



United Nations

Report of the Committee on the Elimination of Racial Discrimination

**110th session
(7–31 August 2023)**

**111th session
(20 November–8 December 2023)**

**112th session
(8–26 April 2024)**

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Note

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[4 September 2024]

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Letter of transmittal

18 August 2024

Mr. Secretary-General,

It is with pleasure that I transmit the annual report of the Committee on the Elimination of Racial Discrimination.

The report contains information on the 110th, 111th and 112th sessions of the Committee, held from 7 to 31 August 2023, 20 November to 8 December 2023 and 8 to 26 April 2024, respectively.

The International Convention on the Elimination of All Forms of Racial Discrimination, which has been ratified by 182 States, constitutes the normative basis upon which international efforts to eliminate racial discrimination should be built.

At its 110th, 111th and 112th sessions and during the intersessional periods, the Committee continued to deal with a significant workload, including in terms of the examination of State party reports (see chap. III) and situations of several States parties under its early warning and urgent action procedure (see chap. II). It also examined information submitted by several States parties under its procedure for follow-up to the consideration of reports (see chap. IV).

The Committee continued its work on the elaboration of a general recommendation on racial discrimination in the enjoyment of the right to health. In that respect, four regional online consultations were held in 2023 and 2024, a large number of written submissions were reviewed and a revised draft was prepared.

Acting under its early warning and urgent action procedure to prevent and respond to serious violations of the Convention, the Committee adopted three decisions: decision 1 (2023) of 30 August 2023, on the lack of equitable and non-discriminatory access to coronavirus disease (COVID-19) vaccines; decision 2 (2023) of 21 December 2023, concerning Israel and the State of Palestine, and decision 1 (2024) of 12 April 2024, concerning the Sudan. It also issued three statements and 17 public letters.

The ad hoc conciliation commission established by the Committee under article 12 of the Convention, following the receipt of the inter-State communication submitted by the State of Palestine against Israel under article 11 of the Convention, completed its work.¹

I have no doubt that the dedication and professionalism of the members of the Committee, and the pluralistic and multidisciplinary nature of their contributions, will ensure that the work of the Committee will continue to contribute significantly to the implementation of both the Convention and the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in the years ahead.

Please accept, Sir, the assurances of my highest consideration.

(Signed) **Michał Balcerzak**

Chair of the Committee on the Elimination
of Racial Discrimination

His Excellency Mr. António Guterres
Secretary-General of the United Nations
New York

¹ See [CERD/C/113/3](#), [CERD/C/113/3/Add.1](#) and [CERD/C/113/3/Add.2](#).

I. Organizational and related matters

A. States parties to the International Convention on the Elimination of All Forms of Racial Discrimination

1. As at 26 April 2024, the closing date of the 112th session of the Committee on the Elimination of Racial Discrimination, there were 182 States parties to the International Convention on the Elimination of All Forms of Racial Discrimination, which was adopted by the General Assembly in its resolution 2106 A (XX) of 21 December 1965 and opened for signature and ratification in New York on 7 March 1966. The Convention entered into force on 4 January 1969 in accordance with the provisions of article 19 thereof.

2. As at the same date, 59 of the States parties to the Convention had made a declaration under article 14 (1) of the Convention, recognizing the competence of the Committee to receive and consider communications from individuals or groups of individuals who claim to be victims of a violation by the State party concerned of any of the rights set forth in the Convention.

3. Fifty-four States parties have accepted the amendment to article 8 (6) of the Convention, adopted on 15 January 1992 at the fourteenth meeting of States parties and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992, relating to the funding of the Committee's activities.

4. Lists of the States parties that have made the declaration under article 14 and of those that have accepted the amendment to article 8 (6) of the Convention can be found on the website of the United Nations Treaty Collection.²

B. Sessions and agendas

5. The Committee held three sessions during the period under review. The 110th session (2982nd–3019th meetings), the 111th session (3020th–3049th meetings) and the 112th session (3050th–3077th meetings) were conducted from 7 to 31 August 2023, 20 November to 8 December 2023 and 8 to 26 April 2024, respectively.

6. The provisional agendas of the 110th, 111th and 112th sessions ([CERD/C/110/1](#), [CERD/C/111/1](#) and [CERD/C/112/1](#)) were adopted by the Committee.

C. Membership

7. The membership of the Committee at the 110th and 111th sessions were as follows:

<i>Name of member</i>	<i>Nationality</i>	<i>Term expires on 19 January</i>
Sheikha Abdulla Ali Al-Misnad	Qatar	2024
Nourredine Amir	Algeria	2026
Michał Balcerzak	Poland	2026
Chinsung Chung	Republic of Korea	2026
Bakari Sidiki Diaby	Côte d'Ivoire	2026
Régine Esseneme	Cameroon	2026
Ibrahima Guisé	Senegal	2024
Gün Kut	Türkiye	2026

² See <https://treaties.un.org/pages/Treaties.aspx?id=4&subid=A&lang=en>.

<i>Name of member</i>	<i>Nationality</i>	<i>Term expires on 19 January</i>
Li Yanduan	China	2024
Gay McDougall	United States of America	2026
Mehrdad Payandeh	Germany	2024
Vadili Mohamed Rayess	Mauritania	2024
Verene Shepherd	Jamaica	2024
Stamatia Stavriniaki	Greece	2024
Mazalo Tebie	Togo	2026
Faith Dikeledi Pansy Tlakula	South Africa	2024
Eduardo Ernesto Vega Luna	Peru	2024
Yeung Kam John Yeung Sik Yuen	Mauritius	2026

8. During the 112th session, the members of the Committee elected at the thirtieth meeting of States parties, held on 22 June 2023, and whose term of office was due to expire on 19 January 2024, made their solemn declaration in open Committee.

9. From 20 January 2024, the new membership of the Committee was as follows:

<i>Name of member</i>	<i>Nationality</i>	<i>Term expires on 19 January</i>
Nourredine Amir	Algeria	2026
Michał Balcerzak	Poland	2026
Pela Boker-Wilson	Liberia	2028
Chinsung Chung	Republic of Korea	2026
Bakari Sidiki Diaby	Côte d'Ivoire	2026
Régine Esseneme	Cameroon	2026
Guan Jian	China	2028
Ibrahima Guissé	Senegal	2028
Gün Kut	Türkiye	2026
Gay McDougall	United States of America	2026
Vadili Mohamed Rayess	Mauritania	2028
Verene Shepherd	Jamaica	2028
Chrispine Gwalawala Sibande	Malawi	2028
Stamatia Stavriniaki	Greece	2028
Mazalo Tebie	Togo	2026
Faith Dikeledi Pansy Tlakula	South Africa	2028
Abderrahman Tlemçani	Morocco	2028
Yeung Kam John Yeung Sik Yuen	Mauritius	2026

D. Officers of the Committee

10. At the 110th and 111th sessions, the Bureau of the Committee comprised the following Committee members elected to serve a two-year term (2022–2023):

<i>Chair:</i>	Verene Shepherd
<i>Vice-Chairs:</i>	Michał Balcerzak
	Chinsung Chung
	Stamatia Stavrinaki
<i>Rapporteur:</i>	Ibrahima Guissé

11. At the 112th session, the Bureau of the Committee comprised the following Committee members elected to serve a two-year term (2024–2026):

<i>Chair:</i>	Michał Balcerzak
<i>Vice-Chairs:</i>	Régine Esseneme
	Gay McDougall
	Verene Shepherd
<i>Rapporteur:</i>	Chinsung Chung

E. Cooperation with the International Labour Organization, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the special procedures of the Human Rights Council and the regional human rights mechanisms

12. At the Committee's 110th, 111th and 112th sessions, the Committee continued to engage with various United Nations entities in carrying out its mandate. During those sessions, the reports of the European Commission against Racism and Intolerance and the European Union Agency for Fundamental Rights relating to the States parties under review were made available to the members of the Committee.

