

CLOSING STATEMENT OF THE 112th SESSION OF THE COMMITTEE ON THE
ELIMINATION OF RACIAL DISCRIMINATION
MR. MICHAL BALCERZAK, CHAIRPERSON, CERD

26 April 2024

(Check Against Delivery)

Good afternoon.

It is my pleasure to declare open the (3077th) meeting of the Committee on the Elimination of Racial Discrimination

I welcome you all to this public closing meeting of our session. A special welcome to the Chief of Section, Ms Wan Hea Lee and members of civil society, who have joined us here in Geneva or remotely.

This has been an intense, but I must say, productive 112th Session of the CERD and I would like to thank all my Colleagues and all those who, have contributed to our work in one way or another.

I will now proceed with the closing of this 112th session, as the Committee's rapporteur, Ms. Chinsung Chung is unable to join us this afternoon, I will report on the main points of our activities undertaken during the Session.

The 112th session of CERD took place between the **8 April and the 26 April 2024**. We were pleased that all our members were able to attend in person, except one of them for personal reasons.

At the **Public Opening**, a speech was delivered by **Ms. Wan-Hea Lee**, Chief, Civil, Political, Economic, Social and Cultural Rights Section of the of the Office of the High Commissioner of Human Rights.

In summary, Ms. Wan Hea Lee recalled that today's world faces many challenges of direct concern to this Committee. She reminded us that on 10 December 2023, the world marked the 75th anniversary of the adoption of the Universal Declaration of Human Rights. It was an opportunity for all actors to take stock of the progress made toward realizing the human rights norms set out in the Universal Declaration, as well as in the body of human rights treaties that emanated from it, including the Convention. At the domestic level, many States have adopted legislation to prohibit racial discrimination; anti-racism institutions and equality bodies have been established in many countries; national policies and strategies have been developed to combat prejudices based on race, colour, nationality, or ethnic origin. Some 300 pledges were received from governments, organizations and other actors that were, in many cases, concrete, time bound and with the potential to be transformative. Eleven States pledged to combat racial discrimination. In this context she underlined that it is crucial that States implement their international human rights obligations and commitments under the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action.

During this 112th session, we conducted **five country reviews** under Article 9 of the Convention. We examined **Mexico, San Marino, Qatar, Albania and Moldova**. **We thank all delegations who were present in Geneva and we also thank the members of the delegations who participated remotely from their capitals** and engaged in interactive dialogues with the Committee; as well as all the Country Rapporteurs and Task Force members who led these discussions and contributed to the drafting and adoption of the final Concluding Observations.

All concluding observations will be available on the webpage of CERD for this session.

The Committee would also like to express its appreciation to the National Human Rights Institutions of **Mexico, Qatar and Moldova** for submitting written reports and for being available to provide further updates during the session.

The Committee equally thanks the various NGOs from all States Parties who contributed with essential information to the reviews with their reports and briefings during the session.

Early Warning and Urgent Action Procedure

Under its **Early Warning and Urgent Action Procedure**, the Committee adopted a **Decision on Sudan** on 12 April 2024. The Committee is concerned by the increase of ethnic violence in Sudan since the outbreak of hostilities on 15 April 2023 between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF). The Committee is alarmed by reports of ethnically motivated attacks committed principally by the Rapid Support Forces and allied militia targeting members of the Masalit, Fur and Zaghawa communities.

Sadly, since the adoption of our Decision on 12 April 2024, there are new reports of escalating violence in and around El-Fasher city, North Darfur, mostly inhabited by the African Zaghawa ethnic community. Reports indicate that both parties have launched indiscriminate attacks using explosive weapons with wide-area effects, such as mortar shells and rockets fired from fighter jets, in residential districts. Dozens of people have reportedly been killed in the past two weeks as hostilities between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) have intensified. According to these reports, civilians are trapped in the city, the only one in Darfur still in the hands of the SAF, afraid of being killed should they attempt to flee and delivery trucks are unable to freely transit through RSF-controlled territory. **An attack on the city would have devastating consequences for the civilian population, as warned by the UN Secretary General.** Such attacks raise the risk of further ethnically motivated violence in Darfur, including mass killings.

