

EQUALITY AND DISCRIMINATION - MINORITY RIGHTS

IV. CONCLUDING OBSERVATIONS

CERD

- United Kingdom of Great Britain and Northern Ireland, CERD, A/46/18 (1991) 49 at para. 209.

It is necessary for the State party to make increased efforts to improve the situation of members of ethnic minorities with regard to education, employment, housing and economic standing. Other steps, relating in particular to criminal prosecution, should also be taken to reduce significantly the number of incidents of racial hatred and racially motivated attacks.

- Sweden, CERD, A/46/18 (1991) 55 at para. 222.

Rather than trying to assimilate the Samis into mainstream society, the Government should endeavour to preserve their specific cultural identity. To that end, the possible establishment of a Sami parliament is encouraged.

- Bangladesh, CERD, A/47/18 (1992) 35 at para. 127.

Grave concern is expressed over reports on the human rights of the ethnic minorities in the Chittagong Hill Tracts, including the forced transfer of the population.

- United Kingdom of Great Britain and Northern Ireland, CERD, A/48/18 (1993) 73 at para. 414.

The absence of legislation prohibiting discrimination on racial grounds in Northern Ireland and the ensuing lack of adequate protection available to ethnic minorities including, in particular, travellers and persons of Chinese origin are matters of concern.

- Germany, CERD, A/48/18 (1993) 81 at para. 448.

The Government should guarantee equal protection to all minority groups living in the State party. In addition, the Government should consider reviewing certain restrictive provisions recently adopted with regard to asylum-seekers, to ensure that they do not result in any discrimination in effect on grounds of ethnic origin.

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- Croatia, CERD, A/48/18 (1993) 90 at paras. 496, 497 and 504.

Paragraph 496

The general lack of clarity in a number of basic legal provisions guaranteeing non-discrimination in the enjoyment of human rights and fundamental freedoms for members of minority communities is of concern. In some cases, guarantees would appear to apply only to citizens of the State party; in other cases, it is not clear whether the rights of all ethnic and national groups are equally protected.

Paragraph 497

Problems relating to statelessness are of concern, and it is noted that delays in the processing of applications for citizenship have led to interruptions in the provision of educational and social benefits for members of the minority communities.

Paragraph 504

Continuous monitoring of the actual situation pertaining to minority communities is necessary in order to measure the success of government policies and to indicate where changes, including affirmative action, should be considered in regard to minority groups that are particularly vulnerable or disadvantaged.

- Yugoslavia (Serbia and Montenegro), CERD, A/48/18 (1993) 95 at paras. 538, 539, 542 and 543.

Paragraph 538

Alarm is expressed over the deteriorating situation in Kosovo. A number of measures have been implemented there which are in violation of the provisions of the Convention, including the enactment of discriminatory laws, the closing of minority schools, the mass dismissal of Albanians from their jobs and the imposition of restrictions on the use of the Albanian language. Such measures have resulted in the increasing marginalization of the Albanians in Kosovo. In that regard, it is noted that Albanians in Kosovo do not participate in public life.

Paragraph 539

Reports indicating that members of national minorities in Kosovo, as well as in Vojvodina and Sandzak, have been subject to a campaign of terror carried out by paramilitary organizations with the aim of intimidating or forcing them into abandoning their homes are of deep concern. It is noted that the Government also referred to such practices directed against Serbs in Kosovo. Particular concern is expressed that the State party had not ensured that public security and law enforcement officials took steps effectively to prohibit such criminal activities, punish the perpetrators and compensate the victims, as required under article 6 of the Convention.

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Paragraph 542

It is emphasized that non-discrimination in the enjoyment of fundamental, civil, political, economic, social and cultural rights must be effectively guaranteed in law and actively protected in practice if further ethnic unrest is to be avoided. In no way are unilateral trends towards separatism or secession encouraged. In that connection, it is noted that separatism could best be discouraged by the active promotion and protection of minority rights and inter-ethnic tolerance.

Paragraph 543

The importance of providing proper training in human rights norms for law enforcement officials in accordance with General Recommendation XIII is emphasized, as is the ensuring of equitable representation among the ranks of national minorities.

- Sweden, CERD, A/49/18 (1994) 30 at para. 200.

Serious concern is expressed about recent legislative measures having a detrimental effect on Sami rights with respect to their traditional fishing, hunting and reindeer-raising activities and about the pace of progress towards the equality of members of ethnic minorities and their integration.

- Norway, CERD, A/49/18 (1994) 37 at para. 257.

The arrangements for compiling lists from which juries are selected may not guarantee to qualified persons of minority ethnic or national origin an equal chance that their names will appear on the lists and this is of concern.

- Canada, CERD, A/49/18 (1994) 47 at para. 324.

Concern is expressed about references to "visible minorities" with regard to anti-discrimination policy, since this term does not fully cover the scope of article 1 of the Convention.

- Iceland, CERD, A/49/18 (1994) 61 at para. 405.

Too little attention is paid to foreigners and minorities in the State party's legal system and it is noted that there is no specific legislation in the field of racial discrimination.

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- Australia, CERD, A/49/18 (1994) 78 at paras. 546 and 548.

Paragraph 546

The situation of members of non-English-speaking minorities, particularly refugees or asylum-seekers, as regards the enjoyment of their rights and freedoms under article 5 of the Convention is a matter of concern. Immigrants from the African and Asian regions do not seem to be adequately protected against discrimination.

Paragraph 548

Measures should be strengthened to remedy any discrimination suffered by members of non-English-speaking minorities and Aborigines in the fields of the administration of justice, education, employment, housing and health services and to promote the participation of all in the conduct of political affairs. Law enforcement officials should receive more effective training to ensure that, in the performance of their duties, they respect as well as protect human dignity and maintain and uphold the human rights of all. Similarly, the State party should continue to strengthen its education and training programme.

- Croatia, CERD, A/50/18 (1995) 36 at paras. 168 and 176.

Paragraph 168

Great concern is expressed concerning the earlier intention of the State party not to permit the military, civilian and police components of the United Nations Protection Force to remain in the country. Withdrawal may have the gravest implications for minority ethnic groups and displaced persons in the United Nations Protected Areas (UNPAs), the demilitarized zone and elsewhere.

Paragraph 176

The State party should ensure that it administers justice in a manner consistent with its obligations under the Convention and that it speedily prosecutes all alleged offences which appear to be directed against persons because of their racial, ethnic or religious origins. The State party should identify any miscarriages of justice which may have occurred and been motivated by the ethnic origin of the defendants and should redress any injustice done.

- Romania, CERD, A/50/18 (1995) 53 at paras. 270, 271 and 277.

Paragraph 270

Concern is expressed as to the continued prevalence of xenophobic attitudes and traditional prejudices in Romanian society against certain minorities, manifested in the appearance of extremist political parties and increasing acts of violence.

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Paragraph 271

Concern is expressed about the concept of the nation-state since it may result in weakening the policy of protecting minorities and could aggravate the relations between communities.

Paragraph 277

The Government should engage in a public campaign, conducted through the media, the schools and other means at the disposal of the Government, to familiarize the public with the Convention, to attempt to change traditional prejudices against minorities, and to convey messages of tolerance. In this regard, the Government should continue to provide instruction on international human rights standards and norms in the schools and organize periodic training programmes for persons engaged in the administration of justice, including judges, police officers and lawyers.

- New Zealand, CERD, A/50/18 (1995) 72 at paras. 452 and 455.

Paragraph 452

While the policy and special programmes to improve the situation of the Maori, Pacific Island and other ethnic minorities are commended, the existing social and economic disparities between the Maori and Pacific Islanders on the one hand and the Pakeha in New Zealand on the other continue to be a matter of concern.

Paragraph 455

The State party should continue to accord careful consideration to the concerns expressed about proposals to settle Maori grievances and land claims, including their compatibility with respect to the provisions of the Treaty of Waitangi.

- United Republic of Tanzania, CERD, A/50/18 (1995) 98 at para. 580.

Concern was expressed at information about the cases of the expropriation of the lands of members of the Massaï and the Barabaïg communities, within the framework of the agricultural reforms undertaken by the Government.

- Denmark, CERD, A/51/18 (1996) 17 at para. 69.

The attempts of municipalities to prevent undue concentrations of ethnic minority families in "socially-burdened" urban neighbourhoods should not be discriminatory in effect.

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- Zimbabwe, CERD, A/51/18 (1996) 20 at paras. 92 and 98.

Paragraph 92

It is a matter of concern that not all the minority languages are used in the existing education programmes.

Paragraph 98

With regard to the protection and promotion of the rights of ethnic minorities, the Committee encourages the State party to take all necessary measures to provide mother-tongue teaching in the areas where minorities live in substantial numbers.

- Hungary, CERD, A/51/18 (1996) 22 at paras. 114, 116 and 120.

Paragraph 114

The signing of agreements with neighbouring countries in connection with minority rights issues, in line with paragraph 7 of the Preamble to the Convention, is a subject of satisfaction.

Paragraph 116

Grave concern is expressed at the persistence of expressions of racial hatred and acts of violence, particularly those by neo-Nazi skinheads and others, towards persons belonging to minorities, especially Gypsies, Jews and people of African or Asian origin. Alarm is expressed that the Government has not been sufficiently active in effectively countering incidents of racial violence. In this regard, concern is expressed that the number of charges and convictions, including those against neo-Nazi skinheads and others, is low relative to the number of abuses reported.

Paragraph 120

Concern is expressed that, according to the Act of 1993, for an ethnic group to be recognized as a minority, it must have lived on Hungarian soil for at least a century; this seems to be very restrictive.

- Russian Federation, CERD, A/51/18 (1996) 25 at paras. 138 and 148.

Paragraph 138

Several minority and indigenous groups have no access to education in their own language. When they deal with administrative and judicial matters, they are frequently precluded from using their own language.

Paragraph 148

Special attention should be paid to the minority and indigenous groups living in the Northern Territories by taking appropriate and effective measures to promote and protect their rights,

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especially the rights to use and exploit the land where they are living and to live in their own cultural environment.

- Finland, CERD, A/51/18 (1996) 29 at paras. 179 and 180.

Paragraph 179

The difficulties which the Romany minority continues to experience in exercising its rights is a matter of concern. The high rate at which Romany children drop out from school is also cause for concern.

Paragraph 180

It is noted with concern that educational programmes contain insufficient information on human rights issues, especially on minority rights issues.

- Spain, CERD, A/51/18 (1996) 32 at paras. 208 and 216.

Paragraph 208

Concern is expressed that in Catalonia and in the Basque Country, it may be difficult for the children of the Castilian-speaking minority to receive education in their mother tongue.

Paragraph 216

Measures should be taken by the authorities to ensure that Castilian-speaking children have the possibility of receiving education in Castilian in Catalonia and in the Basque Country.

- United Kingdom of Great Britain and Northern Ireland, CERD, A/51/18 (1996) 35 at paras. 232-236.

Paragraph 232

In connection with article 5 of the Convention, it is noted with serious concern that among the victims of death in custody, there are a disproportionate number of members of minority groups; that police brutality appears to affect members of minority groups disproportionately; that allegations of police brutality and harassment are reportedly not vigorously investigated; and perpetrators, once guilt is established, are not appropriately punished. Persons belonging to ethnic minority groups are under-represented in political and public life, as reflected in their representation among the voting public, the police and armed forces and holders of public office. Deep concern is expressed about reports that they suffer significantly higher levels of unemployment relative to the rest of the population and that disproportionate numbers of black children are being excluded from schools.

Paragraph 233

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Special concern is expressed for the Irish Traveller community, whose situation affects their right to public health care and social services under article 5 (e). It is noted that the policy of designating land for the use of Travellers has contributed to their lower standard of living and has curtailed their freedom of movement by limiting the places which they might inhabit.

Paragraph 234

Concern is expressed at the lack of positive efforts to bridge the cultural gaps in Northern Ireland between mainstream society and minority groups, particularly the Chinese and Irish Traveller communities. This has resulted in a disturbing reluctance by many members of these groups to make use of health and other social services.

Paragraph 235

Concerning the treatment of foreigners, it is of serious concern that the proposed Asylum and Immigration Bill would alter the status of many persons living in the United Kingdom in an adverse and discriminatory manner. This Bill, if enacted, would, *inter alia*, prohibit employers from employing persons who are in the process of appealing a decision which rejected their petition to remain. It would also deny a number of social services to persons who have been granted permission to remain in the United Kingdom, including asylum-seekers, and others who have been granted permanent leave to stay but have not been naturalized. It is a matter of deep concern that most of the affected persons would be persons belonging to ethnic minorities.

Paragraph 236

The identification of minority groups and subsequent analysis of their political, economic and social status is a precondition for determining the difficulties that minority groups may be facing and whether and how any such difficulties may be due to discrimination.

- China, CERD, A/51/18 (1996) 57 at paras. 404, 406, 407, 410, 414, 417 and 419-421.

Paragraph 404

Taking into consideration that a distinctive religion is essential to the identity of several minority nationalities, concern is expressed with regard to the actual enjoyment of the right to freedom of religion in the State, particularly in the Muslim parts of Xinjiang and in Tibet, including the preservation of places of worship and the exercise of religious rights by members of all ethnic groups.

Paragraph 406

Concern is expressed at the under-representation in business in some areas of persons of minority groups, which may be indicative of structural obstacles to their enjoyment of increases in economic prosperity. Concern is also expressed with regard to allegations that members of minority nationalities may not enjoy the same working conditions as persons of Han origin.

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Paragraph 407

With respect to article 5 (e) (v) of the Convention, concern is expressed that at the secondary school and university levels, children from minority nationalities are under-represented. Moreover, concern is expressed that the instruction provided in the curricula on the history and culture of minority nationalities is not adequate as compared to the education provided concerning the history and culture of persons of the Han nationality.

Paragraph 410

Concern is expressed about the content and implementation of the law of 1995 on mother and child health care and its impact on minority nationalities.

Paragraph 414

Consideration should be given to the inclusion of more members of minority nationalities in positions of leadership, not only in the Government but also in the Party and other institutions at both the national and local levels.

Paragraph 417

The Government is encouraged to avoid any restriction on the exercise of religious rights of the members of minority nationalities.

Paragraph 419

Further necessary legal, administrative or other appropriate measures should be taken to ensure that there is no discrimination against members of minority nationalities, in either the public service or private employment, with respect to the right to just and favourable conditions of work and the right to just and favourable remuneration.

Paragraph 420

With respect to article 5 (e) (v) of the Convention concerning the right to education, the State party should ensure access by members of minority nationalities to education at all levels and that, in autonomous areas, instruction on the history and culture of the relevant minority nationalities is included in school curricula.

Paragraph 421

Special attention should be paid to any adverse effect that economic development and national modernization may have on the enjoyment of the right to culture, particularly of minority nationalities.

- United Kingdom of Great Britain and Northern Ireland, CERD, A/52/18 (1997) 9 at para. 36.

The identification of minority groups and the analysis of their civil, political, economic and social

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status is a precondition for identifying the difficulties that they may be facing and for assessing whether and how such difficulties may be due to racial discrimination, and thus for evaluating the need to adopt specific measures, laws and regulations to overcome those difficulties.

- Germany, CERD, A/52/18 (1997) 25 at para. 165.

Concern is expressed at the fact that while the State party has accorded the status of ethnic minority and provided special protection to four small ethnic groups, much larger ethnic groups are left without any specific protection, in particular, members of those ethnic groups who have long-term residence status or who have become citizens.

