



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 2698th meeting

Held at the Palais Wilson, Geneva, on Friday, 7 December 2018, at 10 a.m.

Chair: Mr. Amir

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

Informal meeting with States parties

1. **The Chair** said that he wished to welcome the participants to the sixth informal meeting with States parties. The Committee members wished to discuss three issues: the 2020 review of the human rights treaty body system, in accordance with paragraph 41 of General Assembly resolution 68/268; steps taken to implement the Committee's recommendations, including legislative, institutional and policy measures; and new manifestations of racism and the resurgence of extremism that promoted racial discrimination, and measures to counter them.

2. **Mr. Albuquerque e Silva**, speaking as focal point for the 2020 review of the treaty body system, said that, although the Committee did not have the power to take enforceable judicial decisions on racial discrimination, it fulfilled a vital role in the human rights system. As a body of independent experts, the Committee's mandate was to engage in an objective examination of the fulfilment of obligations undertaken voluntarily by States parties to the Convention. The constant open and transparent dialogue and the fruitful cooperation with States parties and civil society was indispensable. The individual expertise, experiences and backgrounds of each Committee member resulted in a dynamic pluralism and minimized the risk of bias. The nature of the Committee's mandate and the importance of its role in the United Nations human rights system must not be lost in the 2020 review process.

3. Since the 1980s, scholars, think tanks, States parties and senior United Nations officials had produced countless proposals on how to reform or strengthen the treaty body system. General Assembly resolution 68/268, adopted in 2014, had changed the priorities, circumstances, rhythm and direction of the reform process. The measures set out in the resolution tackled short-term problems, such as the reporting backlog, but they did not address the long-term challenges. In his view, the main challenges faced by the treaty body system were: late reporting or non-reporting by States parties; the high reporting burden on States; diverging interpretations of similar issues by different treaty bodies; the low authority of treaty body decisions; insufficient follow-up procedures; incapacity to properly prevent reprisals against human rights activists that cooperated with the system; low awareness of the treaty body system; insufficient funding in line with growth of the treaty body system; and the excessive workload imposed on administrative and technical staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR). Whatever the outcome of the review process, the measures to be implemented in 2020 should support the effective functioning of the treaty bodies while respecting the independence of experts and the circumstances of States parties and should not require any amendments to the current treaties.

4. **Ms. Izsák-Ndiaye** said that the Committee would be interested to hear from States parties about how they dealt in practice with the Committee's concluding observations and recommendations and what elements of the review process were the most helpful. Mr. Kut served as follow-up coordinator under the Committee's follow-up procedure. After the review with the State party, the Committee sent a letter requesting specific information on recommendations that it believed could be easily implemented within one year. The response rate to those letters had varied between 37 per cent and 83 per cent over the past 10 sessions. Under the Committee's 2006 guidelines to follow-up on concluding observations and recommendations, States parties were encouraged to disseminate the concluding observations broadly, to translate them into local languages, especially minority languages, to designate a focal point to liaise with the Committee's follow-up coordinator, and to involve civil society in the follow-up process. States parties could also request technical assistance from OHCHR for the implementation of the concluding observations. The Committee would be interested to hear from States parties about any mechanisms they had put in place to follow up on its recommendations that might serve as an example to other States.

5. **Ms. Shepherd** said that, in her view, manifestations of racial discrimination had not taken new forms. There continued to be racial discrimination against the same groups and, in some cases, there even seemed to be regression to the old colonial forms of discrimination. According to a member of the Working Group of Experts on People of

African Descent who was preparing an international survey, the phenomenon of racial discrimination was all-pervasive and the problems of the past were simply being witnessed in new countries. The Committee's State party reviews confirmed that there were few countries where racial discrimination was not in evidence.

6. In her own region, the Caribbean, what was being seen was a continuation by the descendants of the original colonial minority of the old ideologies. Even after independence, those forms of discrimination had not been eliminated. Unlike in other parts of the world, in the Caribbean it was the minority discriminating against the black majority. The challenge for the region was to work harder to eliminate structural discrimination and improve institutions.