13. At its 110th session, the Committee also held meetings with experts from the World Health Organization, the Pan American Health Organization and academia, who made oral comments on different aspects of the first draft of the general recommendation on racial discrimination in the enjoyment of the right to health.

14. At its 111th session, the Committee met with the European Commission against Racism and Intolerance and discussed ways to increase their cooperation and to work in synergy on issues of common interest in a more structured manner. The Committee and the Commission adopted conclusions drawn from their meeting (not available in document form), which set the framework for future cooperation.

15. At its 112th session, the Committee received a video statement from the Assistant Director-General for the Social and Human Sciences of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Gabriela Ramos, and considered ways to increase cooperation with UNESCO.

F. Other matters

16. At its 110th session, the Committee met with the Special Adviser to the Secretary-General on the Prevention of Genocide, Alice Wairimu Nderitu, to explore avenues for cooperation and sharing of information, including under its early warning and urgent action procedure.

17. At its 111th session, the Committee had a private meeting with the United Nations High Commissioner for Human Rights, Volker Türk. The Committee also held a joint public

meeting with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families as a second step towards the drafting of a joint general recommendation on policies for addressing and eradicating xenophobia and its impact on the rights of migrants, their families and other non-citizens affected by racial discrimination. Representatives of United Nations entities, civil society organizations and permanent missions attended the event, either as participants or as panellists. Both Committees agreed on a road map for the drafting of the general recommendation and a call for stakeholders to submit contributions was issued.

18. At its 111th session, the Committee on the Elimination of Racial Discrimination met with States parties to the Convention. A total of 37 State representatives attended. The Committee updated the representatives on recent developments in its work, in particular the rationalization and harmonization of its methods of work and rules of procedure in efforts to gradually implement General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system. The Committee called on States parties to accept its competence to receive and consider individual communications for alleged violations of the Convention under article 14. It further invited States parties to ensure the equitable geographic distribution in Committee membership.

G. Adoption of the annual report of the Committee

19. At its 3098th meeting, the Committee adopted its annual report to the General Assembly.

II. Consideration of situations under the early warning and urgent action procedure

20. The Committee's work under its early warning and urgent action procedure is aimed at preventing and responding to serious violations of the Convention. The Committee's Working Group on Early Warning and Urgent Action Procedures was established at the sixty-fifth session of the Committee, in August 2004. The work of the Committee and the Working Group is undertaken on the basis of the guidelines adopted by the Committee at its seventy-first session, in August 2007 (A/62/18, annex III).

21. During the 110th and 111th sessions, the Working Group comprised the following members:

<i>Coordinator:</i>	Gay McDougall
<i>Members:</i>	Michał Balcerzak
	Ibrahima Guissé
	Li Yanduan
	Eduardo Ernesto Vega Luna

22. During the 112th session, the Working Group comprised the following members:

<i>Coordinator:</i>	Ibrahima Guissé
<i>Members:</i>	Bakari Sidiki Diaby
	Guan Jian
	Gay McDougall
	Chrispine Gwalawala Sibande
	Mazalo Tebie
	Abderrahman Tlemçani

23. During the reporting period, the Committee adopted three decisions, three statements and 17 public letters.³

A. Decisions

Decision 1 (2023)

24. In its decision 1 (2023) of 30 August 2023,⁴ the Committee reiterated its concern about the lack of equitable and non-discriminatory access to COVID-19 vaccines and noted the persistent refusal by some States to vote for a waiver to provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights regarding COVID-19 pandemic protections, vaccines, treatments and health-care technologies, or to take other measures to the same effect.

25. Reiterating its statement 2 (2022) of 25 April 2022, the Committee called upon States parties to prioritize human rights concerns and to incorporate strict human rights guarantees, including a mechanism that committed Governments to suspending intellectual property rights in a health crisis, into the draft pandemic prevention, preparedness and response accord (under negotiation at the time). It also called upon States parties in the global North to provide resources to enable poorer States to satisfy the core medical capacities that they were expected to have in place under the International Health Regulations (2005) and to enable vaccines, relevant medicines and other necessary equipment and supplies to be available to

³ Available at <https://www.ohchr.org/en/treaty-bodies/cerd/decisions-statements-and-letters>.

⁴ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FEWU%2F9855&Lang=en.

all in a non-discriminatory manner. Furthermore, the Committee requested Germany, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America to respond to decision 1 (2023) by providing information on the measures taken to waive intellectual property protections for COVID-19 vaccines or on other measures taken to address the high rates of COVID-19 morbidity and mortality worldwide among individuals and groups most exposed to racial discrimination.

Decision 2 (2023)

26. In its decision 2 (2023) of 21 December 2023, concerning Israel and the State of Palestine,⁵ the Committee expressed its grave concern about the resumption of brutal hostilities in the Gaza Strip on 1 December 2023 after a seven-day “pause”. The Committee reiterated its statement 5 (2023) of 27 October 2023, in particular: (a) calling upon Israel to fully respect its international obligations, in particular those arising from the Convention; (b) urging the release of hostages taken by Hamas and other armed groups and the release of Palestinians from the West Bank and East Jerusalem and Palestinian citizens of Israel who were arbitrarily detained by Israel; (c) calling upon Israel and other States parties to provide all necessary financial and humanitarian aid to Palestinians in Gaza and also calling for the creation of humanitarian corridors that would allow people to leave Gaza and return; (d) urging Israel to ensure that all Palestinians under its effective control, particularly those in Gaza, enjoyed, without discrimination, their full rights under the Convention, especially their right to life and security of person, as well as their rights to medical care and to freedom of movement; and (e) calling upon Israel to firmly condemn any form of hate speech and distance itself from racist hate speech expressed by politicians and public figures, including members of the Government and the parliament, and to ensure that such acts were investigated and adequately and robustly punished.

27. The Committee urged Israel, the State of Palestine and other States parties to institute an immediate and sustained ceasefire in the Gaza Strip. It urged Israel and the State of Palestine to conduct effective, thorough and impartial investigations into allegations of violations and abuses of human rights committed during the armed conflict since 7 October 2023, and to prosecute and punish perpetrators of violations with penalties commensurate to the offences. It called upon Israel and the State of Palestine to cooperate fully with the Prosecutor of the International Criminal Court and the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, in their investigations into allegations of human rights violations and abuses committed since 7 October 2023. Furthermore, the Committee called upon Israel to grant access to the Office of the United Nations High Commissioner for Human Rights (OHCHR) so that the Office could engage with relevant stakeholders and look into and document significant violations of international humanitarian law and international human rights law alleged to have taken place in the context of the current conflict in the occupied Palestinian territories, including as committed by Hamas and other Palestinian armed groups on and since 7 October 2023.