- Pakistan, CERD, A/52/18 (1997) 28 at paras. 181, 183, 187 and 200.

Paragraph 181

Although religious minorities as such do not fall under the scope of the Convention, it is noted that religious differences may coincide with ethnic differences, and the Committee therefore welcomes the institutions and measures that have been established to promote and protect minority rights.

Paragraph 183

The fact that members of minorities are now entitled to participate directly in the general election process, in addition to electing their own representatives, is a positive development.

Paragraph 187

Concern is expressed that the policy of the State party to recognize only religious minorities excludes ethnic, linguistic or racial groups living in the country from any specific protection under the Convention that would derive from their official recognition as minorities.

Paragraph 200

The State party should explore the possibility of granting the same status as that of the religious minorities to other ethnic and linguistic groups, to ensure their full protection under the national laws and institutions relating to minorities as well as relevant international human rights instruments.

- Bulgaria, CERD, A/52/18 (1997) 39 at paras. 291 and 293.

Paragraph 291

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The State party should prevent any *de facto* segregation of minorities.

Paragraph 293

Human rights education should be provided at all levels in educational establishments and comprehensive human rights training should be provided to all segments of the population, with a view to combating negative attitudes and prejudices towards minorities and to promoting understanding, tolerance and friendship.

- Denmark, CERD, A/52/18 (1997) 59 at para. 445.

Efforts made by the State party to ensure that the composition of the police service reflects that of the population by including persons of non-Danish ethnic origin are noted with satisfaction. Improvements in the human rights training of the police, designed to combat negative attitudes towards minorities and to promote good relationships with ethnic minorities, are welcomed.

- Poland, CERD, A/52/18 (1997) 62 at paras. 474, 478 and 479.

Paragraph 474

It is noted with concern that children belonging to minority groups do not always have access to education in their own language.

Paragraph 478

The State party should take measures to guarantee more fully economic, social and cultural rights, as defined in article 5 (e), for minority groups, including the right to work and to housing, and should adopt a comprehensive programme of action to promote and protect the rights of the Roma population.

Paragraph 479

Appropriate measures should be taken to meet the specific educational needs of Roma children.

- Sweden, CERD, A/52/18 (1997) 65 at para. 509

The policy of promoting equal opportunity in economic and social life for immigrants, refugees and ethnic minorities should be reinforced by appropriate legislative, administrative and other measures.

- Norway, CERD, A/52/18 (1997) 77 at para. 608.

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Concern is expressed that foreigners and persons belonging to minority groups may not be sufficiently protected, especially in the fields of labour and housing.

- The Former Yugoslav Republic of Macedonia, CERD, A/52/18 (1997) 67 at para. 526.

The State party should continue its efforts to facilitate the participation of different ethnic minorities in the educational system, particularly at the secondary and higher educational levels, and to provide for the training of teachers of minority languages in public establishments.

- Russian Federation, CERD, A/53/18 (1998) 25 at para. 47.

Further measures should be taken in order to provide minorities and indigenous groups with elementary education in their own languages.

- Switzerland, CERD, A/53/18 (1998) 28 at para. 58.

The restrictions on freedom of movement imposed on the Jenisch population and on the Sinti and Roma minorities, as well as tendencies to discredit them, are matters of concern.

- Israel, CERD, A/53/18 (1998) 30 at para. 84.

The State party should reinforce its efforts to reduce the persisting gap between the living standards and the involvement in national affairs of the Jewish majority and the Arab minority. This should be done in a manner consistent with the measures adopted for assisting the integration of Ethiopian Jews. The State party is encouraged to adopt new labour legislation in order to secure the protection against ethnic discrimination of the rights of Palestinians working in Israel on a daily basis. The rights of migrant workers, including undocumented workers, are also a matter of concern.

- The Netherlands, CERD, A/53/18 (1998) 33 at para. 105.

Paragraph 105

The disproportionately low rate of participation of minorities in the labour market and their increasing unemployment rates, while the rates for the rest of the population are stable, are noted with concern, as are reports of both direct and indirect forms of discrimination in recruitment procedures. Further action should be taken to ensure and promote equal opportunity in economic and social life, particularly as regards education and employment.

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Paragraph 106

Concern is expressed at the under-representation of ethnic minorities in most areas of education and, in particular, that only an estimated 2 per cent of the total student population in higher education come from ethnic minorities. The State party should give more attention to providing students from ethnic minorities at all levels of education, as appropriate, instruction in their mother tongue.

- Czech Republic, CERD, A/53/18 (1998) 35 at para. 134.

The State party should consider providing increased education and training on racial tolerance and human rights issues to professional groups such as judges, lawyers and civil servants so as to eliminate any cases of harassment or improper conduct in relation to persons belonging to minorities.

- Ukraine, CERD, A/53/18 (1998) 39 at para. 153.

The State party should continue to take all necessary steps to restore fully the rights of repatriated members of minorities, including the Crimean Tatars, and to afford them just and adequate reparation where appropriate. Issues relating to the citizenship of the repatriated members of minorities, including the Crimean Tatars should be solved as soon as possible in a just manner. In this regard, it is suggested that the State party consider the possibility of acceding to the international instruments on statelessness.

- Yugoslavia, CERD, A/53/18 (1998) 45 at paras. 199 and 207.

Paragraph 199

Concern is expressed about continuing reports indicating that access of certain minorities to education, public information and cultural activities in their own language is not fully guaranteed.

Paragraph 207

Efforts should be pursued in order to guarantee full enjoyment by members of all minorities of their rights to public information and cultural activities, as well as education in their own language, whenever possible.

- Armenia, CERD, A/53/18 (1998) 49 at paras. 225 and 227.

Paragraph 225

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It is noted with concern that teaching must be conducted in the official language, and that some minority groups are therefore denied access to education in practice.

Paragraph 227

The State party should consider adopting measures to ensure that ethnic and national minorities have access to education in their own language whenever possible.

- Cameroon, CERD, A/53/18 (1998) 53 at paras. 263 and 271.

Paragraph 263

Protection of the rights of minorities and indigenous peoples to enable them to live in harmony in their environment is a subject of concern in the light of article 2, paragraph 2, of the Convention, especially as regards the Pygmies and Boro.

Paragraph 271

With a view to promoting and protecting the rights of minorities and indigenous peoples, the State party should take all appropriate measures to prevent activities, particularly as regards deforestation, that may harm such population groups.

- Cambodia, CERD, A/53/18 (1998) 55 at paras. 289 and 290.

Paragraph 289

The fact that certain constitutional provisions refer only to the rights of Khmer citizens raises concern with regard to article 5 of the Convention. Such a reference contributes to the ideology of ethnic purity, which may lead to racial discrimination, if not hatred, against minority groups, in particular the ethnic Vietnamese.

Paragraph 290

The 1996 law on nationality, stating that Khmer nationals are those whose parents are Khmer nationals, makes it difficult for persons belonging to minority groups, in particular ethnic Vietnamese and indigenous people, to establish their citizenship.

- Croatia, CERD, A/53/18 (1998) 59 at paras. 314, 316 and 324.

Paragraph 314

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With respect to article 4 of the Convention, concern is expressed at incidents of hate-speech directed at the Serb minority in Croat media, and the failure of the State party to take adequate measures to investigate and prosecute those responsible for promoting hatred and ethnic tension through print and audio-visual media.

Paragraph 316

With respect to article 5 of the Convention, concern is expressed that the Law on Citizenship seems to establish different criteria for ethnic Croats compared with other minorities in Croatia in granting citizenship. The excessive delays in the processing of applications for citizenship, particularly those of ethnic Serbs, which have resulted in applicants losing social and educational benefits, are of concern.

Paragraph 324

The State party should use all effective measures to familiarize the public with the Convention in order to change traditional prejudices against certain minorities and to convey messages of tolerance. In this regard, the State party should continue to provide instruction on international human rights standards in schools and organize training programmes for persons engaged in the administration of justice, including judges, lawyers and law enforcement officials.

- Austria, CERD, A/54/18 (1999) 13 at para. 32.

Concern is expressed over the lack of protective measures for "national ethnic minorities," in particular Czechs, Slovaks and Roma, as well as for those who are sometimes referred to as "new minorities." Concern is also expressed at the lack of legal protection for residents of foreign origin against discrimination committed by citizens.

- Italy, CERD, A/54/18 (1999) 19 at para. 128.

In connection with acts of violence and ill-treatment by police and prison guards against foreigners and members of minorities in detention, the apparent lack of appropriate training for law enforcement officials and other public officials regarding the provisions of the Convention is of concern.

- Costa Rica, CERD, A/54/18 (1999) 24 at para. 203.

The State party should make additional efforts to facilitate equal access to the courts and administrative bodies, in particular for the indigenous population, the black minority, refugees and

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immigrants, in order to ensure equality for all persons.

- Romania, CERD, A/54/18 (1999) 30 at paras. 281 and 282.

Paragraph 281

The persistence of xenophobic attitudes and prejudice against certain minorities within Romanian society, which manifest themselves on numerous occasions in various mass media, is of concern.

Paragraph 282

The situation of the Roma minority is a subject of particular concern since no improvements have been noted in the high unemployment rates and the low educational level traditionally predominant among members of this minority; this contributes to the continued unacceptable prevalence of the negative and stereotyped image of the minority in the rest of society. Given its disadvantaged situation in society, particular concern is caused by the absence of economic and social measures of the kind envisaged in article 2 (2) of the Convention in favour of this minority.

- Islamic Republic of Iran, CERD, A/54/18 (1999) 32 at paras. 300 and 307.

Paragraph 300

It is noted with appreciation that ethnic and national minorities, in particular the Kurds, are represented in the Parliament in proportion to the demographic composition of the country.

Paragraph 307

The State party should continue to promote economic, social and cultural development in areas inhabited by disadvantaged ethnic and tribal minorities and groups, and should encourage the participation of these minorities in such development.

- Chile, CERD, A/54/18 (1999) 37 at para. 380.

The State party should use all effective means to raise the awareness of its people about the rights of indigenous peoples and national or ethnic minorities. The State party is encouraged to continue to provide instruction on human rights standards in schools and organize training programmes particularly for law enforcement officials.

- Colombia, CERD, A/54/18 (1999) 44 at para. 464, 470 and 476.

Paragraph 464

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The climate of impunity may severely impact the rights of indigenous and Afro-Colombian communities, as these minority communities are disproportionately subjected to violations of international human rights and humanitarian norms.

Paragraph 470

Concern is expressed over the media's coverage of minority communities, including the continued popularity of television programmes that promote racial and ethnic stereotypes. Such stereotypes serve to reinforce the cycle of violence and marginalization that has already severely affected the rights of the State party's historically disadvantaged communities.

Paragraph 476

The State party should implement affirmative and effective measures to ensure increased employment opportunities for minority and indigenous communities in both the public and private sectors and to advance the social, political, economic and educational status of historically marginalized communities.

- Azerbaijan, CERD, A/54/18 (1999) 46 at paras. 486 and 499.

Paragraph 486

The State party's efforts in supporting the teaching of the languages of minorities and other measures in the fields of teaching, education, culture and information on human rights are welcomed.

Paragraph 499

The State party should facilitate equal access to the courts and administrative bodies for all persons belonging to ethnic minorities and provide information on the right to seek just and adequate reparation for any damage suffered as a result of racial discrimination.

- Denmark, CERD, A/55/18 (2000) 22 at paras. 67 and 68.

Paragraph 67

Equal attention should be paid to the economic, social and cultural rights listed in article 5. The level of unemployment among foreigners and the difficult access to employment for members of ethnic minorities are matters of particular concern.

Paragraph 68

The State party should take all effective measures to reduce unemployment among foreigners and facilitate the professional integration of all persons belonging to ethnic minorities into the public administration.

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- Estonia, CERD, A/55/18 (2000) 24 at para. 79.

The fact that the definition of national minorities only applies to Estonian citizens is of concern. In light of the significant number of non-nationals and stateless persons residing in the territory of the State party, such a restrictive and narrow definition may limit the scope of the State Programme on Integration.

- France, CERD, A/55/18 (2000) 26 at para. 104.

Concern is expressed over reports that negative images of the Roma minority prevail in the mass media and in the public generally. It is recommended that the State party give full effect to the provisions of article 7 of the Convention by adopting effective measures, particularly in the fields of education, training and human rights information to combat such prejudices.

- Spain, CERD, A/55/18 (2000) 34 at para. 168.

Paragraph 168

While noting the positive measures taken by the State party to ensure that the Roma are not discriminated against, concern is expressed over the high drop-out rates and registered absences of Roma children in primary schools, as well as the low number of Roma completing higher education.

- Zimbabwe, CERD, A/55/18 (2000) 38 at para. 199.

It is noted with dissatisfaction that the laws concerning citizenship give preference to non-national female spouses over non-national male spouses of nationals of Zimbabwe and that the children born to citizens of Zimbabwe overseas may not acquire citizenship. It is recommended that the State party review its citizenship laws to ensure non-discrimination.

- Finland, CERD, A/55/18 (2000) 41 at paras. 213, 217 and 219.

Paragraph 213

It is of concern that Roma continue to experience discrimination in the fields of housing, education and employment. Concern is also expressed about reports that Roma are sometimes denied access to and service in public places such as restaurants. It is recommended that the State party take additional measures at the national and municipal levels to improve the situation of the Roma minority, with a view to preventing social exclusion and discrimination against them.

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Paragraph 217

It is noted with concern that immigrants, refugees and minorities, in particular Roma, have higher rates of unemployment, have difficulties in gaining access to housing and social services and have higher rates of school drop-out. The low number of judicial proceedings initiated related to incidents of racial discrimination, including cases of discrimination in employment, is also of concern. The State party should take all necessary measures to alleviate the situation of immigrants, refugees and minorities, in particular Roma, at the national and municipal levels, especially with respect to housing, employment and education.

Paragraph 219

The increasing number of racist acts is of concern. It is noted with concern that a significant percentage of Finns declare themselves to be racist or partially racist and are opposed to the practice of Islam by immigrants (refugees). It is also noted that the media often present immigrants and minorities, in particular Roma, in a negative light. The State party is invited to strengthen measures to promote tolerance and combat prejudices, particularly in the fields of teaching, education, culture and information. The State party should find adequate modalities to make journalists and people working in the media sector more aware of racial discrimination.

- Slovenia, CERD, A/55/18 (2000) 45 at paras. 242 and 244.

Paragraph 242

The specific measures taken for the promotion and the protection of the human rights of the Roma population is noted, including their right to vote and to be elected, the possibility given to this community to gain access to education, including pre-school education, and programmes for professional training.

Paragraph 244

It is noted that different minority groups are provided by law with different protective measures in different areas of daily life, such as political representation, access to media, education and culture. Minority groups such as Croats, Serbs, Bosnians and Roma do not enjoy the same level of protection as the Italian and Hungarian minorities. In this connection, it is recommended that the State party, in accordance with article 2 of the Convention, ensure that persons or groups of persons belonging to other minority groups are not discriminated against.

- Slovakia, CERD, A/55/18 (2000) 47 at paras. 260-262 and 265.

Paragraph 260

Settlement patterns with regard to the Roma minority are of concern. The Committee is particularly

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concerned about the fact that two municipalities issued decrees banning Roma from their territory as well as the duration of proceedings to lift them. The State party should review legislation regulating local residence permits, investigate promptly and thoroughly incidents of discrimination in access to housing and give speedy consideration to these issues.

