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Statement of

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Third Committee

Item 65: Elimination of racism and racial discrimination

Item 66: Right of peoples to self-determination

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Mr Chairman,
Distinguished delegates,
Ladies and gentlemen,

I have the honour of introducing several reports of the Secretary-General prepared under item 65 on the elimination of racism and racial discrimination and on the comprehensive implementation of, and follow-up to, the Durban Declaration and Programme of Action, and under item 66 on the rights of peoples to self-determination. I thank you, Mr. Chairman, for facilitating the debate under these items.

Item 65:

(a) Elimination of racism and racial discrimination

Mr. Chairman, there are four reports before this Committee concerning the Committee on the Elimination of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination.

Since the submission of the report on the status of the Convention (A/61/186), two States, Andorra and Saint-Kitts and Nevis, have become parties to the Convention, bringing the total number of States parties to 172. I am also pleased to announce that since the submission of the report, two more States parties, namely Andorra and Morocco, have made the declaration under article 14 of the Convention. The total number of States that have accepted the submission of communications by individuals or groups of individuals to the Committee has therefore been brought to 49.

The Committee held annual sessions in 2005 and 2006. These sessions were mainly devoted to the consideration of reports which were submitted by States parties under article 9 of the Convention. During the reference period, the Committee also reviewed the implementation of the Convention without a report for States parties that were at least five years late in the submission of their reports. Furthermore, the Committee adopted several decisions under its early warning and urgent action procedures.

In its continuing efforts to improve its working methods, the Committee adopted terms of reference for the mandate of a coordinator on follow-up to its concluding observations, as well as guidelines for follow-up which are now sent to each State party together with the concluding observations of the Committee. The first follow-up reports were received from five States parties in 2006 and the co-ordinator on follow-up was invited by one State party to conduct a visit in order to discuss and assess the measures taken by the government to follow-up on the Committee's conclusions and recommendations. The Committee has also adopted a follow-up procedure in relation to the Opinions adopted pursuant to article 14, paragraph 7 of the Convention, and the 2006 annual report contains for the first time a review of the follow-up replies from States parties.

At its sixty-sixth session, the Committee held a thematic discussion on the prevention of genocide and adopted a declaration on the prevention of genocide as

well as a follow-up decision in which it identifies key indicators which may serve as a tool to assess the existence of factors known to be important components of situations leading to conflict and genocide.

At its sixty-seventh session, the Committee also adopted a new general recommendation (XXXI), concerning the prevention of racial discrimination in the administration and functioning of the criminal justice system.

During 2005 and 2006, the Committee discussed the reform of the treaty body system and made specific suggestions in this regard, in particular for the establishment of a single body to examine individual communications. Finally, the Committee continued to consider the question of the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

With respect to the report on the financial situation of the Committee (A/61/260), I would like to recall that the amendment to article 8 of the Convention adopted by the States parties during their 14th meeting in January 1992 and endorsed by the General Assembly in its resolution 47/111, will take effect when accepted by two-thirds of the States parties. However, to this date, only 42 States parties have approved this modification. I also draw your attention to the fact that a number of States parties are still in arrears from the non-payment of previous assessments for the period prior to 1994 and the list of such States and the amounts owed are listed in an annex to the report of the Secretary-general on the financial situation of the Committee.

(b) Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of follow-up to the Durban Declaration and Programme of Action

Mr. Chairman,

Concerning the comprehensive implementation of the Durban Declaration and Programme of Action, we have received information from some 24 Governments on steps they have taken to eliminate racism, racial discrimination, xenophobia and related intolerance consistent with the recommendations contained under the Durban Declaration and Programme of Action.

At the regional level, The European Monitoring Center on Racism and Xenophobia reported that its work was also informed by the Durban Declaration, and that the key challenges resided in overcoming shortcomings in data collection by Member States, in the recording of incidents and monitoring of progress to overcome obstacles to racial equality in employment, housing and education and in tackling racist violence.

The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action submitted its report to the Commission on its fourth session held in Geneva from 16 to 27 January 2006. During the session, a high-level seminar on racism and the Internet and on complementary international standards for combating racism was convened as requested by Commission resolution 2005/64 and a thematic analysis of racism and globalization was organized.

On the theme of complementary international standards, the Working Group recommended that the Committee on the Elimination of Racial Discrimination conduct a further study on possible measures to strengthen implementation through the update of its monitoring procedures. The Office of the High Commissioner for Human Rights was invited *"to select a group of five highly qualified experts to study the content and scope of substantive gaps in the existing international instruments to combat racism, racial discrimination, xenophobia and related intolerance"*.

The Working Group of Experts on People of African Descent held its fifth session from 29 August 2005 to 2 September 2005 and submitted its report to the Commission. The Working Group examined the following themes: mainstreaming the situation of people of African descent in plans for achieving the Millennium Development Goals; the empowerment of women of African descent; and the role of political parties in the integration of people of African descent into political life and decision-making processes. At the invitation of the Government of Belgium, the Working Group undertook a country visit to Belgium from 13 to 17 June 2005.

The Group of Independent Eminent Experts was unable to hold its third meeting during the period under consideration. A Note by the Secretariat was transmitted to the Commission on Human Rights at its sixty-second session to this effect.

The Office of the High Commissioner continues its work toward the effective implementation of the Durban Programme of Action. The High Commissioner submitted her report on examining the possibility of developing a racial equality index in accordance with paragraph 29 of Commission resolution 2005/64. This Office, in collaboration with the United Nations Development Programme, organized a Regional Workshop for the Americas, hosted by the Government of Peru, entitled *"Strategies for the inclusion of people of African descent in programmes to reduce poverty, especially to achieve Millennium Development Goal 1"* (Chincha, 2-4 November 2005). A Regional Conference of the Americas organized by the Governments of Brazil and Chile with the support of the Office of the High Commissioner for Human Rights was held in Brasilia (Brazil) from 26 to 28 July 2006.

Finally, to commemorate the International Day for the Elimination of Racial Discrimination on 21 March 2006, the Office of the High Commissioner organized panel discussions on the theme *"Fighting Everyday Racism"* in collaboration with the International Labor Office and the United Nations Educational Scientific and Cultural Organization.

Item 66: Right of peoples to self-determination

In its resolution 60/145, the General Assembly requested the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation, and requested the Secretary-General to report on this question to the Assembly at its sixty-first session. Pursuant to GA resolution A/RES/60/251, establishing the Human Rights Council, the Commission on Human Rights concluded its work at its sixty-second and last session and referred all reports, including those dealing with the right of peoples to self-determination, to the Human Rights Council for consideration. The matter is thus now before the Human Rights Council.

The report of the Secretary-General before you (contained in document A/61/133) is based on a normative and analytical human rights approach. It outlines the relevant jurisprudence of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the treaty-based human rights norms relating to the realization of the right of peoples to self-determination and provides a summary of the reply received to the note verbale addressed by the Secretary-General to the Member States.

Finally, Mr. Chairman, at its first session held from 19 -30 June 2006, the Human Rights Council adopted the *United Nations Declaration on the Rights of Indigenous Peoples*, which recognizes the right of Indigenous Peoples to self-determination, and recommended its adoption by the General Assembly. (Resolution 2006/2 of 29 June 2006).

Thank you, Mr. Chairman.