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Chair: Mr. Saikal (Afghanistan)
later: Mr. Kováčik (Vice-Chair) (Slovakia)

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The meeting was called to order at 3.05 p.m.

Agenda item 72: Elimination of racism, racial discrimination, xenophobia and related intolerance ([A/73/18](#))

- (a) **Elimination of racism, racial discrimination, xenophobia and related intolerance ([A/73/312](#))**
- (b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action ([A/73/98](#), [A/73/228](#), [A/73/305](#), [A/73/305/Corr.1](#), [A/73/354](#) and [A/73/371](#))**

Agenda item 73: Right of peoples to self-determination ([A/73/303](#) and [A/73/329](#))

1. **The Chair** expressed condolences on behalf of the Committee to the families of those who had lost their lives in the horrific attack on the Tree of Life synagogue in Pittsburgh., Pennsylvania, United States of America.
2. **Mr. Gilmour** (Assistant Secretary-General for Human Rights), introducing the report of the Secretary-General on a global call for action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action ([A/73/371](#)), said that urgent measures were needed to reverse the worrisome trends of increasingly hostile racist and xenophobic attitudes and violence. The report encouraged States to invite the Working Group of Experts on People of African Descent to carry out country visits, and all States, intergovernmental and non-governmental organizations, private institutions and individuals, as well as other donors in a position to do so, to contribute to the programme of activities for the implementation of the International Decade for People of African Descent (2015–2024). Those States that had not yet done so were also encouraged to develop and implement national action plans in order to combat racism, racial discrimination, xenophobia and related intolerance.
3. Introducing the report of the Secretary-General on the programme of activities for the implementation of the International Decade for People of African Descent ([A/73/354](#)), he said that the programme of activities placed great importance on preventing and countering racial profiling. The report concluded that the practice of racial profiling by law enforcement agencies was contrary to international legal norms, and that there was evidence that racial profiling was not an effective law enforcement tool and should be replaced with more effective approaches. The report called on States to

prohibit racial profiling and encouraged them to accompany any strategies targeting law enforcement officers with practical guidance on non-discriminatory decision-making.

4. Introducing the report of the Secretary-General on the right of peoples to self-determination ([A/73/329](#)), he said that the report emphasized the obligation of States to promote the realization of and respect for the right to self-determination, in conformity with the provisions of the Charter of the United Nations. Human rights treaty bodies continued to elaborate on the right to self-determination through their jurisprudence, which might serve as useful guidance for States seeking to fulfil their obligation to ensure that right under international law. The report also underlined the need for States to refrain from interfering in the internal affairs of other States and recalled that effective implementation of the right of peoples to self-determination would contribute to greater enjoyment of human rights, peace and stability, and thereby prevent conflict.

5. **Mr. Balcerzak** (Chair of the Working Group of Experts on People of African Descent), introducing the report of the Working Group ([A/HRC/39/69](#)), said that the Group was deeply concerned by the increasingly open and often tolerated manifestations of racism, bigotry and xenophobia in all parts of the world; the general indifference toward societal, racial and ethnic inequality; racial colour-blindness; and a lack of engagement on race-related issues. Such indifference towards the suffering of people of different ethnicity or race and lack of accountability created the basis for structural racial discrimination.

6. At its twenty-second session, the Working Group had focused on the theme “Framework for a declaration on the promotion and full respect of human rights of people of African descent”. The process of drafting the declaration provided an opportunity to consider the impact of historical injustices and structural racism on people of African descent, remedy their consequences and elaborate rights that had not yet been enshrined in the international legal framework and were specific to the experiences of people of African descent. The declaration should establish or reaffirm international standards related to the individual and collective human rights and fundamental freedoms of people of African descent; call on States to identify communities of people of African descent living in their territories and ensure the protection of their right to life, physical and mental integrity, liberty and security without any discrimination; call on States to adopt measures to prevent racially motivated acts of violence against them; call on States to guarantee their equity and full

participation in all aspects of society, including political participation; and develop zero-tolerance policies towards white supremacy, as well as other extremist ideologies, hate speech and incitement to hatred.

7. During the reporting period, the Working Group had conducted country visits to Guyana and Spain and had been satisfied with the willingness of both Governments to engage in dialogue, cooperate and commit to action to combat racial discrimination. The Working Group welcomed the developments that had followed the visit to Guyana, in particular the appointment of commissioners to the Ethnic Relations Commission and the positive outcome declaration from a meeting on the International Decade for People of African Descent held in the country in March 2018. However, despite positive developments, the Working Group was concerned by the excessive length of judicial proceedings at the pretrial stage, lengthy pretrial detentions and overcrowding in prison facilities, as well as the reprisals suffered by an individual who had been interviewed by members of the delegation. Members of the Human Rights Commission should be appointed without further delay; the Government should make efforts to reform the State judicial system to guarantee the right to a fair trial without undue delay, as well as to reform the prison system in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners; and all allegations of reprisals should be investigated, perpetrators should be held accountable and individuals interacting with the Working Group should not be subjected to harm, threats, harassment or punishment.

8. Positive developments that had taken place following the visit to Spain included the submission to Parliament of a comprehensive law against discrimination, the establishment of a general directorate on equality and the approval by the Spanish Congress of Deputies of a legal decree that expanded access to health care to undocumented migrants. However, the Working Group remained concerned about gaps between the law and practice in protecting people of African descent from racism, racial discrimination, xenophobia, Afrophobia and related intolerance. Moreover, civil society reported that people of African descent were “invisible” and the laws did not offer them protection from everyday racism. The Working Group was also deeply concerned about the plight of migrant workers living in appalling conditions in Spain, particularly in Almeria. Although the Working Group recognized the efforts made by Spain in relation to the migrant crisis and rescue operations at sea that had saved numerous lives, it was concerned about the collective expulsions and pushbacks at the borders of

Spain, as well as the differing approach to asylum between the mainland and Ceuta and Melilla, and urged the Government to put an end to all forms of collective expulsions and pushbacks of asylum seekers and migrants.

9. The Working Group continued to send communications regarding allegations of human rights violations as reported by civil society from around the world and was intensifying its engagement with international financial and development institutions. It reminded States of the commitments they had made to combat racism and racial discrimination faced by people of African descent in the Durban Declaration and Programme of Action and in the programme of activities for the implementation of the International Decade for People of African Descent regarding recognition, justice and development. It also reiterated its call to States to take action to address the human rights situation of people of African descent as a priority and encouraged States to reach a consensus on the modalities for the forum for people of African descent at the current session of the General Assembly so that the forum could be held the following year.

