



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination Eighty-seventh session

Summary record of the second part (public)* of the 2390th meeting

Held at the Palais des Nations, Geneva, on Friday, 28 August 2015, at 10 a.m.

Chairperson: Mr. Calí Tzay

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* The summary record of the first part (closed) of the meeting appears as document CERD/C/SR.2390.

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The public part of the meeting was called to order at 12.25 p.m.

Follow-up procedure

1. **Mr. Kut** (Special Rapporteur for follow-up on concluding observations) said that he would take as read the summary of follow-up replies from States parties and the overview of follow-up reports submitted by States parties (document without a symbol circulated in the meeting room in English only) distributed the previous day.

Belarus (CERD/C/BLR/CO/18-19)

2. **Mr. Kut** (Special Rapporteur for follow-up on concluding observations) said that the State party had submitted follow-up replies on the implementation of the recommendations in paragraphs 10, 15 and 17 of the Committee's concluding observations on the combined eighteenth and nineteenth periodic reports of Belarus (CERD/C/BLR/CO/18-19) on 17 September 2014, which was almost within the August 2014 deadline.

3. With regard to the recommendation in paragraph 10 of the concluding observations, the Committee's main concern had been that the enforcement of the Combating Terrorism Act would result in human rights defenders being persecuted or disadvantaged. The suggestion presented in the summary could form the basis for the Committee's response.

4. The recommendation in paragraph 15 of the concluding observations related to the establishment of a fully independent national human rights institution to facilitate the implementation of the Convention. The suggested response of the Committee would be to reiterate its concern about the delay in establishing such an institution.

5. Turning to the recommendations in paragraph 17 of the concluding observations, on human trafficking, he said that the suggested response of the Committee would be to commend the measures adopted by the State party, and to request more information on the impact of the State party's national action plan and its efforts to improve the coordination of international efforts.

6. **Mr. Diaconu** said that, while he fully supported the suggested response to the State party's replies and agreed that the Committee must react when States parties introduced counter-extremism measures and legislation that restricted the activities of human rights defenders, in Belarus repression against human rights defenders tended to be politically motivated and rarely involved racial discrimination or the protection of ethnic groups. The treaty bodies should deal only with the issues in their respective fields, and the Committee must therefore consider the issue only from the standpoint of racial discrimination.

7. **Mr. Kut** (Special Rapporteur for follow-up on concluding observations) said that the Committee's recommendation had focused entirely on human rights defenders who were promoting the elimination of racial discrimination.

Poland (CERD/C/CO/20-21)

8. **Mr. Kut** (Special Rapporteur for follow-up on concluding observations) said that the State party had submitted its follow-up replies on the implementation of the recommendations in paragraphs 9, 10 and 13 of the Committee's concluding observations on the combined twentieth and twenty-first periodic reports of Poland (CERD/C/POL/CO/20-21) on 26 February 2015, which was within the February 2015 deadline.

9. Regarding the recommendation in paragraph 9 of the concluding observations, on ensuring that the Ombudsman had adequate resources and powers, the suggested response of the Committee would be to request the State party to step up its efforts in that area and provide more information in its next periodic report.

10. The recommendations in paragraph 10 of the concluding observations requested the State party to seek efficient means of combating racism in sport, to take further measures to tackle hate speech on the Internet, and to take action against websites promoting racial hatred. The suggested response of the Committee would be to express satisfaction in some areas and regret in others, notably regarding the State party's failure to provide information or to take action.

11. Turning to the recommendations in paragraph 13 of the concluding observations, which related to discrimination against the Roma, he recalled that the Committee had recommended that the State party should adopt special measures to promote the economic, social and cultural rights of the Roma community, adopt a new programme for the Roma for 2014 to 2020, and address the root causes of Roma poverty and marginalization. The suggested response of the Committee would be to underline that the Committee remained concerned about a number of issues, not least the State party's linking of the negative impact of Roma culture and their enjoyment of human rights, as though their culture was a major obstacle preventing the State party from complying with its international obligations. The Committee could also request the State party to provide adequate information on the outcomes of its various policies on the Roma community.

12. **Mr. Diaconu** welcomed the suggested response to the State party's claim that the negative impact of the Roma culture was the main obstacle to compliance with its international obligations regarding the Roma community. The Committee had faced a similar problem in other countries, and it should underscore that States parties could not shirk their responsibilities, but must take all necessary measures to improve the situation of the Roma. That included ensuring that their culture did not impede the enjoyment of human rights.

13. **The Chairperson** said that, if there was no objection, he would take it that the Committee approved the recommendations of the Special Rapporteur for follow-up on concluding observations.

14. *It was so decided.*

15. **Mr. Kut** (Special Rapporteur for follow-up on concluding observations) said that the responses of the Committee to the follow-up replies submitted by Belarus and Poland would form the basis for the letters to be sent to those States parties.

16. The overview of the status of submission of follow-up reports from States parties since 2005 showed that some States parties were very late in submitting their follow-up reports, or had not replied at all. At the next session, he would highlight which States parties were ignoring the Committee's requests to reply to its follow-up questions, and the Committee could decide what action to take.

Closure of the session

17. **The Chairperson** said that the eighty-seventh session had been marked by a heavy workload. In its constructive dialogue with States parties, the Committee had highlighted positive developments, as well as gaps and challenges, and had sought to identify strategies for further solutions to the problems of persistent forms of racial discrimination. The Committee had also appreciated having an opportunity to reflect on the upcoming fiftieth anniversary of the adoption of the Convention.

18. After the customary exchange of courtesies, he declared the eighty-seventh session of the Committee on the Elimination of Racial Discrimination closed.

The meeting rose at 1.05 p.m.