



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixty-seventh session

SUMMARY RECORD OF THE 1710th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 8 August 2005, at 10 a.m.

Chairman: Mr. YUTZIS

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The meeting was called to order at 10.15 a.m.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2) (continued)

1. The CHAIRMAN suggested that the Committee should in future devote time at the beginning of each Monday meeting to general reflections on the philosophical principles underlying its work, which could serve as an inspiration for its discussions with States parties. As an introduction to that new procedure, he had chosen to present an excerpt from a book by the French philosopher Paul Ricoeur entitled La Critique et la Conviction. The author defended the notion of human beings as active participants in the construction of history, thus calling into question the traditional, static concept of history. Each period in history left a legacy of unfulfilled hopes and visions, which would be taken up again in the future. Based on that notion, collective historic memory became an important element in the creation of utopian ideals, which were not new but rather a renaissance of past generations' unfulfilled aspirations. He had chosen the text, inter alia, in recognition of long-standing members of the Committee and members who had sustained their commitment to human rights over a long time, who were part of the historic memory of human rights. Remembering past violations was a key element of the promotion and protection of human rights.

2. Rekindling the utopian ideal of a world without racism and racial discrimination had been a driving force behind the Committee's work since its inception. Efforts must be made to ensure that that ideal became part of humanity's collective memory, which would facilitate its regeneration.

3. Mr. de GOUTTES welcomed the Chairman's initiative. The notion that humanity played an active role in the construction of history was not unknown. At the same time, outside circumstances often limited the possibilities for attaining the objectives pursued. The idea that Utopia, while not unattainable, was a goal yet to be achieved, was also well known. His activity as a judge brought him into daily contact with human suffering, and he was aware that institutionalized justice alone could not eliminate injustice. It could, nevertheless, protect individuals against unchecked violence, injustice and human cruelty. The French philosophers Henri Lacordaire and Blaise Pascal had recognized the importance of the rule of law for the protection of the weak against the strong. Those considerations were reflected in the Committee's work, which sought to rein in State power by placing it in a framework of human rights.

4. Mr. HERNDL said that he, too, welcomed the Chairman's initiative, which would certainly enhance the Committee's work. The understanding of the human being as an active participant in the creation of history was highly relevant. The Committee's task was to visualize and disseminate concepts that would inspire individual States and the international community as a whole to work towards a world free of racism. While he agreed that the rule of law played a vital role in that regard, it was important to recognize that not all legislation was just or served the best interests of the citizens of a given State. In its practice, the Committee had encountered numerous examples of unjust legislation that failed to take account of people's spiritual, moral and physical needs. Human rights standards, including the provisions of the Convention, provided useful guidance to legislators in that regard. One of the Committee's key functions was to raise awareness among world leaders of the needs and aspirations of their constituencies.

5. Mr. AMIR said that reflections on philosophical issues would highlight the human dimension of the Committee's work. The presentation of the periodic report of Barbados had illustrated that even the most serious and complex situations in life could be transcended when humanity was motivated by a larger ideal. The limited world view based on racist attitudes could be transcended by reason, thus enabling people to understand that the basic common denominator the human person was its soul. That soul had no colour and no language; its only motivation was the quest for an ideal. Any power based on exclusion was of a merely temporary nature and lacked any spiritual strength.

6. Mr. VALENCIA RODRÍGUEZ said that historic memory played a crucial role in the Committee's work. Among its many achievements was the creation of universal awareness of the scourge of racial discrimination and of the fact that the fight against racism transcended national borders and concerned the international community as a whole. While a person might go as far as renouncing his or her political views or religious beliefs in an effort to survive, skin colour was an unchangeable characteristic. There was no escape from racial discrimination and the work of the Committee was thus crucial to the defence of human rights, particularly in the light of the emerging new forms of intolerance around the world.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 4) (continued)

Eighth to sixteenth periodic reports of Barbados (continued)

(CERD/C/452/Add.5; HRI/CORE/1/Add.64/Rev.1)

7. At the invitation of the Chairman, the members of the delegation of Barbados resumed their places at the Committee table.

8. Mr. CLARKE (Barbados) thanked the Committee for allowing his delegation to listen to its reflections. It was inspiring to learn of the profound philosophical thinking underlying the Committee's work, which reaffirmed its competence.

