



International Convention on the Elimination of All Forms of Racial Discrimination

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Meeting of the States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination Twenty-seventh Meeting

Summary record of the 36th meeting

Held at Headquarters, New York, on Thursday, 22 June 2017, at 10 a.m.

Temporary Chair: Mr. Gilmour (Representative of the Secretary-General)

Chair: Mr. Ntwaagae (Botswana)

Contents

- Opening of the Meeting by the representative of the Secretary-General
- Election of the Chair
- Adoption of the agenda
- Election of other officers of the Meeting
- Election of nine members of the Committee on the Elimination of
Racial Discrimination
- Other matters

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The meeting was called to order at 10.10 a.m.

Opening of the Meeting by the representative of the Secretary-General

1. **The Temporary Chair**, speaking on behalf of the Secretary-General, declared open the Twenty-seventh Meeting of the States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination. The Convention was more necessary than ever in a troubled world where populist demagogues had no qualms about questioning universal norms and promoting xenophobic discourse against foreigners and minorities. The Committee on the Elimination of Racial Discrimination had recently focused its efforts on combating the increase in racial profiling, racist hate crimes and hate speech directed towards migrants and other racial minorities.

2. In a joint statement at the United Nations Summit for Refugees and Migrants in September 2016, United Nations mechanisms had asked States to recognize the positive social contributions made by asylum seekers and refugees when their rights were protected. At the fifth informal meeting of the Committee in May 2017, it had exchanged views with States parties on the rights of indigenous peoples, people of African descent, Roma, and others, and had discussed the rise in intolerance and xenophobia. In November 2016, the Committee had met with almost 200 civil society representatives from all over the world, sharing information on challenges such as institutionalized racism and political, social and economic disparities for racial, ethnic and religious minorities.

3. The Twenty-seventh Meeting was taking place against the backdrop of outrage in the United States over the number of African-Americans who had been shot by the police. In Europe, discriminatory measures such as evictions, repatriation and housing segregation had been taken against the Roma. Such measures were presented as necessary for public order, but were based on stereotypes as opposed to evidence.

4. The work of the Committee could be further supported and strengthened in a number of ways. Although Sao Tome and Principe had ratified the Convention since the previous meeting of States parties, thus bringing the number of States parties to 178, there was still some way to go towards universal ratification. Furthermore, only 57 States parties had made the optional declaration recognizing the competence of the Committee to receive communications under article 14 of the Convention, and therefore the individual communications procedure remained underutilized. Thirty-nine States were more

than ten years overdue with their initial or periodic reports. States parties were encouraged to take more concrete measures to implement the recommendations of the Committee and to make use of the technical cooperation offered by the Office of the High Commissioner for Human Rights under General Assembly resolution 68/268.

5. In December 2016, the Secretary-General had invited States parties to submit their nominations for the election of the nine Committee members. The names of the nominees and their biographical data were listed in documents CERD/SP/80 and Add.1. Those documents also contained the names of the nine members of the Committee who would continue to serve until 19 January 2020.

Election of the Chair

6. **Mr. Cardi** (Italy), speaking as Chair of the Twenty-sixth Meeting of the States Parties to the Convention, nominated Mr. Ntwaagae (Botswana) for the office of Chair of the Meeting.

7. *Mr. Ntwaagae (Botswana) was elected Chair by acclamation.*

8. *Mr. Ntwaagae (Botswana) took the Chair.*

Adoption of the agenda (CERD/SP/79)

9. *The agenda was adopted.*

10. **The Chair**, drawing attention to rules 2 and 3 of the rules of procedure (CERD/SP/2/Rev.1), said that the Secretary-General had not yet received credentials from a number of States parties represented at the Meeting. He therefore suggested that, in accordance with rule 3 of the rules of procedure, the representatives of those States parties should be permitted to participate in the Meeting provisionally, on the understanding that the States concerned would submit the credentials of their representatives to the Secretary-General as soon as possible.

11. *It was so decided.*

Election of other officers of the Meeting

12. **The Chair** said that, under rule 4 of the rules of procedure, the Meeting should elect one to four Vice-Chairs from among the representatives of the States parties. He had been informed that Ms. Bailey (Jamaica) and Ms. Abdelhady-Nasser (Observer for the State of Palestine) had been nominated for the office of Vice-Chair by their respective regional groups.

13. *Ms. Bailey (Jamaica) and Ms. Abdelhady-Nasser (Observer for the State of Palestine) were elected Vice-Chairs by acclamation.*

14. **Mr. Roet** (Israel) said that his delegation wished to address the nature of the participation of the Palestinian delegation in the Meeting. Israel, like many other States, did not believe that the Palestinian entity satisfied the criteria for statehood and did not recognize it as a State. The position of Israel was that the Palestinian Authority was not qualified to accede to the Convention and was therefore unfit to serve in any capacity for the Meeting. The nature of Palestinian participation in the Meeting did not reflect any change in and was without prejudice to the legal status of the Palestinian entity under international law.