Paragraph 261

The persistence of acts of violence by groups, particularly “skinheads”, directed towards Roma and other ethnic minorities is of concern. It is recommended that the State party strengthen procedures for timely and thorough investigations and effective prosecutions of racist organizations. The State party is encouraged to expand throughout the State preventive programmes to curb racially motivated violence.

Paragraph 262

Concern is expressed that despite school education being compulsory, a disproportionately large number of Roma children are not enrolled in schools, have high drop-out rates, do not complete higher education, or are segregated and placed in schools for mentally disabled children. It is recommended that the State party address the various factors responsible for the low level of education among the Romas with a view to improving enrolment and continue efforts to develop and expand strategies to facilitate the integration of minority pupils into mainstream education.

Paragraph 265

Concern is expressed that a disproportionately large number of Roma suffer higher mortality rates, have poorer nutrition levels, and low levels of awareness of maternal and child health. Moreover, poor access to clean drinking water, adequate sanitation, and high exposure to environmental pollution in Roma settlements are matters of concern. The State party should take all necessary measures to ensure that the Roma enjoy the full right to health and health care. It is recommended that the State party prioritize and target social services for persons belonging to the most vulnerable groups.

- Czech Republic, CERD, A/55/18 (2000) 50 at paras. 279, 282 and 284.

Paragraph 279

While the measures taken by the State party for the promotion and the protection of the human rights of the Roma minority are welcomed, concern remains that the Roma population continues to be subjected to discrimination in the fields of housing, education and employment.

Paragraph 282

While noting the number of convictions for racially motivated offences, the Committee is concerned by the increasing number of incidents of racially motivated violence against minority groups, in particular against members of the Roma community, many of which may not even be reported. The

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State party should strengthen the measures already undertaken to intensify enforcement of the criminal law against racially motivated crimes.

Paragraph 284

The Committee reiterates its concern about the lack of effectiveness and confidence in the ability of the criminal judicial system to prevent and combat racial crimes. In this connection, concern is also expressed about the degrading treatment by the police of members of minority groups. The continuation and strengthening of training programmes for police and all officials in charge of implementing the law on issues related to the implementation of the Convention is recommended. The State party is reminded of General Recommendation XIII relating to the implementation of articles 2 and 7 of the Convention.

- The Netherlands, CERD, A/55/18 (2000) 55 at paras. 317-319.

Paragraph 317

While the increase in employment among members of minorities is acknowledged, it is of concern that the unemployment rate among minority groups remains four times higher than among the native Dutch population.

Paragraph 318

The Committee is concerned about insufficient protection against discrimination in the labour market; it regrets the privatization and the planned dissolution of the Women and Minorities Employment Bureau and wonders what institution is going to fulfil the Bureau's task in the future.

Paragraph 319

While acknowledging the efforts to recruit members of minorities into government service, including the police and armed forces, concern remains about the disproportionately high number of members of minorities leaving the police forces. The State party should strengthen its efforts to create a police force reflective of the total population.

- United Kingdom of Great Britain and Northern Ireland, CERD, A/55/18 (2000) 60 at paras. 358-360 and 364.

Paragraph 358

It is of deep concern that racist attacks and harassment are continuing and that ethnic minorities are feeling increasingly vulnerable. Further concern is expressed about the findings of "institutional racism", within the police force and other public institutions, which has resulted in serious shortcomings with regard to investigations into racist incidents. Concern is also expressed about the reported negative response from certain parts of the police force to recent criticism brought forward

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by the Lawrence Inquiry Report. It is recommended that the State party take steps to address the backlash among police officers.

Paragraph 359

The Committee recalls that it has previously expressed concern about incidents of death in police custody disproportionately involving members of ethnic or national minority groups and notes that the problem continues. There have been a number of cases of deaths in police custody and in prisons of members of ethnic minority communities in which no officers of the police or the prison service have been prosecuted nor disciplinary action taken against them by the Independent Police Complaints Authority or the Crown Prosecution Service. The State party should ensure fully independent investigations into complaints against the police, in order to inspire confidence in the criminal justice system among the ethnic minority communities.

Paragraph 360

It is noted with concern that there is increasing racial tension between asylum-seekers and host communities. This has led to an increase in racial harassment in those areas and also threatens the well-being of established ethnic minority communities. It is recommended that the State party take the lead by sending out positive messages about asylum-seekers and protecting them from racial harassment.

Paragraph 364

The high level of unemployment among ethnic minority groups is noted with concern. Concern is expressed that there is racist harassment and bullying in schools and that ethnic minorities continue to be disproportionately excluded from schools. The State party should intensify its efforts to ensure full enjoyment by all of the rights provided in article 5 of the Convention, without discrimination, giving particular attention to the rights to employment, education, housing and health.

- Ghana, CERD, A/55/18 (2000) 64 at para. 379.

The State party is commended for adopting measures that outlaw the practice of slavery known as “Trokosi”, which affects solely females in the Ewe ethnic group. The State party is encouraged to strictly enforce the criminal sanctions for violations.

- Algeria, CERD, A/56/18 (2001) 16 at para. 36.

It is noted that despite the significant steps taken by the Government to preserve and promote the Amazigh identity through the setting up of a High Commission on Amazighness, no additional information has been given on this population group, on measures taken for the protection and

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promotion of its culture and language. Concern is expressed about the inadequate functioning of this Commission.

- Georgia, CERD, A/56/18 (2001) 24 at paras. 91, 93 and 95.

Paragraph 91

While the Constitution contains provisions to ensure the development and the protection of minorities and to guarantee their full and equal enjoyment of human rights and fundamental freedoms, concern is expressed at the failure of Parliament to adopt a special law on national minorities. The State party is encouraged to continue to provide its utmost support to this process and adopt legislation on minorities.

Paragraph 93

With regard to article 142 (1) of the new Criminal Code dealing with the infringement of equal rights on account of, *inter alia*, race, skin colour, language, sex, national, ethnic, social or class origin, the Committee is concerned that this provision is qualified by the requirement that the infringement of equal rights result in a substantial violation of human rights. The Committee notes the statement by the delegation that indeed serious consideration should be given to reviewing this provision and encourages the State party to initiate the necessary steps.

Paragraph 95

In the context of the implementation of article 5, concern is expressed at the under-representation of ethnic minorities in Parliament. The barriers to participation of minorities in political institutions, for instance with regard to the limitation on the participation of minorities in local executive bodies for a lack of knowledge of the Georgian language is noted with concern. The State party should take all necessary steps to increase the representation of national minorities in Parliament and in local bodies.

- Germany, CERD, A/56/18 (2001) 27 at para. 115.

While noting that the State party has recognized minorities that have been settled in Germany for a long time, the attention of the State party is drawn to General Recommendation No. XXIV.

- Greece, CERD, A/56/18 (2001) at paras. 129, 132 and 133.

Paragraph 129

Consistent with the State party's expressed desire to integrate rather than assimilate minority groups into the social, economic and cultural life of the country, in a manner aimed at preserving their diverse

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cultures and identities, the Committee welcomes the information provided by the State party concerning the implementation of educational programmes aimed at the teaching of the Greek language to students with a different mother tongue, and the training of teachers in the teaching of Greek as a second language.

Paragraph 132

The State party is encouraged to build upon its education programs at all levels in order to counter negative stereotypes and promote the objectives of the Convention. The State party should take into account General Recommendation XXVII concerning Roma in further legal and policy initiatives.

Paragraph 133

The State party is encouraged to pursue further its dialogues with representatives of the Roma, Pomak, Albanian and other minority populations, with a view to expanding as necessary the available range of multi-lingual educational programs and policies.

- Japan, CERD, A/56/18 (2001) 34 at para. 174.

Concern is expressed about discrimination affecting the Korean minority. Though efforts are being made to remove some of the institutional obstacles for minority students from international schools, including Korean schools, to enter Japanese universities, it is of particular concern that studies in Korean are not recognised and resident Korean students receive unequal treatment with regard to access to higher education. The State party should undertake appropriate measures to eliminate discriminatory treatment of minorities, including Koreans, in this regard and to ensure access to education in minority languages in public Japanese schools.

- China, CERD, A/56/18 (2001) 44 at paras. 236 and 243-245.

Paragraph 236

The efforts made by the State party to promote economic and social development in economically backward regions inhabited largely by minority populations, including Inner Mongolia, Guangxi, Tibet, Xinjiang, Guizhou, Yunnan and Qinhai, are welcomed. The investments in infrastructure development and the creation of poverty alleviation projects financing the construction of primary schools in western China are particularly noted.

Paragraph 243

Economic development in minority regions does not, *ipso facto*, entail the equal enjoyment of economic, social and cultural rights in accordance with article 5(e) of the Convention. In this context, the State party is requested to take all appropriate measures to ensure that the local and regional cultures and traditions are also promoted and the rights of the populations fully respected.

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Paragraph 244

The actual enjoyment of the right to freedom of religion by people belonging to national minorities in the State party remains of concern, particularly in the Muslim part of Xinjiang and in Tibet. A distinctive religion is integral to the identity of several minorities and the State party should review legislation and practices that may restrict the right of persons belonging to minorities to freedom of religion.

Paragraph 245

While recognizing efforts made which have resulted in an increased number of schools and a decrease of illiteracy in minority regions, concern remains about continuous reports of discrimination with regard to the right to education in minority regions, with particular emphasis on Tibet. The State party should urgently ensure that children in all minority areas have the right to develop knowledge about their own language and culture as well as the Chinese, and that they are guaranteed equal opportunities, particularly with regard to access to higher education.

- Italy, CERD, A/56/18 (2001) 53 at para. 309.

The State party is encouraged to consider recognizing the minority status of Roma populations who have resided in Italy for an extended period of time and who have become sedentary. In this respect, the State party should consult effectively with representatives of the Roma population. Concern is also expressed with regard to the possible inappropriate consequences of the State party's policy of encouraging Roma to apply for stateless status.

- Ukraine, CERD, A/56/18 (2001) 61 at paras. 365, 366, 373, 374 and 376.

Paragraph 365

Since issues relating to minority languages have remained one of the most salient problems of inter-ethnic relations in Ukraine, the State party's efforts to provide educational opportunities in a number of minority languages is welcomed.

Paragraph 366

The continuing efforts by the State party to resettle and rehabilitate the Crimean Tatars, who were deported decades earlier, is commended.

Paragraph 373

Reports of the continuing discriminatory treatment of Roma and violence against them and their property are of concern. Reports of police brutality against the Roma population, including arbitrary arrests and illegal detention are of particular concern. Immediate and effective steps should be taken to stop these abuses.

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Paragraph 374

The efforts of the State party to facilitate the resettlement and rehabilitation of Crimean Tartars are noted but concern remains regarding the difficulties experienced by the Crimean Tartars in acquiring Ukrainian citizenship. At the same time, this resettlement should not generate new ethnic tensions that might lead to conflict between Crimean Tartars and other minorities. The State party should review its legislation and practices in this regard and make any revisions required by the Convention.

Paragraph 376

The State party is encouraged in its efforts to ensure education and teaching in the mother tongue of minorities, wherever possible.

- United States of America, CERD, A/56/18 (2001) 64 at paras. 394 and 397.

Paragraph 394

The incidents of police violence and brutality are noted with concern, which include cases of deaths as a result of excessive use of force by law enforcement officials, particularly affecting minority groups and foreigners. The State party should take immediate and effective measures to ensure the appropriate training of the police force with a view to combatting prejudices which may lead to racial discrimination and ultimately to a violation of the right to security of persons. Firm action should also be taken to punish racially motivated violence and ensure the access of victims to effective legal remedies and the right to seek just and adequate reparation for any damage suffered as a result of such actions.

Paragraph 397

The political disenfranchisement of a large segment of the ethnic minority population who are denied the right to vote by disenfranchising laws and practices based on the commission of more than a certain number of criminal offences, and also sometimes by preventing them from voting even after the completion of their sentences, is of concern. The right of everyone to vote on a non-discriminatory basis is a right contained in article 5 of the Convention.

- Viet Nam, CERD, A/56/18 (2001) 68 at para. 413, 418, 420 and 424.

Paragraph 413

The presence of a significant number of representatives of minority groups in the State party's parliament is welcomed.

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Paragraph 418

The State party is encouraged to continue its efforts to ensure that members of ethnic minorities, in particular minorities in mountain regions, enjoy equal protection of their rights.

Paragraph 420

Reports of discrimination in the exercise of religious freedom by minority ethnic groups are of concern.

Paragraph 424

The State party should strengthen the education of society in a spirit of respect for human rights and in particular the rights of members of ethnic minorities.

ICCPR

- Belgium, ICCPR, A/47/40 (1992) 102 at para. 430.

The State party should more adequately reflect, in internal administrative practice, the provisions of the Covenant which are not reflected in the European Convention for the Protection of Human Rights and Fundamental Freedoms (e.g. arts. 25, 26 and 27) and ensure that the laws regarding restrictions on freedom of expression and assembly are compatible with those provided for in the Covenant. The State party should further improve the effectiveness of the protection granted to minority rights at the communal level.

- Yugoslavia, ICCPR, A/47/40 (1992) 103 at para. 469.

In view of the serious situation prevailing in the State party, the Government should take all necessary measures to stop violations of human rights, particularly those relating to the right to life and the prohibition of torture. These measures should include re-establishment of control over the army, dissolution of paramilitary militias and groups, punishment of those guilty of violations and adoption of measures to prevent a recurrence of such abuses. The Committee also recommends full application of article 27 of the Covenant, which recognizes the right of persons belonging to ethnic, religious or linguistic minorities to enjoy their own culture, to profess and practice their own religion and to use their own language.

- Burundi, ICCPR, A/48/40 vol. I (1993) 21 at paras. 71 and 80.

Paragraph 71

Problems relating to the effective implementation of articles 18, 19 and 27 of the Covenant are of

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concern.

Paragraph 80

A determined effort should be made to bring national laws and practices into closer conformity with the provisions of the Covenant, and into conformity with articles 2, 26 and 27 of the Covenant. The rights of persons belonging to minorities living in the country should be given full protection.

- Senegal, ICCPR, A/48/40 vol. I (1993) 28 at para. 105.

The reluctance of the Government to recognize the existence of minorities is of concern, and that article 27 of the Covenant confers benefits on members of such groups is emphasized.

- Luxembourg, ICCPR, A/48/40 vol. I (1993) 34 at paras. 134, 143 and 145.

Paragraph 134

Concern is expressed over the position of religious sects which had not entered into a covenant with the State and which, therefore, were at a disadvantage relative to sects that had done so and were supported by the State. Additionally it is noted that, under article 27 of the Covenant, ethnic, religious and linguistic minorities have a right to their own cultural life. The exercise of that right needs to be guaranteed and monitored by the State.

Paragraph 143

Care must be taken with present practices for financing religious minorities to ensure that they remain in conformity with articles 2(1), and 27 of the Covenant.

Paragraph 145

The State party should consider a new approach to guaranteeing the rights of minorities, particularly in regard to the system of conventions between the State and various religious communities, and consider the need for a constitutional remedy to clarify further situations where conflicts may seem to arise between the provisions of the Covenant and the Constitution.

- Islamic Republic of Iran, ICCPR, A/48/40 vol. I (1993) 60 at para. 269.