9. Ms. BEND (Barbados) said that the terms "black" and "white" used in the report were culturally accepted terms for referring to the two dominant racial groups living in Barbados. The terms carried no negative connotations and did not imply disregard of the nuances of the country's racial make-up.

10. The Constitution of Barbados drew its inspiration from the British Constitution, which was not a written document but was based on common law. Neither Constitution therefore contained explicit references to specific rights. However, awareness of and respect for human rights, including economic and social rights, were deeply rooted in Barbadian society. The Constitutional Review Commission was currently assessing the possibility of incorporating in the reformed Constitution provisions on economic and cultural rights based on the language used in the International Covenant on Economic, Social and Cultural Rights.

11. There were no domestic NGOs specializing in race relations; most NGOs operating in Barbados worked in the field of children's rights, women's rights and poverty reduction. Paragraphs 86-88 of the report contained information on local NGOs.

12. The establishment of the Fair Trading Commission (report, para. 20) was relevant to race-related issues, since the minority white population of Barbados dominated corporate power, while small entrepreneurs were predominantly black. The Commission sought to foster fair competition in an effort to redress the balance in domestic business relations.

13. In its report, the Constitutional Review Commission had recommended that the reformed Constitution should contain gender-neutral language and include the category of gender in the definition of the term “discriminatory”. That recommendation was currently before the drafting committee.

14. Despite the lack of an explicit legal guarantee of free education, there was a deeply-rooted social guarantee of free education in Barbados. Her Government considered free education to be a vital component of the long-term development of Barbados, whose economic future lay in the provision of services and whose primary resource was its people.

15. Several components of the social studies syllabuses of primary and secondary schools could be described as intercultural, given that they included specific modules on the Amerindian, Asian, African and European peoples and the interrelationships between their cultures.

16. Barbados supported and adhered to the principles contained in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; however, there were no immediate plans to ratify that Convention owing to a lack of capacity for the reporting and other requirements that would accompany ratification.

17. To date, no complaints of racial discrimination had been submitted to the Office of the Ombudsman. The coalition of NGOs known as the Congress Against Racism-Barbados Inc. had existed at the time of preparation of the current report. It had not been possible to confirm whether that organization currently remained active. The Congress Against Racism-Barbados Inc. and the Pan-African Commission were not affiliated.

18. No complaints of racial discrimination had been made to the Police Complaints Authority against any member of the Barbados police force. The sixteenth periodic report had been drafted by a large committee that represented a broad cross section of the public service, including the Pan-African Commission. A number of academics from the University of the West Indies had also contributed to the report. She drew attention to the importance of the constitutional provision referred to in paragraph 177 of the report.

19. On the question whether Barbados had become reconciled with its former colonizer, she noted that Barbados maintained strong ties with the United Kingdom in a variety of ways, including by means of bilateral agreements, membership of the Commonwealth of Nations, and tourism and migration between the two countries.

20. The Commission on Law and Order had recommended that consideration should be given to the appointment of a second ombudsman to address the inadequacies of the present arrangement. Those issues were currently being considered by the Cabinet and relevant ministries.

21. According to the information provided in table 6 of the current report, the various minority groups were more strongly represented in tertiary education than the black population. The number of persons receiving tertiary education was expected to rise when plans to increase enrolment in the University of the West Indies in Barbados had been put into effect.
22. The prevailing low birth rate in Barbados was attributable to factors that characterized a nation on its way to becoming a developed country: a high level of education and the widespread use of family planning. Although no figures were available for the level of Barbadian emigration, those leaving the country tended to be young, educated persons seeking the economic opportunities afforded by a globalized work environment.
23. There were no barriers preventing non-black citizens from standing for election to the House of Assembly. However, in the most recent elections, no non-black candidates had stood for election.
24. Consideration would be given to the withdrawal of her country's reservation to article 4 of the Convention at the same time as constitutional reforms and anti-discrimination legislation were being considered.
25. Information on the Amerindian population from the seventh periodic report had been based on the 1980 census. In subsequent censuses, the number of self-declared Amerindians had been too low to be placed in a separate category and had instead been included in the "other" category. The 39 Amerindians counted in the 1980 census could have been native to Barbados or immigrants from other countries in the region.
26. Mr. BELLE (Barbados) said that the definition of racial discrimination contained in article 1 of the Convention should address the phenomenon of blacks who practised racism against other blacks. That phenomenon was traceable to self-hatred among blacks and the psychological impact of the racism practised by whites during the colonial period. The Committee should bear that phenomenon in mind since it was not limited to Barbados.
27. The way in which the history of Barbados had been used to respond to racial discrimination, particularly in view of the contribution made by Barbados to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, was illustrated by a number of paragraphs, which he quoted, contained in the Declaration and Programme of Action. Those included paragraphs 98 and 106 of the Declaration, which referred to the provision of effective remedies, recourse, redress and compensatory and other measures at the national, regional and international levels. They also included the following paragraphs from the Programme of Action: paragraphs 118 and 119, which referred to education and awareness-raising measures; paragraphs 126 and 127, which concerned human rights education; and paragraphs 158 and 159, which referred to the provision of effective remedies, recourse, redress and other measures at the national, regional and international levels. Many of those paragraphs reflected contributions made by the Barbadian delegation to the World Conference.
28. The careful preparation of academic curricula and the establishment of research centres for the purpose of raising awareness of human rights in general, and racial discrimination in particular, would be needed to bring about a shift in paradigms.

