



**International Convention on the
Elimination of All Forms of Racial
Discrimination**

Sixty-sixth session

Official Records

Provisional

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**Meeting of the States Parties to the International
Convention on the Elimination of All Forms of
Racial Discrimination**
Twentieth meeting

Provisional summary record of the 29th meeting

Held at Headquarters, New York, on Wednesday, 14 January 2004, at 10 a.m.

Temporary Chairperson: Mr. Ndiaye. (Representative of the Secretary-General)

Chairperson: Mr. Stańczyk (Poland)

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The meeting was called to order at 10.25 a.m.

Opening of the meeting by the representative of the Secretary-General

1. **The Temporary Chairperson**, speaking on behalf of the Secretary-General, declared open the Twentieth meeting of States parties to the International Convention on the Elimination of all Forms of Racial Discrimination. Since the Nineteenth Meeting, eight countries – Equatorial Guinea, Honduras, Oman, Paraguay, San Marino, Thailand, Timor Leste and Turkey – had become parties to the Convention, thus bringing the number of States that had ratified and adopted the Convention to 169. At its meetings in 2002 and 2003, the Committee on the Elimination of Racial Discrimination had considered the reports of some 42 States parties and had continued to review the implementation of the Convention in States parties whose reports were seriously overdue. It had also continued to carry out the functions assigned to it pursuant to article 14 of the Convention, whereby it considered communications received from individuals or groups alleging that their rights under the Convention had been violated. In recent years, the Committee had adopted eight decisions on that matter.

2. In 2002, the Committee had adopted two general recommendations (28 and 29) with a view to assisting States parties to improve the implementation of the Convention at the national level. Recommendation No. 28 concerned follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Adoption of No. 29, addressing discrimination based on ethnic origin, had been preceded by a thematic debate, the twelfth of its type that the Committee had held. The third thematic debate, devoted to the issue of non-citizens and racial discrimination, was scheduled for 1 and 2 March 2004.

3. Over the last two years, the Committee had also devoted considerable attention to the review of its working methods, and it had debated them during its very first meeting with the States parties held on 19 August 2003. States parties had highlighted the following aspects in particular: lists of issues to be addressed to the States parties before the Committee examined their initial or periodic report; adoption of a mechanism guaranteeing that States followed up on the

conclusions and recommendations that the Committee addressed to them; reform proposals arising from the Secretary General's report entitled "Strengthening of the United Nations: An Agenda for further change" (A/57/387 and Corr.1).

4. As important as the Committee's contributions had been to date, there were obviously some areas for improvement. For example, only 44 States parties had so far made the declaration under article 14 permitting communications to be considered by the Committee. The individual communications procedure was thus underutilized.

5. With regard to the financing of the activities under the Convention, the General Assembly, in its resolution 47/111 of 16 December 1992, had endorsed the amendment to the Convention providing for the financing of the Committee from the regular budget of the United Nations and had requested the Secretary-General to take appropriate measures to provide for the financing of the Committee on that basis, beginning with the biennium 1994-1995. The Secretary-General had taken the necessary measures but, in order for the amendment to enter into force, acceptance must be received from two-thirds of the States parties. To date, however, only 37 States parties had ratified the amendment, despite repeated calls by the General Assembly.

6. With regard to the election of nine members of the Committee to replace those whose mandate would expire on 19 January 2004, it was worth recalling that the Secretary-General, in a global note dated 25 July 2003, had invited the States parties to make nominations before 25 September 2003. The CERD/SP/66 document contained the names of nominees, and the names of the States parties involved. The document's addenda 1, 2 and 3 (CERD/SP/66/Add.1-3) contained the names of three nominees that had decided to withdraw their candidacy. The names of nine members of the Committee whose mandate will expire on 19 January 2004, appeared in Annex II, and biographical information on the nominees was presented in Annex III.

Election of the Chairperson

7. **Mr. Hoscheit** (Luxembourg), speaking as permanent representative of his country, and Chairperson of the Nineteenth Meeting of States parties to the Convention, nominated Mr. Stańczyk (Poland) for the office of Chairperson of the Meeting.

8. **The Temporary Chairperson** stated that if there was no objection, it would be taken that representatives of the States parties wished to elect Mr. Stańczyk chairperson of the Meeting by acclamation.

