



International Convention on the Elimination of All Forms of Racial Discrimination

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Chair: Ms. Crickley

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The meeting was called to order at 3.10 p.m.

Consultation with civil society: Joining hands to end racial discrimination

Opening remarks

1. **The Chair**, accompanying her opening remarks with a digital slide presentation summarizing key figures and significant events in the fight against racial discrimination, said that the current climate was challenging for all those working to address and eliminate racial discrimination. Despite the efforts undertaken and progress achieved since the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination, racial discrimination persisted and remained a major form of oppression throughout the world. While some States continued to deny the existence of racial discrimination, others had set a strong example of how to address the phenomenon effectively, which gave victims of racial discrimination reason for hope.

2. Although 50 years had elapsed since the adoption of the Convention, the definition of racial discrimination contained therein remained valid and provided a comprehensive framework for action. Sidestepping or refusing to acknowledge the complexity and intersectionality of racial discrimination was not conducive to its elimination. While some forms of racial discrimination were more visible than others, all were insidious and hierarchies of oppression only served to divide the oppressed. The failure of some States to acknowledge the recent rise in racism and their tendency to portray it as a simple misunderstanding of cultural norms or xenophobia often left victims defenceless and vindicated perpetrators.

3. Both the Committee and civil society faced many challenges in their work. The international agreements that were to be concluded following the United Nations Summit for Refugees and Migrants held on 19 September 2016 in New York should address the negative impact of racism and racial discrimination on the enjoyment of human rights by refugees, asylum seekers and displaced persons. Racism, if it continued to go unacknowledged and unchecked, could ultimately impede the achievement of the Sustainable Development Goals. It was essential for the impact of racism to be reflected in the data collected in that connection.

4. **Ms. Hashmi** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that those civil society organizations that were following the consultation via webcast were encouraged to participate by sending comments and questions via Twitter and Facebook using the hashtag #fightracism.

Panel 1 — Key issues identified and challenges faced by civil society around the world in combating racial discrimination

5. **Mr. Quesada** (International Institute on Race, Equality and Human Rights) said that the Institute was a non-profit organization working to combat racial discrimination against Latin Americans of African descent in Brazil, Colombia, Cuba, the Dominican Republic and Peru. Latin Americans of African descent were often victims of racial discrimination and police violence, and were overrepresented in the prison population. Although many new laws to address racial discrimination had been enacted following the adoption of the Durban Declaration and Programme of Action, they were not consistently applied.

6. In Brazil, the Dominican Republic, Cuba and Colombia, the situation of persons of African descent with diverse sexual orientations was particularly alarming, as that community was a frequent target of racist hate speech and hate crime in general. There had been a marked rise in racist hate speech in the run-up to the United States presidential election and many feared that the result of the election would lend credence to the idea that

racism, homophobia, misogyny and religious intolerance were acceptable, which posed many challenges for civil society. Another major cause for concern was the multiple and intersecting forms of discrimination to which Latin Americans of African descent with diverse sexual orientations or from an impoverished background were often subjected. Furthermore, Latin Americans of African descent were seriously underrepresented in key decision-making positions.

7. The reality was that it was becoming increasingly acceptable to utter racist hate speech in public, a trend which, if left unchecked, could lead to more serious violations of the rights of Latin Americans of African descent. The Committee should continue to speak out against racial discrimination across the globe; urge States parties that had failed to submit a periodic report to do so, assessing the state of implementation of the Convention in the absence of the State party if necessary; step up its efforts to disseminate information on the Convention and its jurisprudence, which were still unknown to a large number of civil society organizations; and strengthen links with civil society in general.

8. **Ms. Chander** (European Network Against Racism) said that the Network was made up of over 100 non-governmental organizations (NGOs) and grass-roots organizations working to combat racism throughout Europe. The Network had observed a consistent rise in racist violence and hate speech against minority groups in all European Union member States. There had been an increase in anti-Semitic crimes in the form of vandalism and incitement to hatred online. Islamophobic crimes, particularly crimes targeting Muslim women, were also on the rise in the United Kingdom and France. Despite the general dearth of information on the race, ethnic origin, nationality and citizenship of victims of racist crime, it appeared that, in many European Union member States, the most violent physical attacks were perpetrated against Black and Asian ethnic minorities.