10. **Ms. Lbadaoui** (Morocco) said that despite the efforts made to implement General Assembly resolution [68/237](#), it was regrettable to note the persistence and intensification of discriminatory practices against people of African Descent, who in many countries were subjected to violations of their basic rights, including access to quality education and labour markets and discriminatory practices resulting from extremist ideologies or hate speech, which hindered their human development and perpetuated new cycles of poverty and social and economic exclusion. Her delegation would be grateful for additional information on the difficulties that had been encountered in the process of preparing the draft declaration on the promotion and full respect of human rights of people of African descent.

11. **Ms. Wacker** (Observer for the European Union) said that the European Union shared the concerns of the Working Group regarding cases of institutional discrimination and discrimination in the justice system and would welcome examples of good practice policies rectifying those issues. As a party to the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action, the European Union believed that those instruments established a strong legal framework that needed to be enforced and promoted and that it was necessary to further strengthen the implementation of the mechanisms put in place in those instruments rather than develop new ones. She asked what the added value would be of the declaration given the rights already

granted by existing legal documents such as the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action.

12. **Mr. de Souza Monteiro** (Brazil) said that his country had already expressed its support for the negotiation of a declaration and for the creation of a permanent forum of people of African descent. Those would be concrete outcomes of the International Decade for People of African Descent, which was approaching its five-year mark but had not yet made significant advances. His delegation would appreciate further information on the next steps towards the establishment of the declaration and the permanent forum.

13. **Ms. Diedricks** (South Africa) said that the continued racism, racial discrimination, xenophobia and related intolerance faced by people of African Descent in the areas of poverty, education, health, access to justice and incarceration, as well as the multiple forms of discrimination faced by women and girls of African descent, must be addressed to ensure substantive and meaningful equality and human dignity for people of African Descent. The establishment of a permanent forum was needed to bring together people of African descent, States and other stakeholders; serve as a consultative mechanism and platform for the attainment of substantive equality for people of African descent; and elaborate an instrument to protect and promote their human rights. Her country shared the view that there was an imperative need for reparations to bring an end to centuries of destruction, subjugation and continuing exploitation of African people and their resources. Slavery, the slave trade, colonialism and its lasting effects were among the key factors contributing to the lasting socioeconomic inequalities still experienced by people of African descent. It was vital to remove all obstacles and establish a new economic order based on the fundamental principle of non-discrimination; that work should be grounded on the Durban Declaration and Programme of Action. Noting the recommendations contained in the report on the need for land rights to form the cornerstone of the draft declaration on the promotion and full respect of human rights of people of African descent, her delegation would appreciate further information on the subject.

14. **Ms. Romulos** (Mexico) said that her country had undertaken actions aimed at recognizing the valuable legacy of its community of persons of African descent, as well as its contributions to society and to the identity of Mexico. The Government of Mexico agreed with the conclusion of the report of the Working Group that the proposed draft declaration must recognize that people of African descent were particularly vulnerable to

structural discrimination and various forms of inequality in the enjoyment of their human rights. She asked how best to complement that purpose by calling upon States to recognize the existence of their populations of persons of African descent, as well as their cultural, economic, political and scientific contributions.

15. **Ms. Ershadi** (Islamic Republic of Iran) said that her country was of the view that racism, racial discrimination and other forms of intolerance negated the core values and principles of human rights. Her delegation strongly rejected the disturbing rise in hate speech, intimidation and racist remarks by politicians, which viciously targeted persons of African descent, and was seriously concerned that short-term political interests were targeting hard-gained achievements in combating racism. It reiterated the equal inherent dignity of all human beings and expressed its conviction that the International Convention on the Elimination of All Forms of Racial Discrimination, in addition to the Durban Declaration and Programme of Action, provided a comprehensive international legal framework for Governments to fight racism, racial discrimination, xenophobia and related forms of intolerance.

16. **Mr. Balcerzak** (Chair of the Working Group of Experts on People of African Descent) said that the draft declaration on the promotion and full respect of human rights of people of African descent would provide the added value of building on the existing legal framework by introducing new norms, including on the Programme of Action and the International Decade for People of African Descent. The declaration should be seen as an effective instrument to reaffirm recognition, justice and development for people of African descent.

17. Concerning the next steps towards the establishment of the declaration and the permanent forum, he said that the Working Group reaffirmed its readiness to contribute to that exercise. The Working Group had played a key role during the preparatory stage for the International Decade for People of African Descent as well as for the Durban Declaration and Programme of Action, and the Group hoped that the declaration could draw on the numerous reports, standards and recommendations that it had compiled over the past decade as a point of reference. The Working Group hoped that States would reach a consensus with respect to the next steps towards the establishment of the declaration and stood ready to provide support to facilitate the process.

18. In response to the comments from the representative of South Africa, he said that the issue of reparations and land rights was very high on the Working Group's agenda, as reflected in its reports, and

should be reflected in the draft declaration. The Group was also working on a 10-point action plan on the issue of reparations in cooperation with other mandate holders, including the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

19. **Ms. Achiume** (Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance), introducing her first annual thematic report to the General Assembly ([A/73/305](#) and [A/73/305/Corr.1](#)), said that the report analysed the threat that nationalist populism posed to the fundamental human rights principles of non-discrimination and equality. While recognizing the harms that nationalist populism visited upon individuals' enjoyment of bodily security, racial equality and other human rights, the report also focused on the discriminatory and exclusionary structures it created, which posed a lasting threat to racial equality. States' human rights obligations required them to take measures to achieve and protect racial equality, meaning that they were obligated to dismantle discriminatory structures, close radicalized societal divides and prevent the political, social and economic conditions that allowed exclusionary ideologies to prosper.

20. Turning to her report on the glorification of Nazism, neo-Nazism and related practices ([A/73/312](#)), she said that digital technological developments had unlocked positive societal transformation but had also aided the spread of hateful movements, including neo-Nazism. The report highlighted States' obligations under human rights law to counter such extreme ideologies both online and offline, as well as the responsibilities of technology companies in the light of human rights principles. The report also recognized the positive measures taken by many States and companies to combat the glorification of Nazism and neo-Nazism online. However, more must be done, and Member States must work collaboratively with the private sector to combat intolerance online effectively.

