



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination 101st session

Summary record of the first part (public)* of the 2803rd meeting

Held via videoconference on Wednesday, 5 August 2020, at 3 p.m. Central European Time

Chair: Ms. Li

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* The summary record of the second part (closed) of the meeting appears as document CERD/C/SR.2803/Add.1.

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The meeting was called to order at 3.10 p.m.

Opening of the session

1. **The Chair** declared open the 101st session of the Committee on the Elimination of Racial Discrimination.

Opening statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Walker** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that many months after its appearance, the COVID-19 pandemic continued to pose a serious challenge to global health and human rights. It had touched all countries and had exacerbated the inequalities already faced by many minority and vulnerable groups. Indeed, those groups had tended to pay the highest price, including in terms of deaths. That situation highlighted the importance of the Committee's work and of the current session, which would partly focus on racial discrimination issues arising in the context of the pandemic and on the development of appropriate responses.

3. In recent months, racial discrimination had become the focus of massive global attention, particularly as a result of the death of George Floyd, in response to which the Committee had quickly taken action by issuing an important statement. The protests that had followed Mr. Floyd's death had led to a deep questioning in many countries of their history and the role of previously lauded public figures who had held discriminatory views. Such debate was salutary and provided a further opportunity to align behaviours and attitudes with the principles outlined in the Convention.

4. The Human Rights Council had held a debate in June on the death of George Floyd and the excessive use of force by law enforcement agencies against Africans and people of African descent, and it had adopted Human Rights Council resolution 43/1 on the issue, without a vote. In that resolution, the Council strongly condemned the continuing racially discriminatory and violent practices perpetrated by law enforcement agencies against Africans and people of African descent. The Council had also mandated the United Nations High Commissioner for Human Rights to prepare a report examining systemic racism and violations of international human rights law against Africans and people of African descent and the use of excessive force against protesters, bystanders and journalists. That report was due to be presented to the Council in June 2021.

5. At the thirty-second meeting of the Chairs of the human rights treaty bodies, which had been held via videoconference in late July, the Chairs had held fruitful exchanges with the co-facilitators of the 2020 review of the treaty body system and with the United Nations Deputy High Commissioner for Human Rights on the challenges facing the treaty bodies in the context of the pandemic. The Chairs had stressed that the use of virtual platforms to carry out the activities of the treaty bodies should be a temporary solution and could not replace in-person meetings, notwithstanding the important work that had been undertaken online since March 2020. The Chairs had also highlighted the need to maintain the work of the treaty bodies in the face of the current United Nations budgetary crisis and had called for States to ensure the necessary resourcing of the treaty body system. Lastly, the Chairs had decided that the treaty bodies' informal working group on COVID-19 should continue considering the impact of the pandemic on human rights and on the work of the treaty bodies.

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

6. **The Chair** said that, due to the exceptional circumstances derived from the COVID-19 pandemic, on 17 June 2020 the Committee had held a special meeting via videoconference, during which Ms. Ali Al-Misnad, Mr. Guissé, Mr. Payandeh, Ms. Stavrinaki, Ms. Tlakula and Mr. Vega Luna had made their solemn declaration.

Election of officers, in accordance with rule 15 of the rules of procedure

7. **The Chair** said that, at the same special meeting, the Committee had elected its new Bureau, comprising herself (Chair), Mr. Bossuyt, Ms. Shepherd and Mr. Yeung Sik Yuen (Vice-Chairs), and Ms. Izsák-Ndiaye (Rapporteur), to serve a two-year term.

Adoption of the agenda (CERD/C/101/Rev.1)

8. *The agenda was adopted.*

Organizational and other matters*Joint statement by non-governmental organizations*

9. **Mr. Komatsu** (International Movement against All Forms of Discrimination and Racism), also speaking on behalf of the International Institute on Race, Equality and Human Rights and Minority Rights Group International, said that the COVID-19 pandemic had had a disproportionate impact on people belonging to racialized communities such as minorities, people of African descent, indigenous peoples, stateless persons and migrants, refugees and asylum seekers. Decades, if not centuries, of structural racial discrimination had made them particularly vulnerable to the pandemic. They were overrepresented in front-line and informal occupations where working from home was not possible, and they had limited access to health care, nutritious food, safe accommodation, adequate water and sanitation, clean air and information about the coronavirus in their own languages. Racist hate speech, hate crimes and racial profiling, initially targeting Asians and people of Asian descent, were now also being directed at other groups, including migrants. Racial discrimination in law and in the administration of justice meant that marginalized groups continued to be overrepresented in detention and prison facilities. At the same time, racial discrimination intersected with discrimination on other grounds to further undermine the protection of their rights. All of those factors had increased their vulnerability to the pandemic.

10. At the recent Nelson Mandela Annual Lecture, United Nations Secretary-General António Guterres had rejected the myth that “we are all in the same boat”, considering that “while we are all floating on the same sea, it’s clear that some of us are in superyachts while others are clinging to the floating debris”. Given that the Convention sought to protect those who were clinging to the debris, the Committee should serve as a lighthouse for them by working to ensure that States parties adopted necessary protection measures and responded to the pandemic in ways that did not discriminate or leave behind marginalized populations.

11. In a year marked by global calls to end racism and racial discrimination in law enforcement and beyond, the Committee had been the first human rights treaty body to issue a statement in response to the killing of George Floyd and the ensuing peaceful protests calling for racial justice. That statement, and the Committee’s call for reform of the police and the criminal justice system in the United States of America, were welcome. The statement had once again proved the unique value of the Committee’s early warning and urgent action procedures, which should be actively used to prevent serious violations of the Convention by States parties during the pandemic.

12. The pandemic had confirmed the need to strengthen the treaty bodies’ capacity to work online, to engage with States and civil society organizations and to address pressing issues as they arose. Nevertheless, the treaty bodies must exercise caution when embracing online activities so as not to diminish the quality of their meetings and work. A secure technology platform, equal access for all Committee members, interpretation in the Committee’s working languages and webcasts of public meetings were all key requirements, and the full, meaningful and secure engagement of civil society organizations should be guaranteed. In that regard, he drew the Committee’s attention to the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on racial discrimination and emerging digital technologies ([A/HRC/44/57](#)), which highlighted the existence of digital divides both along racial and ethnic lines and between countries. It was clear that some minorities continued to face barriers in access to United Nations human rights mechanisms, despite the shift to online procedures.

13. Confinement measures and their physical and economic consequences posed particular challenges to the work of civil society organizations, especially the monitoring of States’ implementation of the Convention and the documenting and reporting of human rights violations. In the coming months and years, that work would be more crucial than ever in ensuring that States complied with their treaty obligations. Therefore, the Committee’s engagement with civil society should be enhanced and not reduced through online working methods, and online engagement with civil society should complement and not replace face-to-face meetings. For the Committee to remain inclusive, it would be essential for it to ensure the timely communication of easily accessible information regarding its plans for online

meetings and future sessions. Given the likelihood that restrictions on in-person meetings would persist beyond the current session, non-governmental organizations strongly urged the Committee and OHCHR to actively seek technical solutions to allow the review of States parties' periodic reports to take place remotely, on a temporary basis. Civil society organizations looked forward to working with the Committee as partners in supporting the maximum implementation of the Convention and the fulfilment of the Committee's mandate during the current trying period.

The public part of the meeting rose at 3.25 p.m.