7. According to a recent report by the European Union Agency for Fundamental Rights, despite a number of legal instruments that offered protection against racism and related forms of intolerance, ethnic and religious minorities across the European Union continued to face racism, discrimination, verbal and physical violence and exclusion. Black people in the European Union often faced unacceptable difficulties in finding housing and jobs because of their skin colour. According to the results of the Agency's survey, 30 per cent of respondents said they had been racially harassed in the past five years and 5 per cent had been physically attacked. Of course, it was not only Africans and people of African descent who faced such discrimination. It was clear from the Committee's work that national and linguistic minorities, such as the Roma, Jewish and Sami communities, as well as indigenous peoples and migrants faced problems in many parts of the world. The Committee therefore called on all States parties to redouble their efforts to eliminate the global scourge of racial discrimination.

8. Nobody could deny the rise of extremism in many parts of the world. In Germany, for example, there had been a resurgence in far-right sentiment in recent years, along with the rapid rise of the anti-immigration, anti-Islam Alternative for Germany party. According to the Australian Race Discrimination Commissioner, the language and messaging of racial supremacy movements had spilled over into mainstream debate around the world and politicians were pandering to their racist constituencies. It was thus important to guard against the resurgence of racial extremism and racial supremacy movements worldwide.

9. **Mr. Al-Nuaimi** (Qatar) said that his Government supported the ongoing treaty body strengthening process. The recent interactive dialogue between Qatar and the Committee had highlighted the effective measures taken to eradicate racial discrimination at the national level. The Government of Qatar looked forward to receiving the Committee's concluding observations.

10. Regrettably, as had been concluded by the High Commissioner for Human Rights, the four States that had imposed a blockade on Qatar had engaged in discriminatory practices towards nationals of Qatar, targeting individuals purely on the basis of their nationality. The International Court of Justice had upheld that view in the case lodged by Qatar against the United Arab Emirates, in which it had requested the authorities of the United Arab Emirates to cease discriminatory practices against Qatari students. Qatar called on the Committee to take the necessary steps to put an end to such violations.

11. His Government would like to use the simplified reporting procedure in future and would be grateful if the summary records of his country's interactive dialogue with the Committee could be translated into Arabic.

12. **Mr. Al-Obaidi** (Iraq) said that his Government was also looking forward to receiving the Committee's concluding observations following the interactive dialogue the week before. In Iraq, a special committee made up of representatives from different sectors of government was tasked with drafting reports, preparing for the interactive dialogue and following up on implementation of the Committee's recommendations.

13. **Mr. Peña Ramos** (Bolivarian Republic of Venezuela) said that his Government was committed to continuing to fulfil its obligations as a State party to the Convention. The President had recently launched a national action plan within the framework of the International Decade for People of African Descent, and a national institution to combat racial discrimination had been created. At the international level, Venezuela actively

supported efforts to adopt a United Nations declaration and establish a permanent forum on the rights of people of African descent. On behalf of the Movement of Non-Aligned Countries, Venezuela would continue, in each session of the Human Rights Council, to express concern about the rise of extremism and to highlight the need for ongoing measures to combat that scourge within the framework of Council's agenda item 9 on follow-up to and implementation of the Durban Declaration and Programme of Action.

14. **Mr. Lobo** (Norway) said that his Government had enjoyed a fruitful dialogue with the Committee during the recent review of the combined twenty-third and twenty-fourth periodic reports of Norway ([CERD/C/NOR/23-24](#)). While the Committee members rightly recognized that several issues needed to be addressed as part of the 2020 review of the treaty body system, he did not believe that it should wait until 2020 before taking action and wished to know whether the Committee had attempted to identify measures that it could implement on its own initiative. Furthermore, he wondered what the eligibility criteria were for simplified reporting, which his Government hoped to apply in its subsequent reporting cycle.

15. **Mr. Jaber** (France), recalling that France had submitted its combined twenty-second and twenty-third periodic reports in October 2017, said that his Government resolutely fought all forms of discrimination, including through its new National Plan against Racism and Anti-Semitism (2018–2020). That plan responded to the recommendations that the Committee had issued to the State party in 2015 and included measures such as strengthening national legislation and policy instruments to fight hate on the Internet; developing education against racism and anti-Semitism; and ensuring effective punishment through the creation of a network of trained investigators, prosecutors and judges.

