



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 3091st meeting

Held at the Palais Wilson, Geneva, on Tuesday, 13 August 2024, at 3 p.m.

Chair: Mr. Balcerzak

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The meeting was called to order at 3 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

Combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom (CERD/C/GBR/24-26; CERD/C/GBR/Q/24-26)

1. *At the invitation of the Chair, the delegation of the United Kingdom joined the meeting.*
2. **A representative of the United Kingdom**, introducing the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom (CERD/C/GBR/24-26), said that her country had received many waves of migration from different parts of the world. As a result, ethnic minorities accounted for a significant proportion of the population in each of the four constituent parts of the United Kingdom. The Government was proud that British society was one of the most welcoming and tolerant in the world. There had nonetheless been scenes of violent disorder throughout the country in recent days. The people who had incited or participated in that violence would face the full force of the law, and it had been heartening to see that much larger numbers of people had come out to protect their communities, take part in local clean-up operations and raise money for victims.
3. Thanks to the State's investment in data-collection initiatives, including the Race Disparity Audit and the website <https://www.ethnicity-facts-figures.service.gov.uk>, the Government was able to identify disparities between ethnic groups and take effective action to address them. The Inclusive Britain Action Plan, adopted in 2022, set out 74 lines of action designed to build a fairer and more inclusive society. According to a progress report published earlier in 2024, 62 of those actions had been implemented, including the publication of guidance to help employers measure ethnicity pay gaps and the organization of campaigns to increase the proportion of judges and police officers from ethnic minority backgrounds. The newly elected British Government had pledged to take several measures to address racial inequality, including by passing legislation setting out the right of persons belonging to ethnic minorities to equal pay and by obliging larger employers to report on the wages received by employees of different ethnicities.
4. The United Kingdom was a multinational country, and the Governments of Northern Ireland, Scotland and Wales had legislative responsibility for various policy areas covering issues related to racial equality. The United Kingdom retained responsibility for the Crown dependencies of Guernsey, Jersey and the Isle of Man, although those territories had their own parliaments and laws. Guernsey had passed the Prevention of Discrimination (Guernsey) Ordinance 2022, Jersey was developing new legislation addressing offences motivated by hatred or prejudice and the Isle of Man had brought the Equality Act 2017 into force. Lastly, the inhabitants of all British Overseas Territories continued to enjoy constitutional protections against discrimination, including on the ground of race.
5. **A representative of the United Kingdom** said that the Racial Equality Strategy 2015–2025 established a framework for action by all departments of the Northern Ireland Executive, covering policy areas such as education, justice, health, employment and housing. The Executive was taking measures to strengthen data collection and monitoring with regard to ethnic equality and had put in place mechanisms to enable members of ethnic minority groups to have a say on the development and delivery of policies. The reform of the Race Relations (Northern Ireland) Order 1997, which was scheduled to be put in place before the end of 2026, would bring that legislation into line with European Union directives on racial equality. In the meantime, the Executive had started work on the preparation of a new racial equality strategy, guided by its commitment to making Northern Ireland a place where people could live, learn, socialize and work together regardless of race or ethnicity.
6. **A representative of the United Kingdom** said that the data collected in the most recent census had confirmed that the population of Scotland was becoming increasingly diverse. The Scottish Government was determined to show leadership in tackling racism and dismantling barriers to equality. The acts of violent disorder that had taken place in recent days across the United Kingdom were unacceptable, and the Government would continue to ensure that the Hate Crime and Public Order (Scotland) Act 2021 was enforced to protect the people of Scotland against the spread of hatred and prejudice. Between 2017 and 2024, the

Scottish Government had distributed £16.2 million to organizations working on race equality issues. However, a progress review published in 2023 had revealed that racism persisted throughout society, and the Government would therefore continue to work with partners to build a fairer Scotland through the implementation of evidence-based policies founded on anti-racism principles and informed by the lived experience of communities.

7. **A representative of the United Kingdom** said that the Welsh Government utterly condemned the scenes of racist and Islamophobic violence, criminality and intimidation that had taken place in recent days. The Government's vision on tackling racial inequality in every policy area had been set out in the Anti-Racist Wales Action Plan. An external group of persons from an ethnic minority background and anti-racism experts monitored and provided feedback on the implementation of the Action Plan and regional forums would facilitate direct and ongoing engagement with ethnic minority groups in that regard. A robust measurement framework had also been developed to ensure that the impact of the Action Plan could be accurately evaluated. Although some progress had already been made, the Welsh Government still had a long way to go before it could achieve its goal of delivering tangible change for all people belonging to ethnic minorities.

