



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

REFERENCE: YB/GN/TT

The Office of the High Commissioner for Human Rights (OHCHR) presents its compliments to the Permanent Missions accredited to the United Nations Office at Geneva and has the honour to refer to Human Rights Council resolution A/HRC/21/30 adopted at its twenty-first session entitled “Elaboration of international complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination”, which requests OHCHR in paragraph 4 to “distribute a questionnaire from existing resources, to gather information on the three topics discussed by the Ad Hoc Committee during its fourth session and covered 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.”

The resolution, in paragraph 5, “invites OHCHR to post the questionnaire on its website and, in consultation with the Chairperson-Rapporteur, to prepare a summary of responses to the questionnaire received during the inter-sessional period for discussion by the Ad Hoc Committee at its fifth session.”

Permanent Missions are invited to forward their responses to the attached questionnaire to the OHCHR Registry at (registry@ohchr.org) by 15 January 2013.

The Office of the High Commissioner for Human Rights avails itself of this opportunity to renew to the Permanent Missions the assurances of its highest consideration.

3 December 2012

**Ad Hoc Committee on the elaboration of complementary standards to the
International Convention on the Elimination of All Forms of Racial Discrimination**

Questionnaire (paragraph 4 of A/HRC/21/30)

1. Responses should preferably not exceed five pages (supporting documents can be attached).

2. Bearing in mind the text of resolution A/HRC/21/30:
 - i. Kindly provide information on the phenomena of xenophobia in your national context, including any general trends.

 - ii. How is xenophobia addressed in your country (include any legal and judicial frameworks and practices, substantive and procedural measures)?

 - iii. Which national mechanism(s) with competences to protect against and prevent all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance does your country have in place? Kindly indicate the(ir) mandate(s) and powers, including any proposals for improvement on the basis of national experience.

 - iv. Kindly provide information or any comments your country might have on the issue of procedural gaps to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), including any legal and judicial frameworks and practices, substantive and procedural measures.

 - v. Would your country have any comments on the issue of the impact of reservations on the implementation to the ICERD? Is there a need for reservations and why?

 - vi. Would your country have any comments concerning Article 14 of the ICERD (declaration by State Party recognizing the competency of the Committee to receive/consider individual complaints)?

 - vii. Which CERD recommendations has your country implemented with regard to national mechanisms and xenophobia, including any legal and judicial frameworks and practices, substantive and procedural measures? What has been your national experience (including challenges) in this regard?



viii. How is assistance provided to victims and/or affected communities of racism, racial discrimination, xenophobia and related intolerance at the domestic level? How do victims and/or affected communities participate fully and effectively in relevant processes and national mechanisms?

ix. With regard to the topics of this questionnaire:

- a) Kindly indicate any possible recommendations your country would wish to provide; and,
- b) Are there any additional comments or information your country wishes to provide in relation to xenophobia, national mechanisms or procedural gaps?

—