16. Given that the treaty body system had expanded greatly since its establishment, the Government believed that there was a need to reduce the complexity of procedures, to improve coordination between the treaty bodies and to increase the consistency of their jurisprudence. He wondered to what extent the Committee, and the treaty bodies as a whole, had deliberated on those challenges.

17. **Ms. Nofal** (State of Palestine) said that, on 23 April 2018, the State of Palestine had filed an inter-State communication against Israel, the occupying power, for breaches of its obligations under the Convention, in keeping with the duty of the State of Palestine to protect its citizens from discrimination and other practices and policies that violated Convention obligations. In July 2018, Israel had passed a discriminatory law, known as the “Nation State Law”, which granted certain rights exclusively to Jews. The law stated that the right to exercise national self-determination in Israel was unique to the Jewish people, meaning that Christians, Muslims and other groups were second-class citizens; it established Hebrew as the official language of Israel, downgrading Arabic to a special status; and it mandated the State to encourage and promote the establishment and development of Jewish settlements, which were built on stolen Palestinian land and were illegal under international law. It should be mentioned that Israel did not have a constitution, allowing it to avoid defining its borders and to continue seizing Palestinian and Arab lands. Further Israeli violations related to the continued construction and funding of large-scale road infrastructure projects in the occupied West Bank and East Jerusalem, which were a new expression of the systematic policy of apartheid, and the siege imposed on the Gaza Strip since 2007. Considering that confronting the pervasive reality of racism and discrimination was a priority, the State of Palestine expressed its faith in the Committee and the belief that the inter-State communications were a helpful and constructive instrument with the potential to enhance human rights throughout the world.

18. **Mr. Bányász** (Hungary) said that his Government agreed that the three subjects that the Committee had proposed for discussion were highly relevant to the practical implementation of the Convention. In particular, the Government would take note of the discussions on measures taken by States parties to implement the Committee's recommendations, given that the report of Hungary was scheduled for consideration in 2019.

19. **Mr. Vorapongse** (Thailand) said that Thailand was firmly committed to upholding the Convention and that it had a national committee that was responsible for monitoring its implementation. The combined fourth to seventh periodic reports of Thailand had been approved by the cabinet and sent for final revision, and it was likely that they would be submitted in early 2019. Although the report was late, having taken four years to prepare, it was the outcome of an inclusive process in which the Government had engaged with stakeholders, including civil society. The Government would be grateful for an indication of how soon, after submission of the report, its examination might be expected to take place.

20. **Mr. Thórsson** (Iceland) said that it was good practice for the Committee and States parties to hold regular discussions, which provided an opportunity to address topics of concern, such as extremism. Although the Member States had not yet decided upon the form of the 2020 review that would be conducted further to General Assembly resolution 68/268, he believed that the input of treaty bodies would be crucial and he commended the Committee for appointing a focal point on the 2020 review. He asked what steps the Committee and other treaty bodies had taken to harmonize their working methods, in accordance with the resolution.

21. **Ms. Anderson** (Canada) said that the Government of Canada, while considering the treaty bodies to be an integral part of the international human rights system, agreed that there were opportunities for those bodies to take steps to enhance and align working methods outside the framework of the 2020 review, and was pleased to learn that the Committee had appointed a focal point on that subject. She would be grateful for an indication of how and in what time frame the treaty bodies planned to further engage with States in preparation for the 2020 review, and whether they planned to submit their views collectively or individually.

22. **Mr. Nakagome** (Japan) said that his Government recognized the importance of strengthening the functioning of the treaty bodies for the protection and promotion of human rights. Prior to the review of the human rights treaty body system due to take place in New York in 2020, it was important first to intensify discussions in Geneva, where the treaty bodies were based, on how treaty-body strengthening should proceed, addressing issues such as streamlining of reporting procedures and the effective use of resources. As part of that process, it was important for treaty bodies to produce effective recommendations through genuine dialogue.

