



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
1 September 2016

Original: English

Committee on the Elimination of Racial Discrimination Ninetieth session

Summary record of the second part (public)* of the 2486th meeting

Held at the Palais Wilson, Geneva, on Friday, 26 August 2016, at 3 p.m.

Chair: Ms. Crickley

Contents

Follow-up procedure

Follow-up summary for the ninetieth session

Closure of the session

* The summary record of the first part (closed) of the meeting appears as document CERD/C/SR.2486.

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The public part of the meeting was called to order at 3.45 p.m.

Follow-up procedure

Follow-up summary for the ninetieth session (text distributed in the meeting room in English only)

1. **Mr. Kut** (Follow-up Coordinator), introducing the follow-up summary for the ninetieth session, said that the text outlined the steps that two States parties, namely Denmark and Peru, had taken to give effect to the recommendations contained in the paragraphs identified for follow-up by the Committee in its concluding observations on their previous periodic reports (CERD/C/DNK/CO/20-21 and CERD/C/PER/CO/18-21) within one year of their adoption. It also included information supplied by other United Nations human rights treaty bodies, special procedure mandate holders and supervisory bodies of United Nations specialized agencies in relation to the issues raised in those paragraphs, as well as suggestions as to how the Committee may wish to respond to the State party in question, including recommendations that it may wish to make.
2. In the case of Denmark, the Committee had identified two paragraphs for follow-up: paragraph 10, on racist discourse and incidents, and paragraph 15, on employment. In the first instance, following an analysis of the information available, it had been suggested that the Committee might wish to request the State party to include in its next periodic report information on the tangible results and impact of the measures taken by the Danish police to combat racism; any awareness-raising campaigns that it had conducted for that purpose; the number of prosecutions brought for racist crimes, including hate speech; the outcome of such cases; the measures that it had taken to combat prejudice and xenophobic sentiments in political discourse; and the progress that it had made in developing an action plan to combat racism.
3. In the second instance, following an analysis of the information available, it had been suggested that the Committee might wish to request the State party to continue implementing and to strengthen the various initiatives that it had undertaken to facilitate the access of immigrants, especially refugees and persons who had been reunified with their family, to the labour market; and to include in its next periodic report information, including up-to-date statistical data, on the impact of those initiatives and on the measures that it had taken to improve the integration of non-citizens and minority groups, such as Roma, in the labour market.
4. **The Chair** said that she took it that, in the absence of any objections or amendments, the Committee wished to adopt the suggestions made in respect of Denmark.
5. *It was so decided.*
6. **Mr. Kut** said that he had consulted with Mr. Avtonomov in the latter's capacity as Country Rapporteur for Peru and had incorporated his proposals into the text of the follow-up summary. Four issues of concern had been raised with the State party, whose responses had been taken into consideration in preparing draft suggestions. The first of those issues was indigenous peoples and the exploitation of natural resources, in which regard the summary indicated the Committee's dissatisfaction. On the second issue, which was the implementation of the Comprehensive Collective Reparations Plan, three proposals were made including urging the State party to take measures to reverse the decision by the Criminal Prosecutor to dismiss charges against the alleged perpetrators of forced sterilization, as that decision was contrary to the Committee's previous request to ensure that those responsible were punished. The third issue was that of social conflict arising out of projects involving natural resource exploitation. In that regard, the Committee expressed appreciation of steps taken, regretted the lack of information in relation to certain incidents and requested that further action be taken in line with the previous recommendations. On

the fourth and final issue, which was the combating of racial stereotypes, the Committee took note of the information provided but regretted the lack of an update on the status of the draft code of ethics.

7. **Mr. Avtonomov**, noting that Mr. Kut had adequately reflected his proposals in the text, expressed agreement and satisfaction with the follow-up responses and comments, which in his view clearly stated the Committee's position.

8. **The Chair** said that it was unfortunate that one of the Committee's recommendations had had the opposite to the desired effect. Nevertheless, it should persist with dialogue on the matter and should proceed carefully so that its wishes might be fulfilled.

9. **Mr. Avtonomov** said that the reaction of the State party was not unexpected, since there had been some discord on certain issues. Nevertheless, the Committee should hold to its position in future discussions.

10. **The Chair** said that she took it that, in the absence of any objections or amendments, the Committee wished to adopt the suggestions made in respect of Peru.

11. *It was so decided.*

12. **The Chair** expressed concern that only two countries had reported under the follow-up procedure.

13. **Mr. Kut** said that the Committee had decided to place greater emphasis on follow-up and in that regard he would like to remind the secretariat, when preparing the list of themes, to include paragraphs related to follow-up on the State party's previous report. Moreover, the Country Rapporteurs, during their analysis, should consider whether the State party had taken the follow-up recommendations seriously. In his view, voicing those concerns would encourage States parties to attach greater priority to follow-up. Noting that some States parties that had failed to provide follow-up information had said they would be careful to do so in future, he said that he expected more and more countries to provide interim reports on issues raised.

14. **The Chair** said that she welcomed Mr. Kut's suggestions and expressed the hope that the Committee would adopt the proposed mechanisms at the subsequent session with a view to comprehensively integrating follow-up efforts into the Committee's work in monitoring treaty implementation.

Closure of the session

15. **The Chair** said that, at its ninetieth session, the Committee had successfully reviewed eight States parties, each of which had presented complicated situations. It had taken decisions on four cases submitted by the working group on early warning and urgent action procedures, including on the situation in Burundi, had adopted a statement on the occasion of the United Nations Summit for Refugees and Migrants and had held useful exchanges with a view to enhancing dialogue with other treaty bodies. The Committee had received input from, among others, the Chief of the Indigenous Peoples and Minorities Section of the Secretariat, the Special Rapporteur on minority issues, the Director of the Human Rights Council and Treaty Mechanisms Division of the Secretariat and the Director of the Human Rights Treaties Division of the Secretariat. Moreover, the Committee had initiated discussions on how to integrate its work with the Sustainable Development Goals.

16. With regard to the subsequent session, she said that Country Rapporteurs had been assigned for Argentina, Italy, Portugal, Togo, Turkmenistan and Uruguay.

17. Lastly, she said that the ninetieth session had considered complex issues as part of its obligation to address all forms of racial discrimination, including multiplying factors and

persistent structural discrimination, which was a blight on individuals and whole populations. Progress had been made on issues affecting Afro-descendent and indigenous peoples, as well as in tackling the insidious intersectionality between racial discrimination and discrimination against women. In her view, the Committee's concluding observations had made very practical suggestions on how to protect groups from racial discrimination, such as calling for labour inspections in the case of domestic workers.

18. **The Chair**, following the customary exchange of courtesies, declared the session closed.

The meeting rose at 4.30 p.m.