In this very extremely worrisome situation, **the Committee urged Sudan to address and prevent further escalation of ethnic violence, incitement to racial hatred and racist hate speech. The Committee also called on the Sudanese Armed Forces, the Rapid Support Forces and their allied forces to immediately cease hostilities and stop further violations and abuses of international human rights and humanitarian law, notably violent acts targeting people on the basis of their ethnic origin.**

The **Decision** is available on the CERD webpage.

The Committee has also **endorsed letters to States Parties** assessed under this procedure. We thank the members of the Working Group and its Coordinator, Ms Gay McDougall, for their important work which required regular inter-sessional consultations.

INDIVIDUAL COMMUNICATIONS:

During the 112th session, the Committee considered an individual communication against Switzerland. In this communication, the authors indicated that they have been victims of violence in North Macedonia because of their Roma origin. They alleged that in case of their removal from Switzerland to North Macedonia, the State party would violate their rights under articles 5(b) and 5(e)(iv), read in conjunction with article 2(1)(a) of the Convention. The Committee decided that the authors have failed to establish that they are facing a real, personal and foreseeable risk of being subjected to particularly severe violence or treatment linked to discrimination in case of return. Therefore, in view of the elements of the file, the Committee decided that the facts before it do not reveal a violation of any of the provisions of the Convention. Notwithstanding its conclusion in the case, the Committee invites the State party to, inter alia, guarantee to the second author all the care that her situation requires while she is still on the territory of the State party, as well as the guarantee of medical assistance upon return.

Follow-up reports

We considered two **follow-up reports** submitted by **France and Georgia**. We thank the follow-up Rapporteur, Mr Gün Kut, for his work to ensure that the Committee continues to follow up on the implementation of the most important and urgent recommendations issued in our Concluding Observations.

General recommendations and Rules of procedure

The Committee pursued its work **towards the elaboration of its General recommendation 37 on racial discrimination and the right to health**. In the intersessional period, a large number of written submissions were reviewed and four regional consultations were organized. A revised draft general recommendation was prepared by the Committee Rapporteur, Ms. Tina

Stavrinaki. The Committee will finalize the second draft for adoption at the 113th session of CERD.

The Committee also discussed the intersessional work by the Committee on the Elimination of Racial Discrimination and the Committee on Migrant Workers aimed at developing a **joint general comment/recommendation on addressing and eradicating xenophobia and its impact on the rights of migrants, their families and other non-citizens affected by racial discrimination**.

Following the call for input, many stakeholders have expressed their interest to contribute, and the deadline was extended until the end of April 2024.

The two focal points for the Committees, Mr. Ibrahima Guissé and Mr. Pablo Ceriani have undertaken extensive consultations with OHCHR-IOM regional offices, UN agencies, universities, civil society organizations and NHRIs to raise awareness of the importance of this effort, and to establish partnerships for the organization of regional consultations in the Americas, Asia, Europe and Africa, which will be scheduled for September, October and November 2024.

Some regions such as North America and the Caribbean and Asia Pacific have confirmed an agenda for the regional consultations. The preparatory process for the regional consultations is ongoing and updates will be provided on the Committee webpage.

In the context of improving our **Rules of procedure**, the Committee pursued the reading of proposals reviewing these Rules and will pursue that work at its next session.

The Next Session

I would like to report that the **next session** of the Committee will take place between **5 and 23 August 2024** and that the following States Parties are scheduled for review: **Venezuela, Iran, Pakistan, Belarus, United Kingdom, Bosnia Herzegovina, and Iraq**. All information including the proposed programme of work for the 113th session is available on the CERD webpage for the 113th session. I invite all stakeholders to keep visiting this webpage.

Let me end by once again **thanking all members of the Committee** for their participation in the 112th session, and for all they did to ensure that we covered our agenda and stayed true to our mandate of working towards the elimination of all forms of racial discrimination wherever it occurs. I would also like to thank **all members of the Secretariat, the Interpreters and Conference Services** who contributed to the smooth execution of our work.

I thank you all for joining the closing session and wish the members of the Committee safe travel back to their home countries.

I now declare the 3077th meeting and the 112th session of the CERD closed.

See you in August!