21. **Mr. Elizondo Belden** (Mexico) said that the Special Rapporteur had emphasized that racist and xenophobic ideologies based on ethnic nationalism tended to exploit fears about national security and the economy to violate the human rights of non-nationals, indigenous peoples and minorities on the basis of race, ethnic or national origin or religion. His delegation would like to know her views on States' obligation to intervene if a political group carried out activities covered by article 4 of the International Convention on the Elimination of All Forms of Discrimination. It would also be interested to learn about best practices and lessons learned regarding the participation of civil

society organizations in the implementation of programmes and other kinds of activities to prevent racially motivated acts of violence.

22. **Mr. Mapokgole** (South Africa) said that his country had endured centuries of colonialism and apartheid, which were the primary sources and manifestations of racism, racial discrimination, xenophobia and related intolerance. South Africa was concerned by the re-emergence of nationalist populist political parties and related violent nationalist ideologies based on racial or national prejudice, particularly the fact that elected officials were among the worst offenders. In that regard, South Africa welcomed the Special Rapporteur's observations on the regrettable nationalist populist rhetoric used by some of its own political leaders.

23. As part of its efforts to dismantle the apartheid structures, South Africa had built solid institutions such as equality courts. However, it was aware that those measures were insufficient. In line with its international obligations, it was strengthening the national policy and legal framework via a bill to prevent and combat hate crime and hate speech and a national action plan, both of which were in their final stages. He asked the Special Rapporteur to elaborate on policy measures that Member States should take to mitigate the underlying drivers of populism.

24. **Ms. Medcalf** (United Kingdom) said that her Government's goal was to build strong, integrated communities. Since 2011, it had provided a total of £9.5 million in funding for a programme called Near Neighbours that brought different faiths and ethnic groups together. In October 2017, it had published the Race Disparity Audit, which aimed to identify racial disparities in areas such as health and education. She asked how the international community could collaborate better to advance its goal of a world in which racism was not allowed to flourish and all citizens were treated with respect.

25. **Ms. Sukacheva** (Russian Federation) said that her delegation shared the Special Rapporteur's concern about recent attempts to expand the support base of Nazi and neo-Nazi ideologies by assimilating populist ideas. Some authorities, seeking to distract society from existing problems, played a key role by indulging extremists or even ingratiating themselves with radicals.

26. Responses to those phenomena were rendered considerably less effective by the divergence of the approaches taken by Member States, specialized agencies and civil society. In the Baltic countries, the authorities permitted regular marches and the glorification of former members of Waffen SS, while

those who had fought on the side of the anti-Hitler coalition during the Second World War were being subjected to persecution. Meanwhile, an unprecedented war had been unleashed in numerous European countries, especially Poland, to destroy monuments to Soviet and anti-fascist fighters and vandalize Jewish cemeteries and monuments to victims of the Holocaust. The proliferation of neo-Nazi ideology and ethnic and religious intolerance was particularly alarming in Ukraine. A recent neo-Nazi mass rally held on 14 October 2018 had borne very similar characteristics to those arranged by supporters of Hitler 70 years earlier. The aggressive policies of the current Ukrainian authorities, which had taken to manipulating the feelings of Ukrainian congregations, served only to strengthen neo-Nazi movements.

27. It was staggering that long-standing democracies remained silent in the face of such displays, especially at a time when the international community needed more than ever to take decisive measures to counter the proliferation of intolerance and of ideas of racial, ethnic or religious supremacy. The Russian Federation looked forward to the Ukrainian Government addressing the current situation and called on the Special Rapporteur to provide assistance in that regard.

28. **Ms. Wacker** (Observer for the European Union) said that “united in diversity” had been the leading maxim of the European Union since its foundation. The European Union Agency for Fundamental Rights and the European Commission Against Racism and Discrimination monitored and analysed the forms of racism, racial discrimination and xenophobia that occurred in the member States of the Union and made recommendations on counter-measures. She wondered what additional methodological measures the Special Rapporteur would recommend.

29. The Human Rights Guidelines on Freedom of Expression Online and Offline developed by the European Union set out that all human rights that existed offline must also be protected online, including the right to freedom of opinion. However, that right also carried duties and responsibilities, and hate speech that would be illegal offline was illegal online. In conjunction with numerous information technology companies, including social media providers, the European Commission had launched a code of conduct on countering illegal hate speech online. While more work remained to be done, it showed that the problem could be addressed in a manner consistent with international human rights law. She asked the Special Rapporteur to share some other best practices that tackled hate speech online in a way that was compatible with the promotion and protection of the right to freedom of opinion and expression.

30. Lastly, the Special Rapporteur had pointed out that it was important to recognize and address intersectional discrimination and how gender, disability status, sexual orientation and other social categories influenced exposure to and experience of discrimination. She asked which legal measures and frameworks the Special Rapporteur would recommend to address the problem.

31. **Ms. Valle** (Cuba) expressing concern at the rise in hate speech, supremacist and racist ideas, xenophobia and intolerance, particularly in developed countries, asked what measures those States could take to meet their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, especially in relation to combating the dissemination of supremacist, racist and xenophobic ideas. She would also like to know how the Government of the United States could address racism in its law enforcement agencies and the disproportionate numbers of African-Americans who were killed by the police.

32. **Ms. Ershadi** (Islamic Republic of Iran) said that the unilateral coercive measures imposed by the United States, including those with extra-territorial application, constituted discrimination based on nationality or country of residence against innocent civilians in the countries targeted. As in the case of any other violation of the prohibition of discrimination, the situation should be addressed by the United Nations human rights mechanisms that dealt with racism.

33. **Ms. Inanç Örnekol** (Turkey) said that the common struggle against racism, xenophobia, anti-Semitism and Islamophobia was more relevant than ever in a world where, increasingly, religious and ethnic groups were subjected to hostile acts, individuals were stigmatized on account of race, colour, or national or ethnic origin, and racist propaganda was used in politics.

