



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Concluding observations on the combined fourth to eighth reports of Thailand\*

1. The Committee considered the combined fourth to eighth periodic reports of Thailand,<sup>1</sup> submitted in one document, at its 2847th and 2848th meetings,<sup>2</sup> held on 22 and 23 November 2021. At its 2861st meeting, held on 1 December, it adopted the following concluding observations.

#### A. Introduction

2. The Committee welcomes the State party's second appearance before the Committee for the presentation of its combined fourth to eighth periodic reports, which included responses to the concerns raised by the Committee in its previous concluding observations. The Committee also welcomes the submission of the State party's updated common core document.<sup>3</sup> The Committee appreciates the open and constructive dialogue with the State party's large and multisectoral delegation, as well as the supplementary information provided by the State party following the dialogue.

#### B. Positive aspects

3. The Committee welcomes the ratification by the State party of the following international instruments:

(a) Protocol to the Forced Labour Convention, 1930 (No. 29) of the International Labour Organization, on 4 June 2018;

(b) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labour Organization, on 13 June 2017;

(c) Convention for the Safeguarding of the Intangible Cultural Heritage of the United Nations Educational, Scientific and Cultural Organization, on 10 June 2016.

4. The Committee also welcomes the following legislative and institutional measures taken by the State party:

(a) The enactment of the Royal Ordinance concerning the management of the employment of foreign workers, on 17 June 2017;

(b) The issuance of Order No. 131/2560 of the Prime Minister, on 23 May 2017, establishing the national committee for managing cases relating to torture and enforced disappearance;

\* Adopted by the Committee at its 105th session (15 November–3 December 2021).

<sup>1</sup> [CERD/C/THA/4-8](#).

<sup>2</sup> See [CERD/C/SR.2847](#) and [CERD/C/SR.2848](#).

<sup>3</sup> [HRI/CORE/THA/2021](#).



(c) The enactment of the Act on the promotion and conservation of intangible cultural heritage, on 11 February 2016;

(d) The enactment of Nationality Act No. 5 B.E. 2555, on 14 March 2012, amending the Nationality Act B.E. 2508.

## C. Concerns and recommendations

### Statistics

5. The Committee regrets the lack of disaggregated statistical information on the demographic composition of the population that would allow it to evaluate the enjoyment of the rights enshrined in the Convention by groups that face racial discrimination, in particular indigenous peoples, ethnic and ethno-religious groups, migrants, refugees, asylum seekers and stateless persons (arts. 1–2 and 5).

6. **Recalling its reporting guidelines<sup>4</sup> and its general recommendation No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention, the Committee recommends that the State party collect and provide updated statistics on the demographic composition of its population based on self-identification, disaggregated by ethnic group, indigenous people, national origin and language spoken, including data on migrants, refugees, asylum seekers and stateless persons, as well as relevant socioeconomic indicators.**

### Reservations and declarations

7. The Committee welcomes the State party's withdrawal of its reservation to article 4 of the Convention on 7 October 2016. However, it remains concerned that the State party maintains its interpretative declaration on the Convention, which states that the State party does not interpret and apply the provisions of the Convention as imposing upon it any obligation beyond the confines of its Constitution and laws (art. 2).

8. **The Committee recalls its previous recommendations<sup>5</sup> and recommends that the State party withdraw its interpretative declaration on the Convention.**

### Incorporation of the Convention into the domestic legal order

9. Noting that the State party has a dualist legal system, the Committee expresses its concern that the State party has not taken sufficient measures to incorporate the provisions of the Convention into its domestic law, and that it has not yet undertaken a review of its laws and policies to ensure their conformity with the Convention, notwithstanding the Committee's previous recommendations to that effect.<sup>6</sup>

10. **The Committee recommends that the State party incorporate all of the substantive provisions of the Convention into its domestic law, with a view to ensuring comprehensive protection against racial discrimination, and that it conduct a systematic review of its laws and policies to guarantee their full conformity with the Convention and that they have no discriminatory impact on the rights of ethnic and ethno-religious groups, indigenous peoples, migrants, refugees, asylum seekers and stateless persons.**

### Prohibition of racial discrimination

11. The Committee is concerned that article 27 of the Constitution, which prohibits discrimination, does not include all grounds enumerated in article 1 of the Convention, in particular colour, descent or national origin. It also remains concerned that the State party has not yet adopted a stand-alone anti-discrimination legislation that introduces a definition

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<sup>4</sup> CERD/C/2007/1.