The recognition of a religion as a State religion should not result in any impairment of the enjoyment of any of the rights under the Covenant, including articles 18 and 27, nor in any discrimination against adherents of other religions or non-believers, since the right to freedom of religion and belief and the

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prohibition of discrimination cannot be abrogated by the recognition of an official religion or belief. Measures restricting eligibility for government service to members of the predominant religion, or giving economic privileges to such persons, or imposing special restrictions on the practice of other faiths, are incompatible with the prohibition of discrimination based on religion or belief and the guarantee of equal protection under article 26 of the Covenant.

- Croatia, ICCPR, A/48/40 vol. I (1993) 81 at para. 360.

The preamble to the Constitution, whereby the Republic of Croatia is defined as "the national state of the Croat nation and a state of members of other nations and minorities" is of concern. Concern is expressed about long-standing discrimination against and harassment of ethnic Serbs residing within Croatia. In particular, the circulation of lists of persons grouped on the basis of their ethnic origin is deplored. Purges of the public services had been permitted and the police had become identified with ultra-right nationalism. Members of the military were often seen in public, including in Bosnia and Herzegovina, wearing Fascist emblems. Serbs have been removed from their jobs in the press and there have been widespread arrests and disappearances. Persons are being held in deplorable conditions in places of detention in Bosnia and Herzegovina, which are under the control of the Croatian army or local Croatian military factions who receive the backing of the Republic of Croatia. The international responsibility of the Republic of Croatia is engaged in relation to these events.

- Dominican Republic, ICCPR, A/48/40 vol. I (1993) 102 at paras. 462 and 466.

Paragraph 462

The inadequate protection of the rights of ethnic, religious and linguistic minorities is of concern. In this regard, it is noted that the prohibition of broadcasting in a language other than Spanish is not in conformity with article 19 of the Covenant.

Paragraph 466

Further steps should be taken to eliminate discrimination concerning ethnic, religious and linguistic minorities and the relevant legislation should be reviewed in order to ensure its conformity with the Covenant.

- Hungary, ICCPR, A/48/40 vol. I (1993) 138 at para. 664.

The persistent pattern of prejudice and discriminatory attitudes towards certain minorities including, in particular, the Roma (gypsies), as well as the occurrence of some incidents arising from hostility and xenophobia towards aliens are matters of concern.

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- Egypt, ICCPR, A/48/40 vol. I (1993) 149 at para. 709.

The restrictive legal provisions existing in Egypt with regard to freedom of thought, conscience, religion, assembly and association are of concern. Restrictions not in conformity with article 18 of the Covenant regarding various religious communities or sects, such as Bahai's, are a matter of particular concern. Equally, general concern is expressed at the denial by the Egyptian authorities of the existence in the country of religious or other minorities as well as the existence in certain laws of provisions concerning penalties of imprisonment with compulsory labour for political offences.

- Bulgaria, ICCPR, A/48/40 vol. I (1993) 156 at paras. 746, 754 and 755.

Paragraph 746

More energetic measures have to be taken to eliminate discrimination against ethnic and religious minorities and to encourage tolerance. To that end, a full human rights teaching programme should be set up and effective penalties should be provided for against persons who abuse their authority, particularly law enforcement officials. It is stressed that, under article 27 of the Covenant, minorities should not only have the same economic and political status as other Bulgarian citizens, but should also benefit from special measures of protection.

Paragraph 754

Concern is expressed about the continuing exodus of Bulgarian citizens of Turkish ethnic origin as well as about the many disadvantages experienced by the Roma (gypsy) minority.

Paragraph 755

Particular attention should be paid to the protection of the rights of persons belonging to national minorities in compliance with article 27 of the Covenant. In this regard, positive action should be taken by the Government. The Committee further suggests the establishment of an institution in order to monitor and strengthen the protection of human rights.

- Norway, ICCPR, A/49/40 vol. I (1994) 21 at para. 94.

It is noted that the authorities have included multicultural issues in education, but it is of concern that they have approached these issues only by reference to articles 2 and 26 of the Covenant. This gives a narrow interpretation of article 27 of the Covenant relating to the rights of persons belonging to minorities. In this regard, the rights conferred under article 27 of the Covenant on individuals who are members of a minority should avail to all such individuals in State party's territory and must not, as enjoined by article 2, paragraph 1, of the Covenant, be restricted to nationals.

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- Japan, ICCPR, A/49/40 vol. I (1994) 23 at para. 112.

The exclusion of Koreans from the Government's concept of minorities is noted with concern. This is not justified by the Covenant, which does not limit the concept of minority to those who are nationals of the State concerned.

- Romania, ICCPR, A/49/40 vol. I (1994) 28 at paras. 140,141 and 145.

Paragraph 140

Concern is expressed at the continuing problems in Romania regarding discrimination against persons belonging to minorities and, in particular, offences committed as a result of incitement to ethnic or religious intolerance. This situation is especially threatening to vulnerable groups, such as the Roma (gypsies). It is of concern that the Government has not been sufficiently active in combating such discrimination or effectively countering incidents of violence committed against members of minority groups.

Paragraph 141

Concern is expressed over abuses committed by the police, such as forcible entry into homes, failure to inform detainees of their rights and ill-treatment of prisoners. In this regard, it is noted that the number of investigations, charges and convictions are extremely few compared with the number of complaints received or abuses reported; that penalties prescribed by law are not commensurate with the gravity of the crimes committed; and that compensation to the victims of abuse is not always forthcoming, all of which contribute to an atmosphere of impunity. This situation is particularly alarming in view of the way it undermines harmonious relations with minorities, thus leading to ethnic marginalization and escalation of violence.

Paragraph 145

Further measures should be taken to protect persons belonging to minority groups and to enable them to exercise their rights under the Covenant, including participation at all levels in public institutions. More active steps should be taken to combat racist and xenophobic attitudes and promote tolerance and understanding among the various ethnic, religious and national groups in Romania. In this connection, a positive approach should be taken to counter negative attitudes in the media which are likely to reinforce racist attitudes among the public, particularly in regard to the Roma.

- Togo, ICCPR, A/49/40 vol. I (1994) 44 at para. 262.

Urgent steps should be undertaken to ensure that the composition of the army equitably represents various ethnic groups of the Togolese population, including currently under-represented minority groups, and that the army remains subject to the control of the elected civil government.

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- Italy, ICCPR, A/49/40 vol. I (1994) 47 at para. 281.

It is of concern that the State party's definition of minorities is confined to linguistic minorities within its territory and that, consequently, members of other minorities may not enjoy equal protection of their rights under article 27.

- Slovenia, ICCPR, A/49/40 vol. I (1994) 56 at paras. 345 and 352.

Paragraph 345

It is noted that the State party singles out Italians and Hungarians for special protection as minorities, including the right to political representation. Gypsies are also granted certain special protection as a minority. While this protection is welcome, all minorities are entitled to protection of their rights under article 27. Immigrant communities constituting minorities under the meaning of article 27 are entitled to the benefit of that article.

Paragraph 352

Appropriate measures should be taken to ensure the full and equal enjoyment by all persons belonging to minorities of their rights under article 27 of the Covenant. All persons, including members of minorities, are entitled to receive the guarantees laid down in articles 25 and 26 of the Covenant. In this connection, the State party should take into account the recommendations contained in the Committee's General Comment No. 23 (50) on article 27 of the Covenant.

- United States of America, ICCPR, A/50/40 vol. I (1995) 52 at paras. 295 and 303.

Paragraph 295

The need for the Government to increase its efforts to prevent and eliminate persisting discriminatory attitudes and prejudices against persons belonging to minority groups and women including, where appropriate, through the adoption of affirmative action, is emphasized. State legislation which is not yet in full compliance with the non-discrimination articles of the Covenant should be brought systematically into line with them as soon as possible.

Paragraph 303

When determining whether currently permitted affirmative action programmes for minorities and women should be withdrawn, it is hoped that the obligation to provide the Covenant's rights in fact as well as in law will be borne in mind.

- Ukraine, ICCPR, A/50/40 vol. I (1995) 57 at para. 322.

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Concern is expressed at the information in the report, corroborated by cases, that there are incidents and situations which may be conducive to acts of discrimination on ethnic, gender, religious, linguistic or property grounds. It is regretted that the appropriate steps have not yet been taken by the authorities to resolve those difficulties and, in particular, to prevent and suppress the advocacy of national, racial or religious hatred in conformity with the requirements of article 20 of the Covenant. This situation is particularly alarming in that it may undermine harmonious relations with minorities. In that regard, the Committee regrets that the definition of minorities under the Declaration of the Rights of the Nationalities of Ukraine does not conform fully with article 27 of the Covenant, which grants protection to persons belonging to all ethnic, religious or linguistic minorities, and not only to those belonging to "national" minorities. Lastly, it is noted with regret that measures have not yet been taken to grant automatically Ukrainian citizenship to Crimean Tartars who have returned to Crimea.

- Russian Federation, ICCPR, A/50/40 vol. I (1995) 65 at paras. 384 and 401.

Paragraph 384

The limited definition of the term "national minorities", which serves as the basis for much of the legislation in the State party concerning the rights of persons belonging to minorities, does not give protection to all persons referred to in article 27 of the Covenant. The reports of harassment shown towards persons belonging to minority groups from the Caucasus region, in the form of searches, beatings, arrests and deportation, are also of concern.

Paragraph 401

The national legislation should be amended to reflect the broad concept of minorities contained in articles 2, 26 and 27 of the Covenant, which prohibit discrimination on the basis of race, colour, sex, opinion or other status, and to protect further the rights of not only "national minorities" but also of ethnic, religious and linguistic minorities.

- United Kingdom of Great Britain and Northern Ireland, ICCPR, A/50/40 vol. I (1995) 72 at paras. 421 and 425.

Paragraph 421

It is noted with concern that members of some ethnic minorities, including Africans and Afro-Caribbeans, are often disproportionately subjected to stop and search practices that may raise doubts under the non-discriminatory provisions of the Covenant, particularly its articles 3 and 26.

Paragraph 425

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The levels of support offered for the protection of cultural and ethnic diversity within the United Kingdom is of concern. It is noted with concern that many persons belonging to minorities frequently feel that acts of racial harassment are not pursued by the competent authorities with sufficient rigor and efficiency. The lack of success in the adequate recruitment of ethnic minorities into the police is regretted. It is also believed that much remains to be done to effect changes in public attitudes and to combat and overcome racism.

- Sri Lanka, ICCPR, A/50/40 vol. I (1995) 75 at para. 475.

Greater efforts should be undertaken to ensure that all ethnic groups are provided with the opportunity to participate fully in the conduct of public affairs and are ensured equitable access to public service.

- Estonia, ICCPR, A/51/40 vol. I (1996) 21 at paras. 110, 121 and 134.

Paragraph 110

It is of concern that a significantly large segment of the population, particularly members of the Russian-speaking minority, are unable to enjoy Estonian citizenship because of the plethora of criteria established by law and the stringency of the language criterion, and that no remedy is available for an administrative decision rejecting the request for naturalization under the Law on Citizenship.

Paragraph 121

The definition of minorities in Estonian legislation, which only encompasses national minorities, thus restricting the application of the Law on Cultural Autonomy for Ethnic Minorities by excluding permanent residents from full participation in minority groups, is of concern.

Paragraph 134

With respect to the rights of minorities, the national legislation should be amended to bring all minorities within the scope of the Law on Cultural Autonomy for Ethnic Minorities, in conformity with article 27 of the Covenant. Attention of the authorities is drawn to the Committee's General Comment No. 23 (50).

- Nigeria, ICCPR, A/51/40 vol. I (1996) 43 at para. 303.

The federal and state authorities should give their attention to the situation of persons belonging to minorities, so that their rights as enshrined in article 27 of the Covenant are fully protected. In this regard, due consideration should be given to the Committee's General Comment No. 23 (50).

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- Brazil, ICCPR, A/51/40 vol. I (1996) 47 at para. 337.

Immediate steps should be taken to guarantee the rights of individuals belonging to racial minorities and indigenous communities, especially with regard to their access to quality health services and education. Such steps should ensure greater school enrolment and reduce the incidence of school drop-out. All necessary measures should be taken to ensure that the process of demarcation of indigenous lands is speedily and justly settled.

- Switzerland, ICCPR, A/52/40 vol. I (1997) 19 at para. 105.

It is noted that the Federal Constitution contains no provisions reflecting article 27 of the Covenant. The Committee considers that article 27 is not limited to the protection of the various national minorities but concerns all ethnic, religious or linguistic minorities present in the territory of a state.

- Germany, ICCPR, A/52/40 vol. I (1997) 32 at paras. 181 and 183.

Paragraph 181

The ill-treatment of persons by the police, including foreigners and particularly members of ethnic minorities and asylum seekers, is of concern. In this regard, it is of particular concern that there is no truly independent mechanism for investigating complaints of ill-treatment by the police. The establishment of independent bodies throughout the territory of the State party for the investigation of complaints of ill-treatment by the police is recommended.

Paragraph 183

The definition of minorities as "ethnic or linguistic groups who have a traditional area of settlement in particular region," is much too restrictive in terms of article 27 of the Covenant. Article 27 applies to all persons belonging to minorities, whether linguistic, religious, ethnic or otherwise, including those who are not concentrated or settled in a particular area or region, those who are immigrants or those who have been given asylum in Germany.

- Colombia, ICCPR, A/52/40 vol. I (1997) 44 at para. 307.

The Committee particularly stresses the importance of education and urges the Government to take appropriate measures to reduce the illiteracy rate among members of indigenous populations and black minorities.

- Slovakia, ICCPR, A/52/40 vol. I (1997) 58 at para. 385.

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Legislation should be rapidly adopted to secure language rights for minorities, with due consideration being given to the provisions of the Covenant and to the Committee's general comment 23(50). The insufficient provisions, particularly in relation to allocation of resources, that are made in the fields of educational and cultural rights for the benefit of the Hungarian minority is of concern.

- France, ICCPR, A/52/40 vol. I (1997) 62 at para. 411.

The declaration made by France concerning the prohibition, prescribed under article 27 of the Covenant, to deny ethnic, religious or linguistic minorities the right, in community with members of their group, to enjoy their own culture, to profess and practise their own religion or to use their own language is noted. The mere fact that equal rights are granted to all individuals and that all individuals are equal before the law does not preclude the existence in fact of minorities in a country, and their entitlement to the enjoyment of their culture, the practice of their religion or the use of their language in community with other members of their group.

- India, ICCPR, A/52/40 vol. I (1997) 67 at paras. 420 and 430.

Paragraph 420

The size of the country, its huge population, the massive poverty and the great disparities in the distribution of wealth among various social groups affect the advancement of rights. The persistence of traditional practices and customs, leading to women and girls being deprived of their rights, their human dignity and their lives, and to discrimination against members of the underprivileged classes and castes and other minorities, and ethnic, cultural and religious tensions constitute impediments to the implementation of the Covenant.

Paragraph 430

Despite measures taken by the Government, members of scheduled castes and scheduled tribes, as well as the so-called backward classes and ethnic and national minorities continue to endure severe social discrimination and to suffer disproportionately from many violations of their rights under the Covenant through, *inter alia*, inter-caste violence, bonded labour and discrimination of all kinds. It is regretted that the *de facto* perpetuation of the caste system entrenches social differences and contributes to these violations. Further measures should be adopted, including education programmes at national and state levels, to combat all forms of discrimination against these vulnerable groups, in accordance with articles 2(1), and 26 of the Covenant.

- Senegal, ICCPR, A/53/40 vol. I (1998) 15 at para. 66.

The State party should take legal and practical steps to recognize and protect religious and ethnic

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minorities, with a view to ensuring the rights guaranteed under article 27 of the Covenant. The Government should take into consideration the Committee's General Comment No. 23 on this matter.