34. The Special Rapporteur had overstepped her mandate in her report on nationalist populism ([A/73/305](#) and [A/73/305/Corr.1](#)) by including her views on freedom of expression and media in Turkey, which were not only irrelevant to the subject of the report but were also unfounded. Furthermore, the reference in the report to Fethullah Gülen Terrorist Organization as “the Gülen movement” required some clarification. In July 2016, Turkey had faced an unprecedented challenge to its democracy when members of Fethullah Gülen Terrorist Organization had attempted to overthrow the elected Government and assassinate the President and had bombed Parliament. They had killed 251 people using fighter jets, tanks and heavy weapons, and wounded nearly 2,200 people.

35. Fethullah Gülen Terrorist Organization was a new generation of terrorist group and criminal network with

global aspirations, and it therefore posed a threat in all the countries in which it operated. The international community must take action against all terrorist organizations with equal determination; a selective approach was unacceptable.

36. She asked whether the Special Rapporteur could address an issue more directly related to her mandate and provide her views on the sharp increase in the number of political parties and movements, organizations and groups that adopted xenophobic platforms and incited hatred, a topic that was explicitly listed in her mandate.

37. **Mr. Varga** (Hungary), referring to the report on nationalist populism ([A/73/305](#) and [A/73/305/Corr.1](#)), said that Hungary rejected a number of accusations in the report that were both baseless and false. The report had mentioned the new legislative package aimed at reducing illegal migration. Hungary, as a member State of the European Union that was protecting its external borders, had an obligation and a responsibility to take effective action against unlawful mass migration, human trafficking and the individuals responsible for organizing it. The legislative package, as well as the special tax on migration mentioned in the report, was aimed at achieving those goals.

38. There were 65,000 non-governmental organizations (NGOs) operating in Hungary and it was deeply regrettable that fewer than a dozen of them dominated the international discussion with the aim of painting a false picture of Hungary. While NGOs represented different interests and causes, they did not represent the Hungarian people as such.

39. The allegations regarding the Fundamental Law in Hungary were also false. The law made no mention of ethnic and religious exclusion. He encouraged the Special Rapporteur to use primary sources in the report rather than handbooks and political statements. Hungary guaranteed the right to asylum for persons who had arrived directly from a country where they were subject to persecution or where there was a direct risk of being exposed to persecution. The Seventh Amendment to the Fundamental Law was therefore fully compliant with his country's obligations under international law, including the non-refoulement principle.

40. **Ms. Moutchou** (Morocco) said that her country was particularly worried by official speeches and legal documents that disseminated racist and Islamophobic ideologies. Anti-migration and anti-refugee policies violated numerous conventions of international human rights and humanitarian law and reflected selectivity in human rights, which must be avoided to preserve the credibility of international human rights processes and

mechanisms. Given the complex and multidimensional nature of the rise in racism, xenophobia and discrimination, a comprehensive approach was needed that included all the key actors involved in prevention. Her delegation would like to hear more about the best practices and lessons learned regarding combating racist speech online: she wondered in particular where the line should be drawn between freedom of expression and incitement to hatred and populism and the dissemination of racist and discriminatory ideas.

41. **Mr. Anthierens** (Belgium) said that combating racism and all forms of discrimination was a priority in Belgian human rights policy, and Belgium had therefore striven to keep it high on the national and international agenda. In conjunction with South Africa, Belgium had launched the Group of Friends against Racism earlier in 2018 with the aim of mobilizing political and diplomatic support for addressing racism by building on existing mechanisms. The Group of Friends would provide an informal platform within the United Nations for Member States to exchange views on racism and coordinate their action. More action could and should be taken to combat the threat that nationalist populism posed to racial equality. He therefore stressed the importance of universal ratification and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

42. **Mr. Al Khalil** (Syrian Arab Republic) said that race-based violence and hate speech posed a growing threat to the enjoyment of human rights and to international peace and security. States must therefore take urgent action under the auspices of the United Nations to combat hate speech and racist discourse, the rise of extremism, neo-Nazism and xenophobia and all violence perpetrated against migrants and refugees, including, in particular, violence against refugee and migrant women and children.

43. **Ms. Achiume** (Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance) said that she also wished to extend her condolences to members of the Tree of Life congregation for the brutality and terror they had experienced in the anti-Semitic attack. The tragedy should be a catalyst for urgent action against hate crimes but also a reminder to fight harder against the current climate of intolerance that had made racist, xenophobic and anti-Semitic attitudes and beliefs more acceptable. One of the goals of her report on nationalist populism was to make the connection between hate-based incidents and the general climate of intolerance that surrounded them.

44. Regarding the question from Mexico, her report on nationalist populism made clear that political parties were not above the law. The International Convention on the Elimination of All Forms of Racial Discrimination was binding on all elements of Government, including political parties. The challenge was to ensure that States applied the law across the board.

45. Concerning useful strategies for fighting back against nationalist populism or doctrines of racial superiority, whether white supremacy or Neo-Nazi ideology, States had an opportunity to invest in building transnational solidarity among the groups affected by those various ideologies. In her report to the Human Rights Council on neo-Nazism ([A/HRC/38/53](#)), she had emphasized that ideologies of hatred were often closely intertwined; solidarity among the different religious, racial ethnic groups affected would therefore be very valuable.

46. In terms of policy measures that Member States should take to mitigate the underlying drivers of populism, her report aimed to emphasize that policy measures should focus on two registers. One concerned initiatives such as the hate crimes bill in South Africa, which attempted to take seriously explicit episodes of racial prejudice and intolerance. However, there was also a need to take account of the structures that could emerge in populist nationalist movements or be consolidated in that context, such as voter suppression or the closing of civic space. All such shifts must be linked to nationalist populism and flagged as actual threats to racial equality.

47. She had made a basic, yet vital recommendation regarding collaboration between States on combating nationalist populism. States needed to recommit to racial equality and speak publicly in favour of equality and the inclusion of racial and ethnic and religious minorities, not as outsiders, but as actors that were key to defining the nation. That recommitment could take many different forms, including taking seriously the International Decade for People of African Descent. A related measure was retreating from denial of racial discrimination; in her one-year tenure, she had found that there was often a resistance to accept that what was taking place was racial discrimination.

