



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

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**Committee on the Elimination of Racial Discrimination**  
**Seventy-fourth session**

**Summary record of the first part (public)\* of the 1903rd meeting**

Held at the Palais Wilson, Geneva, on Monday, 16 February 2009, at 10 a.m.

*Chairperson:* Ms. Dah

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\* The summary record of the second part (closed) of the meeting appears as document CERD/C/SR.1903/Add.1.

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*The meeting was called to order at 10.10 a.m.*

### **Opening of the session**

1. **The Chairperson** declared open the seventy-fourth session of the Committee on the Elimination of Racial Discrimination. She welcomed the United Nations High Commissioner for Human Rights and thanked her for coming personally to meet with the Committee shortly after having taken up her duties. She was doubly pleased — as a woman and as an African — with the choice of the Secretary-General, who had nominated an African woman with considerable experience and abilities in human rights and in the defence of women's rights. That was something all women could be proud of, especially African women. She looked forward to the future collaboration between Ms. Pillay and the Committee.

### **Statement by the United Nations High Commissioner for Human Rights**

2. **Ms. Pillay** (United Nations High Commissioner for Human Rights) said that the Committee constituted one of the pillars of the United Nations system in the protection of human rights and made an important contribution to the promotion of the principle of equality in the enjoyment of human rights without discrimination. Having worked as a lawyer and judge in South Africa, she had a special interest in the subject of racial discrimination and valued the work of the Committee.

3. Recalling a number of important new developments of interest to the Committee that had taken place since its last session in August 2008, she said that on 10 December 2008, on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights, the General Assembly had adopted by consensus the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which established a procedure for individual complaints, inquiries and inter-State communications concerning violations of the rights enshrined in the Covenant. The need for such a protocol had been discussed for almost 20 years before its text had eventually been elaborated by a working group established by the Human Rights Council in June 2006.

4. She was also very pleased to inform the Committee that the Committee on the Rights of Persons with Disabilities had been established through the election of its first 10 members during the first Conference of the States parties to the Convention on the Rights of Persons with Disabilities on 3 November 2008. That Committee would meet for the first time from 23 to 27 February 2009 in Geneva. Its future work would to a large extent focus on discrimination issues, which should give rise to a fruitful collaboration with the Committee on the Elimination of Racial Discrimination.

5. The eighth inter-committee meeting had been held in December 2008 and had been very ably chaired by the Committee's Chairperson, Ms. Dah. Ms. Pillay was confident the Committee would be interested in discussing and considering the recommendations and points of agreement identified during that meeting, which had been dedicated exclusively to the issue of harmonization of working methods and had focused on revised treaty-specific guidelines, follow-up to concluding observations and the Universal Periodic Review of the Human Rights Council. The possibility of giving the inter-committee meeting an enhanced decision-making role with a view to strengthening harmonization of working methods had also been explored.

6. With regard to follow-up to concluding observations, during the meeting a proposal had been made to establish a working group or task force with the specific objective of identifying best practices and possible areas of harmonization. An overall analysis would be made on the basis of the findings of each Committee, and the contribution of the Committee on the Elimination of Racial Discrimination would be essential in that process. At the same time, the Office of the United Nations High Commissioner for Human Rights

(OHCHR) would aim to enhance its own efforts to facilitate the implementation of treaty body recommendations at the national level, and to promote awareness and understanding of the treaty body system. To that end, OHCHR aimed to ensure that training workshops on the work of treaty bodies, both in the area of reporting and implementation, were being held on a regular basis. Her hope for the near future was that technical cooperation in the field of treaty bodies would be made more systematic and sustainable.

7. In relation to the universal periodic review (UPR), the participants of the eighth inter-committee meeting had discussed ways and means to develop effective cooperation between treaty bodies and the Human Rights Council. Concerns and recommendations contained in the concluding observations of treaty bodies formed an important part of the information compiled by OHCHR as input in the universal periodic review process. Frequent reference was made during the reviews and in the final reports to treaty body recommendations, the importance of ratification of human rights treaties and the removal of reservations. With the aim of mutually reinforcing human rights mechanisms, she encouraged the Committee to make reference to UPR pledges and commitments in the context of the examination of States parties' reports by the Committee.

8. At the fourth universal periodic review session, which had taken place from 2 to 13 February 2009, the total number of countries reviewed had risen to 64. Four of the nine countries to be reviewed during the Committee's current session (Finland, Montenegro, Pakistan and Tunisia) had already gone through the UPR process.

9. Preparations were under way for the Durban Review Conference, which would be held in Geneva in April 2009. The Committee had already submitted a number of contributions to the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action and also to the Preparatory Committee for the Durban Review Conference. Several Committee members had represented the Committee in the sessions of the Preparatory Committee and in regional preparatory meetings. The Committee's contributions were of major importance to the review process, and the Conference would consider issues which were of very direct relevance to the Committee's work.

10. She was fully aware that the Committee had a busy session ahead, in which it would not only examine the periodic reports of nine States parties, but would also review the implementation of the Convention in some States parties whose reports were seriously overdue. She welcomed the approval by the General Assembly of the Committee's request to extend its two annual sessions by one week each in the next biennium.

11. Lastly, regarding the uncertainty on whether certain key States would participate in the Durban Review Conference, she was pleased to announce that Ms. Susan Rice, Ambassador of the United States of America to the United Nations, had recently informed her that the President of the United States, Mr. Barack Obama, had decided to send to Geneva a delegation charged with studying the issue of his country's participation in the Durban Review Conference, and that a decision would be made following that visit. That delegation, which included a member of the Committee against Torture, Ms. Felice Gaer, had arrived the previous day in Geneva.

12. **The Chairperson** suspended the meeting so that the Committee members could converse with the High Commissioner in a closed meeting.

*The meeting was suspended at 10.25 a.m. and resumed at 11.10 a.m.*

**Adoption of the agenda** (point 1 of the provisional agenda) (CERD/C/74/1)

13. *The provisional agenda was adopted.*

*The first part (public) of the meeting rose at 10.20 a.m.*