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Committee on the Elimination of Racial Discrimination
113th Session (5-23 August 2024)



Opening address by Mr. Guillaume Ngefa
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United Nations Office of the High Commissioner for Human
Rights

5 August 2024, 10:00 am
Ground Floor Conference Room, Palais Wilson, Geneva

Mr. Chairperson,

Distinguished members of the Committee,

Ladies and gentlemen,

It is a great pleasure to be with you this morning and to welcome you on behalf of the Secretary-General to the 113th session of the Committee on the Elimination of Racial Discrimination.

As you know, many challenges facing the world today involve issues of direct concern to this Committee. Volker Türk, the High Commissioner for Human Rights in his Global update to the 56th session of the Human Rights Council, addressed “the cruelty of war”. He is “dismayed by the extent to which warring parties have pushed beyond the boundaries of what is acceptable - and legal - on many fronts, with utter contempt for the other, trampling human rights at their core.”

The actions to which the High Commissioner referred demonstrate the continued, profound relevance of the International Convention on the Elimination of All Forms of Racial Discrimination today. For instance, the Advisory opinion of the International Court of Justice adopted on 19 July

on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, was grounded to a substantial degree, on the Convention.

This landmark opinion highlights the complementarity of the human rights mechanisms, on which OHCHR places high priority, and the resonance of the human rights treaties and the work of the treaty bodies.

In the OHCHR context, we strive to promote the strengthening of the links between the human rights mechanisms, both at HQ level and in the field, including in various implementation efforts, capacity building and technical cooperation to make the system more effective.

As an example of mutual complementarity, the Universal Periodic Review peer-review process, involving a review of the human rights records of all Member States, leverages the rich expertise of other human rights mechanisms, such as Treaty Bodies and Special procedures, and other stakeholders, such as UN entities, regional human rights mechanisms, national human rights institutions, and civil society. This is reflected in the OHCHR pre-session reports, especially the UN Compilation report for each country. CERD's concluding observations are commonly featured in the parts of the UPR reports focused on Equality and

non-discrimination and on ratification of human rights treaties. These pre-session reports are used by Member States when making recommendations during the UPR Working Group. Similarly, other stakeholders, particularly civil society organizations, often use the outputs produced by other human rights mechanisms in their own submissions to the UPR process, as do various UN entities and UN Country Teams in their submissions. The UPR process thus represents an important opportunity for States and all stakeholders to promote the implementation of the concluding observations of the treaty bodies and thus improve the protection of human rights overall.

Mesdames et Messieurs les membres de la commission,

Nous saluons les efforts de la commission concernant l'intimidation et les représailles. La politique des Nations Unies est celle de la tolérance zéro. Le Secrétaire général a reconnu que les représailles constituaient une priorité et une responsabilité essentielle pour les Nations unies et a demandé à toutes les entités d'être vigilantes et de s'engager dans ce domaine.

Permettez-moi de rappeler que la société civile et les victimes apportent des informations et des témoignages cruciaux aux organes de traités et fournissent aux experts des organes de traités des informations contextuelles. Les États doivent assurer une protection adéquate contre tout acte d'intimidation ou de représailles à l'encontre de ceux qui coopèrent ou ont coopéré avec les Nations unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme.

Mesdames et Messieurs les membres de la commission,

Permettez-moi de souligner quelques développements importants liés à votre mandat, depuis votre dernière session.

Conformément à la résolution 54/25 du Conseil des droits de l'homme sur un monde du sport exempt de racisme, de discrimination raciale, de xénophobie et de l'intolérance qui y est associée, le Haut-Commissariat aux droits de l'homme s'est engagé auprès de divers organismes sportifs et États membres à inscrire la lutte contre le racisme dans et par le sport à leur ordre du jour. Lors de l'ouverture de la 19^{ème} réunion de la 56 session ordinaire du Conseil des droits de l'homme - table ronde quadriennale sur la promotion des droits de l'homme par le sport et

l'idéal olympique, le haut-commissaire des Nations unies aux droits de l'homme a souligné certains progrès, "les entreprises du monde du sport alignent leurs pratiques sur les principes directeurs des Nations unies relatifs aux entreprises et aux droits de l'homme". Il a rappelé que "les États ont la responsabilité première de traiter ces questions de manière globale et proactive, de garantir l'accès aux voies de recours et de prévenir de nouvelles violations. Cela implique une tolérance zéro pour le racisme et toutes les formes de discrimination dans le sport, y compris l'antisémitisme et l'islamophobie". Il a invité toutes les parties prenantes à collaborer avec le HCDH à la mise en œuvre de la résolution 54/25 du Conseil des droits de l'homme. Il présentera une mise à jour orale de cette résolution lors de la 57e session du Conseil des droits de l'homme en septembre.