8. **A representative of the Equality and Human Rights Commission** said that the United Kingdom had established a strong legal framework prohibiting direct and indirect discrimination, harassment and victimization. The Equality Act 2010 had established a public sector equality duty that was designed to promote and mainstream equality in public services, while standards on how to record, interpret and communicate data on ethnicity had been introduced for public bodies throughout the country. The Welsh Government had established statutory guidance on education support for children from Gypsy, Roma and Traveller ethnic groups. However, disparities in the enjoyment of rights between different ethnic groups persisted: although black children made up only 6 per cent of the overall population of people aged between 10 and 17 years, they had accounted for 26 per cent of children detained in the prison system in 2023; black offenders and those of mixed ethnicity had been more likely than white offenders to receive a custodial sentence between 2018 and 2022; the largest ethnic pay gap was the one that existed between workers of Pakistani and Bangladeshi origins and their white British counterparts; households headed by persons of Bangladeshi origin were disproportionately likely to be overcrowded; and black persons in England were three and a half times more likely than white persons to be detained under the Mental Health Act 1983. The newly elected British Government had pledged to take action in some of those areas; he therefore called on the Government to take heed of the recommendations of the Equality and Human Rights Commission and the Committee in order to ensure the full enjoyment of human rights by everyone in the country.

9. **A representative of the Scottish Human Rights Commission** said that the Scottish Government needed to take more tangible, measurable and informed actions to accelerate progress under the Race Equality Framework for Scotland 2016–2030. Long-standing issues with data on marginalized groups had still not been addressed, and historic injustices perpetrated on ethnic minorities by the State – such as the forced assimilation of Gypsy and Traveller peoples – continued to have an adverse effect on their enjoyment of rights. Although immigration was not a devolved matter, the Scottish Human Rights Commission called on the Scottish Government to work with the British Government to address harmful policies such as the so-called “no recourse to public” funds condition, under which certain migrants were not eligible to claim social benefits. While the Scottish Government had pledged to incorporate the Convention into its legal order, it remained to be seen how it would ensure that the necessary legislative reform provided effective and robust protection against racial discrimination for all people.

10. **A representative of the Northern Ireland Human Rights Commission**, in a pre-recorded video statement, said that Northern Ireland had been left without a fully functioning government for a total of five years during the reporting period. Now that the Northern Ireland Executive had resumed its work, it must take action to mitigate the impact of regressive measures taken by the British Government over that time, including the so-called “hostile environment” policy and legislation designed to limit the rights of migrants, refugees and asylum-seekers and restrict access to the asylum process. Northern Ireland was the only part of the United Kingdom without a refugee integration strategy, the absence of which

restricted refugees' access to adequate housing, education and other services. Furthermore, racist hate crime was on the increase and there were worrying reports of persons affiliated with paramilitary groups intimidating ethnic minorities in order to deter them from taking up housing in certain areas. The Northern Ireland Executive must therefore urgently pass hate crime legislation and take measures to address the effects of paramilitarism.

11. **Mr. Kut** (Country Rapporteur) said that evaluating the State party's implementation of the Convention was a complicated task owing to its complex administrative structure and the uneven distribution of powers among the devolved administrations. Ultimate responsibility for ensuring compliance with the Convention nonetheless lay with the British Government. Unfortunately, it appeared to lack the tools to make sure that anti-discrimination legislation, policies and practices were fully and effectively coordinated throughout its territory. However, the programme of the new Government did include a number of positive legislative and policy initiatives, and the Committee welcomed the swift action taken by the authorities to address the recent racist and xenophobic riots, including by investigating any racist crimes committed and prosecuting those responsible.

12. Concerns had been raised over the completeness and quality of the data collected by the State party and the consistency and comparability of the data collected by different government departments and devolved administrations. He therefore wished to know what measures the British Government intended to take to improve data collection with a view to strengthening the formulation and implementation of policies on racial discrimination. He would also welcome the delegation's response to concerns over the independence of certain national human rights institutions, the adequacy of their budgets and the scope of their mandates.

13. He would be interested to know whether the State party would consider introducing mandatory impact assessments to measure the effects of the Inclusive Britain Action Plan in all administrations. It would also be useful to know whether the Welsh Government was planning to put in place an impact measurement and monitoring framework for the measures it took to promote racial equality. He wished to know what steps the British Government and the Northern Ireland Executive had taken to ensure full implementation of the Racial Equality Strategy 2015–2025 and what instrument would be put in place to replace the Strategy once it came to an end. The Scottish Government had reportedly not held consultations with key stakeholders or rights holders on a new equality action plan since the publication of its final report on the Race Equality Action Plan 2017–2021. Had any steps been taken towards developing a new action plan to replace it?

14. **Ms. Stavrinaki** (Country Task Force) said that the Committee would welcome further information about the specific plans of each administration to incorporate the provisions of the Convention into the domestic legal order. She would like to know what measures would be taken to implement the provisions of the Equality Act 2010 that remained unimplemented in all or part of the State party, including sections 1, 14 and 106.

15. It would be helpful to know what action the British Government and the Northern Ireland Executive had taken to prioritize the adoption of a standalone equality law for Northern Ireland containing a definition of racial discrimination compatible with article 1 (1) of the Convention. The delegation might also like to explain how the two administrations planned to ensure that existing equality legislation in Northern Ireland was brought into line with amendments to the Windsor Framework and European law. She wished to know what measures had been taken to ensure that all British Overseas Territories adopted legislation prohibiting discrimination by private parties.

