Action as one of the main causes of racial discrimination, that term should not be used without reference to its link to racism and its consequences. Those consequences were felt particularly acutely by women in minorities and migrants.

8. The Committee must acknowledge the increased urgency with which action against racial discrimination must be taken. Over the years, the Committee had focused on examining data and management practices, but it should also actively advocate types of management that would eliminate racial discrimination. In her statement before the Third Committee on 31 October of the current year, she had called upon Myanmar to ratify the Convention as a means of dealing with the issues that country was facing. The Committee should strongly encourage the few countries that were yet to ratify the Convention to do so, in the knowledge that most of those countries were small, pacific States that provided accommodation for migrants and asylum seekers.

9. Lastly, the Committee should play its own part in strengthening the treaty bodies. The voices of all treaty bodies should be heard during the review process.

10. **Mr. Kemal** said that those States that had not yet ratified the Convention were either too small or pursued policies that were at variance with the Convention's provisions. It was more important to focus on the number of reporting States. He wondered whether there had been any significant increase in the number of countries reporting to the Committee since the beginning of the treaty body review process and, if so, whether that increase had been reported to the Advisory Committee.

11. **The Chair** said that the reduction in meeting time of 1.5 days was due to the number of communications that the Committee received, not the number of reports that it considered, which had in fact increased.

12. **Mr. Nowosad** (Chief of the Groups in Focus Section, Human Rights Council and Treaties Division, OHCHR) said that the Advisory Committee took reporting into consideration, insofar as treaty bodies were called upon to undertake a certain number of State party reviews per annum.

13. **Mr. Kemal** said that the Committee could receive far more communications if the secretariat chose to allocate more. One of the Committee's problems was that some States submitted their reports late, or did not submit them at all. His question had been whether more States were submitting reports than before the beginning of the review process.

14. **The Chair** said that the Committee had discussed the issue of reporting at its ninety-third session and that its work to increase the frequency and timeliness of reporting was already bearing fruit. Nevertheless, she agreed that the terms and conditions of allocated reporting time should be discussed at a later point during the current session.

Adoption of the agenda (CERD/C/93/1)

15. *The agenda was adopted.*

The discussion covered in the summary record ended at 10.55 a.m.