29. The Pan-African Commission was an agency of his Government, not a movement or political party. Set up in 1998 under the purview of the Prime Minister's Office, it was run by a secretariat headed by a director, overseen by a board of advisers and presided over by a chairman; its members were selected by the Cabinet. Given the historical background of Barbados, the programme of the Pan-African Commission was considered important in raising awareness of issues relating to Africa within Barbados, and in strengthening relationships across the African diaspora and between the Caribbean region and the African continent. The fact that the positions of director and chairman had initially been occupied by the same person had given rise to conflict over a number of issues, and the positions had subsequently been separated.

30. Many of the issues identified in paragraphs 158 and 159 of the Durban Programme of Action had already been incorporated in the development strategy of Barbados, such as poverty alleviation, transparency and accountability of governance, and combating HIV/AIDS. Barbados stood ready to respond to the request made in paragraph 191 (b) of the Programme of Action concerning the implementation of the provisions of the Declaration and Programme of Action. Barbados could also be expected to comply with the requirements for adequate funding and political will, which were mentioned in paragraph 219. Although there had not been a focused implementation policy to examine and incorporate the results of the Declaration, many of the initiatives taken with regard to race relations had been influenced by the discussion that had taken place at the World Conference.

31. The fact that no cases of racial discrimination had been brought before the High Court of Barbados in the past 20 years was due to invisible racism, a phenomenon whereby certain racist positions had been so deeply ingrained in the psyche of the Barbadian population that they were seen as natural occurrences. Despite the fact that the majority black population of Barbados did not suffer the fear afflicting blacks who formed a minority in certain countries, blacks in Barbados were subject to more subtle forms of racism, which they did not even recognize and whose source lay in their history of socialization. Invisible racism could often be overlooked when using assessments intended for more overt forms of racism. Barbados was therefore in a position to enlarge the boundaries within which the conditions of racism should be seen.

32. Another important factor to consider was that members of a white minority who practised racism were aware of their vulnerability and were therefore careful about how they expressed racism. That had produced a situation in which overt forms of racism had gradually declined and become more subtle or invisible. Once such race relationships had been internalized, people often did things spontaneously without even realizing the racist nature of their thoughts or actions.

33. The study of social sciences at the University of the West Indies had been based on research into alternative paradigms of political and social development. Such paradigms avoided the cultural hegemony of racism based on the victimization of black people through slavery, focusing rather on ancient civilizations in which black peoples' power had created a fear of the other. That research, undertaken over 10 years in conjunction with the University of California at Berkeley, had informed much of the current periodic report and his delegation's contribution to the Durban Declaration and Programme of Action.