<sup>5</sup> CERD/C/THA/CO/1-3, para. 8.

<sup>6</sup> Ibid., paras. 7 and 10.

of racial discrimination and prohibits direct and indirect racial discrimination in both the public and private spheres (arts. 1–2 and 5).

**12. The Committee recommends that the State party explicitly incorporate the principle of equality and the prohibition of racial discrimination into its constitutional framework, including on the grounds of colour, descent and national origin, in line with article 1 of the Convention. It recommends that the State party adopt a comprehensive, stand-alone anti-discrimination law that includes a definition of racial discrimination covering all grounds of discrimination and encompasses direct and indirect discrimination in both the public and private spheres.**

#### **Intersecting and multiple forms of discrimination**

13. The Committee notes with concern the reports of intersecting and multiple forms of discrimination faced by women, children, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic and ethno-religious groups or indigenous peoples, or those who are migrants, refugees or asylum seekers. The Committee notes with concern the reports of various specific barriers faced by these groups in the exercise of their civil, political, economic, social and cultural rights, in particular access to education, health care and employment (arts. 1–2 and 5).

**14. The Committee recommends that the State party take all measures necessary to combat the intersecting and multiple forms of discrimination faced by women, children, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic and ethno-religious groups, indigenous peoples, or those who are migrants, refugees or asylum seekers, including by mainstreaming gender, age, disability, and sexual orientation and gender identity into its measures, including legislative and policy measures, to combat racial discrimination.**

#### **National human rights institution**

15. The Committee notes that the National Human Rights Commission of Thailand was downgraded to B status by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions. The Committee is concerned that the process for selecting members of the Commission is not sufficiently transparent, participatory or merit-based (art. 2).

**16. The Committee recommends that the State party take all measures necessary to ensure that the National Human Rights Commission of Thailand is able to carry out its mandate effectively and independently and that it operates in full conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It recommends, in particular, that the State party ensure that a transparent, participatory and merit-based process is put in place for the selection of the members of the Commission in order to ensure the independence of the institution.**

#### **Hate speech and hate crimes**

17. The Committee notes with concern that the State party's legislation does not contain provisions that expressly criminalize racist hate speech and hate crimes in accordance with article 4 of the Convention. It also notes with concern the lack of comprehensive information and data from the State party on instances of racist hate speech and hate crimes, despite reports of such instances targeting ethnic and ethno-religious groups, indigenous peoples, people of African descent, migrants, refugees and asylum seekers, among others. The Committee is also concerned about reported incidents of incitement to racial hatred and the propagation of racist stereotypes, including in the media and on the Internet and social media, especially incidents involving government officials (arts. 4 and 6–7).

**18. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention; No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention; No. 15 (1993) on article 4 of the Convention; and No. 35 (2013) on combating racist hate speech, the Committee urges the State party to:**

- (a) **Introduce and enforce legislative provisions that expressly criminalize racist hate speech and hate crimes in line with article 4 of the Convention;**
- (b) **Introduce racist motivation as an aggravating circumstance for racially based offences;**
- (c) **Firmly combat racist hate speech and incitement to racist violence, including in media and on the Internet, and publicly condemn and distance itself from racist hate speech by public figures, including politicians and media officials;**
- (d) **Launch awareness-raising and educational campaigns to eliminate prejudices and negative stereotypes against ethnic and ethno-religious groups, indigenous peoples, people of African descent, migrants, refugees, asylum seekers and stateless persons;**
- (e) **Take effective measures to encourage the reporting of racist hate speech and hate crimes, conduct investigations into incidents of racist hate speech and hate crimes, prosecute those responsible, and if they are convicted, punish them with appropriate penalties; and provide, in its next periodic report, information and statistics on such cases and their outcomes;**
- (f) **Provide training for the police, prosecutors and judges on the proper methods for identifying, registering, investigating and prosecuting cases of racist hate speech and hate crimes, as well as on the Convention.**