16. She would like to know what steps the State party would take to review its legislation with a view to amending or repealing any laws or regulations that had led to or perpetuated racial discrimination, as was the case for certain provisions of the Illegal Migration Act 2023 and the Victims and Prisoners Act 2024. It would also be interesting to know what action would be taken to garner support for the development of a bill of rights in Northern Ireland.

17. The Committee would welcome updated information on the number of racial discrimination cases in which legal aid had been provided and wished to know whether the State party would consider repealing the provisions of the Illegal Migration Act 2023 that

disproportionately restricted migrants' access to justice in violation of article 6 of the Convention.

18. It would also be helpful to learn whether the State party planned to withdraw its interpretative declaration regarding article 6 and, specifically, the right to seek just and adequate reparation or satisfaction for damage suffered as a result of discrimination. In that regard, the Committee would welcome information on specific cases related to racial discrimination in which reparation had been provided.

19. **A representative of the United Kingdom** said that, as the United Kingdom operated under a dualist legal system, its international human rights obligations were incorporated into law through domestic legislation, such as the Equality Act 2010, and associated initiatives. The same approach was taken in the British Overseas Territories and the Crown Dependencies. The British Government planned to draft new legislation on racial equality.

20. **A representative of the United Kingdom** said that the British Government fully supported the right to peaceful assembly and protest; however, the recent events that had taken place across the United Kingdom had constituted violent disorder, which was completely unacceptable. The Government had supported the police in bringing those responsible to justice, and police forces in England and Wales had provided assurances that they possessed the powers and resources to address the events. Steps taken to combat misinformation and disinformation relating to the recent violence had included the establishment of structures within the Home Office and the Department for Science, Innovation and Technology to address those challenges. Safeguards had been put in place to protect vulnerable communities targeted in recent attacks, which had had a disproportionate impact on ethnic minority groups and Muslims in particular. The decision to use police powers to quell disorder was made independently by police chiefs at the local level. The police must act in accordance with human rights legislation when using such powers.

21. **A representative of the United Kingdom** said that the website <https://www.ethnicity-facts-figures.service.gov.uk>, launched in October 2017, provided data disaggregated by ethnicity, age, sex, geographic area and socioeconomic characteristics on a wide range of topics including education, health care, criminal justice and the economy. In 2022, the Government had held consultations with various public bodies on how best to record, understand and communicate data on ethnicity, the results of which had been published in April 2023 along with a revised set of data standards.

22. Reports on progress in implementing the Inclusive Britain Action Plan had been presented to Parliament in April 2023 and May 2024, by which time 62 of the 74 actions in the Action Plan had been completed. A notable achievement had been the increased ethnic diversity of judges, magistrates and police officers.

23. The Equality and Human Rights Commission was independent of the Government and made its own decisions regarding inquiries, investigations and enforcement. The Commission had retained category A status following a special review conducted in 2024 by the Global Alliance of National Human Rights Institutions. It had been allocated a budget of £17.5 million for the period 2024–2025, a small increase on 2023, and was free to decide on how to use its funding.

24. Under the public sector equality duty, public bodies must have due regard to the need to advance equality of opportunity, promote good relations between groups and eliminate discrimination, harassment and victimization. The decision to conduct an equality impact assessment, normally taken by a government minister, was based on a preliminary assessment of equality impacts conducted by government officials. Equality impact assessments were mandatory under the public sector equality duty; what was not mandatory was the publication of such assessments, which often contained sensitive information, such as information relating to issues of national security or private decisions taken by ministers, making their publication inappropriate. The Government had taken steps to improve compliance with the public sector equality duty among public authorities, including by sending letters to all government ministers in December 2021 and issuing updated guidance in 2023.

25. The new Government had announced its intention to bring into force unimplemented provisions of the Equality Act, namely section 1 on the socioeconomic duty and section 14

on dual discrimination, through secondary legislation. It was also considering whether to bring into force section 106 on the protected characteristics of candidates standing for election to public office.

26. **Ms. Stavrinaki** said that she would appreciate further information on the State party's plans to make amendments to the public sector equality duty.

27. **A representative of the United Kingdom** said that the Government was considering how to implement the unimplemented provisions of the Equality Act 2010; however, that work was at an early stage, and it was not yet possible to provide further details. An update on its work regarding the public sector equality duty would be issued in due course alongside relevant guidance.

28. **A representative of the United Kingdom** said that the Victims and Prisoners Act 2024 did not provide for the full disapplication of existing human rights legislation but rather for the disapplication of section 3 of the Human Rights Act 1998, which stipulated that legislation must be interpreted in a manner compatible with the rights conferred under the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights). Some immigration legislation provided for the more extensive disapplication of provisions of human rights legislation. The new Government had not yet had the opportunity to consider the matter.

29. While the Government remained committed to the adoption of a Northern Ireland bill of rights, consensus among the communities of Northern Ireland would be crucial to its development. In 2020, an ad hoc committee had been set up within the Northern Ireland Assembly to discuss the development of the bill; however, the parties of Northern Ireland had not yet achieved consensus. The British Government stood ready to support any new initiatives that might emerge in that regard.