28. The Committee also called upon all States parties to fully respect their international obligations, particularly those arising from the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime of Genocide, and to cooperate to bring an end to the violations taking place and to prevent atrocity crimes, in particular genocide. Lastly, it called upon all States parties to ensure that all those responsible for war crimes and crimes against humanity, and for any other international crimes committed in the ongoing armed conflict, especially persons with command responsibility, were brought promptly to justice.

⁵ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FEWU%2F9942&Lang=en.

Decision 1 (2024)

29. In its decision 1 (2024) of 12 April 2024, concerning the Sudan,⁶ the Committee expressed its grave concern about the increase in violence, including ethnic violence and ethnically motivated attacks, in the Sudan and the deterioration of the already dire human rights and humanitarian situation there since the outbreak of hostilities on 15 April 2023 between the Sudanese Armed Forces and Rapid Support Forces and their associated and allied forces. The Committee expressed alarm at reports of gross violations and abuses of international human rights law and serious violations of international humanitarian law committed by the warring parties in the Sudan, some of which might amount to war crimes and other serious crimes under international law, especially reports of ethnically motivated abuses perpetrated in Darfur, Kordofan and elsewhere, in particular attacks on civilian neighbourhoods using heavy artillery, widespread killings of civilians, gang rapes of women and girls and other forms of sexual and gender-based violence, the killing of persons fleeing the conflict zones, attacks on camps and sites for internally displaced persons, arbitrary detention, enforced disappearance, torture, forced displacement, looting and the burning and destruction of villages and towns.

30. The Committee urged the Sudan: (a) to fully respect its obligations under international law, notably those arising from the Convention, ensure the equal protection of all its population from ethnic violence and hatred and guarantee the safety and security of members of all ethnic groups and the equal enjoyment of the rights enshrined in the Convention; (b) to address and prevent further escalation of ethnic violence, incitement to racial hatred and racist hate speech and hate crimes, including by ensuring that such acts were effectively investigated and adequately punished, by promoting dialogue between different ethnic communities with a view to fostering tolerance and achieving peace, and by developing educational curriculum programmes promoting tolerance and respect for diversity; (c) to conduct prompt, effective, thorough, impartial and public investigations into alleged violations and abuses of international human rights law and violations of international humanitarian law committed during the ongoing conflict, and ensure that perpetrators, including persons in positions of command, were prosecuted and punished in judicial procedures observing international standards, and that the victims and their families received full reparations, regardless of the ethnicity of the victims and the perpetrators involved; and (d) to ensure meaningful participation by different components of society, including ethnic groups, in the efforts to achieve a sustainable and inclusive peace.

31. The Committee also echoed the calls to all parties to the conflict to cease hostilities immediately, to put in place a lasting and unconditional ceasefire, to engage in an inclusive dialogue with the participation of a wide range of stakeholders, including all ethnic groups in the Sudan, with a view to reaching a peaceful and lasting resolution of the conflict and restoring a civilian-led government.

32. The Committee called upon all parties to the conflict: (a) to take immediate and specific measures to put an end to and to prevent further human rights violations and abuses and violations of international humanitarian law, notably violent acts targeting people on the basis of their ethnic origin; (b) to adhere to their obligations under international law, including to respect and protect all civilians from violence without discrimination, including members of ethnic groups and internally displaced persons, and to protect and refrain from attacking civilian objects; (c) to ensure safe and unhindered access by humanitarian organizations to all areas under their control and rapid and unimpeded passage of humanitarian relief for civilians, in particular for the most vulnerable and hardest to reach, including ethnic groups affected by the conflict; and (d) to cooperate with OHCHR, the Expert on human rights in the Sudan and the independent international fact-finding mission for the Sudan to investigate all alleged human rights violations and abuses and violations of international humanitarian law and related crimes, including those under the Convention, in the context of the ongoing armed conflict, and with the Office of the Prosecutor of the

⁶ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FEWU%2FSDN%2F9982&Lang=en.

International Criminal Court in its investigations on alleged international crimes committed in Darfur.

33. The Committee also called upon all States parties to fully respect their international obligations, particularly those arising from the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime of Genocide, and to cooperate to end the violations taking place in the Sudan and to prevent atrocity crimes. The Committee further called upon all States parties, with respect to their international obligations, to ensure that all those responsible for war crimes and crimes against humanity, and for any other international crimes committed in the armed conflict in the Sudan, in particular persons with command responsibility, are brought promptly to justice.

34. Lastly, the Committee called upon the international community, including the African Union and other regional organizations and all their member States, along with other relevant international and regional actors, to continue monitoring the situation in the Sudan and to strengthen efforts to prevent further violence and violations and abuses of international human rights and humanitarian law, including violent acts targeting people on the basis of their ethnic origin.

B. Statements

Statement 3 (2023)

35. The Committee adopted its statement 3 (2023), on early warning and urgent action procedure regarding racial profiling and excessive use of force by law enforcement officials in France, on 7 July 2023.⁷

Statement 4 (2023)

36. In its statement 4 (2023) of 21 August 2023, concerning the United States of America,⁸ the Committee expressed its deep concern about the judgment delivered on 29 June 2023 by the Supreme Court of the United States in the case of *Students For Fair Admissions, Inc. v. President and Fellows of Harvard College*, which would effectively end race-conscious admission programmes at colleges and universities across the United States, terminating affirmative action policies, and noted that judgment overturned decades of precedent, several generations of policy and lifetimes of effort that were aimed at supporting the ongoing struggle against racism in the United States by increasing educational opportunity.

37. The Committee recalled that racial inequalities in the United States were the direct legacy of slavery, the Jim Crow era of State-sanctioned discrimination and the de facto perpetuation of such inequalities in institutions throughout the country; and also recalled that affirmative action in admission to colleges, universities and graduate schools in the United States had been crucial in advancing an entire generation of students previously excluded from most institutions of higher education, providing them with opportunities for better lives and careers.

38. The Committee further recalled that all States parties to the Convention, including the United States, had an obligation, under article 2 (2) of the Convention, to take special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms, when the circumstances so warranted. Furthermore, the Committee recalled its general recommendation No. 32 (2009) on the meaning and scope of special measures in the Convention and its concluding observations of August 2022 on the United States ([CERD/C/USA/CO/10-12](#)).

⁷ [A/78/18](#), para. 20.

⁸ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CERD/SWA/9854&Lang=en.

39. The Committee called upon the United States to fully respect its international obligations arising from the International Convention on the Elimination of All Forms of Racial Discrimination. It also called upon the State party and its public authorities at all levels to actively develop and implement targeted measures that would effectively address the adverse impacts of the Supreme Court's judgment on educational opportunities of African Americans and other underrepresented communities.

40. The Committee encouraged educational institutions in the United States to adopt or continue to implement programmes and policies to increase and retain the enrolment of students belonging to African American and other underrepresented communities in order to attenuate the consequences of centuries of race-based exclusions.

41. It also recommended that the State party and its public authorities at all levels, and educational institutions in the country, develop and support comprehensive policies aimed at eradicating racism, racial discrimination, xenophobia and related intolerance.