#### **Racial profiling**

19. While noting the information provided by the State party in its fourth to eighth periodic reports and under the Committee's early warning and urgent action procedure, the Committee remains concerned that the allegations of mass and discriminatory collection and use of DNA samples of ethnic and ethno-religious groups in southern border provinces, and the discriminatory use of facial recognition technology, based on ethnicity and without providing the necessary justification, legal guarantees or judicial oversight or obtaining the consent of individuals concerned, have not been sufficiently addressed. The Committee also remains concerned about the reports of SIM card registrations for surveillance purposes and identity checks and arrests of members of ethnic and ethno-religious groups carried out on the basis of racial profiling, particularly in the State party's southern border provinces (arts. 4–5).

20. **Recalling its general recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, the Committee recommends that the State party put an end to the practice of racial profiling, including by introducing legislation prohibiting racial profiling; reviewing practices; and reinforcing training programmes for law enforcement officers and military personnel, in collaboration with the communities most affected by racial profiling, including in the southern border provinces. It also recommends that the State party eliminate the practices of mass and discriminatory collection and use of DNA samples, discriminatory use of facial recognition technology and of SIM card registration for surveillance purposes, and prevent the entry of data into law enforcement databases that may contain or result in racial bias, including by adopting a regulatory framework that complies with international norms and standards and encompasses legal guarantees and independent oversight mechanisms.**

#### **Human rights defenders**

21. The Committee expresses concern that human rights defenders, in particular those advocating for land rights, protection of the environment, and the rights of ethnic and ethno-religious groups and indigenous peoples, have increasingly become targets of killings, enforced disappearance, violence, threats, intimidation, reprisals and harassment, including judicial harassment, as a consequence of their human rights work (art. 5).

22. **The Committee recommends that the State party conduct effective, prompt, thorough and impartial investigations into all incidents of killings, enforced disappearance, violence, threats, intimidation, reprisals and harassment of human**

**rights defenders. It further recommends that the State party continue cooperating with the Office of the United Nations High Commissioner for Human Rights, and take measures necessary to ensure an open and safe space for the operation of civil society organizations, with a view to facilitating the work of human rights defenders free from all forms of intimidation, threats and reprisals.**

#### **Situation of ethnic and ethno-religious groups under martial law and the state of emergency**

23. The Committee notes the information provided by the State party that it has recently lifted the emergency decrees in some of its districts. However, the Committee remains concerned about the impact that the so-called special laws and their application under the protracted state of emergency that was initially declared in 2005 and continuously extended since, and under martial law, declared in 2004, have had on ethnic and ethno-religious groups living in the southern border provinces. It is particularly concerned about the reports of torture and other ill-treatment, extrajudicial killings and enforced disappearances of members of these groups, including reports of cases allegedly involving law enforcement and military personnel (arts. 2 and 5).

24. **Recalling its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee recommends that the State party:**

(a) **Intensify its efforts to review the so-called special laws applied under the state of emergency and martial law, and ensure their compliance with international human rights norms and standards as long as they are in effect, with a view to finding peaceful and durable solutions and lifting the state of emergency and martial law, which should be temporary in nature;**

(b) **Effectively, promptly, thoroughly and impartially investigate all allegations of human rights violations perpetrated against members of ethnic and ethno-religious groups, prosecute those alleged to have committed them, including those who carried them out and those who ordered them, and punish those found guilty with appropriate penalties;**

(c) **Enact into law the prevention and suppression of torture and enforced disappearance bill, ensuring its compliance with international human rights norms and standards, and take the measures necessary for its implementation, including by setting up an independent mechanism for the prevention and suppression of torture and enforced disappearance;**

(d) **Take measures to ensure that victims of such human rights violations receive protection, assistance and remedies, and ensure that such measures are accessible to all ethnic and ethno-religious groups living in the aforementioned provinces.**

#### **Situation of ethnic and ethno-religious groups and indigenous peoples**

25. The Committee expresses concern about the reports of direct and indirect, multiple and intersecting forms of discrimination faced by ethnic and ethno-religious groups and indigenous peoples, including the Isaan, Karen, Lahu, Malay Thai, Mani, Moken and Urak Lawoi peoples. The Committee notes with particular concern that:

(a) **Despite its formal endorsement of the United Nations Declaration on the Rights of Indigenous Peoples, the State party has not yet recognized the status and the rights of indigenous peoples, either in its legislation or in any other form;**

(b) **The access of members of certain ethnic and ethno-religious groups and indigenous peoples to public services, including health care, education and social protection, continues to be hindered, owing to administrative and language barriers and the limited availability of such services where those groups live;**

(c) Ethnic and ethno-religious groups and indigenous peoples are disproportionately affected by high levels of poverty and face high levels of economic inequality and social exclusion;

(d) Despite some efforts undertaken by the State party to provide bilingual education in a number of primary schools in certain areas, some ethnic and indigenous languages in the State party are increasingly at risk of disappearance and efforts to preserve and develop the culture of some groups in order to help them maintain their cultural identity remain insufficient.

**26. The Committee recommends that the State party take legislative and policy measures necessary to tackle all forms of discrimination faced by ethnic and ethno-religious groups and indigenous peoples and to ensure they have non-discriminatory access to civil, political, economic, social and cultural rights on an equal basis with others. In particular, it recommends that the State party:**

(a) **Affirm in its legislation the status and the rights of indigenous peoples, in line with the United Nations Declaration on the Rights of Indigenous Peoples;**

(b) **Identify and tackle the obstacles that prevent ethnic and ethno-religious groups and indigenous peoples from accessing public services, and ensure that such services are available and accessible for all throughout the State party;**

(c) **Adopt and implement policies and programmes for reducing poverty and enhancing economic equality and social inclusion, taking into account the specific needs and rights of ethnic and ethno-religious groups and indigenous peoples;**

(d) **Protect and preserve the cultural identity of ethnic and ethno-religious groups and indigenous peoples by fostering an enabling environment for them in which they can preserve, develop, express and share their identities, histories, cultures, languages, traditions and customs.**

#### **Indigenous lands, territories and resources**

27. The Committee notes with concern the discriminatory effect of the State party's various forestry and environment-related laws and regulations, and their implementation, on ethnic groups and indigenous peoples living in forests. It is also concerned about the lack of protection of the collective property of indigenous peoples, in particular the lack of legal certainty and guarantees with regard to the titling, delimitation, demarcation and restitution of lands and territories traditionally occupied by indigenous peoples. The Committee further expresses concern about the reports of widespread land grabbing, including by private business entities and individuals, which has resulted in social conflict and forced evictions of indigenous peoples from their lands or territories in the absence of appropriate legal protection (arts. 2 and 5).

**28. The Committee recommends that the State party:**

(a) **Adopt the legislative and administrative measures necessary to protect indigenous peoples' right to own, use, develop and exercise full control over their lands, territories and resources, including by way of legal recognition and protection in accordance with international standards;**

(b) **Take all steps necessary, including through early warning systems and urgent action procedures, to prevent indigenous peoples from becoming the victims of illegal occupation or use of their lands and territories or illegal use of their resources, including by third parties, and to ensure protection against forced eviction from their lands and territories;**

(c) **Ensure access to effective remedies with an emphasis on recuperation by indigenous peoples of their lands, territories and resources, and in situations where this is considered materially impossible by a court of law, provide just and fair compensation as well as adequate and culturally appropriate relocation options for indigenous peoples affected by evictions;**

(d) **Strengthen the implementation of its national action plan on business and human rights with a view to preventing business entities from engaging in activities that adversely affect the rights of indigenous peoples, among other groups;**

(e) **Ensure that indigenous peoples are consulted on projects or legislative or administrative measures that affect the land and natural resources that they own or have traditionally used, including with regard to the adoption and implementation of forestry and environment-related laws and regulations, with a view to obtaining their free, prior and informed consent, in line with the United Nations Declaration on the Rights of Indigenous Peoples.**

#### **Trafficking in persons**

29. While noting the information provided by the State party in relation to efforts undertaken to combat trafficking in persons, the Committee remains concerned about the prevalence of trafficking in persons and related violations, particularly affecting migrants, refugees, asylum seekers, ethnic and ethno-religious groups and indigenous peoples. The Committee is especially concerned about such cases that involve child labour, forced labour practices, and sexual and labour exploitation of victims of trafficking, particularly in fishing, agriculture, tourism and domestic work. It also expresses concern about the insufficient identification and referral measures for trafficking victims, and the prevalence of corruption and official complicity in trafficking cases (arts. 2 and 5).