48. Three general principles or methodologies would be crucial for advancing an anti-racism agenda and could be applied in many different contexts. The first was an intersectional approach to discrimination. That meant not only adding a gender dimension to policy documents but also actively including women, persons with disabilities and lesbian, gay, bisexual, transgender,

queer and intersex (LGBTQI) persons in decision-making, in knowledge production and really understanding that a person's social categorization could and did shift their experience of discrimination in ways that must be taken seriously in law. A second critical methodology or principle was a structural approach to establishing what constituted racial discrimination and achieving racial equality; in other words, moving beyond using intent as the only marker of discrimination and looking at racialized effects and disparate outcomes for groups based on their race or national origin. The third methodology, which was vital from a human rights perspective, was a participatory approach that included those on the front lines of racial subordination in making decisions on policies that affected their lives.

49. She had tried to address in detail the matter of limits on freedom of expression and their relation to racial equality in her report on neo-Nazism ([A/73/312](#)). Freedom of expression and racial equality were not in tension with each other but rather were mutually reinforcing principles and human rights commitments.

50. *Mr. Kováčik (Slovakia), Vice-Chair, took the Chair.*

51. **Mr. Amir** (Chair of the Committee on the Elimination of Racial Discrimination), introducing the report of the Committee on the Elimination of Racial Discrimination ([A/73/18](#)), said that in the past year, there had been a rise in expressions of racist hate speech, particularly by public figures, directed against undocumented migrants, refugees, asylum seekers and ethnic minorities. Racist hate speech had also spread in the media and on the Internet. The Committee on the Elimination of Racial Discrimination had unequivocally condemned such expressions and reminded States parties of their obligations to take preventive measures, including through education campaigns. States should vigorously condemn all expressions of racist hate speech and hate crimes and hold perpetrators accountable.

52. There had also been a resurgence of extremist organizations that promoted and incited racial hatred, including ideas of racial superiority. Furthermore, review of States parties' reports to the Committee revealed that ethnic and ethno-religious tensions persisted in some countries, which, if left unaddressed, could result in clashes. The Committee on the Elimination of Racial Discrimination had urged States parties to foster more inclusive societies that promoted the values of equality and non-discrimination.

53. During the past year, many States had hosted populations who had sought refuge from conflicts.

Those influxes had posed unexpected challenges to States, which had in some cases failed to provide guarantees in asylum proceedings. In addition, some local populations had received migrants, asylum seekers and refugees with racist speech and violence.

54. The legacy of slavery and colonialism was still deeply rooted in some countries, resulting in structural discrimination, stigmatization and racial profiling. The main victims were people of African descent, indigenous peoples and ethnic and national minorities. Some individuals from those groups faced serious obstacles to the full enjoyment of their human rights. They were also underrepresented in decision-making bodies and public office at both the national and local levels.

55. Turning to the activities of the Committee on the Elimination of Racial Discrimination since the previous annual report, he said that an additional State had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, bringing the number of States parties to 179. Since its most recent annual report, the Committee had held three sessions and had considered 20 reports and 13 follow-up reports. However, the failure of some States to submit reports remained a challenge. Forty-nine reports had been overdue for ten years and 18 had been overdue for at least five. In accordance with article 14 of the Convention, the Committee had considered two individual communications, a procedure that provided additional remedies for victims of racial discrimination. States were urged to recognize the competence of the Committee to consider individual communications, as to date, only 58 States had done so. In addition, the Committee had for the first time considered inter-State complaints submitted under article 11. Under the early warning and urgent action procedures, the Committee had addressed situations concerning nine States parties, sending four letters, adopting three decisions and issuing two statements. In line with procedures to strengthen the treaty body system and to prepare for the 2020 review pursuant to General Assembly resolution 68/268 the Committee had continued to implement the simplified reporting procedure and had established a focal point for reprisals.

56. The Committee had supported the promotion of a declaration on the rights of people of African descent, and some Committee members had participated in an interregional meeting for Europe, Asia and North America on the International Decade for People of African Descent. The Committee valued the support of national human rights institutions and non-governmental organizations and was concerned about allegations of reprisals against some organizations

for their cooperation with the Committee. States must refrain from any such reprisals against non-governmental organizations or their members.

57. The Committee needed adequate resources to cope with demands. Any failure to adopt the formula for future resource allocation set out in General Assembly resolution 68/268 would further threaten an already fragile situation. Member States should allocate resources to the Office of the High Commissioner for Human Rights to allow it to properly support the treaty bodies.

58. **Mr. Suárez Moreno** (Bolivarian Republic of Venezuela), speaking on behalf of the Movement of Non-Aligned Countries, said that 2018 was the centenary of the birth of Nelson Mandela, whose legacy of courage, service and reconciliation remained a source of inspiration. He, along with the Movement, had played a key role in the struggle against colonialism, racial discrimination and apartheid, particularly in South Africa. The States members of the Movement therefore, in the framework of the 18th Midterm Ministerial Meeting held in Baku in April 2018, reaffirmed their condemnation of all forms of racism, racial discrimination, xenophobia and other forms of intolerance, which constituted grave violations of human rights and fundamental freedoms.

59. The States members of the Movement also reaffirmed their commitment to the Vienna Declaration and Programme of Action and the Durban Declaration and Programme of Action, which was a solid foundation for the struggle against racism, racial discrimination, xenophobia and related forms of intolerance. While the members of the Movement of Non-Aligned Countries respected the principle of State sovereignty, they were deeply concerned by the inhumane immigration practices and policies of some States, which violated human dignity and human rights and appeared to be based on intolerant and supremacist ideologies. They hoped that the matter of the separation of families and the detention of children would be resolved following the adoption in December 2018 of the Global Compact for Safe, Orderly and Regular Migration.

60. More determination and political will were required to combat all forms of racism, racial discrimination, xenophobia and related forms of intolerance throughout the world, including in countries under foreign occupation. All international actors should establish an international order based on inclusivity, justice, equality and equity, human dignity, mutual understanding and the promotion and respect of cultural diversity and universal human rights and should reject all doctrines based on racism, racial

discrimination, xenophobia and related forms of intolerance.

61. **Ms. Cruz** (Spain) said that her country was gravely concerned about manifestations of racism, racial discrimination, xenophobia and related forms of intolerance that were occurring on a global scale and exacerbated in a context of continuous flows of migration. Despite obligations to eradicate the phenomenon, no country in the world could consider itself free of racism and thus the Convention remained more relevant than ever.