23. **Ms. Marks** (Israel) said that her Government deplored the attempt of the Palestinian representative to politicize the discussion. Israel recognized the importance of dialogue between the Committee and the States parties and strongly believed that the discussion was not the appropriate forum to discuss a procedure that was pending before the Committee, especially before any formal decision had been taken on the issue. Israel was fully committed to respecting and promoting human rights, to the prevention and elimination of racial discrimination, and to meeting its obligations under the Convention. For that purpose, it reported regularly and extensively to the treaty bodies and in that regard was scheduled to appear before the Committee in April 2019, when it would address a variety of issues under the Convention. The Government recognized the importance of the 2020 review and the need to enhance discussions on the issue in Geneva.

24. **Ms. Li Pin Yuen** (Mauritius), reiterating her Government's commitment to the Convention and to other human rights treaties, thanked the Committee for the concluding observations on its combined twentieth to twenty-third periodic reports ([CERD/C/MUS/CO/20-23](#)), issued in September 2018. As a small island developing country with limited resources, Mauritius proposed to use the simplified reporting procedure, considering that it should enable many small States to meet their reporting obligations in a timely and efficient manner.

25. **Ms. Mullings Williams** (Jamaica) said that her Government commended the Committee for its work and was giving consideration to the review that would take place in accordance with resolution 68/268. For Jamaica, critical issues in that context included the reporting burden and the need for experts to be better sensitized to different legal systems. Jamaica remained fully committed to the Convention and strongly believed in its continued importance as the principal instrument for preventing, combating and eliminating racism,

racial discrimination, xenophobia and related forms of intolerance. The Government was preparing to submit its combined twenty-first to twenty-third periodic reports in the first half of 2019, having taken steps to give full effect to the Convention by pursuing the establishment of a national human rights institution, engaging in campaigns to enhance citizens' awareness of their rights, and prohibiting the production, sale and performance of material promoting violence against any group. The Government remained committed to enforcing anti-discrimination provisions in its legislative framework, and to implementing mechanisms, as necessary, to ensure the protection of the fundamental human rights of all Jamaicans and residents in Jamaica.

26. **Ms. del Águila Castillo** (Guatemala) said that the holding of regular meetings between the Committee and States parties was beneficial. Her Government was grateful for the Committee's work and welcomed the appointment of focal points to follow up on issues such as the review of the treaty body system and the implementation of concluding observations. Guatemala would appreciate further information on the Committee's plans for engagement with States parties on treaty body strengthening and on whether there were any specific issues that States should address as a priority in that process. Guatemala had submitted its combined sixteenth and seventeenth periodic reports (CERD/C/GTM/16-17) in December 2017 and was preparing for its appearance before the Committee during the ninety-eighth session.

27. **Mr. Andrabi** (Pakistan) said that, since the review of the combined twenty-first to twenty-third periodic reports of Pakistan (CERD/C/PAK/21-23) in August 2016, the Government had implemented measures at the local, provincial and federal levels in areas such as education and workplace conditions. Recognizing the benefits of its continued engagement with the Committee, it had also submitted information in response to the Committee's concluding observations. The Government intended to participate constructively in the review of the treaty body system, which it hoped would be inclusive and State-driven, and it was interested to hear the Committee's views in that regard.

28. **Mr. Alshamsi** (United Arab Emirates) said that he felt obliged to respond to the remarks made by the representative of Qatar, who had mentioned the complaint that the Government of that country had submitted against the United Arab Emirates. He recalled that, having initially submitted a communication to the Committee, Qatar had then brought proceedings before the International Court of Justice. While sovereign States were free to defend their interests as they saw fit, he believed that the actions of Qatar raised ethical concerns because article 11 of the Convention clearly signified that States should first submit their communications to the Committee. By failing to respectfully wait until the Committee had come to a decision before taking further action, Qatar had disregarded the usual procedure.

29. He would be interested to know the Committee's position, in its doctrine or jurisprudence, regarding the distinction between national ethnic groups and nationality.

