



Committee on the Elimination of Racial Discrimination Consultation with Civil Society

23 November 2016
Conference Room XX, Palais des Nations, Geneva

“Joining Hands to End Racial Discrimination”

Introduction

This is a short report which synthesises the consultation with civil society titled “Joining Hands to End Racial Discrimination” organised by the Committee on the Elimination of Racial Discrimination (CERD) and held on Wednesday, 23 November 2016, from 3:00pm to 6:00pm in Room XX of the Palais des Nations in Geneva. It was a lively and interactive event that was attended by almost 200 representatives of civil society from all over the world. The OHCHR Fellows on Minorities and the OHCHR Fellows on People of African Descent were present, as were several university students including from Germany, Switzerland and Ireland.

In preparation for the consultation event, CERD called for written submissions from civil society organisations around the world working on issues of racism and racial discrimination. The Committee received over 50 written submissions detailing the key challenges faced by civil society and their recommendations for how to enhance the impact of the CERD mandate.

The event was opened and moderated by Ms Anastasia Crickley, Chairperson of CERD. In her opening statement, Ms Crickley acknowledged that racial discrimination remains a major form of oppression throughout the world today. In a pre-recorded video, Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, said ‘discrimination is a powerful and deeply destructive force that can tear apart entire societies, scarring them for generations. Only by joining hands can we overcome racial discrimination’.

The event also extended to the virtual sphere, with civil society representatives following the live UN TV webcast and engaging in the discussions on social media platforms such as Twitter, Facebook and Instagram. The background note, programme of the day, and the written submissions provided by civil society are available on the [webpage](#) of the event.

Outline of the Day

The event was opened and chaired by Ms Anastasia Crickley, Chairperson of CERD. Ms Crickley welcomed the participants and stated that racial discrimination remains a major form of oppression in today's world, as has been clearly indicated by global events of the past year and in the hate crimes, hate speech, and insidious oppressions now very visible globally as well as in the toxic political discourse which has served to inflame them. She said that ignoring racial discrimination will not make it go away and congratulated and acknowledged the contributions of civil society in the struggle towards its elimination.

Following the opening remarks for the event, four invited panellists led the discussion across the themes for the day. The first two speakers, Mr Carlos Quesada, Executive Director of the International Institute on Race, Equality and Human Rights and Ms Sarah Chander, Advocacy Officer at European Network



Against Racism (ENAR) provided a catalyst for the discussion on current trends around the world. The second two panellists, Mr Taisuke Komatsu, Under Secretary General of the International Movement Against All Forms of Discrimination and Racism (IMADR) and Ms Claire Thomas, Deputy Director of Minority Rights Group International spoke about how civil society actors support the work of the Committee. CERD Committee members Mr Nicolas Marugán and Ms Verene Shepherd provided overviews of the submissions in advance from NGOs and key themes and learnings. NGOs present made their points and interventions from social media were also read out.

Objectives of the Consultation

1. To gain a current picture of the main challenges faced by civil society in combatting racial discrimination around the world;
2. To gain an overview of the recent experiences of civil society organisations in their engagement with CERD; and
3. To receive ideas from civil society regarding how to enhance the Committee's engagement with civil society in fulfilment of its mandate.

Key Issues Raised

A brief summary of the general responses from the written submissions, verbal discussions and the social media input is provided below, based on the three questions posed by the Committee.

The key challenges and issues of racial discrimination in countries/regions today and how civil society works to address them

The dialogue and the submissions criticised the increasing racialization of economic disparities and harmful concepts of societal superiority that lead to the polarisation of groups. Social media posts discussed the facilitative role that social media can play in perpetuating racial discrimination and hate speech, and asked how CERD will tackle such populist sentiments both online and in general.

The submissions and discussions illuminated current manifestations of racial discrimination in various areas of the world and identified particularly vulnerable groups. For example, racism and racial discrimination against Dalits, people of African descent, Roma and Travellers, indigenous peoples, migrant workers, Muslim communities and refugee and migrant communities featured prominently.

Institutionalised racism, a lack of national laws and infrastructure to protect victims, and political, social and economic disparities for racial, ethnic and religious minorities were key recurring topics. Some civil society organisations stressed the importance of States parties establishing and supporting a National Human Rights Institution which is in line with the Paris Principles in order to contribute to genuine change. The discussions also highlighted the problems associated with countries' lack of data collection on racial discrimination and questioned how to improve this. Concerns were raised by those working in civil society who noted with disappointment that states sometimes did not fully implement the recommendations of the Committee.

NGOs wrote about the lobbying activities that they undertake with their respective governments to promote and protect human rights and reduce racial discrimination. Many NGOs shared accounts of the networking they are engaged in with other organisations, and the capacity-building work they undertake, including with youth. Around the world, NGOs are also conducting research on national and international trends, advocating for the creation and the amendment of legislation, sponsoring and bringing activists to



speak at the UN and monitoring extremism and rates of racist violence. Other NGOs provide direct legal advice to clients and/or conduct awareness raising activities on human rights and mechanisms for redress.

The experience of civil society, of engaging with CERD to date

There was wide diversity in the extent to which NGOs had been engaged with CERD.