Statement 5 (2023)

42. In its statement 5 (2023) of 27 October 2023, concerning Israel and the State of Palestine,⁹ the Committee expressed its alarm at the scale of violence and the humanitarian catastrophe unfolding in the Gaza Strip and by the well-founded fears that the region was being engulfed in a broader conflict. The Committee was deeply shocked by the cruel attacks carried out by Hamas and other armed groups on 7 October 2023, by the launching of rockets towards Israel, which resulted in the death of at least 1,400 Israelis, including women and children, and injured more than 5,400 persons, and by the taking of hostages. It was also deeply shocked by the indiscriminate and brutal military attacks by Israel in Gaza, particularly the air strikes, that had led to the killing of more than 7,000 Palestinians, including at least 2,900 children, had injured more than 18,400 persons since 7 October 2023, and had resulted in over 1,600 people, including 900 children, reportedly being trapped under rubble in Gaza and had led to the destruction of tens of thousands of homes.

43. The Committee expressed its alarm about the decision by Israel of 9 October 2023 to further tighten the ongoing and long-standing blockade of the Gaza Strip and to withhold essential supplies, such as food, water, electricity, energy sources and supplies and medicines, which amounted to a form of collective punishment against the 2.3 million Palestinians in Gaza. It expressed grave concern about the Israeli decision of 12 October 2023 ordering 1.1 million Palestinians, including those sheltered in United Nations facilities, in northern Gaza to relocate to southern Gaza within 24 hours. It also expressed deep concern about the long-standing Israeli military occupation of Gaza, the West Bank and East Jerusalem and the Israeli policies and practices, including illegal settlements, in the Occupied Palestinian Territory that amounted to violations of the Convention and of other international human rights obligations.

44. The Committee was highly concerned about the sharp increase in racist hate speech and dehumanization directed at Palestinians since 7 October 2023, particularly on the Internet and in social media, including by senior officials, politicians, members of the parliament and public figures, particularly the statement of 9 October 2023 made by the Minister of Defense of Israel, Yoav Gallant, in which he referred to Palestinians as "human animals", language that could incite genocidal acts. It was also concerned about the deterioration of the human rights situation in the occupied West Bank since 7 October, including the restrictions on freedom of movement and the increase in arbitrary arrests of Palestinians in the West Bank and of Palestinian citizens of Israel, as well as the increase in unlawful use of lethal force by the Israeli forces and the increase in settler violence, which had led to the killing of at least 103 Palestinians, including at least 32 children.

45. The Committee urged Israel and other States parties to develop and implement an immediate and complete ceasefire. It also urged the release of hostages taken by Hamas and other armed groups and the release of Palestinians from the West Bank and East Jerusalem

⁹ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2F904&Lang=en.

and Palestinian citizens of Israel who were arbitrarily detained by Israel. The Committee called upon Israel and other States parties to provide all necessary financial and humanitarian aid to Palestinians in the Gaza Strip and to ensure the creation of humanitarian corridors that allowed people to leave Gaza and return. It also urged Israel to ensure that all Palestinians under its effective control, particularly those in Gaza, enjoyed full rights under the Convention without discrimination, especially their right to life and security of person, and their rights to medical care and to freedom of movement.

46. Furthermore, the Committee called upon Israel to firmly condemn any form of hate speech and distance itself from racist hate speech expressed by politicians and public figures, including members of the Government and the parliament; to ensure that such acts were investigated and adequately and robustly punished; and to combat the spread of racist hate speech in the media, on the Internet and in social media, in close cooperation with media outlets, Internet service providers and social media platforms and with members of groups that were vulnerable to racist hate speech. It urged the State of Palestine to implement the recommendations made by the Committee in its concluding observations of August 2019 (CERD/C/PSE/CO/1-2), to combat hate speech and incitement to violence, including on the Internet and by public figures, politicians and media officials.

47. Lastly, the Committee called upon Israel to take all the measures necessary to fully implement the recommendations made by the Committee in its concluding observations of December 2019 (CERD/C/ISR/CO/17-19), in particular: to ensure that measures taken did not discriminate in purpose or in effect against Palestinian citizens of Israel, Palestinians in the Occupied Palestinian Territory in Israel proper or in territories under the effective control of Israel; and were implemented with full respect for human rights and relevant principles of international humanitarian law; and to review its blockade policy and urgently allow and facilitate the rebuilding of homes and civilian infrastructures, ensure access to necessary urgent humanitarian assistance and also ensure the right to freedom of movement, housing, education, health care, water and sanitation, in compliance with the Convention.

C. Letters

48. The Committee sent a letter dated 26 April 2024 to the Government of Australia related to developments in aboriginal cultural heritage legislation in Western Australia and their impact on the human rights of Aboriginal peoples.¹⁰

49. The Committee sent letters dated 31 August 2023¹¹ and 8 December 2023¹² to the Government of Bangladesh related to the situation of Indigenous Peoples in the Chittagong Hill Tracts.

50. The Committee sent a letter dated 8 December 2023¹³ to the Government of Canada related to the impact of the Enbridge Line 5 crude oil pipeline on the rights of Indigenous Peoples in Canada and in the United States.

¹⁰ Available at

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FAUS%2F9986&Lang=en.

¹¹ Available at

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FBGD%2F9859&Lang=en.

¹² Available at

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FBGD%2F9931&Lang=en.

¹³ Available at

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCAN%2F9934&Lang=en.

51. The Committee sent a letter dated 8 December 2023¹⁴ to the Government of Canada related to the murder of Indigenous women in the Province of Manitoba, Canada, in 2022.
52. The Committee sent a letter dated 26 April 2024¹⁵ to the Government of Canada related to actions by Canadian State institutions, Canadian astronomical bodies and Canadian corporations involved in supporting the Thirty Meter Telescope project in Hawaii, United States, which was affecting the rights of Indigenous Peoples, namely Native Hawaiians.
53. The Committee sent letters dated 31 August 2023¹⁶ and 8 December 2023¹⁷ to the Government of Cameroon related to the impact of a concession for an oil palm plantation on Bagyeli Indigenous peoples in the Océan Department.
54. The Committee sent a letter dated 8 December 2023¹⁸ to the Government of Chile related to the impact of a commercial project on the Marta Cayulef Mapuche community in Pucón.
55. The Committee sent a letter dated 8 December 2023¹⁹ to the Government of Chile related to the impact of a road project on the Diaguita Indigenous people in Coquimbo.
56. The Committee sent a letter dated 31 August 2023²⁰ to the Government of Costa Rica related to the lack of tenure security for the traditional lands of the Teribe (Brörán) and Bribiri Indigenous peoples in Terraba and Salitre.
57. The Committee sent a letter dated 26 April 2024²¹ to the Government of France related to the impact of the Centrale Électrique de l'Ouest Guyanais project on the Kali'na Indigenous peoples in French Guiana.
58. The Committee sent a letter dated 8 December 2023²² to the Government of Guatemala related to allegations of forced evictions of and violence against members of Kekchi and Poqomochí Indigenous communities in the Departments of Alta Verapaz, Baja Verapaz and Izabal.
59. The Committee sent a letter dated 8 December 2023²³ to the Government of India related to the situation of Chakma and Hajong communities in Arunachal Pradesh State.

¹⁴ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCAN%2F9933&Lang=en.

¹⁵ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCAN%2F9987&Lang=en.

¹⁶ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCMR%2F9860&Lang=en.

¹⁷ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCMR%2F9932&Lang=en.

¹⁸ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCHL%2F9939&Lang=en.

¹⁹ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCHL%2F9935&Lang=en.

²⁰ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FCRI%2F9861&Lang=en.

²¹ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FFRA%2F9985&Lang=en.

²² Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGTM%2F9936&Lang=en.

²³ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FIND%2F9938&Lang=en.