9. *It was so decided.*

10. *Mr. Stańczyk (Poland) took the Chair.*

Adoption of the agenda (CERD/SP/65)

11. *The agenda was adopted.*

12. **The Chairperson** stated that before moving to the following point on the agenda, he wished to draw attention to articles 2 and 3 of the rules of procedure (CERD/SP/2/Rev.1). Article 2 of those rules provided that the credentials of representatives and the names of the members of delegations should, wherever possible, be submitted to the Secretary-General at least one week before the date set for the opening of a Meeting. Although the Secretary-General had communicated the content of that article to States parties in a note verbale, he had not yet received credentials, in due form, from a number of States parties represented at the Meeting. The Chairperson therefore proposed, in accordance with article 3 of the rules of procedure, and in the absence of objection, that the representatives of those States parties be authorized provisionally to participate in the Meeting, and he urged them to ensure their credentials were submitted to the Secretary-General as soon as possible.

13. *It was so decided.*

Election of other officers of the meeting

14. **The Chairperson** said that, under article 4 of the rules of procedure, the Meeting should elect one to four Vice-Chairpersons from among the representatives of the States parties. He therefore invited representatives of States parties to make nominations for the posts of Vice-Chairperson.

15. Ms. Beatriz Londoño (Colombia) and Mr. Stephan Barriga (Liechtenstein) had been nominated, respectively, by the Group of Latin

American and Caribbean States and the Group of Western European and Other States.

16. In the absence of objection, the Chairperson would take it that the Meeting wished to elect those candidates to the posts of Vice-Chairperson.

17. *It was so decided.*

Election of nine members of the Committee for the Elimination of Racial Discrimination, to replace those whose mandate would expire on 19 January 2004, pursuant to paragraphs 1–5 of article 8 of the Convention.

18. **The Chairperson** mentioned that documents CERD/SP/66 and CERD/SP/66/Add.1-3 contained information on the individuals that had been nominated or withdrawn by States parties, together with biographical notes on the persons concerned; and he noted there were 16 candidates for the posts to be filled.

19. He also drew attention to paragraphs 1, 2, and 4 of article 8 of the Convention relating to the election of members of the Committee.

20. *At the invitation of the Chairperson, Mr. Pirawat Atsavapranee (Thailand), Mr. Erik Ivo Nürnberg (Norway), Ms. Mavis Esi Kusorgbor (Ghana) and Ms. Doris Roman (Paraguay) acted as tellers.*

21. *A vote was taken by secret ballot.*

22. **The Chairperson** decided to suspend the meeting while the votes were counted.

23. *The meeting was suspended at 11 a.m. and reconvened at noon.*

24. **The Chairperson** announced the results of the vote:

<i>Number of ballot papers:</i>	169
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	169
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	169
<i>Required majority:</i>	85

Number of votes obtained:

Mr. Pillai (India)	146
Mr. Boyd Jr. (United States of America)	132
Mr. Avtonomov (Russian Federation)	129
Ms. January-Bardill (South Africa)	125
Mr. Tang (China)	125
Mr. Yutzis (Argentina)	118
Mr. Valencia Rodríguez (Ecuador)	98
Ms. Dah (Burkina Faso)	89
Mr. Cali tzay (Guatemala)	88
Mr. Diaconu (Romania)	86
Mr. Nettleford (Jamaica)	86
Ms. Dembele (Mali)	65
Ms. Kamuwanga (Zambia)	61
Mr. Thiam (Guinea)	59
Ms. Feldhune (Latvia)	46
Mr. Niyungeko (Burundi)	42

25. Having the required majority and the largest number of votes, the Chairperson declared the following candidates elected as members of the Committee for the Elimination of Racial Discrimination: Mr. Pillai (India), Mr. Boyd Jr. (United States of America), Mr. Avtonomov (Russian Federation), Ms. January-Bardill (South Africa), Mr. Tang (China), Mr. Yutzis (Argentina), Mr. Valencia Rodríguez (Ecuador), Ms. Dah (Burkina Faso) and Mr. Cali tzay (Guatemala).

The meeting rose at 12.10 p.m.