



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

109th session

Summary record of the first part (public)* of the 2956th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 11 April 2023, at 10 a.m.

Chair: Ms. Shepherd

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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 10.05 a.m.

Opening of the session

1. **The Chair** declared open the 109th session of the Committee on the Elimination of Racial Discrimination.

2. **Ms. Al-Nashif** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that she wished to congratulate the Committee on its pathbreaking action in recent years to ensure that States parties fulfilled their anti-racism obligations, particularly in the face of the growing resurgence of ideologies of racial superiority and supremacy, and growing inequalities among populations with, in many cases, deeply racist roots, as revealed, for example, during the coronavirus disease (COVID-19) pandemic. There had also been a galvanizing focus on racial justice following the killing of George Floyd. The Committee's work since that deeply distressing reminder of entrenched, systemic racism had been particularly timely and meaningful.

3. The current year marked the 75th anniversary of the Universal Declaration of Human Rights. The statement in article 1 that all human beings were born free and equal in dignity and rights, and the statement in article 2 that everyone was entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, were echoed and amplified in the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action.

4. It was important, 75 years after the adoption of the Universal Declaration and more than 50 years after the establishment of the Committee, to pause and reflect on how all those somewhat elusive promises could be fulfilled for the millions of people who had been left behind on the human rights journey. Their daily lives consisted of recurring racist stereotypes, enduring marginalization, persistent structural racism, casually racist hate speech and gaping inequalities, not least in terms of fair and equal access to opportunities, including public services. Even where the battle of principle appeared to have been won, it was essential to remain vigilant because that victory often proved to be quite fragile in practice. During his speech on the International Day for the Elimination of Racial Discrimination, the United Nations Secretary-General had highlighted the fact that xenophobia, prejudice and hate speech were rising. He had added that political leaders scapegoated migrants, with devastating impact, that white supremacist influencers profited from racism on social media platforms, that artificial intelligence algorithms amplified and digitized racial discrimination, and that, after a period of increased global awareness of racism, some countries were experiencing a vicious backlash against anti-racist policies and practices.

5. No country in the world was free from racial discrimination and racism. In his open letter issued on 3 March 2023, the High Commissioner for Human Rights had called on each and every government to take specific and urgent actions in that area. Such actions included: adoption and implementation of comprehensive national laws and policies; establishment or strengthening of independent national human rights institutions and equality bodies; collection and publication of data disaggregated by race, national or ethnic origin, sex, gender, age, migration status and other factors; ensuring effective participation of racial and ethnic groups in public decision-making; and considering concrete action to confront the past legacies of racial discrimination and to deliver reparatory justice.

6. Many groups, in particular people of African descent and indigenous peoples, still faced longstanding and frequently structural inequalities stemming from colonial legacies and the slave trade, to which Member States as well as the international community in general had failed to respond adequately. Far too many people were unaware that measures of reparation, compensation or other effective remedies were necessary responses to the harms suffered by victimized populations. She therefore encouraged the Committee to continue collaborating closely with other anti-racism mechanisms in the United Nations system and beyond.

7. In the context of its Human Rights 75 Initiative, OHCHR had supported the launching on 21 March 2023 of a Regional Network for Development and Anti-Racism in the Middle

East and North Africa (MENA) region, following a regional meeting of OHCHR in 2022 in the context of the International Decade for People of African Descent. The Network had pledged to work with the United Nations system and national and international organizations to give effect to the principles contained in the Universal Declaration of Human Rights, particularly with a view to contributing to the elimination of racial discrimination in all its forms and manifestations in the MENA region. Over 30 members of the Network, including non-governmental organizations and activists of African descent from 13 countries, had responded positively and their number was increasing.

8. The monthly theme of the Human Rights 75 Initiative for March 2023 focused on racial justice. States were called upon to take concrete steps, with effective participation of those affected and their communities, to tackle persistent and emerging forms of racial discrimination and to repair long-standing human rights violations, including those rooted in legacies of enslavement and colonialism. The High Commissioner for Human Rights, in his open letter, had urged States that were not yet parties to the Convention to ratify it and had urged States parties to recognize the Committee's competence to review individual cases. Specific activities aimed at securing the ratification of the Convention would be undertaken by OHCHR throughout 2023, and she hoped that the Committee would support and lead such advocacy efforts.

9. The High Commissioner would present the third report on racial justice and equality to the Human Rights Council at its fifty-fourth session in September 2023, followed by an enhanced interactive dialogue with affected individuals. The report would continue to focus on systemic racism and advancement of transformative change for racial justice and equality for Africans and people of African descent, while taking a closer look at the issue of participation in public affairs as an enabler for the advancement of all human rights.

10. She was confident that the 75th anniversary of the Universal Declaration of Human Rights would prove to be a turning point on those critical issues, not least because the Permanent Forum on People of African Descent had finally become operational. Its inaugural session had been held in Geneva from 5 to 8 December 2022, bringing together over 700 participants to hold substantive discussions on core issues, including climate justice, reparatory justice, and equality for all people of African descent. The core mandate of the Permanent Forum included the elaboration of a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent. The second session would be held in New York from 30 May to 2 June 2023. She hoped that the many synergies between the Committee and the Permanent Forum would develop and deepen in the years ahead.

11. OHCHR had convened regular virtual and in-person consultations on the implementation of the Agenda towards transformative change for racial justice and equality, which had been launched in 2021. The interactive dialogue with people of African descent in different regions had enabled OHCHR to magnify their voices, to recount their experiences, and to build connections and solidarity between activists in different countries. OHCHR was deploying regional advisers on combating racial discrimination and protection of minorities across all regions of the globe in April 2023. The Committee's work would be an indispensable tool for the advisers.

12. OHCHR was currently finalizing a plan to implement the conclusions adopted by the Chairs of the treaty bodies in June 2022. The plan would be presented to the Chairs for discussion at their annual meeting from 29 May to 2 June 2023. The Chairs' conclusions, once backed by States, would doubtless facilitate the work of the Committee and that of other treaty bodies, notably by introducing a predictable review calendar. It should enhance the ability of States, treaty bodies and other stakeholders to plan in advance and to work more effectively.

13. The success of the implementation plan would largely depend on the availability of the required human and financial resources. The chronic underfunding of the treaty body system had unfortunately contributed to significant backlogs in the handling of State party reports and individual communications. Advancement of the full implementation of treaty-based human rights obligations required sustainable funding from member States. OHCHR

was committed to doing its utmost to support greater funding. It would remain in contact on the issue in the course of 2023 and counted on the Committee's support.

14. **The Chair** said that all treaty bodies hoped to obtain the resources they required to implement human rights norms and standards.

15. There was a growing interest throughout the United Nations system in issues of reparatory justice and the lingering effects of historic harm suffered by victimized populations. The Committee would continue to protect the rights of all marginalized peoples and to seek the support of States parties. They shared a common concern for the creation of a world in which racism, racial discrimination and related intolerance played no part. Fundamental rights and freedoms had been enshrined in the international instruments adopted after the Second World War to protect the equal and inalienable rights and dignity of the human family. Yet 75 years after the adoption of the Universal Declaration of Human Rights, too many people's rights continued to be undermined by the prevalence of systemic racism and racial discrimination against Africans and people of African descent, Asians and people of Asian descent, migrants, asylum-seekers and ethnic minorities. There had also been a global increase in xenophobia. In line with its mandate, the Committee would do its utmost to make a difference and to protect the rights of the marginalized and vulnerable.

Adoption of the agenda (CERD/C/109/1)

16. *The agenda was adopted.*

The discussion covered in the summary record ended at 10.25 a.m.