30. Some £2.1 billion of public funds were spent annually on civil and criminal legal aid in England and Wales alone. The aim of legislation such as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 had been to direct legal aid where it was most needed. The Government had been considering evidence gathered over the past year and was working closely with practitioners and their representative bodies to address challenges in the civil legal aid market, particularly regarding the availability of providers. Legal aid was broadly available in cases of discrimination, including in cases relating to equal pay.

31. **A representative of the United Kingdom** said that the Racial Equality Strategy 2015–2025 of the Northern Ireland Executive had included a commitment to implement ethnic monitoring in priority areas. A comparison of best practices in data collection and reporting in other jurisdictions had been conducted to identify how to fill gaps in that regard. In April 2023, the Executive Office had commissioned an independent review of progress on the Strategy, the findings of which would inform the development of a new strategy in partnership with ethnic minority groups. Of the 11 actions proposed in the Strategy, 8 had been implemented and work would continue on the remaining 3 actions, including a review of the Race Relations (Northern Ireland) Order 1997. A consultation on amending that law had been held in 2023, a report on which had recently been published, and there were plans to introduce updated legislation aimed at eliminating racial discrimination during the 2025/26 sitting of the Northern Ireland Assembly. The intention was that the new legislation would provide protections equivalent to or better than those granted by laws in force in the rest of the United Kingdom and in Ireland, while also keeping pace with European Union directives in line with commitments under the Windsor Framework.

32. There were no plans to introduce a single equality act for Northern Ireland. The Executive would continue monitoring racial equality directives and changes in case law while developing the new legislation and would work with the Equality Commission for Northern Ireland to ensure compliance.

33. **A representative of the United Kingdom** said that the Scottish Human Rights Commission was an independent public body that enjoyed category A status as a national human rights institution. The Commission was neither directed nor controlled by the Scottish Government, and while its funding was provided by the Scottish authorities, the Commission itself was solely responsible for deciding how to allocate that funding and for resourcing its

mandate with regard to racial discrimination. The Scottish Government had held consultations on a new human rights bill for Scotland, through which it proposed to empower the Commission to bring and intervene in civil proceedings and conduct investigations relating to civil matters that fell within the scope of the bill. The next steps would be set out later in 2024.

34. Equality impact assessments were mandatory for all new and revised policies and legislation and were all published on the Scottish Government's website. In 2021, an immediate priorities plan for race equality in Scotland had been published following the conclusion of the Race Equality Action Plan 2017–2021, demonstrating the Scottish Government's continued commitment to the Race Equality Framework for Scotland 2016–2030. Implementation of the immediate priorities plan had concluded in March 2023, and achievements had been reported in an anti-racism progress review. An interim governance group to develop national anti-racism infrastructure had been established in April 2022 to make recommendations regarding the establishment of an anti-racism observatory, for which purpose a procurement process was currently under way. A stakeholder event would be held in September 2024 to consider the next steps in the Framework's implementation.

35. **A representative of the United Kingdom** said that the Welsh Government had established a race disparity evidence unit with a strong focus on intersectionality to improve the granularity, quality and accessibility of data. The unit was developing a framework, to be published in autumn 2024, to measure and evaluate the impact of the Anti-Racist Wales Action Plan across the public sector in Wales. People with lived experience of racial discrimination had been included in several research projects with a view to improving data quality and building research capacity. The 2022–2023 annual report on the Action Plan showed that it had not yet had a visible impact on the lived experience of ethnic minority groups. In response, an accountability structure formed of 11 diversity representatives and 8 experts had been established to ensure that lived experience would be centred in policymaking, and regional forums would be held to create links with ethnic minority groups and individuals affected by policy changes.

36. The Welsh Government was obliged under the public sector equality duty and relevant regulations to undertake and publish equality impact assessments. Steps were being taken to improve the assessment process to ensure that future assessments would better contribute to anti-discrimination and pro-equality policy decisions, and training offered to Welsh Government officials was being redesigned to complement those efforts.

37. **Ms. Stavrinaki** said that the Committee had reservations regarding the effectiveness of domesticating the Convention primarily through case law. As racial discrimination largely went unreported, many cases were not brought before the courts, meaning that gaps in case law could remain in place for many years. She was keen to hear the delegation's comments in that regard.

38. **Ms. Tlakula** said that she would like to know whether the Government had considered redacting sensitive information in equality impact assessments so that they could be published. The delegation might wish to comment on the connection between the cost of litigation and the development of case law on racial discrimination. She would appreciate an update on the adoption of the UK bill of rights bill and would welcome information on the consultations held on the Scottish human rights bill.

39. **Mr. Amir** said that he would like to invite the Government to acknowledge that the historical failure of previous Governments to grant self-determination to the State of Palestine had been a mistake.

40. **Ms. Shepherd** said that she would be grateful to receive specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level and would like to hear about any aspects of domestic law and governance policies that fully incorporated those instruments. It would be useful to know whether the State party's efforts to provide legal aid to people held in immigration and detention facilities had been successful and whether measures had been taken to ensure that people affected by the Windrush scandal had sufficient access to legal aid to secure justice.