30. **The Committee recommends that the State party:**

(a) **Strengthen the implementation of its framework for combating trafficking in persons, including by ensuring the allocation of sufficient human, technical and financial resources for the effective implementation of its laws and policies, reinforcing coordination among government security, justice and social service agencies, and enhancing the cooperation of those agencies with civil society;**

(b) **Enhance its efforts for the development and implementation of standardized early identification mechanisms and a referral system for victims of trafficking, with targeted measures for the protection of those most vulnerable to trafficking;**

(c) **Intensify its efforts to investigate all allegations of trafficking in persons, prosecute those responsible, and punish those found guilty with appropriate penalties, while ensuring victims' access to effective remedies;**

(d) **Strengthen protection and assistance for victims, and ensure their access to adequate legal, medical and psychological assistance and social services, including shelters, in cooperation with civil society organizations;**

(e) **Reinforce the training of police officers and other law enforcement officials, border guards, immigration officers, judges, prosecutors and labour inspectors to ensure the effective application of domestic legislation designed to combat trafficking in persons.**

#### **Migrant workers**

31. The Committee welcomes the information provided by the State party in relation to the regularization of the status of a large number of undocumented migrant workers and their families in recent years, which facilitated their access to health care and education. However, the Committee remains concerned about the reports of forced labour and labour exploitation of undocumented migrant workers, especially in fishing, agriculture and domestic work. It is also concerned about the substandard living conditions of migrant workers and the fact that many undocumented migrant workers and members of their families still do not have access to health care, education or housing (art. 5).

32. **The Committee recommends that the State party enhance its efforts to improve the working and living conditions of migrant workers and their families, including by raising awareness among migrant workers of their rights and of existing avenues for filing complaints, and strengthening labour inspections, including in sectors where**

**migrant workers are numerous, and bringing exploitative employers to justice and compensating victims. It also recommends that the State party take measures to guarantee the rights of migrant workers, including undocumented migrants, and members of their families to access health care, education and housing, without discrimination.**

#### **Refugees and asylum seekers**

33. While noting the State party's efforts to host a large number of refugees and its decision to establish a screening mechanism for asylum seekers, the Committee notes with concern the inadequate guarantees against non-refoulement, and reports of deportations and forcible returns of Rohingya and other refugees and asylum seekers who are in need of international protection. The Committee is also concerned about the reports of detention of undocumented migrants, asylum seekers and refugees for long periods and in poor material conditions, and detention of children and their placement in cells with adult detainees (art. 5).

34. **The Committee reiterates its previous recommendation<sup>7</sup> that the State party take legislative measures for the protection of refugees and asylum seekers, and ensure in law and practice full respect for the principle of non-refoulement. The Committee also recommends that the State party take the measures necessary to develop alternatives to the detention of undocumented migrants, asylum seekers and refugees, including children, and ensure that living conditions in places of detention are adequate and in accordance with international standards.**

#### **Stateless persons**

35. While welcoming the measures taken by the State party to facilitate birth registrations and access to citizenship for stateless persons who are eligible under the State party's legislation, the Committee notes with concern that, despite these efforts, the number of stateless persons remains very high, particularly among ethnic and ethno-religious groups, indigenous peoples, migrant workers, refugees and asylum seekers. The Committee further expresses concern about the reports of collection of DNA samples from stateless persons living in southern border provinces and remote areas as a means to prove their right to citizenship (art. 5).

36. **Recalling its general recommendation No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State party:**

(a) **Conduct a review of its laws and regulations on access to and the transmission of citizenship in order to reduce the risk of statelessness;**

(b) **Abolish the practice of mass and discriminatory collection of DNA samples from certain groups of stateless persons as a means to prove their right to citizenship, and facilitate their access to citizenship through alternative and non-discriminatory means in line with international human rights norms and standards;**

(c) **Intensify its efforts to facilitate access to birth registration and citizenship, by putting in place measures targeted for ethnic and ethno-religious groups, indigenous peoples, migrant workers, refugees and asylum seekers, including in remote areas.**