60. The Committee sent a letter dated 8 December 2023²⁴ to the Government of India related to the situation of Particularly Vulnerable Tribal Groups in Andaman and Nicobar Islands.

61. The Committee sent a letter dated 8 December 2023²⁵ to the Government of Peru related to the establishment of the Cordillera Azul National Park and the project on reducing emissions from deforestation and forest degradation and related actions in developing countries (REDD+) and their impact on Kichwa and Kakataibo Indigenous peoples.

62. The Committee sent a letter dated 26 April 2024²⁶ to the Government of the United States related to the construction of the Thirty Meter Telescope in Hawaii and its impact on the rights of Indigenous Peoples, namely Native Hawaiians.

²⁴ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FIND%2F9937&Lang=en.

²⁵ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FPER%2F9930&Lang=en.

²⁶ Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FUSA%2F9988&Lang=en.

III. Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

63. At its 110th session, the Committee adopted concluding observations on the reports of Croatia (CERD/C/HRV/CO/9-14), Italy (CERD/C/ITA/CO/21), Namibia (CERD/C/NAM/CO/16-18), Senegal (CERD/C/SEN/CO/19-23), Turkmenistan (CERD/C/TKM/CO/12-13) and Uruguay (CERD/C/URY/CO/24-26). At its 111th session, the Committee adopted concluding observations on the reports of the Plurinational State of Bolivia (CERD/C/BOL/CO/21-24), Bulgaria (CERD/C/BGR/CO/23-25), Germany (CERD/C/DEU/CO/23-26), Morocco (CERD/C/MAR/CO/19-21), South Africa (CERD/C/ZAF/CO/9-11) and Viet Nam (CERD/C/VNM/CO/15-17). At its 112th session, the Committee adopted concluding observations on the reports of Albania (CERD/C/ALB/CO/13-14), Mexico (CERD/C/MEX/CO/22-24), Qatar (CERD/C/QAT/CO/22-23), the Republic of Moldova (CERD/C/MDA/CO/12-14) and San Marino (CERD/C/SMR/CO/1). The concluding observations are available at the Committee web page (<https://www.ohchr.org/en/treaty-bodies/cerd>) and the Official Documents System of the United Nations (<http://documents.un.org>) under the symbols indicated above.

64. At the Committee's 110th session, the country rapporteurs and co-rapporteurs were as follows: for Croatia, Ms. Tlakula and Mr. Balcerzak; for Italy, Ms. Esseneme and Mr. Payandeh; for Senegal, Ms. Stavrinaki and Ms. Tebie; for Turkmenistan, Ms. Chung and Mr. Guissé; and for Uruguay, Mr. Vega Luna and Mr. Diaby. At the Committee's 111th session, the country rapporteurs and co-rapporteurs were as follows: for the Plurinational State of Bolivia, Mr. Diaby and Mr. Guissé; for Bulgaria, Ms. Li and Ms. Tlakula; for Germany, Mr. Yeung Sik Yuen, Ms. Stavrinaki and Ms. Chung; for Morocco, Mr. Balcerzak and Mr. Guissé; for South Africa, Mr. Payandeh, Ms. Esseneme and Mr. Diaby; and for Viet Nam, Ms. Ali Al-Misnad and Ms. Chung. At the Committee's 112th session, the country rapporteurs and co-rapporteurs were as follows: for Albania, Ms. Esseneme and Mr. Diaby; for Mexico, Ms. Tlakula and Ms. Chung; for Qatar, Mr. Guissé and Ms. Chung; for the Republic of Moldova, Ms. Stavrinaki and Mr. Yeung Sik Yuen; and for San Marino, Ms. Tebie and Mr. Diaby.

IV. Follow-up to the consideration of reports submitted by States parties under article 9 of the Convention

65. During the period under review, Mr. Kut served as Rapporteur for follow-up to the consideration of reports submitted by States parties.

66. At its sixty-sixth and sixty-eighth sessions, the Committee adopted terms of reference for the work of the Rapporteur for follow-up²⁷ and the guidelines on follow-up²⁸ to be sent to each State party together with concluding observations.

67. At the 110th session (3016th meeting), 111th session (3046th meeting) and 112th session (3076th meeting), Mr. Kut presented reports to the Committee on his activities as Rapporteur. At the 112th session, Ms. Tlakula succeeded Mr. Kut as the new rapporteur.

68. During the period under review, the Committee considered the follow-up reports of Azerbaijan ([CERD/C/AZE/FCO/10-12](#)), Denmark ([CERD/C/DNK/FCO/22-24](#)), Estonia ([CERD/C/EST/FCO/12-13](#)), France ([CERD/C/FRA/FCO/22-23](#)), Georgia ([CERD/C/GEO/FCO/9-10](#)), Kazakhstan ([CERD/C/KAZ/FCO/8-10](#)), Luxembourg ([CERD/C/LUX/FCO/18-20](#)), Slovakia ([CERD/C/SVK/FCO/13](#)) and the United States ([CERD/C/USA/FCO/10-12](#)).

69. The Committee continued the constructive dialogue with those States parties by transmitting comments and requesting further information. The Committee also transmitted reminder letters to States parties with overdue follow-up reports.

²⁷ [A/60/18](#), annex IV.

²⁸ [A/61/18](#), annex VI.

V. Consideration of communications received under article 11 of the Convention

70. Under article 11 of the Convention, if a State party considers that another State party is not giving effect to the provisions of the Convention, it may bring the matter to the attention of the Committee by submitting a communication. In 2018, the Committee received the first three such inter-State communications. It was agreed that the Committee's working group on communications would also deal with inter-State communications.

71. At the Committee's 110th and 111th sessions, the working group on communications comprised the following members:

<i>Coordinator:</i>	Mehrdad Payandeh
<i>Members:</i>	Sheikha Abdulla Ali Al-Misnad
	Michał Balcerzak
	Bakari Sidiki Diaby
	Vadili Mohamed Rayess

72. At the 112th session, the Working Group comprised the following members:

<i>Coordinator:</i>	Stamatia Stavrinaki
<i>Members:</i>	Régine Esseneme
	Guan Jian
	Yeung Kam John Yeung Sik Yuen
	Pela Boker-Wilson

73. During the period under review, the activities of the Committee with regard to inter-State communications received under article 11 of the Convention were undertaken by the ad hoc conciliation commission on the inter-State communication submitted by the State of Palestine against Israel.²⁹

74. The ad hoc conciliation commission³⁰ established concerning the inter-State communication submitted by the State of Palestine against Israel continued its efforts, by making its good offices available to the States parties concerned, with a view to reaching an amicable resolution of the matter. From May 2022 to December 2023, the Commission held six in-person meetings³¹ in Geneva on several aspects pertaining to its work, including administrative matters, information gathering, strategies of conciliation and the drafting of its report. During that time, it tried all available means to bring both States parties to engage in the conciliation process.

75. In March 2024, the ad hoc commission ended its mandate after adopting its report. It formally adopted the report on 19 February 2024. The report presents the findings and recommendations made by the ad hoc conciliation commission for a peaceful settlement, based on respect for the Convention, of the dispute between the State of Palestine and Israel over several issues of racial discrimination (see [CERD/C/113/3](#), [CERD/C/113/3/Add.1](#) and [CERD/C/113/3/Add.2](#)).

²⁹ See rule 6 (5) of the Committee's rules of procedure specific to the hearings held pursuant to article 11 of the Convention ([A/74/18](#), annex II); see also [A/76/18](#), chap. V; and [A/77/18](#), chap. V.