9. The increased electoral success of far-right political parties pointed to a surge in populist sentiment, often coinciding with anti-immigrant opinions, and a shift in political discourse to the right throughout Europe. There were fears that such a shift could legitimize acts of hostility and hatred against migrants and minority groups, which could lead to an upsurge of racist violence.

10. In Europe, persons of African descent, Muslims, Jews, migrants and Roma continued to suffer the effects of structural racism, experiencing systematic discrimination and exclusion in almost all fields of public life, including in access to employment, health care, housing and education. They also suffered above-average exposure to criminal proceedings, were victims of racial profiling and were often singled out as suspect communities in counter-terrorism policies.

11. The main challenges facing civil society included providing a holistic response to racism and racial discrimination that took into account the myriad ways in which minority groups experienced those phenomena and dismantling structures that perpetuated institutionalized racism, which created the conditions for racist violence to occur. While many governments had taken steps to improve their legal framework for combating racist hate crime, they had done little to address the role of institutions in perpetuating structural racism and, indirectly, racist violence. In many European countries, undocumented migrants who were victims of hate crime found themselves in an impossible situation, as they could not seek protection from authorities that actively called for their detention and deportation.

12. **Ms. Shepherd** said that, prior to the consultation, civil society organizations had been invited to submit written responses to three guiding questions exploring the key challenges of racial discrimination in the current global context and responses by civil society to combat them, the engagement of civil society with the Committee to date and ways and means for the Committee to improve the impact of its work on the ground.

13. The responses received to the first question showed that the key challenges encountered by civil society organizations working to combat racial discrimination included a lack of awareness of the Convention and human rights doctrine in affected communities, which precluded their participation in addressing the phenomenon; the denial of the existence of racial discrimination, which, in practice, restricted vulnerable groups' access to housing, employment and health-care services and the freedom of ethno-religious groups to practise their religion, and could lead to violence against them; and the lack of respect for the diversity of ethnic minorities and the persistence of offensive customs and traditions.

14. Further challenges included the limited ability of certain racial or ethnic groups to participate in public and political life; the existence of social and economic disparities among racial, ethno-religious and ethnic groups; the restrictions placed on the use of minority languages; the absence of legislation and institutions to address racial discrimination and to protect victims; the inadequacy of data collection on cases of racial discrimination, the lack of investigations into racially motivated crimes and the low number of prosecutions brought and convictions obtained; the rise in expressions of white supremacy, radicalized political discourse, racist hate speech in the media and social media, reprisals against those who reported hate crimes and the surge in populist and xenophobic sentiment against immigrant and minority groups; and the increased prevalence of Islamophobia, the disproportionate impact of counter-terrorism policies on Muslims and the restrictions being placed on religious dress and practices.

15. Civil society organizations had also raised concerns about the use of racial profiling and violence by police against minority groups, the mass incarceration and harassment of certain racial and ethnic groups, the disproportionate number of persons of African descent and indigenous persons subjected to criminal proceedings and the lack of attention paid by the authorities to complaints; the refoulement of refugees and asylum seekers, the differential treatment given to asylum applications based on country of origin and the restrictions placed on citizenship rights and the right to family reunification; and the lack of land ownership rights and prior consultation of indigenous peoples.

16. Unsurprisingly, all respondents had complained of a lack of funding for their activities, which was likely to be more acute in countries that denied the existence of racial discrimination.

17. **Ms. Biekman** (Tiye International) said that her organization was grateful to the Committee for its work and for the attention that it paid to the issues raised by civil society in the Netherlands. Although the Committee had previously recommended that the Netherlands should do away with the racist historical tradition of Black Pete, the companion of Saint Nicholas, which encouraged racial stereotyping, there appeared to be no prospect of it being phased out. Moreover, police violence against persons who demonstrated against the tradition was on the rise. She urged the Committee to call upon the Government of the Netherlands to do away with the tradition of Black Pete with immediate effect.

18. **Ms. Terenzi** (Comitato per la promozione e protezione dei diritti umani) said that she represented a network of some 100 Italian NGOs working in the field of human rights promotion and protection, many of which focused on the issue of racial discrimination. In Italy, the European migration crisis had led to a surge in anti-migrant sentiment and racial discrimination. The Committee should step up its efforts to raise awareness of the Convention and its jurisprudence, which were still unknown to many people.