30. **Mr. Avtonomov** said that he had been pleased to note that many States, regardless of their size or wealth, had expressed an interest in reporting under the simplified procedure. In principle, the Committee was moving towards the simplified reporting procedure, which it regarded as a response to its own concerns, while reducing the burden of States parties. Under the procedure, countries that reported regularly would have the opportunity, most importantly, to respond to the Committee's concerns and recommendations, but might also choose to stress any new achievements in the implementation of the Convention. Conversely, States parties that had not reported for a long time would be asked to respond to a list of questions that reflected the Committee's concerns. He reminded the States parties that they had the possibility of seeking technical assistance for the preparation of reports.

31. The Committee considered each State party report within 12 to 18 months of submission. It was unable to process reports more quickly because it was required to align its working methods with those of other human rights treaty bodies and because the secretariat faced a shortage of resources. That lack of resources had also affected the Committee's approach to multilingualism. The treaty bodies were endeavouring to harmonize their working methods but had been unable to reach a consensus on certain

issues, partly because each treaty body had its own specific mandate. Many of the issues that had been raised by States parties were out of the Committee's hands, for the treaty bodies were required to respect the decisions of the General Assembly.

32. **Ms. Whyte Gómez** (Costa Rica) said that her country was aware that General Assembly resolution 68/268 had not addressed all the long-standing challenges faced by the treaty bodies; nevertheless, it had helped States parties to comply with their reporting obligations and increased the transparency of the reporting process. It would not be possible to sustain those positive trends without sufficient resources. Unfortunately, some Member States lacked awareness of the commitments set forth in resolution 68/268, for example with respect to the nomination of candidates for election to the treaty bodies. Steps should be taken to ensure that all Member States fulfilled those commitments.

33. It would be helpful if the treaty bodies and their secretariats could work together to reduce overlap between lists of issues. They should also endeavour to systematize their recommendations, especially those relating to laws and policies, bearing in mind that some States parties received sets of up to 80 recommendations from several different treaty bodies and that their ability to follow up on those recommendations was therefore limited.

34. She wondered how the treaty bodies intended to present their opinions on the 2020 review process, including within the framework of the next report of the Secretary-General on that subject. Costa Rica was keen to work with other States parties to foster debate on the review process in Geneva. Lastly, she would like to hear the Committee's views on the worrying trend towards the dehumanization of certain vulnerable groups in political discourse. Increasing the visibility of the treaty bodies' work could be one way to counter that trend, which must not be ignored by the international community.

35. **Ms. Astiasaran Arias** (Cuba) said that she welcomed the opportunity to meet with the Committee in an informal context to hear about the latest developments in its work and the challenges that it faced. She had no doubt that the diversity of the mandates and membership of the treaty bodies and the specificity of their concerns and challenges would be reflected in the proposals that they put forward for consideration during the 2020 review. It would be useful for States parties to learn more about the content of those proposals, specifically the concerns of each of the treaty bodies and the constraints that they faced in their everyday work. The OHCHR secretariat, in particular, could provide valuable input in that connection. Once they had received all the relevant information, States parties would be able to take informed decisions at the conclusion of the 2020 review. The treaty body system had evolved since the adoption of General Assembly resolution 68/628 and the launch of the previous reform process. Although a number of residual challenges remained, there was a need for fresh proposals that took account of the current situation of the treaty bodies, bearing in mind the lessons learned from previous reforms. She looked forward to receiving further input from the Committee in the near future.

36. **Ms. Izsák-Ndiaye** said that the simplified reporting procedure had been offered to States parties whose reports were at least five years overdue. Data from May 2018 showed that 16 States parties' reports were more than 15 years overdue, while 41 were over 10 years overdue and 32 were over 5 years overdue. The Committee had offered the simplified reporting procedure to all of the States concerned but had received only 7 positive responses; 1 State had refused to adopt the procedure and 27 States had failed to respond. Expanding the simplified reporting procedure to include States parties that were up-to-date with their reporting would require an increase in resources. The procedure would be discussed by treaty body representatives at a two-day workshop the following week, with the aim of harmonizing the procedure across treaty bodies and making it available to all States parties; the outcomes of that workshop would be shared with the States parties.

37. **Ms. Shepherd** said that the Committee was well aware of the challenges faced by small island developing States and had taken several measures to support those States, including the introduction of the simplified reporting procedure and the establishment of an informal subcommittee tasked with identifying reasons for delays in reporting. It was keen to help all States parties to meet their reporting obligations.