- Iraq, ICCPR, A/53/40 vol. I (1998) 21 at para. 109.

The situation of members of religious and ethnic minorities, as well as other groups which are the subject of discrimination in Iraq, in particular the Shi'ite people in the Southern Marshes and the Kurds, is of concern. The lack of information on the situation of other minorities, such as the Turkeman, Assyrian, Chaldean and Christian minorities, and on the enjoyment of their rights under articles 26 and 27 of the Covenant is also regretted. In this connection, attention is called to General Comment No. 23 (50) on article 27 of the Covenant. Measures should be taken to ensure full equality of rights for members of all religious groups as well as ethnic and linguistic minorities.

- Sudan, ICCPR, A/53/40 vol. I (1998) 25 at paras. 131 and 132.

Paragraph 131

It is of concern that there is no recognition in law of the right to use local languages in official communications or administrative or court proceedings, and that religious minorities can be adversely affected by a range of discretionary administrative actions which can include the destruction of schools and educational facilities under town planning regulations. Therefore, emphasis should be given to the needs of ethnic and religious minorities, wherever they reside in the Sudan, to pursue and develop their traditions, culture and language, as required by article 27 of the Covenant.

Paragraph 132

In appearance as well as in fact the judiciary is not truly independent: many judges have not been selected primarily on the basis of their legal qualifications, judges can be subject to pressure through a supervisory authority dominated by the Government, and very few non-Muslims or women occupy judicial positions at all levels. Therefore, measures should be taken to improve the independence and technical competence of the judiciary, including the appointment of qualified judges from among women and members of minorities.

- Zimbabwe, ICCPR, A/53/40 vol. I (1998) 37 at para. 229.

The Committee is concerned about safeguarding the cultural heritage of minorities in Zimbabwe and recommends, *inter alia*, that education be provided in minority languages.

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- Uruguay, ICCPR, A/53/40 vol. I (1998) 40 at para. 245.

The statement of the State party that no minority group exists in its territory is of concern. The development of efforts in identifying the minority groups within the country should be continued, and pertinent measures should be adopted to ensure that the rights under article 27 are respected.

- Finland, ICCPR, A/53/40 vol. I (1998) 41 at paras. 255, 262 and 264.

Paragraph 255

The Committee notes with satisfaction the recognition in the Constitution of the Sami and Roma people and of their rights, along with other groups, to develop their language and culture. The existence of Advisory Boards for both Sami and Romani Affairs, mandated to advance the interests of these minority populations is welcomed, as well as the right of Samis since 1992 to communicate with the authorities in their native language and to be consulted through their representatives on matters affecting them closely. That primary and secondary education level students may be taught in their mother tongue of Sami or in Romani is also welcomed.

Paragraph 262

Efforts should be made to provide to the Sami and Roma minority printed texts of all available human rights documents, translated into the Sami and Roma languages, where possible.

Paragraph 264

The continuing *de facto* discrimination against members of the Roma minority, especially in the areas of private housing, employment and services, is regretted. Government agencies should be trained to intervene positively to help to overcome racist attitudes and to initiate proceedings where any pattern of discrimination is identified.

- Israel, ICCPR, A/53/40 vol. I (1998) 47 at paras. 308-311, 319, 320 and 323.

Paragraph 308

Deeply imbedded discriminatory social attitudes, practices and laws against Arab Israelis have resulted in a lower standard of living compared with Jewish Israelis, as is evident in their significantly lower levels of education, access to health care, access to housing, land and employment, and are of serious concern. Most Arab Israelis, because they do not join the army, do not enjoy the financial benefits available to Israelis who have served in the army, including scholarships and housing loans. That the Arabic language, though official, has not been accorded equal status in practice, and that discrimination against members of the Arab minority appears to be extensive in the private sector are also matters of concern. The State party is urged to take steps without delay to ensure equality for Arabs, and to proceed as soon as possible with the planned formulation of a draft law on

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discrimination in the private sector and adopt it at an early date.

Paragraph 309

Palestinians in the occupied territories who remain under the control of Israeli security forces do not enjoy the same rights and freedoms as Jewish settlers in those territories, in particular in regard to planning and building permits and access to land and water. The policies of confiscation of lands and settlement in the occupied territories are of concern. Coordinated and targeted efforts should be made to establish basic standards that are applicable equally to all persons under the jurisdiction of Israel.

Paragraph 310

Members of Bedouin communities, many of whom have expressed a desire to continue to live in settlements in the Negev which are not recognized by the Israeli Government and which are not provided with basic infrastructure and essential services, should be given equality of treatment with Jewish settlements in the same region, many of which are also dispersed and populated by small numbers of people.

Paragraph 311

The situation of women, who continue to face discrimination in many aspects of life, including in military service and in religious institutions, and are underrepresented in the conduct of public affairs, is of concern. No clear plan of action exists which addresses the situation of the most disadvantaged group of women, namely those belonging to the Arab minority. Targeted measures should be considered to accelerate progress towards equality, in particular for Arab women.

Paragraph 319

The increasingly restrictive conditions for maintaining the right to permanent residence, the denial of requests for family reunification and the difficulty experienced by non-Jews in obtaining building permits and accommodation have resulted in increasing numbers being forced to move to the occupied territories. Profound concern is expressed at the effect of the unpublished directive of the Ministry of the Interior, under which Palestinians may lose their right to live in the city if they cannot prove that East Jerusalem has been their "centre of life" for the past seven years. This policy is being applied retroactively to both Palestinians who live abroad and to those who live in the West Bank or in nearby Jerusalem suburbs, but not to Israeli Jews or to foreign Jews who are permanent residents of East Jerusalem. The rules and procedures relating to permanent residency status should be applied without discrimination.

Paragraph 320

The demolition of Arab homes as a means of punishment is deplored, as is the practice of demolitions, in part or in whole, of "illegally" constructed Arab homes. The difficulties imposed on Palestinian families seeking to obtain legitimate construction permits are noted with regret. The demolition of homes conflicts directly with the obligation of the State party to ensure without discrimination the right not to be subjected to arbitrary interference with one's home (art. 17), the freedom to choose

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one's residence (art. 12) and equality of all persons before the law and equal protection of the law (art. 26).

Paragraph 323

Arab women citizens of Israel have in some cases been required to relinquish their citizenship, should they marry a Palestinian and apply for residence in the occupied territories. The Committee welcomes the Israeli Government's response that this policy no longer applies and recommends that those already affected be made fully aware of the relevant legal provisions and that their status be restored.

- Algeria, ICCPR, A/53/40 vol. I (1998) 54 at para. 363.

The compulsory, immediate and exclusive use of Arabic (pursuant to the Arabic Language Decree) in all areas of public activity in effect impedes large sections of the population who use Berber or French in the enjoyment of the rights guaranteed under articles 19, 25, 26 and 27 of the Covenant. The law should be urgently reviewed so as to remove the negative consequences that it produces.

- The Former Yugoslav Republic of Macedonia, ICCPR, A/53/40 vol. I (1998) 57 at paras. 378 and 383.

Paragraph 378

The persons responsible for reported cases of abuse of police authority, including unlawful arrest and detention, excessive use of force – especially against members of minority groups – and physical ill-treatment of detainees, should be subjected to appropriate disciplinary or penal sanctions. Training programmes on human rights for the police should be strengthened and permanent mechanisms should be established for ongoing instruction with the participation of international agencies and experts in the field.

Paragraph 383

The strengthening of programmes to increase the representation of ethnic minorities in public life, including the civil service, army and police is encouraged. The encouragement of minority participation in the design, organization and functioning of the educational system, in particular at the secondary and higher educational levels should be continued, and the training of teachers of minority languages in public establishments should continue to be provided.

- Belgium, ICCPR, A/54/40 vol. I (1999) 29 at para. 91.

The procedures for recognizing religions and the rules for public funding of recognized religions raise problems under articles 18, 26 and 27 of the Covenant.

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- Armenia, ICCPR, A/54/40 vol. I (1999) 32 at para. 118.

The Committee expresses its concern about the State party's position that it is not possible to ensure that small national minorities have access to educational facilities in their language of origin.

- Japan, ICCPR, A/54/40 vol. I (1999) 38 at paras. 155 and 157.

Paragraph 155

Instances of discrimination against members of the Japanese-Korean minority who are not Japanese citizens, including the non-recognition of Korean schools, are of concern. Protection under article 27 may not be restricted to citizens.

Paragraph 157

Measures should be taken to put an end to the discrimination that persists *vis-à-vis* members of the Buraku minority with regard to education, income and the system of effective remedies.

- Norway, ICCPR, A/55/40 vol. I (2000) 22 at para. 81.

While legislative reform in the field of Sami land and resource rights is in progress, traditional Sami means of livelihood, falling under article 27 of the Covenant, do not appear to enjoy full protection in relation to various forms of competing public and private uses of land. Lawsuits by private landowners leading to judicial prohibition of reindeer herding and high legal costs for the Sami are a particular concern in the absence of satisfactory legal aid.

- Kuwait, ICCPR, A/55/40 vol. I (2000) 65 at paras. 475 and 477-480.

Paragraph 475

The Committee cannot accept the statement of the delegation that there are no minorities in Kuwait. Given the wide diversity of persons in the State party's territory and subject to its jurisdiction, it is clear that in fact there are persons in Kuwait who belong to ethnic, religious and linguistic minorities whose rights under article 27 of the Covenant should be ensured and protected.

Paragraph 477

The treatment of the Bedoons (included in the category of stateless persons) in Kuwait, who number several thousand, is of grave concern. In view of the fact that many of these people are born in Kuwait or have been living in Kuwaiti territory for decades, and some are in the service of the Government, the sweeping statement of the delegation characterizing the Bedoons generally as

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“illegal residents” is of grave concern. That many Bedoons long resident in Kuwait who left the country during the Iraqi occupation in 1990/91 are not permitted to return to Kuwait is of concern.

Paragraph 478

The State party must ensure that all persons in its territory and subject to its jurisdiction, including Bedoons, enjoy Covenant rights without discrimination (art. 26). The right to remain in one’s own country and to return to it must be scrupulously respected (art. 12).

Paragraph 479

Allegations that Bedoons have been offered a five-year residence permit in exchange for renouncing any claims for naturalization and that the State party seeks to deport Bedoons to countries with which the person concerned has no effective links were not refuted and are of concern.

Paragraph 480

The State party should confer its nationality on a non-discriminatory basis and ensure that those who are granted Kuwaiti nationality are treated equally with other Kuwaiti citizens with regard to voting rights (arts. 25, 26). The State party is urged to refrain from deporting residents on the basis of their classification as Bedoons who have failed to regularize their status.

- Australia, ICCPR, A/55/40 vol. I (2000) 71 at paras. 510 and 511.

Paragraph 510

The Committee expresses its concern that securing continuation and sustainability of traditional forms of economy of indigenous minorities (hunting, fishing and gathering), and protection of sites of religious or cultural significance for such minorities, which must be protected under article 27, are not always a major factor in determining land use.

Paragraph 511

In the finalization of the pending bill intended to replace the Aboriginal and Torres Strait Islander Heritage Protection Act (1984), the State party should give sufficient weight to the values described above.

- Denmark, ICCPR, A/56/40 vol. I (2001) 34 at paras. 73(7) and 73(15).

Paragraph 73(7)

Denmark is commended for developments in the provision of legal training in Greenland, the promotion of Greenland's financial independence and the support for Greenland Houses in Denmark. Denmark's initiative in translating the Covenant into Greenlandic (art. 27) is welcomed.

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Paragraph 73(15)

Denmark should ensure equality of treatment for ethnic minorities. In particular, in view of information that there continue to be occurrences of racial discrimination, for instance in restaurants and nightclubs, measures should be taken to prevent such discrimination.

- Gabon, ICCPR, A/56/40 vol. I (2001) 41 at para. 75(17).

That the State party denies the existence of minorities in its territory is of concern. The steps taken to guarantee the rights of people belonging to minorities, as set forth in article 27 of the Covenant, are inadequate, particularly with regard to the Baka people. The State party must take positive, effective steps to guarantee the rights of people belonging to all minorities.

- Dominican Republic, ICCPR, A/56/40 vol. I (2001) 54 at para. 78(20).

The lack of information on the protection of the rights of ethnic, religious and linguistic minorities in the Dominican Republic is of concern. The delegation's explanation that minorities are so integrated into the country's culture that they cannot be considered as such is not sufficient. The State party should provide the Committee with information on its application of article 27 of the Covenant.

- Uzbekistan, ICCPR, A/56/40 vol. I (2001) 59 at paras. 79(5) and 79(16).

Paragraph 79(5)

The information provided by the State party in relation to its language policy, whereby education at all levels is offered in ten languages, including the languages of the minority groups, is welcomed.

Paragraph 79(16)

The information that more than 1300 Tajiks, citizens of Uzbekistan, were resettled from their villages in the mountains to the steppes of the Sherabad region, about 250 miles away, is of deep concern. While, the State party explained that the action was taken in order to improve the living conditions of the people concerned, it did not refute the information that the resettlement was enforced by military forces, that the Tajiks had to leave their homes without their belongings, and that their villages were subsequently destroyed. The State party should immediately stop any further action to expel people from their homes, in violation of articles 12 and 17 and possibly, in certain situations article 27 of the Covenant. The State party should take steps to compensate the individuals concerned for the loss of their property and their suffering, resulting from their forcible displacement and its aftermath, and to report on their present living conditions.

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- Croatia, ICCPR, A/56/40 vol. I (2001) 65 at para. 80(22).

The rights of members of ethnic, religious and linguistic minorities in national, regional and local representative and executive bodies, as well as their rights in social, cultural and economic fields of public and private life, should be more fully secured and articulated in the State party's legal framework, as the starting point to enhance the practical enjoyment by members of minorities of their rights under the Covenant. That the Roma community is not accorded recognized minority status and that members of this community are particularly disadvantaged and suffer from discrimination is of concern. The State party should ensure that all members of ethnic, religious and linguistic minorities enjoy effective protection against discrimination and are able to enjoy their own culture and use their own language, in accordance with article 27 of the Covenant.

- Syrian Arab Republic, ICCPR, A/56/40 vol. I (2001) 70 at para. 81(27).

The situation of a large number of persons of Kurdish origin who have entered Syria from neighbouring countries is of concern. The fate of Kurds born in Syria whom the Syrian authorities treat either as aliens or unregistered persons and who encounter administrative and practical difficulties in acquiring Syrian nationality is also of concern. This discriminatory situation is incompatible with articles 24, 26 and 27 of the Covenant. Urgent steps should be taken to find a solution to the statelessness of numerous Kurds in Syria and to allow Kurdish children born in Syria to acquire Syrian nationality.

- Czech Republic, ICCPR, A/56/40 vol. I (2001) 83 at paras. 83(8)-83(11) and 83(15).

Paragraph 83(8)

Deep concern is expressed about discrimination against minorities, particularly the Roma. The steps taken by the State party to improve the socio-economic condition of the Roma do not appear to be adequate to address the situation and *de facto* discrimination persists (arts. 26, 27). In order to ensure compliance with articles 2 and 26 of the Covenant, the State party should take all necessary measures to eliminate discrimination against members of minorities, particularly the Roma, and to enhance the practical enjoyment of their rights under the Covenant.