19. **Ms. Cappuccio** (Confederazione Generale Italiana del Lavoro) said that she represented the Italian General Confederation of Labour. The lack of labour mobility for migrants and refugees across the globe often exposed them to discrimination and human

rights violations, as, without the required documentation, they could not access the formal labour market or social protection. Public institutions had an important role to play in guaranteeing refugees and migrants equal access to education and health-care services. There was a need to enhance cooperation between grass-roots organizations and public institutions in the fight against racism and xenophobia.

20. **Ms. Madi** (Badil Resource Centre for Palestinian Residency and Refugee Rights) said that the term apartheid could be used to describe the situation in the Occupied Palestinian Territories. Since the beginning of the Israeli occupation, more than 60 racist laws had been passed against Palestinians. A recent decision of a military court had ordered the demolition of Palestinian villages which, in some cases, predated the establishment of the State of Israel. Moreover, members of the Israeli military had committed acts of violence against a journalist who had taken photographs of their attempt to clear the area. Israel had failed to comply with the numerous laws and resolutions calling upon it to respect international law.

21. **Ms. Bizenny Martínez** (Movimiento Socio-Cultural de los Trabajadores Haitianos) said that one of the biggest challenges facing civil society in the Dominican Republic was the Government's denial that racial discrimination existed, despite growing discrimination against Dominicans of Haitian and African descent and the harassment in the press of those who defended them. Persons of African descent were often denied access to private establishments, and persons of Haitian descent were not granted full Dominican nationality, despite the Committee's past recommendations in that regard. She urged the Committee once again to call on the Dominican Republic to end that discriminatory practice. Although an anti-discrimination law had been promoted by civil society, Congress had failed to vote on it.

22. **Ms. Ramírez Rivas** (Centro de Desarrollo de la Mujer Negra Peruana) said that although women of African descent were the group most vulnerable to racial discrimination in Latin America, they were not specifically included in the International Decade for People of African Descent. States should provide adequate funding for the Decade, and the impact of racial discrimination on children should be addressed. Peruvian legislation lacked sanctions for racial discrimination, and although a conviction had recently been secured, it had been overturned by a court of second instance. She therefore requested that the Committee lend its assistance by encouraging the State party to deal with the case correctly and by monitoring the situation of racial discrimination in the country. She hoped that the International Decade for People of African Descent would see the implementation of specific action to address poverty, which affected women of African descent disproportionately.

23. **Ms. Camusso Pintos** (Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora) said that persons of African descent were not explicitly addressed by the Sustainable Development Goals. Global policies and indicators that excluded that community would be difficult to implement and monitor, and the Committee should examine how it could address that shortcoming.

24. **Ms. Kaneza** (Kaneza Initiative for Dialogue and Empowerment) said that the Committee should take steps to raise awareness of discrimination against persons of African descent. The national action plans against racism that were in place in Germany did not specifically include that group, and racism against them therefore went unaddressed.

25. **Mr. Boyle** (BEMIS Scotland) said that although the Committee had examined the issue of racial equality in Scotland in relation to the periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland, it was important to realize that Scotland faced particular challenges. Furthermore, many of the areas in which structural inequality must be addressed, such as health, education and policing, fell within the

purview of the Scottish Government, rather than the central Government. The same was true for Wales and Northern Ireland. However, the fact that Scotland had signed up to the Sustainable Development Goals unilaterally meant that its success in challenging inequality could be measured independently of the rest of the United Kingdom of Great Britain and Northern Ireland.

26. **Ms. O'Shea** (Community Work Ireland, Offaly Traveller Movement) said that despite the increase in racist discourse and incidents in Ireland in recent years, the country lacked a national action plan against racism, and funding for community development had been cut significantly, reducing the ability of the most affected groups to create a collective response. The ethnicity of Irish Travellers had not yet been recognized by the Government, excluding them from anti-racism initiatives and hindering efforts to improve their access to housing, accommodation and health, for example. The Irish authorities should also improve their data collection processes.