³⁰ Mr. Kut (Türkiye), Commission Chair; Mr. Balcerzak (Poland); Ms. Chung (Republic of Korea); Ms. Shepherd (Jamaica) and Ms. Tlakula (South Africa).

³¹ On 4 and 5 May 2022; 31 August and 1 September 2022; 5 and 6 December 2022; 1 and 2 May 2023; 1–6 September 2023; and 11 and 12 December 2023.

VI. Methods of work and rules of procedure

76. At its 111th session, the Committee decided to adopt a new methodology for State party reviews to make the dialogue more interactive. The methodology, dividing the review into four segments on the basis of the list of themes, was used for the first time during the 112th session.

77. At the 112th session, Ms. Stavrinaki provided an update on the completion of the work of the task force on the revision of the rules of procedure. The Committee started the final reading of the draft revised rules of procedure and approved some additional proposed rules submitted by the task force.

78. Also at its 112th session, the Committee appointed several focal points and rapporteurs to strengthen its cooperation with relevant United Nations and regional mechanisms and bodies, as listed below.

Focal point on reprisals	Mr. Diaby
Rapporteur on follow-up to concluding observations (formerly the Rapporteur for follow-up to the consideration of reports submitted by States parties)	Ms. Tlakula
Rapporteur on follow-up to decisions on individual communications (opinions) (formerly the Rapporteur for follow-up to opinions)	Ms. Stavrinaki
Focal point on cooperation with inter-American human rights mechanisms	Ms. Shepherd
Focal point on cooperation with African human rights mechanisms	Ms. Tlakula
Focal point on cooperation with European human rights mechanisms	Ms. Stavrinaki
Focal points on cooperation with Asian human rights mechanisms	Ms. Chung and Mr. Guan
Focal point on cooperation with the treaty bodies	Ms. Esseneme
Focal point on cooperation with the Office on Genocide Prevention and the Responsibility to Protect	Mr. Diaby
Focal point on cooperation with the Working Group of Experts on People of African Descent and the Permanent Forum on People of African Descent	Ms. Shepherd
Focal point on cooperation with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the International Independent Expert Mechanism to Advance Racial Equality and Justice in Law Enforcement	Ms. McDougall
Focal point on cooperation with the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination	Mr. Guissé
Focal point on cooperation with the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action	Ms. Tebie
Focal point on article 15 of the Convention	Mr. Sibande

VII. States parties whose reports are seriously overdue

A. Reports overdue by at least 10 years

79. As at 26 April 2024, the reports of the following States parties were at least 10 years overdue:

Sierra Leone	Fourth periodic report, overdue since 1976
Liberia	Initial report, overdue since 1977
Gambia	Second report, overdue since 1982
Somalia	Fifth periodic report, overdue since 1984
Papua New Guinea	Second periodic report, overdue since 1985
Solomon Islands	Second periodic report, overdue since 1985
Central African Republic	Eighth periodic report, overdue since 1986
Seychelles	Sixth periodic report, overdue since 1989
Saint Lucia	Initial report, overdue since 1991
Malawi	Initial report, overdue since 1997
Burundi	Eleventh periodic report, overdue since 1998
Eswatini	Fifteenth periodic report, overdue since 1998
Guinea	Twelfth periodic report, overdue since 2000
Haiti	Fourteenth periodic report, overdue since 2000
Lesotho	Fifteenth periodic report, overdue since 2000
Syrian Arab Republic	Sixteenth periodic report, overdue since 2000
Tonga	Fifteenth periodic report, overdue since 2001
Bangladesh	Twelfth periodic report, overdue since 2002
Belize	Initial report, overdue since 2002
Eritrea	Initial report, overdue since 2002
Equatorial Guinea	Initial report, overdue since 2003
Timor-Leste	Initial report, overdue since 2004
Trinidad and Tobago	Combined fifteenth and sixteenth periodic reports, overdue since 2004
Comoros	Initial report, overdue since 2005
Mali	Combined fifteenth and sixteenth periodic reports, overdue since 2005
Uganda	Combined eleventh to thirteenth periodic reports, overdue since 2005
Bahamas	Combined fifteenth and sixteenth periodic reports, overdue since 2006
Cabo Verde	Combined thirteenth and fourteenth periodic reports, overdue since 2006
Côte d'Ivoire	Combined fifteenth to seventeenth periodic reports, overdue since 2006

Ghana	Combined eighteenth and nineteenth periodic reports, overdue since 2006
Libya	Combined eighteenth and nineteenth periodic reports, overdue since 2006
Saint Vincent and the Grenadines	Combined eleventh to thirteenth periodic reports, overdue since 2006
Barbados	Combined seventeenth and eighteenth periodic reports, overdue since 2007
Saint Kitts and Nevis	Initial report, overdue since 2007
United Republic of Tanzania	Combined seventeenth and eighteenth periodic reports, overdue since 2007
Guyana	Combined fifteenth and sixteenth periodic reports, overdue since 2008
Madagascar	Combined nineteenth and twentieth periodic reports, overdue since 2008
Nigeria	Combined nineteenth and twentieth periodic reports, overdue since 2008
Antigua and Barbuda	Combined tenth and eleventh periodic reports, overdue since 2009
Indonesia	Combined fourth to sixth periodic reports, overdue since 2010
Mozambique	Combined thirteenth to seventeenth periodic reports, overdue since 2010
Democratic Republic of the Congo	Combined sixteenth to eighteenth periodic reports, overdue since 2011
Guinea-Bissau	Initial report, overdue since 2011
Congo	Combined tenth and eleventh periodic reports, overdue since 2012
Panama	Combined twenty-first to twenty-third periodic reports, overdue since 2013
Ethiopia	Combined seventeenth to eighteenth periodic reports, overdue since 2013

B. Reports overdue by at least five years

80. As at 26 April 2024, the reports of the following States parties were at least five years overdue:

Yemen	Combined nineteenth and twentieth periodic reports, overdue since 2013
Grenada	Initial report, overdue since 2014
Malta	Combined twenty-first and twenty-second periodic reports, overdue since 2014
Austria	Combined twenty-first and twenty-second periodic reports, overdue since 2015
Lao People's Democratic Republic	Combined nineteenth to twenty-first periodic reports, overdue since 2015

Chad	Combined nineteenth and twentieth periodic reports, overdue since 2016
Dominican Republic	Combined fifteenth to seventeenth periodic reports, overdue since 2016
Fiji	Combined twenty-first and twenty-second periodic reports, overdue since 2016
Liechtenstein	Combined seventh and eighth periodic reports, overdue since 2016
Costa Rica	Combined twenty-third and twenty-fourth periodic reports, overdue since 2018
Egypt	Combined twenty-third to twenty-fifth periodic reports, overdue since 2018
Holy See	Combined twenty-fourth and twenty-fifth periodic reports, overdue since 2018
Sao Tome and Principe	Initial report, overdue since 2018
Paraguay	Seventh and eighth periodic reports, overdue since 2018
Sri Lanka	Combined eighteenth and nineteenth periodic reports, overdue since 2019
Sudan	Combined seventeenth to nineteenth periodic reports, overdue since 2019

C. Action taken by the Committee to ensure the submission of reports by States parties

81. At its 110th session, the Committee met with States parties whose initial or periodic reports were more than five years late and discussed ways to assist them in fulfilling their reporting obligations under the Convention, including through the provision of capacity-building services by OHCHR. The Committee also discussed the possibility of opening the simplified reporting procedure to all States parties and considered the proposals submitted in that regard.

