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Racial Discrimination

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**ORAL REPORT ON THE WORK OF THE
COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION**

**Fatimata-Binta Victoire DAH,
Chairperson of the Committee on the Elimination of Racial Discrimination**

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New York, 3 November, 2008

Mr. Chairperson, Excellencies, distinguished delegates, colleagues and friends from the United Nations family and non-governmental organizations,

Allow me, despite my belated intervention which is taking place half way through the session, to congratulate the President for his election, as well as the other members of the bureau of the Third Committee.

I have no doubt that the importance you attach to the mandate-holders and the presidents of the treaty bodies and working groups, as well as the dialogue in which you have engaged with them, will bear fruit and will advance the cause of human rights.

It is an honour for me to be here today and to be able to address the very important Third Committee. Indeed, this is the first time that a chairperson of the Committee for the Elimination of Racial Discrimination (CERD) has been invited to come to New York to brief the General Assembly. I am therefore very pleased to present to you the reports for the 70th, 71st, 72nd and 73rd sessions of CERD, in accordance with General Assembly resolution 61/148 dated 19 December 2006.

Allow me, Mr. President, to thank you and to express my Committee's gratitude for the attention and support which the Third Committee has continuously provided for the work of CERD, this being reflected in the resolutions it has adopted at the sessions of the General Assembly. Your invitation is also very timely, which I am saying not so much because of the presidential elections here in the host country of the UN tomorrow, but rather because of the

Durban Review Conference next year, at which an assessment of Member States' efforts to combat racial discrimination over the past few years will be made.

It is also timely, because on December 10th, we are celebrating the 60th anniversary of the Universal Declaration of Human Rights, the "mother" of all our Conventions, with the Convention on the Elimination of All Forms of Racial Discrimination of 1965 (ICERD) being the oldest. The first article of the Declaration states that "all persons are equal in dignity and rights", and the Declaration goes on to say that "everyone is entitled to all the rights and freedoms set forth in the Declaration, without discrimination of any kind": these principles are also reflected in the provisions of the ICERD.

The implementation of these principles, as further refined and expanded in the Convention, are the *raison d'être* of the Committee on the Elimination of Racial Discrimination, which has been very active in promoting these principles. I wish to take this opportunity to underline some of the Committee's recent achievements, as well as some of the challenges the Committee is currently facing.

Mr. Chairperson,

I would like to start, with your permission, by referring to the Committee's annual reports for the years 2007 and 2008: during the period 2007-2008, the Committee held four regular sessions, which were mainly devoted to the consideration of State party reports submitted by States parties under article 9 of the Convention. A total of 30 reports were considered during this period. In each case, the Committee held a dialogue with a Government delegation from the State party concerned in Geneva. During the reference period, the Committee also reviewed, under its "review procedure", the implementation of the Convention in some States parties which had not submitted a report and whose periodic reports were overdue by at least five years. In addition, it considered a number of situations under its early warning and urgent action procedures. Finally, a number of individual complaints have been considered in accordance with Article 14 of the Convention.

On the issue of working methods, let me assure you that the Committee remains committed to a continual process of improving its methods of work with the aim of maximizing its effectiveness and facilitating reporting by States parties. In order to streamline the reporting

process, the Committee adopted revised reporting guidelines by which States parties which have already submitted a Common Core Document are encouraged to focus in their periodic reports only on matters specific to the implementation of the Convention, without having to repeat more general information. During the period under review, the Committee has also adopted new guidelines for its early warning and urgent action procedure to have clearer criteria to guide the Committee in this area.

At its last session, the Committee also discussed the need for establishing a continuing dialogue and effective cooperation with the Human Rights Council on matters related to the UPR process, and the Committee looks forward to discussing this with the President of the Human Rights Council at the Committee's next session. At the same time, cooperation with other treaty bodies is equally important. In this regard, I would like to note that the Committee has actively participated in the Inter-Committee meetings and remains fully committed to the efforts of the United Nations High Commissioner for Human Rights to achieve more harmonized procedures between the different treaty bodies.

The Committee continues to be active in the promotion of the Convention through a range of events and activities. At its most recent session in August this year, the Committee held a thematic discussion on the important subject of 'special measures', which, under the Convention, States may put in place to promote disadvantaged racial or ethnic groups within their territories. On this occasion, the Committee met with representatives from interested States parties, UN specialized agencies and non-governmental organizations, who shared their respective views on the subject and provided information on their relevant experience. In light of the constructive discussion as well as the Committee's own long-standing experience with the subject of special measures, the Committee decided to embark on the elaboration of a general recommendation on the subject, which will be the Committee's thirty-second general recommendation.

But it is not only on special occasion like this thematic debate that the Committee has placed great importance on its cooperation with different partners. Over the past two years, the Committee has further strengthened its cooperation with a number of partners. First I would like to note, with great appreciation, the Committee's regular interaction with UNHCR and ILO, which provide valuable contributions for each session. In addition, over the past two years, the Committee has also held dialogues on issues of common concern with the Special

Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on Freedom of Religion or Belief; and the Independent Expert on minority issues. Furthermore, I would like to note the increased involvement of independent national human rights institutions in the reporting process and the important role they play in the follow-up process of the Committee's recommendations at the national level. Last but not least, I would like to stress the indispensable value of the NGO contributions, which ensure that the Committee maintains a close link with national civil society actors.

As we are fast approaching the holding of the Durban Review Conference, I would also wish to highlight the Committee's continued cooperation with the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, both through the participation of Committee members and through written contributions. The Committee has also actively participated in the preparatory process of the Review Conference, including through representation by members in the two substantive sessions of the Preparatory Committee and the two regional preparatory meetings, in Brasilia and Abuja, all of which were held this year.

Mr. Chairperson,

Among the principal challenges the Committee is faced with is the increasing backlog of reports received from States parties. Some of the reports which have been received this year can only be considered in 2010. The Committee does of course appreciate the high number (173) of States parties to the International Convention on the Elimination of Racial Discrimination and encourages those States that have not yet done so to ratify the Convention, in order to achieve universal adherence. The Committee also welcomes the increasing reporting rate for periodic reports submitted by States parties, which in part seems to be one of the positive results of the new Universal Periodic Review (UPR) mechanism.

However, the Committee is concerned about its increasing workload and the backlog of reports received from State parties which are currently awaiting consideration. Similar concern was also expressed by States within the framework of the preparatory process for the Durban Review Conference, and a number States called for additional resources to be provided to the Committee from the UN regular budget so as to ensure that the Committee has

the resources needed to fulfil its mandate. The need for such resources was also specifically highlighted in the outcome document of the regional preparatory meeting held in Brasilia this year.

In light of the Committee's limited yearly meeting time, amounting to a total period of only six weeks, the Committee is indeed constrained in the implementation of its mandate. In order to overcome this predicament, and so as to be in a position to consider the reports received from States parties in a timely manner, the Committee decided at its last session in August this year to request the General Assembly to approve the extension of the annual meeting time of the Committee by two additional weeks (one per session) as of 2010. With a total meeting time of eight weeks per year, the Committee would not only be able to catch up with its backlog but also to further improve upon its procedures.

Mr. Chairperson,

I would like to conclude by reiterating that the Committee on the Elimination of Racial Discrimination relies on your continued support in order to fulfil its mandate, including with a view to ensuring that its reviews of State party reports under the Convention can be conducted in a timely manner and that reporting backlogs can be prevented, to promote the Convention, to increase its cooperation efforts with other human rights organizations, and to continue working towards an improved UN system.

On behalf of the Committee on the Elimination of Racial Discrimination, I would like to thank you for your attention.