38. The Committee welcomed the States parties' commitment to eliminating all forms of racial discrimination and the information provided about work carried out on the ground. It

was deeply concerned by the rise in racism and extremism around the world and was doing all that it could, within the scope of its mandate, to counter that trend by raising specific concerns during its dialogues with States parties, tackling individual threats through the early warning and urgent action procedure and issuing joint statements with other treaty bodies. It also made use of the reports drafted by special procedure mandate holders, such as the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and other expert bodies.

39. **Mr. Albuquerque e Silva** said that the Committee was aware of the importance of the 2020 review process but had not yet established a unified position on the matter; it was planning to hold a meeting on the subject that afternoon. The preparations for the 2020 review should take into account the current state of international relations, and the anti-human rights agenda that was being pushed by political parties, Governments and influential think tanks around the world. International cooperation was at an all-time low and multilateral institutions were under pressure from key stakeholders. The Committee must explore what was feasible in the current context, without compromising the principles enshrined in the Convention. The review process must be led from Geneva, not New York; the Committee, the Permanent Missions and non-governmental organizations in Geneva all had a key role to play.

40. The former United Nations High Commissioner for Human Rights, Ms. Pillay, had submitted a report to the General Assembly on reforming the treaty body system as early as 2012, after extensive consultations. Among other things, she had proposed creating a single reporting calendar and strengthening the independence of treaty body members. The quality of her proposals had been recognized by many stakeholders. Prior to the release of her report, the General Assembly had decided to launch its own intergovernmental process, which had led to the adoption of General Assembly resolution 68/268. While that resolution had focused, primarily, on short-term solutions that would reduce costs, it had also introduced various measures that had helped States parties to comply with their reporting obligations.

41. States parties would play a crucial part in the 2020 review, for the final decision on that subject would be made by the General Assembly. In the past, discussions on reforming the treaty body system had been limited by the treaty bodies' failure to agree on a common position. The treaty bodies were hoping to overcome that obstacle and had appointed focal points on the 2020 review with the aim of maintaining regular dialogue and drafting a consolidated proposal.

42. **Mr. Murillo Martínez**, replying to the question posed by the representative of Costa Rica, said that the international community had reached a critical juncture in the fight against racism and racial discrimination. To his mind, the time was ripe for States parties to consider following the example of the participants in the regional meeting for Latin America and the Caribbean held in December 2015 in connection with the International Decade for People of African Descent by urging the General Assembly to convene the Fourth World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to coincide with it. Never had the need for the international community to meet to discuss issues related to racism and racial discrimination been more pressing. The Fourth World Conference would provide an opportunity to review the progress made in the fight against racial discrimination since the Third World Conference in 2001 and to discuss the prevailing political landscape and other factors contributing to the spread of racism and xenophobia and to the rise of nationalism.

43. **Mr. Kut** said that the Committee was confronted with the almost impossible task of effectively fulfilling its mandate in a complex global political climate where garnering sufficient political will from certain governments to support the fight against racism was becoming increasingly difficult. Against that challenging backdrop, the importance of strengthening the treaty body system could not be overemphasized. The Committee could only discharge its mandate successfully if States parties reported regularly and cooperated with it by giving effect to the recommendations contained in its concluding observations. The statistical data on States parties' compliance with their reporting obligations did not paint a positive picture. The fact that tens of States parties had not reported for around 15 years did not attest to a strong treaty body system. States parties' compliance with the

Committee's follow-up procedure likewise left a lot to be desired. Increased secretariat support would allow the Committee to conduct its work more efficiently and to consider a greater number of reports.

44. It was his impression that those States parties that had called for reporting procedures to be harmonized across the treaty body system and for the burden of reporting to be lessened had not done so in the interest of strengthening the treaty body system but to relieve the pressure on the different government departments tasked with providing the information requested. Reporting to the treaty bodies should not be seen as a burden since it was an obligation that States parties had assumed voluntarily upon ratifying the Convention. Any efforts on the part of the Committee to facilitate the reporting procedure did not diminish the obligations incurred by States parties under the Convention. The diverse mandates of the treaty bodies limited the extent to which they could coordinate their activities and harmonize their reporting procedures. States parties could contribute to strengthening the treaty body system by providing the funding necessary to recruit additional secretariat staff, honouring all their reporting obligations and putting into effect the recommendations contained in the Committee's concluding observations.