82. At its 111th session, the Committee decided to invite all States parties to opt in to the simplified reporting procedure, in line with General Assembly resolution 68/268, on strengthening and enhancing the effective functioning of the human rights treaty body system, in particular paragraphs 1 and 2 on the simplified reporting procedure, and paragraph 9 on the harmonization of the working methods of treaty bodies. A note verbale to that effect was sent on 6 November 2023.

83. At its 112th session, the Committee considered the initial report of San Marino, submitted under the simplified reporting procedure.

84. Currently, 55 States parties have expressed interest in the simplified reporting procedure. Due to capacity constraints, the Committee will need to implement the procedure incrementally, prioritizing the preparation of lists of issues prior to reporting for those States parties that are the most overdue in reporting among those that opted in. All other States parties will need to continue with the traditional procedure of reporting until the Committee has the capacity to implement the simplified reporting procedure for all States parties. All States parties will be duly notified of which procedure they are expected to report under and the corresponding deadlines.

VIII. Consideration of communications under article 14 of the Convention

85. Under article 14 of the Convention, individuals or groups of individuals who claim that any of their rights under the Convention have been violated by a State party and who have exhausted all available domestic remedies may submit written communications to the Committee for consideration. A total of 59 States parties have recognized the competence of the Committee to consider such communications.³²

86. Consideration of communications under article 14 of the Convention takes place in closed meetings, in line with rule 88 of the Committee's rules of procedure. All documents pertaining to the work of the Committee under article 14 are confidential.

87. From 1984 to the time of preparation of the present report, the Committee had registered 88 complaints, concerning 23 States parties. Of those, 3 communications were declared admissible, 22 were declared inadmissible and the Committee discontinued its consideration of 2. The Committee had adopted final decisions on the merits of 47 complaints and declared and found violations of the Convention in 26 of them. Nineteen communications were pending consideration.

88. At its 110th session, the Committee considered the communication *M.O. et al. v. Slovakia* (CERD/C/110/D/70/2019), referring to alleged racial discrimination against persons belonging to the Roma community. The Committee acknowledged the challenges and hindrances that members of marginalized communities experienced with regard to access to justice. However, it considered that the petitioners had not demonstrated that the legal requirements for a complaint to the Constitutional Court had impaired their rights to a fair trial or had led to an act of discrimination. The Committee thus considered that the petitioners had failed to exhaust domestic remedies and therefore decided that the communication was inadmissible.

89. At its 111th session, the Committee considered the communication *S.H. v. Switzerland* (CERD/C/111/D/79/2021), concerning alleged racial discrimination against a citizen of Türkiye who had been prevented from entering Switzerland owing to special measures taken by the State party in the context of the COVID-19 pandemic. In its decision, the Committee noted that the Federal Administrative Court had adopted its final decision on 8 July 2020 and that the petitioner had submitted his communication on 31 August 2021 – more than six months after the date on which all available domestic remedies had been exhausted. The Committee further noted that the petitioner's presence in Switzerland was not necessary to submit a communication under article 14 of the Convention and that, between 22 June and 3 July 2020, he had engaged in proceedings before the Swiss authorities to contest the refusal to allow him entry, without his presence in Switzerland being necessary. The Committee considered that the argument based on the petitioner's absence from Switzerland could not be accepted as an exceptional circumstance within the meaning of rule 91 (f) of the Committee's rules of procedure. In the absence of any further justification for the late submission of the petitioner's communication, the Committee decided that the communication was inadmissible.

90. At its 112th session, the Committee considered the communication *U.I. and G.I. v. Switzerland* (CERD/C/112/D/74/2021). The petitioners alleged that as members of the Roma community, they had been victims of racial discrimination. They also alleged that the State party would violate their rights under article 5 (b) and (e) (iv), read in conjunction with article 2 (1) (a) of the Convention, if they were to be deported to North Macedonia, where they had been threatened because of their political opinions.

91. Concerning the admissibility, the State party argued that by failing to apply for re-examination of the removal decision, the authors had not exhausted all the available remedies. The Committee considered that filing a request for reconsideration under the aegis of article 111b of the Asylum Act did not suspend the execution of the removal, since the

³² Information on the declarations may be found at <https://treaties.un.org/pages/Treaties.aspx?id=4&subid=A&lang=en>.

competent authority had discretion to grant suspensive effect. In that case, the Committee considered that the remedy did not have an automatic suspensive effect and did not constitute a remedy that must be exhausted. Therefore, the Committee considered that the communication was admissible.

92. Regarding the merits of the case, the Committee examined the risk of torture in North Macedonia and observed that the petitioners had not substantiated the existence of a situation of systematic violations of human rights, including those of ethnic minorities. The Committee noted that the petitioners had had ample opportunity to substantiate and clarify their claims before the national authorities, who had assessed that there was no ground to justify a protection measure. The Committee noted in particular that the petitioners had provided no evidence that they had approached the authorities of North Macedonia to obtain adequate protection against the alleged violations and that the petitioners had admitted that they had no evidence of the violence and threats to which they had been subjected. In those circumstances, the Committee was not in a position to conclude that the petitioners had demonstrated that they had suffered violence in the past that could justify a possible protection measure under the Convention. The Committee recalled that it was not its responsibility to review findings regarding the facts in a case, unless it was possible to prove that the decisions of the national courts were clearly arbitrary. It also recalled that it was up to the petitioners to present substantiated arguments showing that the risk that their right to security and physical integrity would be seriously violated because of their ethnic origin was foreseeable, personal, present and real. In view of the material in the case file, the Committee considered that the facts before it did not disclose a violation of any of the provisions of the Convention. Notwithstanding its conclusion, and on the basis of the guarantee given by the State party that the petitioners could request a re-examination of the first-instance decision, and taking into account G.I.'s vulnerability and the structural barriers Roma women faced in gaining access to psychotherapeutic and medical treatment, the Committee invited the State party to accept the petitioners' request for re-examination. The Committee also invited the State party to ensure that G.I. received the care she needed while she remained on the territory of the State party and that she was able to gain access to medical assistance upon return.

IX. Follow-up to individual communications

93. At its sixty-seventh session, the Committee decided to establish a procedure to follow up on its opinions and recommendations adopted following the examination of communications under article 14 of the Convention.³³

94. At the same session, the Committee decided to add two paragraphs to its rules of procedure, setting out details of the procedure.³⁴ The Rapporteur for follow-up to opinions regularly presents to the Committee recommendations on further action to be taken.

95. At the time of the adoption of the present report, the Committee had adopted final opinions on the merits with respect to 47 complaints and found violations of the Convention in 26 cases. In 10 cases, the Committee provided suggestions or recommendations, although it did not establish a violation of the Convention.

³³ See [A/60/18](#), annex IV, sect. I.

³⁴ *Ibid.*, annex IV, sect. II.

X. Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Durban Review Conference and promotion activities related to the Convention

96. The Committee considered the question of follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Durban Review Conference at its 110th, 111th and 112th sessions. In addition, members of the Committee actively promoted the Convention.