62. The Committee on the Elimination of Racial Discrimination had been able to respond to emerging problems by assisting States in fulfilling their obligations under the Convention and effectively addressing all forms of racism. It had contributed to the adoption of innovative strategies to combat contemporary forms of discrimination. The evolution of the Committee's practice and interpretation of the Convention was reflected in its general recommendations, opinions on individual communications and final opinions. In the fight against racism and xenophobia, education was fundamental to building inclusive, diverse and open societies. She asked how the role of education could be enhanced in order to prevent all types of discrimination.

63. **Mr. de Souza Monteiro** (Brazil) said that the Committee on the Elimination of Racial Discrimination was a pioneering treaty body that had contributed to the fight against racial discrimination and consolidated the multilateral human rights system as a whole. The Committee had helped set standards on the protection and promotion of the human rights of many ethnic and racial groups, including people of African descent. He asked him to share his views on a potential United Nations declaration on the promotion of the human rights of people of African descent.

64. **Mr. Anthierens** (Belgium) said that his country was convinced that the universal ratification and implementation of the Convention was crucial to the fight against racism and all forms of discrimination. While Belgium welcomed the introduction of the simplified reporting procedure, it profoundly regretted that the procedure was only offered to States whose reports were more than five years overdue. That policy demonstrated a lack of harmony among the working methods of the treaty bodies and sent the wrong message to States that submitted their reports on time.

65. **Ms. Suzuki** (Japan) said that her country rejected discrimination and ensured that all persons were treated equally under the law. Japan would make every effort to realize a society in which every person was respected as

an individual and could develop his or her potential. As a matter of policy, the Government of Japan solicited civil society input on human rights issues and also recognized the importance of dialogue with the private sector in that regard. Japan believed that the committees of the human rights treaty bodies should conduct every periodic review with objectivity, fairness and impartiality. The reviews should be based on the facts and information supplied by the States parties under review, other States parties, United Nations agencies and civil society.

66. **Ms. Eckels-Currie** (United States of America) said that reports of the Chinese Government's worsening crackdown on Uighurs, Kazakhs and other Muslims in Xinjiang Uyghur Autonomous Region painted a disturbing picture. Under the pretext of fighting terrorism and religious extremism, Chinese leaders had intensified their long-standing repressive policies against non-violent cultural and religious practices in Xinjiang, forcing citizens to renounce their religion and pledge allegiance to the Communist Party. China had criminalized many religious and cultural practices in Xinjiang, including the teaching of Muslim texts to children. In addition, citizens could be detained for having "abnormal" beards, wearing headscarves, refusing to watch State television, refusing to wear shorts, abstaining from alcohol, fasting during the month of Ramadan, having family and friends abroad, owning camping equipment and asking others not to swear.

67. As part of the crackdown on ethnic culture, Chinese authorities restricted the use of Uighur and other minority languages in classrooms. Uighur academics, writers and other cultural figures had been detained because they studied, documented or advocated preservation of aspects of Uighur identity. Growing evidence indicated that since April 2017, hundreds of thousands of individuals had been detained in re-education centres throughout Xinjiang, where detainees were required to renounce their ethnic identities, religious beliefs and non-violent cultural and religious practices. While Chinese authorities attempted to justify those outrageous actions by claiming they were responding to extremist threats or eradicating backward practices, the scale of those measures was disproportionate. The United States called on the Committee to continue to monitor the problem.

68. **Ms. Wacker** (Observer for the European Union) said that her delegation reaffirmed its strong condemnation of all forms of racism, racial discrimination, xenophobia and related intolerance. The European Union, whose member States were all parties to the Convention, hoped that further progress would be

made towards universal ratification. Similarly, the European Union encouraged all States parties that had not recognized the competence of the Committee to receive and consider communications under article 14 of the Convention to consider doing so.

69. Noting the Committee's work under its early warning and urgent action procedures, she asked the Chair of the Committee for his assessment of their effectiveness and how the Committee planned to enhance their impact. The European Union was concerned about the high number of overdue reports and welcomed the relevant steps taken by the Committee, including the initiative to discuss the matter with concerned States at an informal meeting. Furthermore, the European Union encouraged the Committee, as well as the other treaty bodies, to extend the offer of simplified reporting procedures to all States that complied fully with their reporting obligations. She asked what additional steps the Committee would take to harmonize its working methods with those of other treaty bodies.

70. **Mr. Elizondo Belden** (Mexico) said that his country had stated its readiness to continue working with the Committee in its periodic report on the implementation of the Convention. The Mexican Constitution expressly prohibited discrimination and 26 local constitutions contained anti-discrimination clauses; in addition, one federal anti-discrimination law and 31 local laws had been enacted in the country. The grounds of racial discrimination, as provided for in article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, constituted elements of various crimes, including discrimination and gender-based violence, in 28 of the 32 federative entities of Mexico.

71. He asked the Chair to share the experience of the Committee with the early warning and urgent action mechanisms and to provide his opinion on how it could be strengthened. He was also interested to hear his views regarding progress in the implementation of the Durban Declaration and Programme of Action and the obstacles to compliance.

72. **Ms. Učakar** (Slovenia) said that her country attached great importance to combating all forms of racial discrimination and intolerance. For the past 50 years, the Convention had allowed States Parties to meet emerging challenges and to safeguard the rights of people around the world. It was a living instrument that addressed situations that could not have been anticipated at the time of its drafting and adoption. It remained crucial to focus on the implementation of the

Convention, as manifestations of racism, discrimination and intolerance occurred everywhere.

73. She asked the Chair to elaborate on how the Committee addressed new and emerging challenges related to discrimination. With respect to the commitment to improving its working methods, her delegation wished to hear about how the Committee coped with its report workload, including reports submitted under the simplified procedure.

74. **Ms. Vilde** (Latvia) said that the Committee's concluding observations on her country's most recent periodic report were being implemented. Discussions with United Nations treaty bodies provided States with fresh ideas and were thus an effective tool for promoting and protecting human rights at the national level. Regarding the list of issues, in some cases, legislative changes and policy initiatives might have been introduced in the time between the submission of the report and its examination by the Committee, a period which could last up to 18 months. As a result, information included in that report might have become incomplete or outdated. As the list of issues was a valuable tool to keep the Committee apprised of developments at the domestic level and to focus upcoming discussions, Latvia suggested that the Committee request responses to the list of issues in writing prior to the examination of reports and that it set deadlines accordingly. That written information would assist the Committee in identifying areas where progress had been made and would reduce the amount of time spent addressing issues that might have been resolved in the period between the submission of the report and its examination by the Committee.