41. **Ms. Esseneme** said that she would like to know whether the Government was planning to provide reparations to the victims of the recent violent events in the United Kingdom. Statistics on judicial decisions handed down in cases of racial discrimination would be appreciated.
42. **Mr. Yeung Sik Yuen** said that he was interested in hearing about any cases in which legal aid could not be provided. He wished to know whether there was a minimum wage in place in the State party and whether individuals must earn below a certain income to qualify for legal aid. It would be useful to know which authorities were responsible for granting legal aid and for assessing whether a case was substantive before legal aid could be granted.
43. **Mr. Rayess** said that he wished to understand the rationale behind the systematic animosity demonstrated by the State party towards people of Arab descent and Muslims.
44. **Mr. Diaby** said that he wished to know whether the State party planned on passing a law acknowledging its participation in the transatlantic slave trade and recognizing that trade as a crime against humanity.
45. **A representative of the United Kingdom** said that, in 2023, the Scottish Government had held consultations on a human rights bill that would incorporate various human rights treaties, including the Convention, into Scottish law, within the limits of devolved competency. Following the recent change in First Minister, the Scottish Government was currently deciding its legislative priorities for the remainder of the parliamentary session.
46. **A representative of the United Kingdom** said that the previous British Government had taken the view that the publication of equality impact assessment reports could have a chilling effect on decision makers' considerations and records. To redact such reports would render them largely unreadable. The new Government was currently considering how to strengthen the assessment process.
47. **A representative of the United Kingdom** said that a holistic, government-wide approach involving the police, the education system, communities and local authorities had been taken to preventing violent disorder. Most victims of the recent violent disorder were expected to be able to claim compensation through their insurance providers; the Government would work favourably with those without insurance to identify other opportunities for compensation.
48. The United Kingdom sought to eliminate discrimination against all groups – not only Arabs and Muslims – in order to achieve an open, diverse and inclusive society. Given the disproportionate impact of the recent disorder on Muslims and Arabs, the Government was working with community groups and leaders and with non-governmental organizations to ensure an appropriate response.
49. **A representative of the United Kingdom** said that no progress had been made on the UK bill of rights bill. The bill had been withdrawn a year after its proposal, and the new Government had no intention to return to it. The Human Rights Act 1998 therefore remained the framework through which the rights drawn from the European Convention on Human Rights were enforceable.
50. Legal aid was a devolved matter. To be eligible for legal aid, the applicant's case must fall within one of several specific subject areas. The independent Legal Aid Agency then conducted means testing on the applicant – in civil cases, the annual income threshold was around £32,000; for comparison, the annual minimum wage was equivalent to around £20,000 – and assessed the merits of the case. If those criteria were not met, case funding could still be granted in exceptional circumstances where human rights were at risk of violation. Most immigration detention matters fell within the scope of legal aid, including applications for bail, restrictions on residence and applications and appeals for indefinite leave to remain. Over the 2023/24 financial year, 1,887 cases involving discrimination had received legal aid, a number similar to previous years. More time was needed to determine how many of those cases had involved racial discrimination specifically.
51. The United Kingdom generally did not have a system of constitutional rights; rather, rights were largely derived from long use or judicial decision. As had been the experience during the adoption of the Human Rights Act 1998, the inscription of posited rights into law

presented a significant change to the usual approach, and care needed to be taken not to unintentionally extinguish or alter existing rights. In the devolved context, conversely, powers were derived from specific legislative instruments and were defined or limited by reference to human rights standards.

52. **A representative of the United Kingdom** said that his country recognized the importance of the Durban Declaration and Programme of Action. The newly elected Government intended to examine how the document interacted with the existing legal policy and frameworks in the United Kingdom, but the specifics of what action would be taken had yet to be determined. The United Kingdom also acknowledged the extreme importance and complexity of its role in the transatlantic slave trade and colonialism. The new Government was committed to examining that issue carefully.

53. **A representative of the United Kingdom** said that, in Scotland, legal aid was available to all persons seeking advice on immigration matters. Applications were subject to the usual statutory tests but not to a residency test. Applicants could be granted legal representation in immigration cases; in most such cases, applications were subject only to means testing and were all approved on the merits. Applicants did not require a bank account or financial records to access legal aid.

54. **A representative of the United Kingdom** said that, in Northern Ireland, victims of criminal damage committed during the recent riots could access compensation through the Criminal Damage Compensation Scheme operated by the Department of Justice. Information about the scheme had been transmitted to all those affected. The local authorities of Belfast were considering providing support to the owners of destroyed businesses to enable them to re-establish their businesses at new premises.

55. **A representative of the United Kingdom** said that victims of criminal damage caused during the recent riots might be eligible for compensation of up to £1 million under the Riot Compensation Act 2016. They were required to report the damages to local police as a first step.

The meeting was suspended at 4.45 p.m. and resumed at 4.50 p.m.

56. **Mr. Kut** said that he wished to know what measures – beyond those of which the Committee was already aware – were being taken to combat racist and xenophobic hate speech, hate crimes and incitement to racial discrimination, especially in the media and online and including by politicians and public figures. It would also be useful to know how existing measures had been implemented and what outcomes had been achieved. He also wondered what was being done to combat underreporting of such offences and expedite the processing of complaints and the conviction of perpetrators.