Paragraph 83(9)

It is of particular concern that a disproportionate number of Roma children are assigned to special schools designed for mentally disabled children, which would seem to indicate the use of stereotypes in the placement decisions in contravention of article 26 of the Covenant and which make it difficult, if not impossible, to secure admission to secondary schools (art. 26). Immediate and decisive steps should be taken to eradicate the segregation of Roma children in the educational system by ensuring that placement in schools is carried out on an individual basis and is not influenced by the child's

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ethnic group. Where needed, the State party should also provide special training to Roma and other minority children to secure, through positive measures, their right to education.

Paragraph 83(10)

While noting various recent amendments to legislation to combat discrimination in employment, the lack of monitoring implementation of this legislation is of concern. The high rate of unemployment of Roma, bordering on 70 per cent when the general rate of unemployment is 10 per cent, is also of concern. The absence of legislation prohibiting discrimination in other fields, such as educational and health care systems, housing and the provision of goods and services is also of concern (arts. 2, 3, 26). The State party should adopt measures to ensure the effectiveness of existing legislation against discrimination. It should also adopt further legislation in fields not covered by the current legislation in order to ensure full compliance with articles 2.3 and 26 of the Covenant. The State party should also make greater efforts to provide training to Roma in order to equip them for suitable employment and create job opportunities for them.

Paragraph 83(11)

The violence and harassment by some groups with respect to the Roma minority, and the failure on the part of the police and judicial authorities to investigate, prosecute and punish hate crimes remains of concern (arts. 2, 20, 26). All necessary measures should be taken to combat racial violence and incitement, provide proper protection to Roma and other minorities, and ensure adequate investigation and prosecution of cases of racial violence and incitement to racial hatred.

Paragraph 83(15)

Deep concern is expressed about the persistent allegations of police harassment, particularly of the Roma minority and aliens, which the delegation explained as resulting from lack of sensitivity rather than harassment (arts. 2, 7, 9, 26). The State party should take firm measures to eradicate all forms of police harassment of aliens and vulnerable minorities.

- Monaco, ICCPR, A/56/40 vol. I (2001) 89 at para. 84(17).

The special status of Monegasques, who are in a numerical minority in the Principality of Monaco, is noted, and attention is drawn to the distinction made in law between Monegasques and non-Monegasques, particularly in the area of employment and where the exercise of the freedoms of association and assembly is concerned (articles 21, 22 and 26 of the Covenant). The State party should ensure that such distinctions, which in certain cases and circumstances may justify differences in treatment based on objective and reasonable criteria, do not take the form of discrimination. Naturalization should be granted on the basis of objective criteria and within a reasonable time-frame, especially for persons who have lived in Monaco for many years.

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- Guatemala, ICCPR, A/56/40 vol. I (2001) 93 at para. 85(29).

Although the State party has made efforts to improve the situation of members of indigenous communities, it is regrettable that it has not been possible to adopt legislation designed to guarantee the full enjoyment of all their rights under the Covenant, including the restitution of communal lands, the elimination of discrimination in employment and education and participation in other areas of the life of society. The State party should continue its efforts to guarantee members of indigenous communities the enjoyment of all the rights recognized by article 27 of the Covenant and adopt comprehensive legislation for this purpose. It should also ensure that the implementation of this legislation improves the situation of members of indigenous communities in practice and not only on paper.

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- India, ICESCR, E/1990/23 (1990) 53 at para. 234.

With regard to the right to culture, it is noted that more attention should be given to preserving the cultural traditions of minorities and to promoting access to cultural life by ordinary people.

- Sweden, ICESCR, E/1992/23 (1991) 53 at para. 259.

Concern is expressed about the fate of ethnic minorities such as the Sami and Gypsies. Emphasis should be placed on the need to help preserve their cultural identity and on the efforts that must be made to promote their cultures.

- Islamic Republic of Iran, ICESCR, E/1994/23 (1993) 32 at paras. 126 and 129.

Paragraph 126

The following concerns are expressed over the situation of certain minority groups, which have not been satisfactorily answered in the course of the present session:

- (a) Violation of the rights of the Baha'i community;
- (b) Violation of economic, social and cultural rights in addition to violation of political and civil rights;
- (c) Discrimination on religious grounds in the educational system;

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(d) Insufficiency of the education offered to the children belonging to the Kurdish minority;

(e) Prohibition of the admission to university of Baha'is;

(f) Restriction of freedom of debate and choice in the university institutions;

(g) The situation of the Kurds; and

(h) The disparities that exist between the different ethnic and economic groups in the enjoyment of their rights to education, to work, to travel, to housing and to the enjoyment of cultural activities.

Paragraph 129

The Government of Iran is invited to undertake the necessary steps, both legislative and practical, in order to ensure that the rights enunciated in the Covenant can be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, especially in the case of ethnic or religious minorities.

- Romania, ICESCR, E/1995/22 (1994) 26 at paras. 93, 94 and 97.

Paragraph 93

The absence of a law on minorities in a country such as Romania, given the existence of large Gypsy, Hungarian, German and other minority groups, is of concern.

Paragraph 94

The realization of the right to education and of the right to take part in cultural life by one of the largest minorities in Romania, namely the Gypsy minority, are of particular concern. That group continues to suffer many forms of unofficial discrimination which the Government is often unable to prevent or is unwilling to redress. Gypsies continue to face discrimination in workplaces and schools and greater efforts should be made to accommodate the specific cultural and other needs of those groups in relation to these matters. It is of concern that, since the Revolution of 1989, no appreciable improvement has occurred in their situation, and direct and indirect discrimination appear to continue, especially at the local level.

Paragraph 97

The State party should take vigorous steps to ensure that the rights to education and to take part in cultural life are guaranteed to the members of the Gypsy minority in full accordance with the provisions of articles 2 (2), 13 and 15 of the Covenant. The Government should: adopt an active non-discrimination policy with respect to this minority; encourage their participation in cultural life; and assure proper participation in the educational activities of children belonging to that group.

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- Iraq, ICESCR, E/1995/22 (1994) 32 at paras. 136 and 138.

Paragraph 136

The destruction of the cultural heritage of religious communities and minorities is alarming.

Paragraph 138

Concern is expressed over reports of the adverse impact of recent drainage programmes in areas inhabited by "Marsh Arabs" on the community's ability to conserve its culture and traditional lifestyle and to exercise its right to education.

- Belgium, ICESCR, E/1995/22 (1994) 34 at para. 157.

In view of the problems in the housing sector, which are still considerable, the Government is urged to establish an official, nationwide commission on housing, comprised of Government representatives, non-governmental organizations and other relevant groups. The Government should ensure that persons belonging to ethnic minorities, refugees and asylum seekers are fully protected from any acts or laws which in any way result in discriminatory treatment within the housing sector.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/1995/22 (1994) 52 at para. 273.

Insufficient measures have been taken to address the apparent disparities in employment patterns and opportunities of certain minority groups and between men and women. In the latter regard, it is regretted that women are still employed disproportionately in lower-paid occupations.

- Ukraine, ICESCR, E/1996/22 (1995) 50 paras. 262 and 271.

Paragraph 262

Attention is drawn to the difficulties experienced by members of minority groups, including the Crimean Tartars, who were deported decades ago and are now returning to resettle on the land of their ancestors. The failure to resolve the question of citizenship for the Crimean Tartars is not in conformity with the State party's obligations under the Covenant. In particular, concern is expressed that the exclusion of such persons from certain social indicators, such as those on employment and poverty, may deprive them of the full enjoyment of their economic, social and cultural rights. In this connection, the provisions of article 2 of the Covenant are recalled, which state that the rights enunciated in the Covenant must be exercised without discrimination of any kind as to, *inter alia*, national or social origin.

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Paragraph 271

The civil status of repatriated members of minorities, especially the Crimean Tartars, should be regularized as soon as possible. Steps should be taken immediately to reintegrate them fully into the region and to guarantee their rights to work and to an adequate standard of living, as defined in articles 6 and 11 of the Covenant. Every effort should be made to obtain international assistance towards this end.

- Finland, ICESCR, E/1997/22 (1996) 55 at para. 310.

Concern is expressed at reports that members of the Roma minority have been discriminated against when decisions have been taken by some authorities in respect of the allocation of publicly-owned dwellings.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), ICESCR, E/1997/22 (1996) 58 at para. 337.

The "step-by-step" approach, according to which legislation for the protection of vulnerable minorities is adopted primarily on the basis of public-opinion surveys, i.e. on the basis of majority views, is regretted.

- Zimbabwe, ICESCR, E/1998/22 (1997) 24 at para. 79.

Although many provisions of the Covenant are to be implemented progressively and in accordance with the maximum of the State party's available resources, there are other rights that must be ensured immediately, such as *de jure* non-discrimination and protection of the cultural rights of minorities.

- Peru, ICESCR, E/1998/22 (1997) 33 at para. 141.

The greatest obstacles to the fulfilment of economic, social and cultural rights are, *inter alia*: the acute forms of discrimination that particularly affect women, indigenous people and other minority groups, and the great inequalities permeating society.

- Iraq, ICESCR, E/1998/22 (1997) 50 at paras. 257 and 264.

Paragraph 257

Concern is expressed about reports of discrimination against members of certain minorities, especially

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Kurds, Marsh people, Assyrians, Shi'ite Muslims and Turkomans, with respect to their enjoyment of rights under the Covenant. Furthermore, it is noted with deep concern that the effect of the embargo is harsher on members of racial, ethnic or religious minorities, and that there exists discrimination in the allocation by the authorities of the limited resources available between rural and urban areas, and against the southern region with respect to the Marsh people.

Paragraph 264

Concern is expressed about reports of discrimination in the enjoyment of the right to adequate housing under article 11 of the Covenant, especially in relation to forced evictions of members of certain minorities (Kurds, Turkomans and Shi'ite Muslims) and the situation of squatters in urban areas.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/1998/22 (1997) 56 at para. 295.

There continues to exist, to a significant degree, *de facto* discrimination against women, Blacks and other ethnic minorities. A substantially higher rate of unemployment among Blacks and other ethnic minorities is noted as are their disproportionate numbers in lower-paid jobs. Alarm is expressed that the rate of unemployment among Catholics in Northern Ireland is approximately twice that of Protestants and is substantially above the national rate.

- Saint Vincent and The Grenadines, ICESCR, E/1998/22 (1997) 72 at para. 422.

With respect to the general provisions of the Covenant, concern is expressed that there are occurrences of racial discrimination in the State party and that members of certain minorities, such as the Amerindians and Asians, form a disproportionate part of the lower-income levels.

- Sri Lanka, ICESCR, E/1999/22 (1998) 22 at paras. 72 and 75.

Paragraph 72

The uncertain situation of 85,000 Tamils of Indian origin living in Sri Lanka is noted with concern. They possess neither Indian nor Sri Lankan citizenship, have no access to basic services such as education, and do not enjoy their economic, social and cultural rights.

Paragraph 75

Deep concern is expressed at the lack of anti-discrimination mechanisms in the area of employment with regard to women and minority groups. While it is noted that a system of ethnic recruitment quotas is in place in the public sector, there is no effort to ensure that promotions in the public sector

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and employment in the private sector are free from discrimination. In particular, the concept of equal pay for work of equal value is not applied effectively in Sri Lanka, particularly in the private sector where women have no legal protection against discrimination in employment.

- Nigeria, ICESCR, E/1999/22 (1998) 27 at para. 132.

The rights of minority and ethnic communities – including the Ogoni people – should be respected and full redress should be provided for the violations that they have suffered of the rights set forth in the Covenant.

- Poland, ICESCR, E/1999/22 (1998) 32 at paras. 148, 149 and 157.

Paragraph 148

The treaty concluded with Germany on the subject of the German ethnic minority in Poland by which various rights of this group were given effect, including a fixed number of seats in Parliament and the right to operate a large number of schools, is noted with interest. It is noted that similar treaties were not concluded with respect to other minority groups and it is of concern that such a situation may lead to perceived or actual inequalities between minorities.

Paragraph 149

It is noted that under the new Constitution, Poland is a secular State with no formal role attributed to any religious denomination. Nevertheless it is of concern that policies and decisions of a social nature seem to be excessively influenced by particular religious considerations and do not take adequate account of the existence of minority religious groups.

Paragraph 157

Special care should be taken to ensure full respect for the rights of all religious groups, particularly concerning issues of national policy such as education, gender equality and health care. The rights of all minority groups with regard to their right to participate in national political and economic life and the right to practise and teach their culture should be fully respected.

- Israel, ICESCR, E/1999/22 (1998) 43 at paras. 236, 237, 239, 243, 246, 247 and 249.

Paragraph 236

It is of concern that excessive emphasis upon the State as a "Jewish State" encourages discrimination and accords a second-class status to its non-Jewish citizens. It is noted with concern that the Government of Israel does not accord equal rights to its Arab citizens, although they comprise over 19 per cent of the total population. This discriminatory attitude is apparent in the lower standard of

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living of Israeli Arabs as a result, *inter alia*, of lack of access to housing, water, electricity and health care and their lower level of education. It is also noted with concern that despite the fact that the Arabic language has official status in law, it is not given equal importance in practice.

Paragraph 237

It is noted with grave concern that the Status Law of 1952 authorizes the World Zionist Organization/Jewish Agency and its subsidiaries, including the Jewish National Fund, to control most of the land in Israel, since these institutions are chartered to benefit Jews exclusively. Despite the fact that the institutions are chartered under private law, the State of Israel nevertheless has a decisive influence on their policies and thus remains responsible for their activities. A State party cannot divest itself of its obligations under the Covenant by privatizing governmental functions. The large-scale and systematic confiscation of Palestinian land and property by the State and the transfer of that property to these agencies constitute an institutionalized form of discrimination because these agencies by definition would deny the use of these properties to non-Jews. Thus, these practices constitute a breach of Israel's obligations under the Covenant.

Paragraph 239

It is noted with concern that the Law of Return, which allows any Jew from anywhere in the world to immigrate and thereby virtually automatically enjoy residence and obtain citizenship in Israel, discriminates against Palestinians in the diaspora upon whom the Government of Israel has imposed restrictive requirements which make it almost impossible to return to their land of birth.

Paragraph 243

It is regretted that the Government of Israel has maintained "general closures" continuously since 1993, thereby restricting and controlling the movement of people and goods between Israel and the West Bank and the Gaza Strip, between Jerusalem and the West Bank and between the West Bank and the Gaza Strip. It is noted with concern that these restrictions apply only to Palestinians and not to Jewish Israeli citizens. The closures have cut off Palestinians from their own land and resources, resulting in widespread violations of their economic, social and cultural rights.

Paragraph 246

Concern is expressed over the effect of the directive of the Ministry of the Interior, according to which Palestinians may lose their right to live in the city if they cannot prove that East Jerusalem has been their "centre of life" for the past seven years. The serious lack of transparency in the application of the directive is regretted. It is noted with concern that this policy is being applied retroactively both to Palestinians who live abroad and to those who live in the West Bank or in nearby Jerusalem suburbs, but not to Israeli Jews or to foreign Jews who are permanent residents of East Jerusalem. This system has resulted in, *inter alia*, the separation of Arab families and the denial of their right to social services and health care, including maternity care for Arab women, which are privileges linked to residency status in Jerusalem. It is of deep concern that the implementation of a quota system for the reunification of Palestinian families affected by this residency law involves long delays and does

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not meet the needs of all divided families. Similarly, the granting of residency status is often a long process and, as a result, many children are separated from at least one of their parents and spouses are not able to live together.