15. **Ms. Abdelhady-Nasser** (State of Palestine) said that the Convention had figured prominently among the international instruments to which the State of Palestine had acceded, and the State of Palestine fully believed in the principles of equality and non-discrimination that were at the heart of the entire human rights system. As a State party to the Convention, the State of Palestine had the sovereign right to participate in the Meeting and to assume positions such as Vice-Chair.

16. **Ms. Amadeo** (United States of America) said that her delegation did not believe that the State of Palestine qualified as a sovereign State, and did not recognize it as such. The United States did not believe that the State of Palestine was qualified to accede to the Convention, or to serve on any subsidiary bodies of the Meeting.

17. **Ms. Pritchard** (Canada) said her delegation's position was that Palestine was not able to accede to the Convention as a State party. Canada had formally stated its objection to Palestinian accession to the Convention in May 2014 and, accordingly, could not support the nomination of Palestine as Vice-Chair of the Committee. Canada continued to support the creation of a sovereign, independent Palestinian State as part of a negotiated settlement.

Election of nine members of the Committee on the Elimination of Racial Discrimination

18. **The Chair** drew attention to the list of candidates nominated by the States parties to replace the Committee members whose terms of office would expire on 19 January 2018, and their biographical data, contained in documents CERD/SP/80 and CERD/SP/80/Add.1. He had been informed that the candidature of Mr. Ewomsan (Togo) had been withdrawn. Altogether, 15 candidates had been

nominated for the nine vacancies. In that connection, he drew attention to the provisions of article 8 of the Convention relating to the election of members of the Committee, particularly paragraphs 1, 2 and 4. He invited the States parties to elect nine members to the Committee for a four-year term beginning on 19 January 2018.

19. He noted that only three women had been nominated as candidates, and that, of the current 18 members of the Committee, only four were women. In its resolution 67/156, the General Assembly had encouraged States parties to give due regard to the equal representation of women and men.

20. *At the invitation of the Chair, Mr. Bhattarai (Nepal), Mr. Diaz (Colombia), Ms. Oanță (Romania) and Ms. Tanchez (Australia) acted as tellers.*

21. *A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	176
<i>Number of valid ballots:</i>	176
<i>Number of members voting:</i>	176
<i>Required majority:</i>	89
<i>Number of votes obtained:</i>	
Ms. Ko (Japan)	132
Mr. Amir (Algeria)	128
Mr. Kut (Turkey)	128
Mr. Bossuyt (Belgium)	122
Ms. Iszák-Ndiaye (Hungary)	122
Ms. Chung (Republic of Korea)	120
Mr. Albuquerque e Silva (Brazil)	107
Mr. Yeung Sik Yuen (Mauritius)	104
Mr. Sidiki Diaby (Côte d'Ivoire)	96
Mr. Hersi (Djibouti)	95
Mr. Belmahi (Morocco)	93
Mr. Horn (Namibia)	91
Mr. Ulcuango Farinango (Ecuador)	89
Mr. Al-Obaidi (Iraq)	60
Mr. Nsonde (Congo)	54

22. *Having obtained the required majority, Ms. Ko (Japan), Mr. Amir (Algeria), Mr. Kut (Turkey), Mr. Bossuyt (Belgium), Mr. Iszák-Ndiaye (Hungary), Ms. Chung (Republic of Korea), Mr. Albuquerque e Silva (Brazil), Mr. Yeung Sik Yuen (Mauritius) and Mr. Sidiki Diaby (Côte d'Ivoire) were elected members of the Committee on the Elimination of Racial Discrimination.*

Other matters

23. **Ms. Khusanova** (Russian Federation) said that any attempt to restrict the competence of the Committee was unacceptable, particularly with respect to the settlement of disputes between certain States

parties. In addition, her delegation had noticed that issues related to multilingualism had arisen and wished to recall that, in line with General Assembly resolution 68/268, discussion between States parties must take place without prejudice to any of the six official languages of the United Nations. United Nations human rights treaty bodies worked in three official languages only, but that did not prevent the addition of another language if necessary. In August 2017 at the ninety-third session of the Committee on the Elimination of Racial Discrimination, the periodic reports of the Russian Federation on the implementation of the Convention would be reviewed. The Russian Federation expected that interpretation and translation into Russian would be provided at all stages of the review process.

24. The periodic reports reviewed by the Committee on the Elimination of Racial Discrimination were required to be submitted two months in advance of consideration, which did not give States enough time to prepare their responses.

25. Lastly, her delegation wished to know the legal basis for the Committee proposal for the formation of an inter-committee working group on individual communications.

The meeting rose at 12.05 p.m.