The High Commissioner for Human Rights will also present his fourth report on racial justice and equality for Africans and people of African descent to the 57th session of the Human Rights Council, followed by an enhanced interactive dialogue with two directly affected individuals. The report maintains a focus on dismantling systemic racism and advancing transformative change for racial justice and equality for Africans and people of African descent, while taking a closer look at key elements of intersectionality as an essential framework to combat systemic racism and confront legacies of enslavement and colonialism. The International

Independent Expert Mechanism to advance racial justice and equality in the context of law enforcement report to the 57th session will focus on justice, accountability and redress.

Calls for a Second International Decade for People of African Descent have gained momentum as the current International Decade concludes this year. Some Member States have undertaken initiatives to contribute to the fight against racism. For example, Brazil and Colombia proposed a General Assembly resolution to proclaim 25 July as the International Day of Women and Girls of African Descent. In addition, Brazil is advocating for the creation of a new voluntary SDG 18 on Ethnic-Racial Equality in the 2030 Agenda. Canada has extended the International Decade for People of African Descent until 2028 domestically.

Distinguished experts,

In April 2024, the Working Group of Experts on People of African Descent held its 34th session in Geneva and discussed fulfilling the economic, social, and cultural rights of people of African descent in the age of digitalization, artificial intelligence, and new and emerging technologies, in view of its upcoming 2024 thematic report. Its 35th public

session will focus on reparations. In May 2024 the Working Group of Experts on People of African descent undertook a country visit to Colombia at the invitation of the Government. Its annual and country visit reports will be presented at the 57th session of the Human Rights Council in September 2024.

Also in April, the Permanent Forum on People of African Descent held its 3rd session in Geneva. Over 1,000 participants, including Member States, civil society, and activists of African descent, took part in the session, which delved into issues such as reparatory justice, economic justice, education, and culture, among others.

In May, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action held its 22nd session in Geneva, which included discussion on the draft Declaration on the promotion and full respect of the human rights of people of African descent requested by the General Assembly in its resolution 76/226. All stakeholders are encouraged to support this process.

In June, the session of the Group of Eminent Experts on the Implementation of the Durban Declaration and Programme of Action

covered numerous issues, including artificial intelligence, racism and racial discrimination and anti-racism in education and public discourse.

The 14th session of the Ad Hoc Committee on the Elaboration of Complementary Standards to the ICERD came to an end on 2 August. It has been examining more concrete elements to progress towards the elaboration of a draft additional protocol criminalizing acts of a racist and xenophobic nature.

Distinguished experts,

I would also like to draw your attention to two reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ms. Ashwini K.P., which were presented to the 56th session of the Human Rights Council. The first addressed the burgeoning development and application of artificial intelligence and the ways that it is perpetuating racial discrimination. The second was on combating the glorification of Nazism.

Between 5 and 16 August 2024, the Special Rapporteur on racism will conduct an official country visit to Brazil, investigating a broad range

of manifestations of racial discrimination affecting groups, including people of African descent, Quilombola, Roma and indigenous peoples.

The Special Rapporteur on the rights of indigenous peoples will focus his forthcoming thematic report to the 79th session of the UN General Assembly on Mobile Indigenous Peoples. The report will review the challenges faced by mobile Indigenous Peoples, and the initiatives undertaken by States, Indigenous Peoples and other stakeholders to recognize and respect their rights.

Mr. Chairperson,

OHCHR continues to actively support efforts to strengthen the treaty body system, which was the key topic at the 36th Annual Meeting of the Treaty Body Chairpersons in New York in June. The Chairpersons met with the Secretary-General and other senior UN officials, engaged with civil society and had a comprehensive exchange with Member States. The Chairs made marked progress in terms of aligning working methods, and they advocated together for enlarged support for the implementation of the treaty body strengthening process. At a well-attended meeting with Member States, the Chairs called for resources to implement the predictable review schedule and other key strengthening proposals. As the Committee was well represented by your Chair, I trust

that the members will be briefed in depth during the course of the present session.

Distinguished members,

We deeply appreciate your commitment to advancing human rights across the globe despite the challenging circumstances. In addition to the chronic resource constraints facing the treaty bodies, this year the liquidity crisis has hampered the planning and implementation of your work, a point that the Chairs communicated forcefully during their meetings with Member States and other interlocutors in New York. Let me assure you that we are doing our utmost to ensure that this Committee and other treaty bodies can implement their mandates, including by highlighting the direct impact that resource limitations have on human rights protection on the ground. In this respect, we are pleased to inform you that despite continuing resource challenges, we have been able to secure funds for the organisation of all plenary sessions this year, including CERD's third session.

With seven major State party reviews and intense work on draft General Recommendations ahead of you during this session, I know that

your time is precious. I will thus conclude here by wishing you a very successful 113th session. Thank you for your attention.