Paragraph 247

The adverse impact of the growing exclusion faced by Palestinians in East Jerusalem from the enjoyment of their economic, social and cultural rights is of concern. Concern is also expressed over the continued Israeli policies of building settlements to expand the boundaries of East Jerusalem and of transferring Jewish residents into East Jerusalem with the result that they now outnumber the Palestinian residents.

Paragraph 249

The situation of Arab neighborhoods in mixed cities such as Jaffa and Lod, which have deteriorated into virtual slums because of Israel's excessively restrictive system of granting government permits without which it is illegal to undertake any kind of structural repair or renovation, is of concern.

- Germany, ICESCR, E/1999/22 (1998) 54 at para. 317.

The plight of the Sinti and Roma (Gypsies) in Germany and enjoyment of their rights to housing, education and employment are matters of concern. The continued discrimination against the Gypsies calls for immediate remedial policies and measures.

- Switzerland, ICESCR, E/1999/22 (1998) 59 at para. 371.

The State party should play a more active role in promoting equal access to higher education for women, immigrants and ethnic minorities.

- Bulgaria, ICESCR, E/2000/22 (1999) 46 at paras. 223, 231 and 239.

Paragraph 223

The discrimination against the Roma minority in many aspects of life, including education, work, social benefits and access to land, is deplored. The high rate of unemployment among the Roma minority and the poor quality of education afforded to this group are of concern.

Paragraph 231

The lack of opportunities for minorities to receive education in their own languages is regretted.

Paragraph 239

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The State party should continue its efforts to integrate ethnic minorities into society, and undertake measures to provide the opportunity for such minorities to be educated in their own languages.

- Italy, ICESCR, E/2001/22 (2000) 34 at paras. 116 and 129.

Paragraph 116

It is noted with concern that a large number of the Roma population live in camps lacking basic sanitary facilities on the outskirts of major Italian cities. The Roma on the whole live below the poverty line and are discriminated against, especially in the workplace, if and when they find work, and in the housing sector. Life in the camps has had a major negative impact on the Roma children, many of whom abandon primary and secondary schooling in order to look after their younger siblings or to go out begging in the streets in order to help increase their family income.

Paragraph 129

The State party should step up its efforts to improve the situation of the Roma population, *inter alia* by replacing camps with low-cost houses; by legalizing the status of Roma immigrants; by setting up employment and educational programmes for parents; by giving support to Roma families with children at school; by providing better education for Roma children; and by strengthening and implementing anti-discrimination legislation, especially in the employment and housing sectors.

- Congo, ICESCR, E/2001/22 (2000) 43 at paras. 203 and 212.

Paragraph 203

With regard to ethnic minorities, the Pygmies do not enjoy equal treatment in the predominantly Bantu society. Pygmies are severely marginalized in the areas of employment, health and education, and are usually considered socially inferior.

Paragraph 212

The State party is urged to adopt measures in order to fully integrate Pygmies into Congolese society, so that they may fully enjoy their economic, social and cultural rights.

- Portugal, ICESCR, E/2001/22 (2000) 70 at paras. 413 and 420.

Paragraph 413

Concern is expressed about cases of intolerance and discrimination with regard to Roma people, refugees and immigrants. It is of concern that foreign workers cannot enrol in the vocational guidance and training courses to which Portuguese workers are entitled.

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Paragraph 420

The State party is urged to intensify its efforts to create a culture of tolerance and to eliminate all forms of discrimination, in so far as they affect women, Roma, asylum seekers and immigrants.

- Honduras, ICESCR, E/2002/22 (2001) 33 at para. 140.

The economic, social and cultural rights of indigenous populations as a distinct minority group should be recognised and more effective protection against discrimination, especially in the field of employment, health and education should be ensured.

- Senegal, ICESCR, E/2002/22 (2001) 61 at para. 340.

Effective measures are not being taken, legal or otherwise, to recognize and protect religious and ethnic minorities with a view to ensuring that their rights are guaranteed under the Covenant.

- Syrian Arab Republic, ICESCR, E/2002/22 (2001) 67 at paras. 403, 420 and 435.

Paragraph 403

There is concern about discrimination against certain minority groups on the basis of their non-Arab heritage, including those groups that have been living in the territory for many generations.

Paragraph 420

Effective measures should be taken to combat discrimination in practice against minority groups, in particular the Kurds. Such measures should be aimed especially at improving birth registration and school attendance and allowing for the use of their languages and other expressions of their culture.

Paragraph 435

The State party should ensure that minority groups, such as the Kurds, are able to enjoy their right to use their own language and to live in accordance with their own culture without impediments in the form of legislative or administrative arrangements imposed by the State party.

- Ukraine, ICESCR, E/2002/22 (2001) 78 at paras. 493 and 513.

Paragraph 493

The *de facto* discrimination against ethnic minorities, such as the Crimean Tartars and Roma, and the harassment of foreigners of African origin by law enforcement officials, is a matter of concern.

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Paragraph 513

It is recommended that the State party promote the participation of parents and communities, especially ethnic minorities, in school governance in order to improve enrolment rates and monitor the quality of education.

- Japan, ICESCR, E/2002/22 (2001) 90 at paras. 592, 611 and 639.

Paragraph 592

The persisting *de jure* and *de facto* discrimination against minority groups in Japanese society is of concern, particularly, against the Buraku and Okinawa communities, the indigenous Ainu people and people of Korean descent, especially in the fields of employment, housing and education.

Paragraph 611

Concern is expressed that there are very limited possibilities for children of minorities to enjoy education in their own language and about their own culture in public schools. It is also of concern that minority schools, such as Korean schools, are not officially recognized, even when they adhere to the national education curriculum, and therefore neither receive central government subsidies nor are able to provide qualification for university entrance examinations.

Paragraph 639

Mother-tongue instruction should be introduced in the official curricula of public schools enrolling a significant number of pupils belonging to linguistic minorities. Minority schools should be officially recognized, in particular Korean schools, when they comply with the national education curriculum. Consequently subsidies and other financial assistance should be made available to these schools and their school leaving certificates should be recognized as university entrance examination qualifications.

CEDAW

- Finland, CEDAW, A/50/38 (1995) 71 at para. 395.

Attention should be paid to issues of violence against women, sexual, domestic and otherwise, with particular sensitivity to the vulnerability of foreign and minority women.

- Slovakia, CEDAW, A/53/38/Rev.1 part II (1998) 55 at para. 96.

Statistical information pertaining to the social, economic and political status of minority women

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should be collected and made available with a view to developing specific policies to respond to the needs of different groups. The high rate of unemployment among Roma women should be addressed.

- United Kingdom of Great Britain and Northern Ireland, CEDAW, A/54/38/Rev.1 part II (1999) 71 at para. 306.

Steps should be taken to ensure the elimination of direct and indirect discrimination against ethnic minority women, including through positive action in recruitment, awareness campaigns and targeted training, education, employment and health-care strategies.

- India, CEDAW, A/55/38 part I (2000) 7 at paras. 74 and 75.

Paragraph 74

The continuing discrimination, including violence, suffered by women of the Dalit community, despite the passage of the Scheduled Castes and Scheduled Tribes (prevention of atrocities) Act of 1989, is of concern.

Paragraph 75

The Government is urged to enforce laws preventing discrimination against Dalit women and prohibiting the *devadasi* system, and to introduce affirmative action programmes in such areas as education, employment and health so as to provide life chances to Dalit women and girls and create an environment conducive to their progress. The Government is called upon to set a time-frame for those interventions.

- Finland, CEDAW, A/56/38 part I (2001) 29 at paras. 305 and 306.

Paragraph 305

Concern is expressed at the continuing discrimination against immigrant and minority women living in Finland, particularly Roma and Sami women, who suffer from double discrimination, based on both their sex and ethnic background.

Paragraph 306

Studies should be undertaken on the participation of minority women in society and effective measures should be taken to eliminate discrimination against them and strengthen efforts to combat

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racism and xenophobia in Finland.

- The Netherlands, CEDAW, A/56/38 part II (2001) 63 at paras. 206 and 207.

Paragraph 206

Effective measures should be taken to eliminate discrimination against immigrant, refugee and minority women, both in society at large and within their communities. The Government is urged to respect and promote the human rights of women over discriminatory cultural practices, and take effective and proactive measures, including awareness-raising programmes and programmes to sensitize the community to combat patriarchal attitudes and practices and stereotyping of roles and to eliminate discrimination and violence against women in immigrant and minority communities. The Government is also urged to eliminate xenophobia and racism in the Netherlands by strengthening its efforts to combat the activities of racist and xenophobic groups based in the country.

Paragraph 207

There is concern about the lack of information on the *de facto* situation of women of ethnic and minority communities in respect to their access to education, employment and health services. There is also concern about the limited information on their freedom from violence, including female genital mutilation, domestic violence and honour crimes, as well as other discriminatory practices, such as polygamy, early marriage and forced pregnancy.

- Sweden, CEDAW, A/56/38 part II (2001) 76 at paras. 353, 356 and 357.

Paragraph 353

The Government is urged to collect more data on the nature and scope of violence against women, in particular within the family, and to continue its efforts to implement and strengthen current policies aimed at combatting violence, with special attention given to women with disabilities, migrant women and minority women.

Paragraph 356

Taking note of the efforts of the Government to combat discrimination, concern is expressed about the continuing discrimination against immigrant, refugee and minority women, including in education and employment, and at the gender-based discrimination and violence that they face in their own communities. Concern is also expressed about discrimination against Sami and Roma women.

Paragraph 357

Effective measures should be taken to eliminate discrimination against immigrant, refugee and minority women and to strengthen efforts to combat xenophobia and racism in Sweden. The State party is also encouraged to be more proactive in its measures to prevent discrimination against

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immigrant, refugee and minority women, both within their communities and in society at large, to combat violence against them and to increase their awareness of the availability of social services and legal remedies.

CAT

- Italy, CAT, A/50/44 (1995) 21 at para. 154.

The persistence of cases of ill treatment in prisons by police officers is of concern. A dangerous trend towards some racism is noted, since the victims are either from foreign countries or belong to minorities.

- Croatia, CAT, A/51/44 (1996) 25 at para. 160.

Information on serious breaches of the Convention indicating that in the wave of the events of 1995 and its aftermath, serious acts of torture were perpetrated by Croatian officials, particularly upon the Serb minority, is of concern.

- Hungary, CAT, A/54/44 (1999) 10 at para. 81.

Provisions of the Criminal Code that make torture punishable only if the soldier or policeman committing the act was aware that by so doing he or she was committing a criminal offence are of concern. Reports that an inordinately high proportion of detainees are roughly handled or treated cruelly before, during and after interrogation by the police and that a disproportionate number of detainees and/or prisoners serving their sentence are Roma are also of concern.

- The Former Yugoslav Republic of Macedonia, CAT, A/54/44 (1999) 14 at para. 115.

The State party is urged to investigate complaints of maltreatment by government officials, particularly those that relate to ethnic minorities. The investigations should be prompt and impartial and those officials that may be responsible for such maltreatment should be prosecuted.

- China, CAT, A/55/44 (2000) 24 at para. 116.

Continuing allegations of serious incidents of torture, especially involving Tibetans and other national minorities, are of concern.

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- Slovenia, CAT, A/55/44 (2000) 34 at paras. 204 and 209.

Paragraph 204

Concern is expressed in regard to allegations about instances of police ill-treatment and excessive use of force against members of the Roma population, which has reportedly resulted in severe injuries in some instances.

Paragraph 209

The necessary steps should be taken to prevent the misuse of force by the police against members of the Roma population and other minorities, particularly, in connection with arrests and detention.

- Australia, CAT, A/56/44 (2001) 22 at paras. 52 and 53.

Paragraph 52

Concern is expressed about legislation imposing mandatory minimum sentences, which has allegedly had a discriminatory effect regarding the indigenous population (including women and juveniles), who are over-represented in statistics for the criminal justice system.

Paragraph 53

The State party should continue its efforts to address the socio-economic disadvantage that *inter alia* leads indigenous Australians to come disproportionately into contact with the criminal justice system.

- Georgia, CAT, A/56/44 (2001) 35 at para. 81.

The instances of mob violence against religious minorities are of concern, in particular Jehovah's witnesses, and the failure of the police to intervene and take appropriate action despite the existence of the legal tools to prevent and prosecute such acts and the risk of this apparent impunity resulting in such acts becoming widespread.

- Greece, CAT, A/56/44 (2001) 38 at paras. 87 and 88.

Paragraph 87

Although the domestic legislation provides a satisfactory framework for protecting human rights in general and of certain Convention rights in particular, difficulties in effective implementation remain, which may amount to a breach of the Convention. There is evidence that the police sometimes use excessive or unjustifiable force in carrying out their duties particularly when dealing with ethnic and national minorities and foreigners.

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Paragraph 88

Such measures as are necessary, including training, should be taken to ensure that in the treatment of vulnerable groups, in particular foreigners, ethnic and national minorities, law enforcement officers do not resort to discriminatory practices.

- Slovakia, CAT, A/56/44 (2001) 43 at paras. 104 and 105.

Paragraph 104

Concern is expressed about allegations of instances of police participation in attacks on Roma and other members of the population, as well as allegations of inaction by police and law enforcement officials who fail to provide adequate protection against racially motivated attacks when such groups have been threatened by 'skinheads' or other extremist groups. There has been a failure on the part of the authorities to carry out prompt, impartial and thorough investigations into allegations of such actions or to prosecute and punish those responsible.

Paragraph 105

The State party should take measures to initiate an effective, reliable and independent complaint system to undertake prompt, impartial, and effective investigations into allegations of ill-treatment or torture by police and other public officials, and where the findings are warranted, to prosecute and punish alleged perpetrators.

- Czech Republic, CAT, A/56/44 (2001) 46 at paras. 108, 113 and 114.

Paragraph 108

The ongoing efforts by the State party to reform its legal system and revise its legislation based on universal human values in order to safeguard fundamental human rights is welcomed; including the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment. The amendment to the Citizenship Law which resolved most problems of statelessness that had disproportionately affected the Roma population.

Paragraph 113

The following are matters of concern:

Instances of racism and xenophobia in society, including the increase in racially motivated violence against minority groups, as well as the increase in groups advocating such conduct.

Continuing incidents of discrimination against Roma, including by local officials, and particularly about reports of degrading treatment by the police of members of minority groups, continuing reports of violent attacks against Roma and the alleged failure on the part of police and judicial authorities

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to provide adequate protection, and to investigate and prosecute such crimes, as well as the lenient treatment of offenders.

Paragraph 114

The State party should continue its efforts to counter all forms of discrimination against minorities and to implement its long-term policy aimed at the integration of the Roma population through legal as well as practical measures, and, in particular, to increase efforts to combat and adequately sanction police ill-treatment of minorities and their failure to provide them with adequate protection.

CRC

- Viet Nam, CRC, CRC/C/16 (1993) 18 at para. 65.

It is particularly important for the Government of Viet Nam to take all necessary steps, both nationally and also using international assistance and cooperation, to minimize the negative impact that the economic reforms may have on the most vulnerable group, i.e. children of the Vietnamese society. Particular attention should be paid to the protection of children belonging to different minority groups, children living in rural areas and children in urban areas who live and/or work on the street.

- Mexico, CRC, CRC/C/24 (1994) 12 at paras. 34, 38 and 41.

Paragraph 34

The unequal distribution of the national wealth in the country and the disparities and discrepancies in the enforcement of the rights provided for under the Convention between the different regions of the country, to the detriment of rural children and children belonging to minorities or indigenous communities, are of concern.