#### **Coronavirus disease (COVID-19) and racial discrimination**

37. While taking note of the efforts undertaken by the State party in responding to the COVID-19 pandemic, the Committee notes with concern the limited access by ethnic and ethno-religious groups, indigenous peoples, migrants, asylum seekers and refugees to health-care services, goods and facilities during the pandemic, including vaccines against COVID-19, tests, masks and disinfectants. It is also concerned that social support and financial assistance measures to alleviate the negative socioeconomic impact of the pandemic were not accessible to those without identity documents, bank accounts or residence permits, which

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<sup>7</sup> CERD/C/THA/CO/1-3, para. 25.

has had a disproportionate effect on undocumented migrants and some members of ethnic and ethno-religious groups and indigenous peoples (art. 5).

**38. The Committee recommends that the State party guarantee universal and non-discriminatory access to COVID-19-related health-care services, goods and facilities for all, including vaccines, tests, masks and disinfectants. It also recommends that the State party ensure that the specific needs of ethnic and ethno-religious groups, indigenous peoples, migrants, asylum seekers and refugees are taken into account in efforts to mitigate and recover from the socioeconomic effects of the pandemic.**

#### **Access to justice**

39. While noting the information provided by the State party delegation in relation to the provision of legal aid in certain cases, including for members of ethnic groups, the Committee remains concerned about the barriers preventing ethnic and ethno-religious groups, indigenous peoples, migrants, refugees, asylum seekers and stateless persons from accessing justice, owing to the remoteness of their localities, language barriers and a limited understanding and awareness of laws and judicial processes among these groups. The Committee also regrets the lack of comprehensive information on racial discrimination complaints filed in the State party, and their outcomes (arts. 6–7).

**40. Bearing in mind its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee recommends that the State party take adequate measures to eliminate all barriers preventing the above-mentioned groups from accessing justice, and increase awareness among them of laws, judicial processes, remedies and their rights under the Convention. It also recommends that the State party provide, in its next periodic report, information and statistics on complaints of racial discrimination, on investigations, prosecutions, convictions and sanctions imposed, and on the judicial and non-judicial remedies provided to victims, disaggregated by age, sex and ethnic or national origin.**

### **D. Other recommendations**

#### **Ratification of other treaties**

41. **Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Domestic Workers Convention, 2011 (No. 189) and the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization. The Committee encourages the State party to accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

#### **Amendment to article 8 of the Convention**

42. **The Committee recommends that the State party ratify the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.**

#### **Declaration under article 14 of the Convention**

43. **The Committee encourages the State party to make the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual complaints.**

#### **Follow-up to the Durban Declaration and Programme of Action**

44. In light of its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

#### **International Decade for People of African Descent**

45. In light of General Assembly resolution 68/237, in which the Assembly proclaimed 2015–2024 the International Decade for People of African Descent, and Assembly resolution 69/16 on the programme of activities for the implementation of the Decade, the Committee recommends that the State party prepare and implement a suitable programme of measures and policies. The Committee requests that the State party include in its next report precise information on the concrete measures adopted in that framework, taking into account its general recommendation No. 34 (2011) on racial discrimination against people of African descent.

#### **Consultations with civil society**

46. The Committee recommends that the State party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

#### **Dissemination of information**

47. The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all State bodies entrusted with the implementation of the Convention, and publicized and disseminated, including on the website of the Ministry of Foreign Affairs, in the official and other commonly used languages, as appropriate.

#### **Follow-up to the present concluding observations**

48. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 22 (human rights defenders) and 24 (b) and (d) (situation of ethnic and ethno-religious groups under martial law and state of emergency) and 38 (COVID-19 and racial discrimination) above.

#### **Paragraphs of particular importance**

49. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 20 (racial profiling), 26 (situation of ethnic and ethno-religious groups and indigenous peoples), 28 (indigenous lands, territories and resources) and 30 (trafficking in persons) above, and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

#### **Preparation of the next periodic report**

50. The Committee recommends that the State party submit its combined ninth to twelfth periodic reports, as a single document, by 28 January 2026, taking into account

**the reporting guidelines adopted by the Committee during its seventy-first session<sup>8</sup> and addressing all the points raised in the present concluding observations. In light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 21,200 words for periodic reports.**

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<sup>8</sup> [CERD/C/2007/1](#).