A number of NGOs had strong and friendly working relationships with CERD, and had been systematically engaged with the Committee's work and that of other treaty bodies for years. The Norwegian Centre Against Racism cites a productive working relationship with CERD for more than two decades. Other NGOs wrote that their engagement included the submission of alternative reports, or the consolidation of a number of NGOs alternative reports into a coordinated account for the Committee. Another example is the Nineveh Center for Research and Development, based in Duhok, Iraq, which stated it partners with other NGOs to augment their capacity, and has attended CERD meetings, submitted alternative reports to the Committee, and has engaged itself with four OHCHR Forums on Minority Issues.

Other NGOs had not had direct contact with CERD but had used the Committee's concluding observations and recommendations to augment their work in the field. Some other submissions stated that their organisations were not directly engaged with CERD.

Where NGOs were familiar with the Committee and the Secretariat, feedback was that the CERD "works in an inclusive way", was "supportive" to the work of civil society, and the Secretariat "helpful and proactive". Where a working relationship had not yet been established with NGOs, the feedback tended to be more negative, and characterised CERD as a mechanism that was removed from civil society's work on the ground.

The Guidance Tool for Civil Society Actors Engaging with CERD and ICERD, produced by the International Movement Against All Forms of Discrimination and Racism (IMADR) in 2015 in English, French and Spanish, has been extremely valuable for civil society and may assist more representatives of civil society to better engage with CERD in the future.

The issue of language diversity was raised also, as the Committee documents and procedures are not accessible to many NGOs who work in languages other than the official United Nations languages.

Recommendations for CERD to enhance its engagement with civil society included:

1. Improve leveraging media exposure of the work of the Committee, in order to increase the impact of the ICERD.
2. Create a fund for the benefit of civil society actors to enhance their work in the field, increase their capacity, and further their engagement with CERD.
3. Travel to States parties and to present reports and provoke discussions in country.
4. Ensure racism is appropriately acknowledged and addressed in the fulfilment of the 2030 Agenda for Sustainable Development.
5. Ensure that CERD's focus in State party examinations and concluding observations is not only on federal state architecture but is also on the actions of provincial governments and authorities, as these entities may be more sensitive to international pressure.
6. Urge the international community to redouble efforts to address the intersections of race-based discrimination and class-based discrimination.



7. Consider the adoption of a statement on the topic of human rights defenders and their protection.
8. Develop a collective complaints mechanism involving the violation of rights that are collective in nature, such as those held by indigenous peoples.
9. Establish a joint complaint mechanism and/or joint follow-up mechanism that cuts across the treaty bodies.
10. Explore, through a research project, the impact of racial discrimination on girls and boys in their formative years.
11. To encourage civil society organisations to better utilise the Early Warning and Urgent Action Procedures of the Committee in order to foster a preventative approach to potential violations of the Convention by state parties, rather than a reactive approach.
12. Increase awareness of and use of the individual communication procedure.
13. Provide training programs to civil society organisations.
14. Develop a Special Procedure on the issue of reprisals (Rapporteur on Reprisals has been appointed by the Committee in 87th Session).
15. Continue to address the difficulty of States parties emphasising the right to freedom of expression when this manifests in instances of discrimination and hate speech.
16. Increase efforts to understand the specific dynamic of, and questions posed by, devolved state structures in relation to racial discrimination in law and practice.
17. Better utilise the researchers and lawyers engaged in the United Nations Fellowship Programmes who have the capacity to assist in the furtherance of the CERD mandate.
18. Consider a formalised procedure for reviews of States parties in the absence of a State party report (i.e. a systematic approach to late reporting states or non-reporting states).
19. Increase outreach on social media and to share more information that guides NGOs on how to engage with CERD.

Conclusion

Written submissions and discussions during the event illustrate that many civil society counterparts are not aware of the ICERD and the procedures that exist under the CERD mandate. A genuine opportunity exists to maximise ties between civil society actors and the Committee, and to communicate the issues within CERD's mandate in a systemic way. Furthermore, the recommendations above contain useful suggestions for the Committee's work as the CERD reinvigorates and regularizes discussions with civil society going forward. During its next session, the Committee will hold a discussion will hold a consultation with the States parties.

This event was considered timely by many NGO representatives, who appreciated being given the platform to address the Committee. Several speakers conveyed their readiness to assist the Committee in fighting racial discrimination. The Committee in turn was grateful for the levels of commitment, engagement and activism shown by civil society in furthering the promotion and the protection of human rights. The Committee also noted the success of the social media engagement and live broadcasting function that allowed the event to be truly interactive.

Although already known, this event also showcased the global contribution to the fight against racism of the civil society sector, and the crucial contribution that it makes to the UN treaty bodies in providing up-to-date, localised and reliable information.



This event succeeded in raising the profile of the ICERD in global discussions on racial discrimination, in light of the worldwide rise in forms of racial discrimination, including recently witnessed hate speech, hate crimes and racist attitudes towards refugees, migrants and minorities. The afternoon served as a timely reminder of the ways in which racial discrimination affects the lives of so many women men and children throughout the world. The continued importance of the ICERD as a key human rights standard in the struggle against racial discrimination and of the role of the CERD in its implementation were repeatedly reiterated as well as the need to give both more prominence. Participants were reminded of the need for all individuals working in this space to concentrate efforts on dismantling structural racism in order to affect the reduction of, and to properly respond to, racially motivated interpersonal violence.