57. In the light of the sharp rise in anti-Muslim and antisemitic crimes in the State party since the start of the Israel-Palestine conflict, the Committee would be interested to learn whether the prosecution of religiously motivated hate crimes required a demonstration of intent – as compared with racially motivated hate crimes, which seemingly did not – and whether certain groups in the State party enjoyed less protection than others.

58. With regard to Northern Ireland, the Committee wished to know whether any progress had been made on the adoption of the bill on hate crime and what steps had been taken, including through effective monitoring and the allocation of adequate resources, to combat the impact that the continued presence of paramilitary organizations had on migrant communities and on the underreporting of racially motivated hate crimes. He also wondered what was being done to address racially and religiously aggravated hate crimes and entrenched religious sectarianism in Scotland and to tackle the rise in racial prejudice against Gypsy, Roma and Traveller communities across the United Kingdom.

59. On the topic of hate speech, he would welcome information on what the State party was doing to improve the efficiency of the independent regime of press regulation. It would also be useful to know whether any politicians had been prosecuted or sanctioned for engaging in hate speech.

60. **Ms. Stavrinaki** said that, in the light of the State party's interpretative declaration on article 4, she would welcome information on the steps taken to ensure that domestic

legislation prohibited all acts of hate speech, including the obligation to cease public funding for political organizations that promoted racism and the possibility of dissolving such organizations.

61. The Committee would be interested to learn what steps were being taken to repeal the provisions in the suite of legislation on migration – especially the Nationality and Borders Act 2022 and the Illegal Migration Act 2023 – that had a negative impact on asylum-seekers, refugees and migrants and to ensure that all such legislation complied fully with the Convention and relevant international standards. In that connection, she wondered what would happen to persons who had already been earmarked for deportation to Rwanda, whether the State party intended to comply with the Supreme Court ruling regarding the unlawfulness of the Rwanda scheme and whether it would abandon its appeal against the decision of the High Court in Northern Ireland, which had ruled that the Illegal Migration Act 2023 breached human rights. In addition, it would be useful to learn what measures were in place to ensure the swift identification and protection of vulnerable migrants and to guarantee that immigration law was enforced in a manner consistent with the Convention. She wondered whether the State party would consider repealing the exceptions to the public sector equality duty as applied to immigration law.

62. In the light of the findings of the Brook House Inquiry, she wished to know what steps had been taken to investigate and punish those responsible for physical abuse, including inappropriate use of force and use of abusive and racist language towards detainees in immigration detention centres, and to change the toxic culture of staff behaviour at those centres. She would also welcome information on the reported disappearance of unaccompanied child migrants, refugees and asylum-seekers and on the measures taken to ensure the provision of individual assessments for asylum requests and ensure effective remedies against refoulement. Lastly, she would be interested to learn what the State party's justification was for its reservation to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence regarding the issuance of residence visas to foreign women whose migration status was dependent on their spouse.

63. **A representative of the United Kingdom** said that different protected characteristics were not afforded different levels of protection. Any crime could be prosecuted as a hate crime if the defender had demonstrated, or been motivated by, hostility towards the victim on the grounds of race, religion, sexual orientation, disability or transgender identity.

64. The United Kingdom was working with various trusted partners to support the reporting of hate crimes. Since the start of the Israel-Palestine conflict, there had been a 335 per cent increase in hate crimes against Muslims and a 525 per cent increase in hate crimes against Jews. In response, the Government had increased the funding for protective security for those groups by 20 per cent, which it was committed to maintaining until 2028. In the 12 months up to March 2023, 9,267 racially aggravated hate crimes had been prosecuted, of which 87.3 per cent had resulted in charges, 84.7 per cent had resulted in a conviction and 80.5 per cent had resulted in increased sentences.

65. The United Kingdom intended to maintain its interpretative declaration on article 4 of the Convention, as it was committed to supporting a free and independent media. It was not appropriate for the Government to arbitrate on what should or should not be published or broadcast. Domestic law prohibited incitement to racial hatred in both online and offline media, and means of redress were available to victims.

66. **A representative of the United Kingdom** said that the police and independent regulators took the issues of racism, hate speech and disinformation in the media very seriously. Acts that were illegal offline were also illegal online. Many instances of hate speech and racism in the press were referred to the Independent Press Standards Organisation, which dealt very seriously with negative portrayals of ethnic minorities and immigrants. It had a clear code of conduct that it kept up to date in consultation with community organizations. Failure to comply with the code could result in fines of up to £1 million and offending publications could be required to publish corrections and apologies.

67. The Government worked closely with online platforms to ensure that they protected users and removed unlawful material. The Online Safety Act 2023 would set out clear requirements for social media platforms to quickly take down and minimize access to illegal

content, for example, and would give the regulator powers to issue fines of up to £18 million or 10 per cent of the qualifying worldwide revenue of offending platforms.

68. Politicians were not above the law. A Member of Parliament had been found guilty of racially abusing a member of the public at Westminster Magistrates' Court in November 2023.