75. **Mr. Chu Guang** (China) said that his country was alarmed by incidents of racial discrimination in the United States, which had worsened in 2018. Racial conflict was commonplace, particularly in situations involving the police. According to information provided by the United States Government and non-governmental organizations, prison sentences for African-American males were 19 per cent longer than for white prisoners, and murder and sexual assault conviction rates for African-American males were much higher than for white men. Figures provided by the United States Federal Bureau of Investigation showed that 2016 had seen a record high of 6,100 cases of racial violence. The United States Government had not taken a clear stand against rampant white supremacist behaviour. Furthermore, its policy of banning migrants from six Muslim countries had resulted in widespread demonstrations in Muslim countries and United States political leaders had made discriminatory remarks against African, Arab and Muslim countries. China

urged the international community to denounce racially discriminatory practices by the United States and urged the Government to take immediate measures to prevent and punish all racially discriminatory speech.

76. **Mr. Amir** (Chair of the Committee on the Elimination of Racial Discrimination) said that Nelson Mandela had been an apostle of the fight for freedom and a comrade-in-arms during the armed struggle for Algerian independence. He agreed that education was important in fighting racism and discrimination, which were more prevalent in developed countries than in the developing world. Students of all ages, especially in industrialized countries, must be taught that fighting discrimination was part of the human condition.

77. The early warning and urgent action mechanism existed to address situations where lives were in jeopardy or that involved imprisonment or genocide. The mechanism offered additional human rights protections that complemented those provided by the Convention. It was important to stress that the Committee was an impartial body elected by States parties to the Convention and its mission was to provide assistance to all States equally. When analysing situations, the Committee was guided solely by the Convention and did not compare States with one another. While discrimination might be more prevalent in certain States than in others, the Committee only took into consideration endogenous, and not exogenous, factors. That impartiality informed the Committee's responsibility to help States improve their legal systems and enhance freedom and democracy.

78. At the recent thirtieth annual meeting of the Chairs of the human rights treaty bodies, it had been made clear that additional financial resources were needed to organize meetings where the representatives of the various committees could discuss the harmonization of working methods. Promising steps had been taken towards securing financial resources from States parties for the Office of the United Nations High Commissioner for Human Rights, which would allow the committees to meet more often and make quicker progress towards harmonization.

79. Some States were unable to submit reports for reasons related to a lack of economic resources or necessary expertise. In such cases, a working group of the Committee examined the relevant information and drafted a simplified report. The simplified report was then sent to the State party for comment or approval.

80. **Mr. Mattar** (Egypt), speaking on behalf of the Group of 77 and China, said that, in the context of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

the Durban Declaration and Programme of Action remained the only instrument that prescribed comprehensive measures for combating racism and addressing adequate remedies for victims.

81. The Group of 77 and China opposed all forms of racism, racial discrimination, xenophobia and related intolerance, as they constituted serious human rights violations and must be countered through political and legal means. It was also deeply concerned about the resurgence of contemporary forms of discrimination and intolerance, as well as the growing incitement of hatred and of racial profiling and stereotyping of any persons on any grounds. The Group condemned the propagation of such acts through new communications technology, the internet and the media. Education and awareness-raising campaigns played a critical role in halting the dissemination of messages of racism and racial discrimination. The focus should be on deconstructing prejudices and stereotypes, creating new values and attitudes, fostering interfaith and intercultural dialogue towards tolerance and unity, and raising global awareness of different cultures and religions, especially among young people. There was an urgent need for effective measures and policies that encouraged all citizens and institutions to take a stand against racial discrimination.

82. Political and religious leaders, as well as the media, must play an important role in combating hate speech and stereotypes, and adopt clear and unequivocal positions against racial discrimination. In that context, the Group noted a lack of progress in the elaboration of complementary standards to cover existing gaps in the provisions of the Convention.

83. The Group welcomed the programme of activities for the implementation of the International Decade for People of African Descent, including the establishment of a forum for people of African descent to serve as a consultation mechanism, and the elaboration of a United Nations draft declaration on the promotion and full respect of human rights of people of African descent.

84. **Ms. Alfeine** (Comoros), speaking on behalf of the Group of African States, said that the Group was alarmed at the resurgence of nationalist populism and agreed with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance that the phenomenon posed a serious threat to racial equality by fuelling discrimination and intolerance. The Group joined the Special Rapporteur in condemning all forms of nationalist populist movements and rejected any doctrine of racial superiority, along with theories that attempted to determine the existence of so-called distinct human races. The failure to combat

racial discrimination and related intolerance, especially by public authorities and politicians, was a factor that encouraged their perpetuation and must not be tolerated by the international community. There was a need for all Member States to move towards the elaboration of additional protocols to the International Convention on the Elimination of All Forms of Racial Discrimination with a view to filling the existing gaps in the areas of xenophobia, islamophobia, incitement to hatred and anti-Semitism.

85. The Group reaffirmed its commitment to the full and effective implementation of the Convention and strongly urged other Member States to work towards its universal ratification and remove any reservations, in particular to its Article 4. It also reiterated its support for the establishment of a permanent forum for people of African descent to serve as a consultation mechanism and platform for the elaboration of a legally binding instrument to give recognition to the rights of people of African descent. The Group looked forward to preparations for a midterm review for the International Decade for People of African Descent in 2020 and in that regard called upon all Member States to support efforts towards the review.

86. The Group called for the full and effective implementation of the Durban Declaration and Programme of Action, which remained the only instructive international framework to combat racism, racial discrimination, xenophobia and related intolerance. In 2018, a year that marked the centenary of the life and legacy of Nelson Mandela and the seventieth anniversary of the Universal Declaration of Human Rights, it was incumbent on all Member States to ensure that their efforts to combat racism and racial discrimination produced real results.

87. **Mr. Escalante Hasbún** (El Salvador), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that his multi-ethnic and multicultural region recognized the added value of diversity in its societies. Sustainable development could only be achieved if it benefited all people, regardless of race or ethnicity.

88. CELAC rejected all forms of racism, xenophobia and discrimination and related intolerance, including against migrants, regardless of migratory status. It was committed to observing the International Decade for People of African Descent, with a view to enabling people of African descent to exercise the human rights and fundamental freedoms recognized in the Universal Declaration of Human Rights, and also reiterated its support for the establishment of a forum for people of

African descent in the framework of the Human Rights Council.