27. **Mr. Maluza** (Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, African Commission of Health and Human Rights Promoters, AFRO-INDIGENA, Action Internationale pour la Paix et le Développement dans la Région des Grands Lacs) said that there seemed to be a desire among States to rescind the Durban Declaration and Programme of Action, reflected by reduced participation in the mechanisms established to implement the Declaration and the lack of action to provide compensation for slavery. Furthermore, the population of Haiti had been encouraged to vote in its recent elections by authorities including the United Nations, despite suffering the after-effects of a severe natural disaster; that would have been unthinkable in Western countries. The marginalization of the Durban Declaration and Programme of Action was also illustrated by the spread of racist discourse, for example in the recent elections in the United States of America, during which very few persons had denounced the winning candidate's racist statements. Insults had also been levelled at the United Nations High Commissioner for Human Rights. In that context, it was important to hold another Durban Conference.

28. **Ms. Abramenko** (Anti-Discrimination Centre "Memorial") said that in the Russian Federation, the work of civil society had been made impossible due to the adoption of a law on foreign agents. As a result, minorities were unable to defend themselves effectively. Recent developments that were cause for concern included the criminalization of peaceful protests by indigenous persons against extraction companies and the repression of minority leaders and activists. Although the Government had recently organized a festival of Roma culture, no effort was made to improve the situation of that community; indeed, Roma settlements had recently been demolished and their residents forcibly evicted.

29. **Mr. Badou** (Réseau Amazigh pour la Citoyenneté) said that although the Amazigh represented a majority in Morocco and had inhabited the country for hundreds of years, public policies discriminated against them, for example by barring them from public office. There was also a lack of training in the Amazigh language for teachers.

30. **Mr. Nikarhil** (Asia Dalit Rights Forum, International Dalit Solidarity Network) said that caste-based discrimination, which occurred around the world, contributed to discrimination in the socioeconomic, legal and political spheres, and the safeguards intended to protect Dalits were often misused or ineffective. Dalit women were particularly vulnerable to intersectional discrimination. Although caste-based discrimination lacked global recognition, it should be dealt with on the same footing as racial discrimination.

31. **Ms. Dass** (Anti Caste Discrimination Alliance) said that despite the assurances of the delegation of the United Kingdom of Great Britain and Northern Ireland during its recent interactive dialogue with the Committee, the Government of the United Kingdom had delayed the adoption of a law on caste-based discrimination so as to hold consultations

on whether such a law was required at all. Her organization had received reports of increasing violence against Dalits in India, and there was an apparent failure by the Indian authorities to effectively implement the laws that had been adopted to improve the situation of scheduled castes. She called on the Committee to investigate the situation of Dalits in India.

Panel 2 — Civil society experiences of engaging with the Committee on the Elimination of Racial Discrimination (CERD) and ideas to improve and enhance the work of the Committee and its engagement with civil society

32. **The Chair** said that States parties were encouraged to consult with civil society both before and after their meetings with the Committee, and civil society was also urged to engage with the Committee.

33. **Mr. Komatsu** (International Movement against All Forms of Discrimination and Racism) said that the work of the Committee was of great significance to indigenous and minority groups, whose particular challenges were not always acknowledged by other treaty bodies or civil society. The Committee's early warning and urgent action procedure was therefore important because it represented the last resort for many victims of racial discrimination and assisted civil society in taking on a preventive, rather than reactive, role in relation to human rights violations.

34. A survey of NGOs in developing countries conducted by his organization had found that a significant number had encountered difficulties in making submissions to the Committee or in participating in its consideration of periodic reports, for reasons that included a lack of familiarization with the process and language barriers. Furthermore, only around a third of respondents were aware of his organization's guide for civil society, a finding that had prompted it to take steps to inform NGOs about their countries' upcoming meetings with the Committee and to enhance their participation.

35. Although respondents had expressed their satisfaction with the Committee's recommendations, there was a lack of information on how civil society could engage with the Committee to ensure their implementation. His organization had therefore examined the follow-up procedures of other treaty bodies and produced a template that would allow civil society to submit alternative follow-up information.