45. **Mr. Salama** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that, as it stood, the treaty body system was no longer sustainable and was in need of urgent reform. The key to making a success of the treaty body strengthening process was finding an appropriate solution to what was first and foremost a technical issue. The elements of such a solution had been discussed as far back as 2009. The position expounded in the 2012 report of the former United Nations High Commissioner for Human Rights, Ms. Pillay, on strengthening the United Nations human rights treaty body system remained valid. The proposals made by the members of the academic platform on the 2020 review of the treaty body system, which was coordinated by the Geneva Academy of International Humanitarian Law and Human Rights, also contained useful suggestions.

46. At a recent meeting to discuss the treaty body strengthening process at United Nations Headquarters in New York, Member States had expressed a desire to know more about the scope of and timeline for the associated reform process. The reality of the situation was that, although all the related knowledge and expertise was in Geneva, the key decisions would be taken in New York, making cooperation between United Nations Headquarters in New York and OHCHR in Geneva all the more important. In New York, he had discerned a genuine interest among Member States to discuss what needed to be done, a willingness to be flexible and some uncertainty over the modalities of the 2020 review.

47. General Assembly resolution 68/628 on strengthening the treaty body system set out a broad set of creative, transitional measures, which included reinvesting cost savings made in one part of the treaty body system in another and reviewing responsibilities in the light of the system's multi-stakeholder nature. It might not be possible to reach the same level of agreement in the negotiations on the final proposals to be submitted in relation to the 2020 review that had been achieved in the negotiations on General Assembly resolution 68/268, as the adoption of that document had signalled the beginning of a transition, or learning, phase. Although various solutions had been piloted since then, the predominant feeling among treaty body members was that the further harmonization of procedures and working methods was not possible. To his mind, further harmonization would only be possible if the Chairs were given adequate opportunity to discuss the working methods of their respective treaty bodies, including intersessionally, and the necessary decision-making powers.

48. As to the concerns raised about the perceived overlap between the recommendations made to States parties by the different treaty bodies, he maintained that such overlap could indeed be undesirable if it amounted to repeating recommendations for the sake of doing so but could equally be beneficial if it served to remind States of the full range of their obligations under the different treaties to which they were a party. Although the introduction of the simplified reporting procedure was an important step towards addressing that issue, it did not enable the treaty bodies to coordinate their questions and themes in order to avoid such overlap.

49. Going forward, every effort should be made to facilitate the creative exploration of all existing solutions in order to assist the Chairs of the treaty bodies in their task of compiling proposals for inclusion in a paper on the 2020 review. The associated process should be transparent, inclusive and flexible. There was also a need to define decision-making responsibilities and to set a deadline for the submission of all treaty body contributions, which should be done well in advance of the next meeting of the Chairs to enable them to provide Member States with a progress update. Steps should also be taken to ensure effective coordination between representatives of Member States in Geneva and New York.

50. In short, everything was feasible except doing nothing. Failure to address the legitimate concerns raised by States parties and treaty body members alike would only further reduce the effectiveness of the existing treaty body system. The fact remained that, despite the efforts deployed to strengthen the system, the compliance of States parties with their reporting obligations had not increased. The reasons for that state of affairs should be explored. Reporting to the treaty bodies was not simply a formality, rather an opportunity for self-assessment and to engage with national stakeholders. The exercise of reporting could be highly beneficial to States parties that approached it in a constructive spirit.

51. **The Chair** thanked all those who had participated in the sixth informal meeting with States parties to the Convention and said that the Committee would continue to combat racism and racial discrimination wherever and whenever it occurred. He called upon States parties to consider providing the Committee with additional budgetary resources to enable it to hold joint meetings with other treaty bodies. The Committee would take all action necessary to ensure that it was in a position to respond to the expectations of States parties during the 2020 review process.

The meeting rose at 12.45 p.m.