69. **A representative of the United Kingdom** said that groups promoting extremist hate speech could be proscribed under the existing legislative framework, and individuals acting in their name who continued to engage in such behaviour faced prosecution and incarceration. Such action had been seen in the wake of the recent disorder, with individuals being swiftly brought to justice for hate crimes including both violent disorder and hate speech.

70. Unprecedented amounts of funding were now being transferred to faith institutions, including Muslim groups and the Community Security Trust, to promote the reporting of religiously motivated hate speech and help them to set up security measures to protect places of worship against violence.

71. **A representative of the United Kingdom** said that neither the Nationality and Borders Act 2022 nor the Illegal Migration Act 2023 had yet been fully implemented. Future decisions on those acts lay in the hands of the Government, which had already announced that it would end the UK-Rwanda Migration and Economic Development Partnership. Legislation was to be introduced to repeal the Safety of Rwanda (Asylum and Immigration) Act 2024.

72. Migrant victims of domestic violence whose permission to be in the country was based on the family immigration rules could still apply for the migrant victims of domestic abuse concession, which had recently undergone its largest expansion since 2012 to grant victims who were in the United Kingdom as the partner of a worker or student a short period of lawful status, financial stability and support from specialist services while they considered their future options independent of their abuser. Eligibility for the concession and the scope of the immediate settlement provisions had also been expanded in 2024 to include a spouse, civil partner or durable partner with pre-settled status under the European Union Settlement Scheme as well as their dependent children. The duty to provide safe accommodation under part 4 of the Domestic Abuse Act applied to all victims of domestic abuse, including migrants with insecure immigration status. Up to £5.6 million had been allocated between April 2021 and March 2025 to the Support for Migrant Victims scheme, which provided a support net for migrant victims of abuse with no recourse to public funds.

73. **A representative of the United Kingdom** said that the Department of Justice of the Northern Ireland Executive was bringing forward new hate crime provisions following a judge-led review of existing legislation. The changes to be introduced during the current mandate of the Northern Ireland Assembly would unveil a new model for prosecuting hate crimes, recognizing the hate element from the outset. Additional measures to protect the victims of such crimes would also be brought in and a new statutory aggravator model introduced, providing for higher maximum sentences for offences in which hate crime was an aggravating factor.

74. The Department of Justice had helped initiate a review of the school curriculum in Northern Ireland in order to increase understanding of diversity and the negative impact of prejudice and, in partnership with the police force, continued to support the Hate Crime Advocacy Service, which brought together a wide range of agencies supporting victims of hate crime through the criminal justice process and helped raise awareness about the causes and impacts of hate crime on ethnic minority groups in Northern Ireland. The police had publicly noted the involvement of a paramilitary element in recent disorder in Belfast, in particular targeting the Muslim community there.

75. **A representative of the United Kingdom** said that the Scottish Government was working with Police Scotland to improve the recording of disaggregated crime data. More than 6,000 hate crimes had been reported in Scotland in 2022–2023, the lowest number since 2014–2015, although no clear trends could be seen in the intervening years. Some 60 per cent of hate crimes reported in 2022–2023 had included a racial element, also representing a decrease on earlier years.

76. Underreporting of hate crime was recognized as a significant issue. The Hate Crime Strategy delivery plan therefore supported implementation of the Hate Crime and Public Order Act (Scotland) Act 2021 and the “Hate Hurts” marketing campaign. A review of barriers to reporting had been undertaken and further research had been instigated to help tackle them.

77. **A representative of the United Kingdom** said that more than 60 per cent of hate crimes reviewed by the Welsh Government in October 2023 were racist hate crimes. While that represented a small drop, the effects of underreporting needed to be taken into consideration. A holistic approach was being applied to tackle hate crime in Wales, including preventive work, support for victims through the Wales Hate Support Centre, the “Hate hurts Wales” campaign and a community cohesion programme. The “Hate hurts Wales” campaign was intended to make the perpetrators and potential perpetrators of hate crimes aware of the hugely negative impact of their actions on both the victim and their own lives and emphasized the important role that bystanders could play in preventing and addressing hate crime. As a result of media activity, 2023 had seen a 32 per cent increase in calls to the Wales Hate Support Centre and a 67 per cent increase in visits to its website.

78. Equity for Gypsy, Traveller and Roma communities in Wales, who faced deep inequalities and discrimination, was a cross-cutting theme touching on all policy areas of the Anti-Racist Wales Action Plan. The Action Plan included initiatives to provide training for local authority councillors on the rights of the communities in question, developed with their involvement, and also contained specific provisions to combat Islamophobia and antisemitism.

79. **Mr. Kut** said that he would like to receive more information about the substance of the Online Safety Act 2023 and about any measures taken to prevent and address instances of anti-Irish racism in Scotland.

80. **Ms. Stavrinaki** said that disaggregating hate crime data would help the State party to build an understanding of the frequency with which different groups were being targeted by such crime and to identify qualitative trends. Without disaggregation it was not clear how the State party could effectively develop a policy to combat hate crime.