36. **Ms. Thomas** (Minority Rights Group International (MRG)) said that, for the partners her organization worked with, approaching the Committee with their particular issues was only one of several options in the United Nations context, and they did not always see the Committee as relevant. Particularly in the South, there was a view that the Committee focused on particular kinds of racism — for example, in relation to civil rights in the United States, aboriginal peoples and Dalits — and did not look at more subtle examples of racism within African or Asian countries. That was reflected in the fact that those countries had not been as vocal in the meeting thus far.

37. Moreover, the decision to approach the Committee was a delicate one. Racism itself was a sensitive and divisive topic and its political nature was off-putting for some. Her organization believed that the Committee was relevant to minority communities in African countries, for example, but there was work to be done to help the communities themselves to see the Committee as a remedy for their problems and to encourage them to come forward.

38. As to civil society capacity, she said that reporting to the Committee added a layer of complexity to NGOs' work because it was not sufficient to cite one instance of a violation; it was necessary to explain a pattern of discrimination. Clamphdowns on civil society operations were an added constraint and concern.

39. She had five specific suggestions for the Committee. First, reach out to activists in the field through the Office of the United Nations High Commissioner for Human Rights (OHCHR) country offices. Second, work more closely with the universal periodic review procedure of the Human rights Council in order to obtain the political support needed to back up the technical advice the Committee offered. Third, make more use of existing United Nations mechanisms; for example, before a country visit special rapporteurs could be requested to raise the Committee's most pressing recommendations with the State party. Fourth, support civil society in its efforts to ensure that the Sustainable Development Goals retained some references to ethnicity, mention of which was in danger of disappearing from the Goals altogether. Fifth, issue more general comments, taking care to couch them in global terms.

40. **Mr. Marugán**, summarizing the feedback obtained from a brief questionnaire sent out before the meeting, said the Committee's aim was to learn from civil society and its experiences in order to strengthen implementation of the Convention. On the question of civil society's experience to date of engaging with the Committee, he could report that some NGOs used the Convention and the Committee's recommendations to legitimize and strengthen their advocacy work; that contact with the Committee helped NGOs in their approaches to national representatives; that some faced challenges in directly engaging with the Committee on account of a lack of resources; that some organizations had little or no interaction with the Committee; that one group had reported feeling invisible to the Committee and had stated that Western influence meant that the Committee was not impartial.

41. On the question of improving the Committee's engagement with civil society in order to increase its impact on the ground, suggestions included creating a database of NGOs working on racism; interacting with grass-roots organizations; making greater use of the media to increase the Committee's political impact and visibility, disseminating the Committee's work through social media and creating a virtual forum to permit civil society to communicate with the Committee; conducting country visits before or as follow-up to consideration of a report and involving civil society more in the follow-up process; developing research in partnership with NGOs and offering technical advice on implementation of new legislation; and developing a special procedure on the question of reprisals.

42. **Ms. Tannagasheva** (Revival of Kazas and the Shor People) said that the Shor people were the victims of ethnocide. Mining companies were destroying villages to make way for opencast mines, which in turn polluted the natural resources used by the Shor. Their sacred mountain had been surrounded and they had no access to their cemetery. Despite approaches to the national authorities, and to the Committee itself in 2015, the issue had not been resolved. People who spoke out in defence of their rights were threatened and prosecuted on spurious grounds. She herself was afraid that her family would be subjected to pressure.

43. The Russian Federation had recently informed the Committee that there was no discrimination against the Shor but that was not true and she would like to know how the Committee set about verifying the information provided by States parties. She appealed to the Committee to pay attention to the small indigenous nations in the Russian Federation.

44. **Mr. Madrazo** (Comité Ciudadanos por la Integración Racial, Cuba) said that the Cuban State had now acknowledged the existence of racial issues in Cuban society, albeit partly as a result of pressure from civil society. His organization valued the State party's reports to the Committee and the Committee's recommendations to Cuba. There was, however, no political will on the part of the Cuban State to address the issue within the country and it prevented civil society from advocating a national debate on the subject, on the grounds that to do so might threaten national unity. There was still no national plan of

action to combat racism. In the main sectors of the new economy that had emerged in the context of normalization of relations between Cuba and the United States, persons of African descent, for example, were underrepresented despite their high standard of education and their professional skills.