97. Ms. Shepherd participated in the first one-day coordination meeting for Chairs of United Nations anti-racism discrimination mechanisms and a joint meeting with the Secretary-General in New York, in October 2023. Ms. Shepherd also delivered several keynote addresses on education, decolonial justice, reparations and the fight against trafficking in persons and racial discrimination, including at the 2024 Freedom from Slavery Caribbean Regional Forum in Jamaica, at the launch of the reparations hub at the University of the Free State, in South Africa and at the Council for World Mission 2024 Assembly in Durban, South Africa. She also delivered a public lecture at the University of Johannesburg on decolonizing education, and presented a paper, entitled “From sinners to saints: the legacies of chattel enslavement in churches and educational institutions in Jamaica”, at a seminar hosted by the Anglican Church, and delivered a presentation on reparations for development at an event, held at the Palais des Nations and organized by the Joint United Nations Programme on HIV/AIDS and others, which touched on themes of reconciliation, reparations, integration and inclusion for development.

98. Mr. Balcerzak attended an informal meeting of the Chairs of the treaty bodies in Madrid, on behalf of the Chair of the Committee. He also met with representatives of UNESCO to discuss engagement on racism and possible cooperation. After being elected as Chair he participated in the thirty-sixth meeting of the Chairs of the treaty bodies, in New York. He also delivered video presentations to the Working Group on the Right to Development and to the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination.

99. Ms. Chung participated in the regional meeting for Asia and the Pacific on the International Decade for People of African Descent, held in Geneva, and delivered a statement as part of the panel discussion entitled “Recognition – building strong frameworks to promote equality, non-discrimination and social harmony in the Asia-Pacific region”. She also participated in a seminar on the 35-year movement addressing military sexual slavery in Asia, and a forum on the human rights of older persons hosted by the ASEM [Asia-Europe Meeting] Global Ageing Centre and the National Human Rights Commission of Korea (Republic of Korea).

100. Ms. Stavrinaki was invited to speak on racial discrimination and the right to health in several forums, including the podcast *Talking Human Rights*; a virtual consultation on health equity for women and girls of African descent organized by the Pan American Health Organization and the Permanent Forum on People of African Descent; an event on the right to health, focused on people of African descent, organized jointly by the OHCHR Regional Office for Europe and the European Observatory on Health Systems and Policies; and a confidential dialogue with representatives of the European Commission against Racism and Intolerance. She represented the Chair of the Committee at a meeting on Indigenous Peoples organized by Indigenous Peoples Rights International, the International Work Group for Indigenous Affairs and the Pedro Arrupe Human Rights Institute at the Bilbao campus of the University of Deusto.

101. Mr. Diaby participated in a round-table discussion on race as a risk factor for atrocity crimes in Brazil. He also participated in a meeting on transitional justice, focused on innovative approaches and the involvement of people of African descent, in Barcelona, Spain. He delivered an online presentation on the work of the Committee on the Elimination of Racial Discrimination to students from the University of New York, and to the National

Human Rights Commission of Côte d'Ivoire. He participated in a meeting with Global Action against Mass Atrocity Crimes, in Geneva.

102. Ms. Tlakula spoke at the main celebration of the thirtieth anniversary of the constitutional democracy of South Africa and delivered a presentation on how the regional and international human rights systems influenced the development of human rights in South Africa. She also participated in the regional consultation on the Committee's draft general recommendation on racial discrimination in the enjoyment of the right to health.

103. Mr. Guissé continued his work as focal point for the draft joint general recommendation on xenophobia being developed by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Committee on the Elimination of Racial Discrimination. He also undertook a study visit to China and met with representatives of the Commission on Ethnic Groups and of the Xinjiang Academy of Social Sciences, which works on issues of ethnicity. The meetings were well attended, with high-level representation. Participants discussed challenges and early warning measures, with the main aim of generating a response from the Government of China. He was accompanied by Mr. Guan throughout the visit. Mr. Guissé also participated in the Global Forum on Migration and Development, in Geneva.

XI. General recommendation on racial discrimination in the enjoyment of the right to health

104. The Committee pursued its work on the draft general recommendation on racial discrimination in the enjoyment of the right to health during the period under review, at its sessions and during the intersessional periods. The Committee rapporteur for the general recommendation, Ms. Stavrinaki, supported by members of the Committee, led four virtual regional consultations with stakeholders, including health professionals, between July 2023 and March 2024, and reviewed a large number of written submissions received following the Committee's call for input on the first draft of the general recommendation.

105. A revised draft prepared by Ms. Stavrinaki was discussed and "pre-adopted" by the Committee at its 112th session. A final draft of the general recommendation will be considered by the Committee for final adoption at its 113th session.

XII. Consideration of copies of petitions, copies of reports and other information relating to Trust and Non-Self-Governing Territories and to all other territories to which General Assembly resolution 1514 (XV) applies, in conformity with article 15 of the Convention

106. Article 15 of the Convention empowers the Committee to consider copies of petitions and reports and other information relating to Trust and Non-Self-Governing Territories and to all other territories to which General Assembly resolution 1514 (XV) applies, as transmitted to it by the competent bodies of the United Nations, and to submit to the General Assembly its expressions of opinion and recommendations in this regard.

107. Accordingly, at the request of the Committee, the Committee's focal point on article 15 of the Convention, Ms. Esseneme, examined the reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2023 (A/78/23) and copies of the working papers on the 17 Territories³⁵ prepared by the Secretariat for the Special Committee (see CERD/C/112/3) and reported thereon to the Committee at its 112th session, in April 2024.

108. The Committee notes that since its previous report, none of the 17 Non-Self-Governing Territories have become independent.

109. The Committee took note of several human rights issues arising in these Territories that hindered the full enjoyment of all rights under the Convention, especially in the administrative, legislative, judicial and socioeconomic spheres. The Committee will raise those issues with the States parties that administer those Territories during its consideration of their reports under the Convention. The Committee expressed appreciation that most administering powers had committed to ensuring the human rights of the populations within their jurisdictions, especially their right to self-determination, and urged States parties to immediately focus their attention on where those rights were being infringed.

110. The Committee calls on the administrative powers to intensify their efforts to address the socioeconomic inequalities in Non-Self-Governing Territories, especially those in the Caribbean and in French Polynesia, and Guam, which are affected by the climate crisis, mining and military exercises. The Committee associates itself with the calls on the relevant administrative powers to settle the question of the political status of Gibraltar, the Falkland Islands (Malvinas) and Western Sahara.

111. The Committee calls for more consistency in the extension of human rights protection to, and application of the Convention in, the Non-Self-Governing Territories and urges the administering powers to investigate and address complaints of racial discrimination in the relationship between the powers and the Territories, particularly in American Samoa, Guam and the British overseas territories.

112. The Committee reiterates that the right to self-determination is an inalienable right of the people in Non-Self-Governing Territories, and it remains the fundamental principle with regard to decolonization and a fundamental human right under the relevant human rights conventions, and as reflected in the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

³⁵ American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas), French Polynesia, Gibraltar, Guam, Montserrat, New Caledonia, Pitcairn, Saint Helena, Tokelau, Turks and Caicos Islands, United States Virgin Islands and Western Sahara.

XIII. Reprisals

113. The Committee takes a zero-tolerance approach to intimidation and reprisals and has adopted guidelines on steps it will take in this regard. At its 112th session, the Committee appointed Mr. Diaby as focal point on reprisals. During the reporting period the Committee did not receive any allegations of reprisals directly linked to cooperation or attempted cooperation with the work of the Committee.