89. Racism was a global concern, and the international community must contribute fully to its eradication. Racism, racial discrimination, xenophobia and related intolerance continued to hinder the enjoyment of civil, political and cultural rights, including the right to development. Human rights education and the respect and promotion of cultural diversity were paramount in preventing and eliminating racism and racial discrimination.

90. In addition, among people of African descent, special attention should be given to children, women, older persons, persons with disabilities and victims of multiple or aggravated forms of discrimination. CELAC recognized the need to take affirmative action to reduce and remedy disparities and inequalities affecting such persons; accelerate their social inclusion; close gaps in their access to education or employment; and promote their access to justice. CELAC was committed to strengthening cooperation with Member States to implement the Plan of Action for the Decade for People of African Descent of Latin America and the Caribbean.

91. **Mr. Gertze** (Namibia), speaking on behalf of the Southern African Development Community, said that, given that 2018 marked the centenary of the life of Nelson Mandela, it was time for the global community to move from rhetoric to reality and ensure the total elimination of racism and racial discrimination.

92. Urgent international action was needed to address the rise of extremist movements based on populism, nationalism and racial superiority. In that connection, the Community looked forward to the tenth session of 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, which would commence negotiations on standards recognizing the existence of contemporary manifestations of racism, in the spirit of paragraph 199 of the Durban Declaration and Programme of Action. By addressing, inter alia, xenophobia, Islamophobia, racial profiling, anti-Semitism and incitement to hatred, such standards would ensure maximum protection, adequate remedies for victims and zero impunity for perpetrators.

93. The countries of the Community urged Member States to work towards universal ratification of the Convention and to lift any reservations, in particular to article 4, since they defeated the purposes of the Convention. They continued to support the establishment of a forum for people of African descent, as well as the drafting of an internationally binding

international instrument on the rights of people of African descent, which would enhance implementation of the programme of activities for the International Decade for People of African Descent and provide a platform for the attainment of substantive equality for people of African descent. They urged States with citizens of African descent to offer to host regional conferences on establishing the forum, with the participation of people of African descent. Under international human rights law, the international community had an obligation to adopt concrete measures to foster tolerance and respect for diversity.

94. **Mr. Thomas** (Antigua and Barbuda), speaking on behalf of the Caribbean Community (CARICOM), said that CARICOM appreciated the increased focus on the common problem of racial profiling of people of African descent by law enforcement agencies, which was contrary to international norms, including the principle of non-discrimination and the right to equality and equal protection before the law. CARICOM concurred that Member States should encourage law enforcement agencies to develop targeted training programmes that raised awareness among officers of social biases and that training materials should include both international human rights standards and principles and the national laws and policies governing officers' conduct.

95. As Member States implemented the 2030 Agenda, they must make every effort to ensure that racial and ethnic minorities, who were often the most vulnerable and disadvantaged members of society, were stakeholders in the sustainable development process and received adequate attention in the design and implementation of all relevant programmes and initiatives.

96. The intellectual legitimization of racism and xenophobia by scholars and the media and the resurgence of hate groups and proponents of extremist political ideologies were a cause of concern. While the rights to freedom of expression and the right to freedom of association and assembly should be respected, States should ensure that discrimination, racism and xenophobia did not take root. The successful completion of the Ark of Return, a permanent memorial at the United Nations Headquarters honouring the victims of slavery and the Transatlantic Slave Trade, represented the international community's collective will to combat all forms of racism, wherever they persisted, and was a solid reminder of a dark past.

97. **Ms. Wacker** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization

and association process country and potential candidate Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that the fight against racism, xenophobia and all forms of discrimination was a priority for the European Union. Its treaty obligations in that regard were complemented by a solid legal framework developed over the years, including the Race Equality Directive and the Employment Equality Directive. Both instruments ensured that judicial remedies and access to justice were available to victims and promoted equality-enhancing measures in European Union member States.

98. A legislative framework was also in place in the European Union to address hate speech and hate crimes. Member States were obliged to penalize public incitement to violence or hatred against persons based on race, colour, religion or racial or ethnic origin, racist and xenophobic motives for other crimes must be taken into account in sentencing. In addition, member States must ensure non-discriminatory treatment of victims.

99. The principle of non-discrimination and objectives linked to preventing and combating racism, xenophobia and related intolerance were mainstreamed across all European Union policies, including recent European Commission proposals in the areas of security and radicalization, migration, media and education. The European Commission sought to enhance protection of persons belonging to religious or other minorities by appointing coordinators on combating anti-Semitism and anti-Muslim hatred. In December 2018, the European Union Agency for Fundamental Rights would release the largest survey ever undertaken on the experience and perception of anti-Semitism among Jews in Europe. In May 2016, the European Commission had appointed a special envoy for the promotion of freedom of religion or belief whose role was to promote respect for diversity on grounds of belief and support for the inclusive dialogue processes.

100. The European Union had heightened its attention to the special characteristics of racism and discrimination faced by people of African descent within its member States. In December 2017, at the meeting of the European Union high-level group on combating racism and other forms of intolerance, a thematic discussion had been held on the topic of Afrophobia whose outcomes would be released in a conclusion paper.

101. The European Union actively participated in all the Durban Declaration follow-up mechanisms as well as in other United Nations mechanisms, bodies and processes such as the Permanent Forum on Indigenous Issues and the Forum on Minority Issues. As part of its

engagement in the Durban Declaration follow-up mechanisms, the European Commission and the European External Action Service had provided to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance a description of the relevant European legal framework.

102. The European Union was not convinced that the proliferation of legal instruments and complementary standards to the Convention, including a possible declaration on the rights of people of African descent, was the best way to combat racial discrimination. As the fundamental international reference instrument, the Convention embodied all the norms and standards shared by the global community in combating all forms of racial discrimination. Currently, the international community had much more to do in order to implement the Convention effectively. The annual report of the Committee showed that many countries had a backlog of overdue periodic reports despite the availability of the simplified reporting procedure. More States parties must accept the individual communications procedures under article 14. Member States that had still not ratified the Convention should do so, and more States should accept the amendment to article 8 of the Convention, which would fund the Committee from the regular budget of the United Nations. Finally, States parties must introduce the legislation and mechanisms prescribed by the Convention and implement the concluding observations of the Committee.

The meeting rose at 6.10 p.m.