45. **Ms. Dah** said that she wished to correct two apparent misunderstandings that she had noted in Ms. Thomas's statement. First, the fact that African countries, for example, were not well represented at the meeting was to a large extent a matter of resources. In the past it had been known for African NGOs to send several representatives to attend the presentation of their countries' reports, but then they had had the support of international NGOs, and those large NGOs were no longer able to provide such support. In addition, as the two previous speakers had shown, local NGOs faced the particular problem of reprisals, an issue the Committee needed to address. Secondly, she wished to point out that the Committee had been the first treaty body to forge links with the Human Rights Council. In its concluding observations it always flagged issues of particular importance as input to the Council's universal periodic review, and in turn it raised the Council's recommendations in its dialogue with States parties.

46. **Mr. Fulad** (Bahrain Human Rights Watch Society) said that he wished to draw attention to religious discrimination practised by the Islamic Republic of Iran on a daily basis. Sunni Muslims were not permitted to build mosques and their activists and leaders were subject to harassment and even execution. The Islamic Republic of Iran had been a State party to the Convention since 1969, yet it continued to discriminate against the Baluchi and the Ahwazi. Kurdish religious leaders calling for freedom of expression and of religion in the Islamic Republic of Iran, and other activists, had been executed on the grounds that they had been engaging in terrorism.

47. **Mr. Bishwakarma** (International Dalit Solidarity Network), speaking also on behalf of the Nepal National Dalit Social Welfare Organization, said that caste-based discrimination had an adverse impact on the socioeconomic and political life of the Dalits in Nepal, who constituted one of the country's most marginalized communities. Following its consideration of the State party's previous report, in 2004, the Committee had expressed concern about such discrimination and the impunity surrounding it. The intervening 12 years had seriously interrupted the interaction between the Committee and Nepalese civil society and sent an unfortunate signal about the Government's intention to address racial discrimination and Dalit rights. In the meantime, the individual complaints mechanism had proved a useful tool to civil society, but the Committee should consider new ways of keeping up to date with initiatives to combat caste-based discrimination independently of State party reporting cycles.

48. He called on the Government of Nepal to withdraw its reservation to article 4 of the Convention. It was important for the Committee to press for a properly resourced national action plan to eliminate caste-based discrimination, full implementation of the articles of the Constitution dealing with Dalit rights and untouchability, and establishment of an independent national Dalit commission.

49. **Mr. Abaysa** (LPS, Netherlands) said that the Committee should promote the use of the term "Afrophobia", which was not the same as anti-Black discrimination or racial discrimination. It went deeper than skin colour and referred to a specific, multifaceted form of racism against persons of African origin as exemplified in the Netherlands by the character of "Black Pete". Use of the term "Afrophobia" would help effectively eliminate discrimination of that kind.

50. **Mr. Coitiño** (Ovejas Negras, Uruguay) said that, while hate crimes and incitement to violence based on discrimination were criminal acts in Uruguay, racial discrimination as such was not. The victims of intersectional discrimination, notably LGBTI persons who

were also Afro-descendants, were thus particularly vulnerable. Unless an act of violence was flagrantly based on racial discrimination, no judicial procedure would give satisfaction and the perpetrator would not be convicted. Civil actions were excluded owing to the very high legal fees and administrative costs, and reparation was out of the question. The only legislation on similar matters related to workplace harassment and bullying at school, and even there the procedures in place were very complex. Otherwise, in cases of racial and other forms of discrimination, victims were unprotected.

51. **Ms. Piovesan** (International Service for Human Rights) said that the Committee on Economic, Social and Cultural Rights had recently stated that it considered any threat or violence against human rights defenders to constitute violations of States' obligations towards the realization of Covenant rights. Her organization recommended that the Committee should adopt a similar statement on human rights defenders working for the elimination of racial discrimination.

52. National laws aimed at protecting human rights defenders were an effective way of guaranteeing a safe and enabling environment for them to work in. Her organization recommended that the Committee should systematically call for the adoption of such laws and advise States to establish human rights defenders' focal points.

53. **Ms. Shepherd** said that the Committee would like to hear from NGOs what they themselves were doing to address the challenges that they had raised in the course of the meeting thus far, and also what the Committee could do to help them.