81. **Ms. Tlakula** said that she would like the delegation to clarify whether or not the online safety bill had now come into force.

82. **Ms. Shepherd** said that she wondered whether the recent decrease in recorded hate crimes might be related to a lack of successful prosecutions. She also wished to know whether the State party planned to implement additional measures to educate the broader British public about the legacies of African enslavement and colonialism and their connection to ethnic minorities migrating to the United Kingdom. It was possible that such legacies contributed to existing hierarchical mindsets and prejudices against ethnic minorities, as seen in the sentiments expressed during the recent race and anti-migrant riots.

83. **Mr. Diaby**, referring to the 2023 report by the Independent Commission for Equity in Cricket, said that its findings of unchallenged and widespread racial discrimination in cricket were also reflected in other sports in the United Kingdom. He would like to know whether the State party was considering adopting legislation to help effectively combat and prevent hate speech and discriminatory behaviour in sport.

84. **Mr. Guan** said that he would be interested to hear the delegation’s thoughts about why, given the existence in the State party of various initiatives designed to combat racist abuse online and reduce illegal online content, the widespread dissemination of false information on social media had nevertheless been a significant factor in the riots that had taken place in the United Kingdom recently. He wondered what responsibility the Government should bear in that regard. In the light of those riots, he also wished to know whether politicians who had engaged in hate speech against Muslims and in anti-immigration rhetoric, including statements that had incited and fuelled extremist violence, would be held accountable. What additional measures would be taken by the Government to discourage politicians from making such inflammatory remarks?

85. **Mr. Tlemçani** said that he would like to know whether the reduction in the number of asylum-seekers arriving in the United Kingdom was sufficient to justify the closure of

some 50 hotels used to accommodate them. Given the gradual closure of the hotels, it was not clear how the Government intended to manage the accommodation of asylum-seekers at a time when the numbers of arrivals had dropped only slightly.

86. **A representative of the United Kingdom** said that a cross-executive programme to tackle paramilitarism and its impact across all groups, including minority ethnic groups, had been established in Northern Ireland in 2016. It currently received annual funding of £16 million. Its framework was based on a public health approach to violence prevention and its overall aim was to create safer communities resilient to paramilitarism, criminality and coercive control. There was increasing evidence that the programme was starting to bear fruit and that the cumulative impact of collective law enforcement was having an impact on paramilitary groups and their leadership. The need for a long-term sustainable approach to tackling paramilitarism and transformational work to address socioeconomic issues had been recognized.

87. **A representative of the United Kingdom** said that the Scottish Government recognized that anti-Irish behaviour was racist behaviour. Sectarianism in Scotland was related to but distinct from racism and other forms of religious bigotry, although it had been closely associated at times with anti-Irish prejudice.

88. **A representative of the United Kingdom** said that the Welsh Government had made the teaching of the histories of black, Asian and minority ethnic groups a mandatory part of the school curriculum.

89. **A representative of the United Kingdom** said that the Online Safety Act 2023 was being phased in in stages and would be fully in force as of early 2025. The legislation was designed to protect children and adults online, making social media companies and search engines more responsible for user safety. They would be required to reduce the risk of their services being used for illegal activity and take down any illegal content that appeared. Platforms would have a duty to prevent children from being able to gain access to harmful and age-inappropriate content and provide parents and children with user-friendly ways to report problems online. To protect adult users, major platforms would need to be more transparent about potentially harmful content that they allowed and give people more control over the types of content they wanted to see. Ofcom, the independent regulator for the Act, had been consulting on how it would implement and manage compliance.

90. The national governing bodies of individual sports were ultimately responsible for deciding on their aims and initiatives to tackle discrimination and increase diversity. However, the Government was of the firm view that discrimination had no place in sport, at any level, and it wanted to see real progress and receive regular updates from the governing bodies. The England and Wales Cricket Board had accepted the recommendations of the report of the Independent Commission for Equity in Cricket and had issued a full apology.

91. **A representative of the United Kingdom** said that the Government was working with the police and local authorities to locate unaccompanied migrant children who had gone missing from their hotel accommodation, and a working group had been set up to produce guidance to support local police forces in that effort. Many of those who had gone missing had subsequently been located. Since the last hotel used to accommodate unaccompanied migrant children had closed in January 2024, all new children arriving unaccompanied in Kent had gone directly into local authority care.

92. The Government had a statutory obligation to provide accommodation and support to asylum-seekers who would otherwise be destitute, and it allocated safe, habitable and fit-for-purpose accommodation to that end. The closure of hotel accommodation did not undermine or change that legal obligation. Decisions were made, where possible, to help move people out of that accommodation depending on the outcome of their asylum application.

93. **A representative of the United Kingdom** said that the Government had established an independent review of the curriculum and assessment for schools in England, covering key stage 1 to key stage 5. Its core aim was to break down the barriers to opportunity, and it would seek to make sure children benefited from a curriculum that represented them, regardless of their background.

94. **A representative of the United Kingdom** said that the Government had established standards for disaggregating hate crimes by ethnicity and had been publishing that data since 2022.

The meeting rose at 6 p.m.