



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination 104th session

Summary record of the first part (public)* of the 2823rd meeting

Held via videoconference on Monday, 9 August 2021, at 3 p.m. Central European Summer Time

Chair: Ms. Li

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* The summary record (partial) of the second part (closed) of the meeting appears as document CERD/C/SR.2823/Add.1.

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The meeting was called to order at 3.05 p.m.

Opening of the session

1. **The Chair** declared open the 104th session of the Committee on the Elimination of Racial Discrimination.
2. **Ms. Rishmawi** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that, in June 2020, the Human Rights Council had adopted resolution 43/1 by consensus following an urgent debate in response to the murder of George Floyd and the ensuing global anti-racism protests. In that resolution, the Council had requested the United Nations High Commissioner for Human Rights to prepare a comprehensive report on systemic racism and violations of international human rights law against Africans and people of African descent by law enforcement agencies, in order to contribute to accountability and redress for victims.
3. Consequently, on 1 June 2021, the High Commissioner had published her report on the promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers ([A/HRC/47/53](#)). In preparing the report, OHCHR had organized 23 consultations with the participation of over 340 persons, including the family members of persons of African descent killed by law enforcement officials. It had recognized the importance of learning from the lived experiences of people and communities of African descent in order to formulate recommendations for transformative change. It had also recognized the need to build on decades of research, recommendations and international human rights law obligations, particularly those enshrined in the Covenant.
4. OHCHR had held consultations on the main themes of the report with academics, civil society representatives, national human rights institutions and equality bodies, regional human rights experts and businesses. It has also consulted special procedure mandate holders and human rights treaty bodies, including the Committee, and studied their perspectives and insights. In its analysis, OHCHR had also taken into account over 110 written contributions received from States and other stakeholders. The analysis was broadly grounded in international human rights law and the political commitments of States, including those made under the Durban Declaration and Programme of Action. The analysis was complemented by OHCHR reports and the findings of United Nations and regional human rights mechanisms. The work of the Committee had been central to the research undertaken and the report referred extensively to the Committee's general recommendations, its concluding observations and the statements it had issued on the subject of people of African descent.
5. The report sought to build on the current momentum gained from the increased global focus on racism and racial discrimination and provided a way forward that would lead to change for Africans and people of African descent. One of its conclusions was that States must show stronger political will to accelerate action for racial justice and equality. An approach to achieving those objectives was set out in the annex to the report, entitled "Four-point agenda towards transformative change for racial justice and equality", which sought to reverse cultures of denial and dismantle systemic racism, end impunity and build trust by ensuring that law enforcement officials were held accountable for human rights violations and crimes against Africans and people of African descent, ensure that the voices of people of African descent and those who stood up against racism were heard and confront legacies of the past, including through special measures and reparatory justice.
6. In its resolution 47/21, the Human Rights Council had taken note with appreciation of the High Commissioner's report and had decided to implement two of her recommendations. Firstly, it had decided to establish an international independent expert mechanism, comprised of three experts with law enforcement and human rights expertise, to examine systemic racism faced by Africans and people of African descent in law enforcement and the criminal justice, with a three-year mandate. Secondly, it had requested the High Commissioner to enhance and broaden the monitoring by OHCHR, including through its field presences, with the assistance of relevant special procedure mandate holders and United Nations agencies, in order to continue to report on systemic racism and violations of international human rights law against Africans and people of African descent by law enforcement agencies, and to take

further action globally on the agenda towards transformative change for racial justice and equality.

7. The Council had requested the new mechanism and OHCHR to report to the Council annually, starting from its September 2022 session, to participate in an enhanced interactive dialogue with the participation of directly affected individuals and communities, and to transmit annual reports to the General Assembly.

8. The new mechanism would be complemented by a further initiative of the United Nations. Only the previous week, the General Assembly had adopted a resolution on the establishment of the Permanent Forum on People of African Descent. OHCHR planned to establish teams to support the work of the Forum and the independent expert mechanism and would seek to ensure the coordination and complementarity of the new mechanisms with existing ones. It would continue to rely on the work of the Committee in implementing the new mandates.

9. **The Chair** said that, before giving the floor to Committee members to raise questions, she wished to thank Mr. Amir for drawing attention to the many difficulties that members encountered when participating in virtual sessions, particularly experts who lived in countries with unreliable Internet connectivity.

10. **Ms. Shepherd** said that OHCHR was to be congratulated for its wide-ranging efforts to prepare the report, and for the bold recommendations that the report contained, particularly in the area of reparatory justice. She believed that the report correctly identified the deep-rooted causes of racism, racial discrimination, xenophobia and related intolerance, such as the legacy of colonialism, and she hoped that the agenda towards transformative change for racial justice and equality would be implemented in full. She wondered to what extent financial support would be made available to civil society organizations that were willing to implement the report's recommendations.

11. **Ms. Rishmawi** (Office of the United Nations High Commissioner for Human Rights) said that resources had been set aside for the international independent expert mechanism established pursuant to Human Rights Council resolution 47/21 to further the agenda towards transformative change for racial justice and equality. In the coming months, OHCHR teams would work on the practical implementation of each of the four points of the agenda. OHCHR also planned to provide tangible support to organizations on the ground that wished to advance the agenda. In that regard, it had already identified people of African descent as a "spotlight population" and would focus its activities on addressing their plight. OHCHR was also considering ways to step up its internal efforts to address racism, in the light of the important work of the Task Force on Addressing Racism and Promoting Dignity for All in the United Nations.

Adoption of the agenda (CERD/C/104/1)

12. *The agenda was adopted.*

The public part of the meeting rose at 3.35 p.m.