54. A number of suggestions had been made for activities that might be undertaken to promote the goals of the Convention. They included celebrations of ethnic heritage and culture; lobbying of governments in pursuit of policy change, networking with other organizations and promoting evidence-based solutions to address racial discrimination; working with young people who considered themselves the victims of discrimination; providing legal advice and advocacy services to victims; using focus groups to formulate policy suggestions; engaging with the media, publishing research findings and providing platforms for exchanges of views among stakeholders.

55. **Mr. Essoma** (Platform for Reflection and Action against Anti-Black Racism) said that he wished to thank the Committee for the regular communication of its activities. In his view, the Committee's lack of presence on the ground was partly due to the reluctance of civil society to take an interest in its work. The question of financing was crucial, since organizations not based in Geneva were often unable to attend the activities proposed by the Committee. As regards the activities conducted by civil society, his own organization would shortly be holding a European conference on anti-Black racism, with the participation of several high-profile speakers. In his view, the experts of the Committee should consult with organizations working in different thematic areas, such as anti-Semitism and anti-Roma racism, in the context of country visits.

56. **The Chair** said that unfortunately the Committee did not have provision for country visits and carried out all examinations of States parties in Geneva. The Committee's engagement with social media had revealed specific concerns regarding the spread of Islamophobia: the lack of data collection on racial discrimination; the treatment of minority groups by law enforcement officials; restrictive language laws and the lack of minority language instruction in schools; the perpetuation of racial discrimination and hate speech via social media; and the rise in hate crime as a result of political discourse, as well as a request for the Committee to provide more support to civil society in its fight against racial discrimination. Notwithstanding her personal wish to accede to that request, she said that the Committee did not have the resources to provide direct support for civil society.

57. **Mr. Zoller** (Geneva for Human Rights) said that he had concerns regarding the large variety of procedures and their compartmentalization within the United Nations. He

regretted that the General Assembly had accepted a proposal from the African Group to postpone the appointment of the new Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, since he regarded that question as one that concerned the whole of the United Nations system, including the Committee.

58. Regarding indigenous peoples, he recalled that in the early 1990s the Committee had introduced an early warning measure that had proved essential in several countries. In August 2016, the Committee had adopted such a measure in respect of Papua, Indonesia, where the indigenous population was under threat. His organization stood ready to provide updated information on the situation of the Papuans, which had deteriorated since the submission of the initial report. In his view, follow-up was crucial, and those who submitted reports to the Committee should be apprised of how that information was used.

59. **Ms. Haio** (Fellowship Programme for People of African Descent) said that there were concerns over how the Canadian immigration and criminal justice systems treated Muslims of Somali origin, with reports of people being denied bail and appropriate access to legal services. In one case, a Somali detainee had died after being held in custody for three years without adequate health-care services, despite the recommendation by the United Nations that Canada limit the detainment of immigrants to 90 days. She was also concerned that the intersectionality of characteristics such as ethnicity, disability and religion could amplify the adverse differential treatment to which people of African descent were subjected.

60. **Ms. Grannum** (Fellowship Programme for People of African Descent) said that she did not wish to add to the criticism of the Committee's weaknesses in awareness-raising and engagement with civil society. Rather, she wished to challenge the Committee to increase its institutional capacity by enlisting the assistance of past, present and future participants in the Fellowship Programme for People of African Descent, who were professionals with an array of skills and expertise, who had benefited from instruction on United Nations structures, instruments and mechanisms, and who were actively engaged in the struggle against racial discrimination in their respective countries.

61. **Ms. Negreiros** (Fellowship Programme for People of African Descent) said that civil society in Brazil was dealing with systemic violations of black women's rights, as well as the cancellation of programmes that had been created to improve the lives of black people. For example, the *Juventude Viva* (Youth Alive) programme had been terminated without warning, contributing to rising mortality among young black people, even while the mortality of young white people was in decline. Accordingly, there was a need to assess policies on racial equality in Brazil.

62. **Mr. Thornberry** (former member of the Committee) said that civil society enlivened the Committee's proceedings, and had raised a wide range of issues. In his view, the Committee had shown wisdom in insisting on the ubiquity of racial discrimination, in recognizing that the problem assumed different forms in different countries, and in advocating the adoption and implementation of anti-discrimination laws. The availability of data and the recognition of groups were essential to the Committee's work, since invisibility could be the precursor of gross discrimination. In that regard, one of the Committee's great achievements was to insist on truthful reporting based on self-identification.

