



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination Eighty-second session

Summary record of the first part (public)* of the 2204th meeting

Held at the Palais Wilson, Geneva, on Monday, 11 February 2013, at 10 a.m.

Chairperson: Mr. Avtonomov

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* No summary record was prepared for the second part (closed) of the meeting.

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The meeting was called to order at 10.20 a.m.

Opening of the session

1. **The Chairperson** declared open the eighty-second session of the Committee on the Elimination of Racial Discrimination.

Statement by the Chief of the Civil, Political, Economic, Social and Cultural Rights Section of the Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights

2. **Mr. Walker** (Chief of the Civil, Political, Economic, Social and Cultural Rights Section of the Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)) noted that the opening of the session coincided almost to the day with the hundredth anniversary of the birth of Rosa Parks, who, by refusing to give up her seat on a bus to a white person as required by the law in the United States of America at the time, had given new momentum to the civil rights movement in that country and, indirectly, around the world.

3. A number of options were still being considered to conclude the treaty body strengthening process, including the drawing up of a comprehensive reporting calendar and a simplified reporting process. The objective of the latter would be to address the current backlog of reports and individual communications every two years with a view to adjusting financing for treaty bodies accordingly. The United Nations General Assembly had expressed its appreciation for the efforts made by the Committee to improve its working methods with a view to reducing the backlog of reports pending consideration, which had been facilitated by additional meeting time. However, the return to three-week sessions might lead to an increase once again in the number of reports awaiting consideration (currently 23). The secretariat of the Committee would not be affected by the \$4.5 million cut in the OHCHR regular budget. However, in order to make savings and protect the environment, Committee members were encouraged to replace hard-copy in-session documents with electronic files.

4. With regard to new developments in relation to the Committee's mandate since its eighty-first session, he noted that the expert workshop on the prohibition of incitement to national, racial or religious hatred had been held in Rabat in October 2012; the national march for the eradication of manual scavenging by Dalit women had taken place in India; and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance had conducted missions to Bolivia and Spain, expressing concern with regard to discrimination against indigenous and peasant communities and Afro-Bolivians in Bolivia, and against migrants, asylum seekers and Roma in Spain. The Working Group of Experts on People of African Descent had also expressed concern at discrimination against Afro-descendant communities in Panama. Furthermore, in October 2012, the Independent Expert on minority issues had expressed concern over the violence between Buddhist and Muslim communities in Myanmar, and in January 2013, the Special Rapporteur on the rights of indigenous peoples had urged the Canadian Government and aboriginal leaders to engage in meaningful dialogue, while the Independent Expert on minority issues had appealed to the Iranian Government to halt the execution of five Ahwazi activists.

5. Finally, he thanked the Committee members who had taken part in December 2012 in the survey on their satisfaction with the support provided by the Office of the High Commissioner to the treaty bodies, according to which 83.7 per cent of respondents had rated it "satisfactory" or "very satisfactory".

6. **Mr. Kemal** expressed surprise that there were already 23 reports awaiting consideration, given that the Committee had managed to clear the backlog at the end of 2012. Noting that it was important not to sacrifice quality for quantity, he stressed the need to devote two meetings to the consideration of each report so that the dialogue with the State party concerned would be truly constructive. In his view, it was more convenient for the members to receive hard copies of the meeting documents.

7. **Mr. Walker** (Chief of the Civil, Political, Economic, Social and Cultural Rights Section of the Human Rights Treaties Division, OHCHR) said that the members were not obliged to switch to electronic versions immediately, and that the Office of the High Commissioner was aware that not all committees were willing to hold paperless meetings.

8. **Mr. Lindgren Alves** said that, if it rearranged its programme of work, the Committee should be able to consider an additional country report each session. He believed it would be impossible for the Committee members to work solely on the basis of electronic documents during the session.

9. **Mr. Diaconu** said that the number of reports submitted by the States parties reflected their interest in the Convention, and that the Committee was therefore a victim of its own success. The Committee should first check how many reports had already been requested for a particular year before setting the date of submission of a State party's next periodic report. Given that there was little hope that the Committee would again be granted a fourth week of meetings, it would have to allocate more time to the consideration of reports and less to meetings with United Nations bodies or other partners.

10. **Mr. de Gouttes** wished to know how the discussions on the establishment of the comprehensive reporting calendar were coming along, and asked for an update on the project to set up a joint working group on individual communications for the various treaty bodies.

11. **Mr. Walker** (Chief of the Civil, Political, Economic, Social and Cultural Rights Section of the Human Rights Treaties Division, OHCHR) said that a document addressing the most frequently asked questions on the comprehensive reporting calendar would be distributed to the Committee members as soon as possible. The co-facilitators of the General Assembly intergovernmental process would organize a number of informal meetings in the coming months to discuss the proposals contained in the report of the High Commissioner on treaty body reform (A/66/860) with a view to preparing a draft resolution for submission to the General Assembly in May 2013. In addition, discussions with Member States would be held on 19 and 21 February to examine the working methods of the different committees, and a dialogue with civil society representatives was planned for 26 February 2013.

12. **Ms. Edelenbos** (Office of the United Nations High Commissioner for Human Rights) said that the treaty bodies and the States parties were not in favour of the idea of setting up a joint working group on individual communications, but that the matter would be discussed further as part of the intergovernmental process given the increasing number of committees that had a communications procedure. If such a working group were to be set up, the main difficulty would be to take account of the jurisprudence of each committee so as to avoid any contradictions in the decisions of the various bodies and, possibly, to harmonize working methods.

13. **Mr. Lindgren Alves** agreed with Mr. Diaconu that it would be wise to make optimal use of meetings to consider as many State party reports as possible, and that, in order to do so, the reporting calendar would have to be more flexible.

14. **The Chairperson** said that it had been mutually agreed with the delegation of the Dominican Republic not to defer consideration of its report to the next session but to

consider it on Friday 22 and Monday 25 February, rather than on Wednesday 13 February as initially planned. That decision had been taken in order to avoid setting a precedent by deferring consideration of a State party report for a second time.

15. **Ms. Habtom** (Secretary of the Committee) said that Burkina Faso had finally submitted its report and would therefore not be considered under the review procedure as had initially been planned. That was also the case for the Holy See, which planned to submit its report in March 2013. Accordingly, the Committee would consider seven State party reports at the current session, but none under the review procedure. The Committee was almost up to date in the consideration of reports: of the 23 reports due for consideration soon, more than half had already been submitted and could be considered in 2013.

16. **The Chairperson** recalled that there were 175 States parties to the Convention and it was hardly feasible to request a fourth week of meetings given the current financial situation. In any case, the Committee would do its best to examine as many reports as possible given the human and technical resources available.

Adoption of the agenda

17. *The agenda was adopted.*

The public part of the meeting rose at 11.25 a.m.