

21st Session of the Human Rights Council

Agenda Item 9

Elaboration of international complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination

The Human Rights Council,

Recalling its decision 3/103 of 8 December 2006, in which it decided to establish, in accordance with the provisions of paragraph 199 of the Durban Declaration and Programme of Action, the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards, with a mandate to elaborate, as a matter of priority and necessity, complementary standards in the form of either a convention or additional protocol(s) to the International Convention on the Elimination of All Forms of Racial Discrimination, filling the existing gaps in the Convention and also providing new normative standards aimed at combating all forms of contemporary racism, including incitement to racial and religious hatred, (A/HRC/Res/10/30)

Recalling also its resolution 3/2 of 8 December 2006, in which it reaffirmed that there would be no renegotiation of the Durban Declaration and Programme of Action, (A/HRC/Res/10/30)

Welcoming the progress achieved and noting the views expressed during the fourth session of the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial discrimination, and expressing the collective desire of the international human rights system and the need to enhance the momentum of this process with a view to ensuring the timely fulfilment of the mandate of the Ad Hoc Committee, (A/HRC/Res/10/30 updated)

Recalling the need for an international human rights regime that provides adequate protection for victims of racism, racial discrimination, xenophobia and related intolerance, as well as appropriate remedies while combating all forms of impunity in this regard, (A/HRC/Res/10/30)

Underlining the imperative need for the Ad Hoc Committee to achieve its mandate (A/HRC/13/18 updated)

1. *Decides* that the Ad Hoc Committee shall convene its fifth session from 13 to 24 May 2013; (A/HRC/13/18 updated),

1.(bis) *Takes note* of the report of the Ad Hoc Committee of the Human Rights Council on the Elaboration of International Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination,

2. *Requests* Invites the Chairperson-Rapporteur of the Ad Hoc Committee to convene hold informal consultations, within existing resources, with regional and political group coordinators during the inter-sessional period between the fourth and fifth sessions of the Ad Hoc Committee, with the aim of preparing for to prepare the fifth session and collect, including collecting concrete proposals for discussion on the topics of xenophobia, establishment, designation or maintaining of national mechanisms with competencies to protect against and prevent all forms of—and manifestations of racism, racial discrimination,

xenophobia and related intolerance; as well as and procedural gaps with regard to the International Convention on the Elimination of All Forms of Racial Discrimination, consistent in accordance with its mandate; NEW (A/HRC/21/59)

3. *Requests* also the Office of the United Nations High Commissioner for Human Rights to send out a questionnaire, within existing resources, to gather information regarding the three topics discussed during the fourth session of the Ad Hoc Committee and in its report (xenophobia, national mechanisms and procedural gaps), including legal and judicial frameworks and practices, substantive and procedural measures in line with the mandate of the Ad Hoc Committee, and possible recommendations, ~~gather information, in consultation with Member States and other relevant stakeholders, regarding the three topics discussed during the fourth session of the Ad Hoc Committee, including legal and judicial frameworks and practices, and possible recommendations consistent with the mandate of the Ad Hoc Committee;~~ New (A/HRC/21/59)
 4. *Invites* the Office of the United Nations High Commissioner for Human Rights to post the questionnaire on its website and, in consultation with the Chairperson-Rapporteur, ~~to prepare a summary of responses to the questionnaire that have been received during the inter-sessional period for discussion during the fifth session with a view of discussing them during the fifth session;~~ New (A/HRC/21/59)
- OP.4 (bis) Recommends that the fifth session of the Ad Hoc Committee discuss new topics as contained in the report (A/HRC/18/36) of the third session of the Ad Hoc Committee or additional topic(s) submitted during the inter-sessional period,
5. *Decides* to remain seized of this priority issue. (A/HRC/ 13/18)