34. In the context of Barbados, many formerly visible manifestations of racism had become invisible. While that situation was by its very nature difficult to tackle, it was important that the Committee should take such racism into consideration.
35. Membership of the Pan-African Commission was not restricted to people of African descent.
36. The Government's understanding of national reparation was entirely in line with that described in paragraphs 103, 104 and 106 of the Durban Declaration and paragraphs 158 and 165 of the Programme of Action.
37. There was a clear difference between the institutional racism that had existed under the former regime in South Africa and the institutional racism that had resulted from the socialization process in Barbados. It was not uncommon, for example, for a church with a majority black congregation to worship a white God; the assumption that God was white was a clear example of the socialization of racism.
38. The Prime Minister had used the term "blending" in his statement at the launch of the Pan-African Commission in the context of his policy of inclusion, and the desire for all races and peoples to work together in the nation-building enterprise. The notion of blending formed an integral part of the Creole ideology, which was similar in many ways to the assimilation ideology in many Latin American countries.
39. Mr. SHAHI commended the State party for its periodic report, and particularly its approach to the eradication of racial discrimination, as outlined in the final paragraph. The insightful observations in the first section of the report had given the Committee substantial food for thought. Other positive developments included the Constitutional Review Commission, the Committee for National Reconciliation, and the planned draft legislation to protect individuals from discrimination by private groups or corporations. He paid tribute to the outstanding contribution of the Barbadian delegation to the success of the Durban World Conference against Racism and Racial Discrimination, Xenophobia and Related Intolerance.
40. He trusted that the Constitutional Review Commission would address the fact that neither the Public Order Act nor the Constitution sufficiently reflected the provisions in article 4 of the Convention. The State party should consider withdrawing its reservation to article 4.
41. Mr. LINDGREN ALVES explained that his question about institutional racism had in no way implied a criticism. It was more a matter of terminology; the term "structural racism" was possibly more appropriate in the context of Barbados. He asked whether there was any racism against white people by black people in the State party. It was unclear how financial reparation for slavery in the past could be implemented at the national level. It would be interesting to have more information on the different applications of Creole ideology in the Latin American and Caribbean contexts.
42. Mr. KJAERUM requested further details on how the State party implemented the recommendations contained in the Durban Declaration and Plan of Action in its relations with the United Kingdom. In particular, it would be useful to learn whether it had implemented any specific measures to create a common understanding of the two countries' historical past.

43. Mr. de GOUTTES welcomed the in-depth historical and sociological analysis of the roots of racism, which had been presented in the report.

44. Mr. PILLAI asked whether there were disparities in the per capita income of the various ethnic groups and, if so, what steps the Government was taking to address the situation.

45. Mr. BELLE (Barbados) said that the high level of education, inter alia among the black population, was one of the country's outstanding achievements. He stressed that education at all levels had been free of charge since 1962 and that black people were in no way disadvantaged in that regard. The high level of education enabled Barbadians to adapt to various difficult situations relating to globalization and to overcome relatively painlessly the recessions which had seriously damaged the economies of other Caribbean nations.

46. With regard to "Creole ideology", he said that it was a way of avoiding any reference to African roots, race or colour, referring instead to the country where the person was living. However, by claiming to go beyond racism, "Creole ideology" in fact perpetuated the phenomenon. He stressed that race was a reality which was inextricably linked to peoples' history, economy and politics and which, therefore, should not be denied.

47. Although his Government had every intention of implementing the Durban Declaration and Programme of Action, it would need international assistance in order to do so.

48. The University of the West Indies had suggested setting up centres in Germany, the United States of America and the United Kingdom with a view to giving an opportunity to people in those countries to learn about the Caribbean experience with regard to racism. However, a sponsor would be required to help the Government finance the project.

49. He did not agree with the view that black people could not be racist because they were victims of racism. Black people could be racist, just like anyone else. He believed that the source of racism was a fear of the unknown and that enhancing one's knowledge about persons of another race or ethnicity could therefore contribute to eliminating racism.

50. Mr. CLARKE (Barbados) said that the information provided by his delegation demonstrated the complex nature of Barbadian society and the challenge that the Committee faced in helping countries like Barbados to combat racism. Although, over the years, some progress had been achieved in that regard, much remained to be done. He stressed the importance of advancing history by learning from the past.

51. Mr. THORNBERRY (Country Rapporteur) said that the Committee would reflect on a number of issues, including the State party's reservations to the Convention; the country's legal framework for combating racial discrimination, which was still rather limited; the importance of legal guarantees in implementing the right to education; and the phenomenon of invisible racism. He welcomed the dialogue on key human rights issues which was under way in Barbados, and the high importance attached to education. Additional information on the Amerindians would be useful. The approach taken in learning from the past in order to address social problems was of great importance.

The meeting rose at 1 p.m.