63. Lastly, he said that while the concept of structural discrimination was sometimes useful, it was important for NGOs and others to identify the structure in question and to propose that States take specific measures in pursuit of achievable objectives.

64. **Ms. McDougall** said that in the first part of the discussion, it had been sobering to learn about what was happening in different countries and regions of the world. As a United

States citizen, she had been shocked and saddened by the events of recent weeks in her own country, but knew that it was necessary to evaluate the situation, organize, resist and move forward. The second part of the discussion had been uplifting and had provided a wealth of practical ideas. Humanity faced a pivotal moment in its history, in which civil society had to be ready to engage in the struggle against racism and populism. In that connection, she believed that the partnership between the Committee and civil society could be mutually beneficial and empowering. The most gratifying moments in her long career had come when civil society organizations had used her words to call their governments to account.

65. **Mr. Murillo Martínez** said that he was inspired by the presence of so many young people to appeal for the joining of forces and a deepening of efforts to fight racial discrimination. He invited the participants to continue their efforts to promote the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance as a means of rekindling interest in that issue and placing it at the top of the national and international agenda. Initiatives such as “*La hora contra el racismo*” (Hour against racism), which in 2016 had secured the participation of 21 million people through social networks, also had the potential to raise the profile of the fight against racism and racial discrimination. Lastly, he wished to take the opportunity to welcome the imminent signing of a new peace agreement in Colombia.

66. **Mr. Avtonomov** said that the Committee had been greatly benefited by the enthusiasm of NGOs and human rights defenders, because despite the difficulties they faced, they continued to put forward proposals for the United Nations to improve its work. In his view, the Committee’s efforts would be much less successful were it not for the participation of NGOs and the valuable information that they provided. The different perspectives contributed by each organization were extremely useful in preparing solutions and recommendations for States parties, and were essential to achieving sustainable outcomes.

67. **Mr. Quesada** (International Institute on Race, Equality and Human Rights) said that his organization believed strongly in the Committee, which should act without fear in the conviction that its work was needed now more than ever.

68. **Ms. Chander** (European Network Against Racism) said that civil society had contributed some extremely valuable insights, particularly on the topic of structural racism. There was a need to contextualize and understand structural racism, rather than relying on an academic construct that was not grounded in reality. The focus should be on combating specific instances of racism through State mechanisms.

69. **Mr. Komatsu** (International Movement against All Forms of Discrimination and Racism) said that he welcomed the friendliness and initiative shown by the Committee in organizing the consultation with civil society, as well as the emphasis on partnership that had emerged from the discussions. His organization was willing to help other civil society organizations in coming to Geneva to engage with the Committee.

70. **Ms. Thomas** (Minority Rights Group International) said that she hoped that civil society had been able to provide positive criticism and that the Committee would be able to adopt some of its suggestions. Sadly, it was likely that there would be much more work to do on racial discrimination, which, while providing the Committee with the opportunity to reach out to more communities, should not lessen its global focus.

71. **The Chair** said that she was grateful to participants for the concerns raised and the comments and suggestions made. Concerning reprisals, she said that the Committee and other United Nations treaty bodies had a focal point on that issue, and that she would be grateful for further comments in that regard. While the Committee was unable to implement all of the suggestions received immediately, it shared the concerns of civil society in relation to data and the need to measure the extent of the problems faced.

72. The participants had provided the Committee with excellent information that it would be able to use in its examination of States parties. She encouraged civil society to continue engaging with the Committee by providing alternative reports and by participating in the structured meetings held with States parties in Geneva, in addition to informal meetings with Committee members. The Committee was not afraid to act, but was concerned to speak within its mandate and in a way that could be heard, so that it might create the space to exert influence over society as a whole.

73. Lastly, she expressed gratitude to civil society for its social media engagement and encouraged those present to participate in the campaign “Stand up for someone’s rights today” which would be launched by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on Human Rights Day (10 December 2016). She wished the participants well in their struggle towards a better future, in the certainty that the Committee took their comments seriously and would give them full consideration.

The meeting rose at 6.05 p.m.