Paragraph 38

A large percentage of children living in difficult circumstances, in particular children belonging to minorities or indigenous communities, appear to have left school without having been able to complete their primary education.

Paragraph 41

The best interests of the child must be a guiding principle in the application of the Convention and the authorities should undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children, particularly children living and/or working in the streets, children belonging to minority groups or indigenous communities and other vulnerable children.

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See also:

- Philippines, CRC, CRC/C/38 (1995) 12 at para. 58.
- Romania, CRC, CRC/C/24 (1994) 21 at paras. 92 and 103.

Paragraph 92

The situation of children of minorities, especially within the context of articles 2, 28, 29 and 30 of the Convention, is of concern. The low school attendance of the Roma (Gypsy) group of children is a serious problem. In more general terms, there is a need for more effective measures to combat prejudices against this minority.

Paragraph 103

The Government should adopt an active non-discrimination policy with respect to children of minorities. This would also, particularly in relation to the Roma (Gypsy) population, require proactive measures to encourage participation and to break a vicious circle of widespread prejudices resulting in hostility or neglect. The problem of low school attendance among children from the Roma minority should be urgently addressed.

- United Kingdom of Great Britain and Northern Ireland, CRC, CRC/C/38 (1995) 35 at para. 242.

Proactive measures for the rights of children belonging to Gypsy and Traveller communities, including their right to education, are recommended. Further, a sufficient number of adequately appointed caravan sites for these communities should be secured.

- Nicaragua, CRC, CRC/C/43 (1995) 10 at para. 42.

The apparent persistence of discriminatory attitudes directed towards girls, children born out of wedlock, children from poorer income groups and children belonging to minority and indigenous groups remains of concern.

See also:

- Paraguay, CRC, CRC/C/66 (1997) 29 at para. 187.
- Senegal, CRC, CRC/C/46 (1995) 21 at para. 143.

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Special attention should be paid to the situation of Talibés during the implementation process of the Convention. Further measures should be adopted to ensure the effective enjoyment of their fundamental rights and their protection against any form of discrimination. Efforts should be made to ensure an effective monitoring system of their situation by the State party, in close cooperation with religious and community leaders.

- Yugoslavia (Serbia and Montenegro), CRC, CRC/C/50 (1996) 17 at para. 89.

Reports of the treatment of persons, including children belonging to a religious minority (Muslims), in Sandjak where incidents of harassment, police abuse, violent house searches and commission of human rights violations with impunity are alleged to have occurred are a concern. There have also been reports about serious incidents of discrimination against the Roma (Gypsy) population.

- Croatia, CRC, CRC/C/50 (1996) 31 at paras. 199 and 204.

Paragraph 199

The apparent disregard for judicial decisions is a deep concern. Allegations continue to be made about incidents in which members of minority groups, particularly of Serbian and Muslim origin, are harassed and the perpetrators left unpunished. This phenomenon of impunity draws adverse consequences for society as a whole and for the generation of children who witness it.

Paragraph 204

Public information activities and other appropriate action should be undertaken to make better known the principles and provisions of the Convention on the Rights of the Child and other relevant international human rights instruments, including through their incorporation in school curricula, with a view to enhancing democratic institutions, achieving national reconciliation, encouraging the protection of the rights of children belonging to minority groups and eliminating the atmosphere of impunity among those that harass these groups.

- Finland, CRC, CRC/C/50 (1996) 35 at paras. 227 and 237.

Paragraph 227

The insufficient number of teachers capable of working with minority children is worrisome.

Paragraph 237

The State party should take all necessary measures to fight school drop-out and ensure that sufficient teachers for minority children are available in all regions of the country.

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- China, CRC, CRC/C/54 (1996) 18 at para. 123.

Concern is expressed about reports that school attendance in minority areas, including the Tibet Autonomous Region, is lagging behind; that the quality of education is inferior; and that insufficient efforts have been made to develop a bilingual education system which would include adequate teaching in Chinese. These shortcomings may disadvantage Tibetan and other minority pupils applying to secondary and higher level schools.

- Mauritius, CRC, CRC/C/57 (1996) 29 at para. 189.

Measures should be taken to prevent a rise in discriminatory attitudes or prejudice towards girl children and children belonging to minority groups.

- Myanmar, CRC, CRC/C/62 (1997) 25 at para. 173.

All appropriate measures, including reinforcing existing international cooperation programmes, should be taken to reduce the rates of school drop-out and repetition. Furthermore, resources should be allocated to translate school materials into minority languages in order to encourage schools and teachers in the appropriate regions to provide education in minority languages.

- Bangladesh, CRC, CRC/C/66 (1997) 22 at para. 150.

Inadequate measures have been taken to ensure the protection and promotion of the rights of children belonging to minorities, including children from the Hill Tracts, and this is of concern.

- Algeria, CRC, CRC/C/66 (1997) 35 at para. 257.

Further steps should be taken to ensure that nomadic children have access to education and health-care services through a system of specifically targeted education and health-care schemes which will allow these children to enjoy their right, in community with other members of their group, to their own culture.

- Czech Republic, CRC, CRC/C/69 (1997) 28 at paras. 172 and 189.

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Paragraph 172

Concern is expressed over the fact that no adequate measures have been taken to prevent and combat all forms of discriminatory practices against children belonging to minorities, including Roma children, or to ensure their full access to health, education and other social services.

Paragraph 189

Major efforts should be undertaken to develop awareness-raising campaigns aimed at reducing discriminatory practices against the Roma population. Special programmes should be considered to improve the standard of living, education and health of Roma children.

- Hungary, CRC, CRC/C/79 (1998) 7 at paras. 48 and 59.

Paragraph 48

The compatibility of the juvenile justice system with the relevant standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty is of concern. In particular, the Committee is concerned about the ill-treatment of children in detention centres, that deprivation of liberty is not used as a measure of last resort, and about the stigmatization of the most vulnerable categories of children, including those belonging to the Roma minority.

Paragraph 59

Further measures should be undertaken to prevent and redress unequal access to health services and to the education system between the rural and urban populations, and in particular to facilitate the access of Roma children to health and education. Health services and medical supplies should be equally distributed between and within the local governments. Schools and vocational training should be made accessible to poor children and those living in rural areas, especially children belonging to the Roma population.

- Japan, CRC, CRC/C/79 (1998) 25 at para. 181.

Discriminatory treatment of minority children, including Korean and Ainu children, should be fully investigated and eliminated whenever and wherever it occurs.

- Austria, CRC, CRC/C/84 (1999) 7 at para. 58.

Social and other discrimination faced by children belonging to the Roma and other minorities, and in particular by those belonging to groups that do not enjoy the constitutional status of "ethnic groups" is of concern. All appropriate measures should be taken to protect and ensure the rights of

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Roma, Sinti and other minority children, including protection from all types of discrimination.

- Honduras, CRC, CRC/C/87 (1999) 26 at para. 114.

Measures should be increased to reduce economic and social disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as the girl child, children with disabilities, children belonging to indigenous and ethnic groups, children living in and/or working on the streets and children living in rural areas. Educational campaigns should be undertaken to raise awareness of the need to prevent and combat discrimination on the grounds of gender and ethnic origin. Furthermore, accession to the International Convention on the Elimination of All Forms of Racial Discrimination should be considered.

- Russian Federation, CRC, CRC/C/90 (1999) 18 at paras. 87, 127 and 128.

Paragraph 87

Measures should be intensified to reduce economic, social and regional disparities. Further steps should be taken along the line of the Committee's 1993 recommendations to prevent any discrimination against children or disparities in their treatment, including children with disabilities and children belonging to religious and ethnic minorities.

Paragraph 127

The living conditions of ethnic minorities, especially in the north, and their access to health, educational and other social services and the growing incidence of societal discrimination against children belonging to ethnic minorities are matters of concern.

Paragraph 128

All the necessary measures should be taken to protect minority children from discrimination and to guarantee their full access to educational, health and other social services.

- Mexico, CRC, CRC/C/90 (1999) 34 at para. 177.

The measures implemented to protect the rights of children belonging to vulnerable groups need to be reinforced. Measures should be increased to reduce economic and social disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as girls, children with disabilities, children belonging to indigenous and ethnic groups, children living and/or working on the streets and children living in rural areas.

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- The Netherlands, CRC, CRC/C/90 (1999) 53 at para. 260.

The possibility of providing further assistance to children at risk and the need to provide assistance to families from ethnic minorities with socioeconomic problems, thus addressing the root causes of poor educational performance, should be considered.

- Costa Rica, CRC, CRC/C/94 (2000) 37 at para. 234.

Concerns remain about the living conditions of children belonging to indigenous and ethnic minority groups. Concern is also expressed about the precarious situation of children belonging to Nicaraguan families illegally residing in the State party's territory. In the light of articles 2 and 30 of the Convention, effective measures should be taken to protect children belonging to indigenous and ethnic minority groups, as well as children of Nicaraguan families in irregular situations, against discrimination and to guarantee their enjoyment of all the rights recognized by the Convention on the Rights of the Child.

- The Former Yugoslav Republic of Macedonia, CRC, CRC/C/94 (2000) 45 at paras. 280-283, 292 and 293.

Paragraph 280

Recent increases in the enrolment of children in primary schools and other increases in secondary and university enrolment are noted. However, a significant proportion of school-aged children do not attend primary and, notably, secondary school. Specifically, the low proportion of girls in general, and children from the Roma minority in particular, who enrol in educational establishments at all levels is a concern. Concern is also expressed about the low numbers of children from all minority groups who enrol at the secondary school level.

Paragraph 281

The State party should pursue its efforts to increase the enrolment levels of all children from minorities in primary and secondary schools, with special attention to girls in general and children from the Roma minority in particular.

Paragraph 282

Concern is expressed that many primary and secondary schools are under-resourced and, in particular, that primary and secondary school education available in minority languages is of a lower standard than that available in the Macedonian language. The Committee further notes the inevitable effect of poor primary and secondary education in discouraging enrolment, raising the number of children who drop out and in limiting the numbers of children from minorities who are able to pass examinations leading to university education.

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Paragraph 283

With reference to articles 2 and 28 of the Convention on the Rights of the Child, and with a view to ensuring an equal standard of educational services in all schools, to encouraging increased enrolment, to discouraging children from dropping out and to increasing the numbers of children from minorities who follow higher education, it is recommended that the State party review the allocation of financial and other resources to all primary and secondary schools, with particular attention to raising the quality of education in minority language schools. The State party should consider increasing the numbers of hours of teaching of the Macedonian language in minority language schools, on a voluntary basis, with a view to ensuring that children who are minority language speakers are able to participate on a more equal level with Macedonian-speaking children at higher education levels at which entrance examinations and teaching are conducted primarily in the Macedonian language. The curricula in all schools should include a greater focus on the personal development and vocational training of students and on inter-ethnic tolerance.

Paragraph 292

While the State party's efforts to ensure equal enjoyment of rights for children from minority communities is recognized, concern remains that children from some minority populations, and the Roma in particular, do not enjoy full respect of their rights.

Paragraph 293

The State party is encouraged to continue its efforts to ensure the equal implementation of the Convention for all children and to make every effort to ensure that the children of minorities are able to benefit fully from the Convention's principles and provisions.

- Armenia, CRC, CRC/C/94 (2000) 53 at para. 338.

In line with the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.51), the Committee expresses its concern that the requirement for teaching in the Armenian language may in practice deny full access to education to ethnic and national minorities.

- South Africa, CRC, CRC/C/94 (2000) 81 at para. 454.

It is noted that domestic legislation guarantees the cultural, religious and linguistic rights of children, particularly as regards education and adoption procedures. That customary law and traditional practice continue to threaten the full realization of the rights guaranteed to children belonging to minority groups is a concern. All appropriate measures should be taken to ensure that the rights of children belonging to minority groups, including the Khoi-Khoi and San, are guaranteed, particularly those rights concerning culture, religion, language and access to information.

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- Islamic Republic of Iran, CRC, CRC/C/97 (2000) 8 at para. 44.

As noted by the Committee on the Elimination of Racial Discrimination (A/54/18, paras. 294-313), the Committee is concerned at the large disparities in the enjoyment of rights in provinces inhabited largely by persons belonging to ethnic minorities, especially in Sistan and Baluchestan, Lorestan, West Azarbaijan, Ardabil and Hormozgan.

- Cambodia, CRC, CRC/C/97 (2000) 64 at paras. 361, 362, 384 and 385.

Paragraph 361

It is of concern that the State party's Law on Nationality (1996) might lead to discrimination against children of non-Khmer origin and might, in violation of article 7 of the Convention, leave as stateless a large number of children born in Cambodia, such as children belonging to minority groups.

Paragraph 362

The Law on Nationality should be reviewed in light of the Convention with a view to eliminating all grounds of possible discrimination and eradicating and preventing children from being stateless.

Paragraph 384

While welcoming the current efforts being carried out by the State party, in cooperation with international agencies, to improve its educational system, concern is expressed about the fact that primary education is not compulsory; that although enrolment rates in primary school are relatively high, equal access to quality education is not ensured owing to a lack of schools in rural and remote areas; that there are gender disparities in school attendance; that there are high repetition and drop-out rates; and that a majority of children belonging to minority groups do not have access to any form of education.

Paragraph 385

The State party should continue to undertake effective measures to make primary education free and compulsory for all children; to increase the enrolment rates and decrease drop-out and repetition rates; to increase access to schools, in particular for poor children, girls, children belonging to minority groups and children living in remote areas.

- Finland, CRC, CRC/C/100 (2000) 8 at paras. 37 and 38.

Paragraph 37

It is noted that owing to the extensive decentralization of decision-making, administration and delivery of services in the State party, there is a significant delegation of powers from the central level

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to the municipalities. However, not all the municipalities provide the same level of social policies and services for the most vulnerable groups in society, in particular poor families, single-parent families, and disabled, refugee and minority children.

Paragraph 38

An evaluation should be undertaken on the implementation of all aspects of the Convention by municipal authorities and every effort should be made to ensure that the Convention is effectively implemented at the municipal level. An integrated monitoring system or mechanism should be established to ensure that children in all municipalities benefit to the same extent from basic social services.

- Central African Republic, CRC, CRC/C/100 (2000) 77 at paras. 425 and 426.

Paragraph 425

It is of concern that there is discrimination against children with disabilities and against minority populations, including Pygmies.

Paragraph 426

Action should be taken to end discrimination including, in particular, discrimination against girls, discriminatory customary practices and discrimination against children with disabilities and children from minority groups. The State party should address discrimination through improved implementation of national legislation prohibiting discrimination and through the sensitization of the population.

- Slovakia, CRC, CRC/C/100 (2000) 100 at paras. 590 and 591.

Paragraph 590

It is noted with concern that most Roma children attend special schools because of real or perceived language and cultural differences between the Roma and the majority; because the School Act does not offer instruction in the Roma language; and because of the negative, stereotypical description of the Roma and their children in general, but especially in the initial report.

Paragraph 591

Measures should be designed that are aimed at ensuring that Roma children have equal access to and opportunities to attend regular school with supportive education, if necessary. The State party should examine to what extent the current situation of the Roma language in the education system, with respect to both law and practice, meets the demands of the Roma population and their children and consider, as appropriate, further measures aimed at ensuring education or instruction in the Roma language, with reference to article 29 of the Convention. Teacher training in this language should

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be strengthened. In accordance with article 29 (c) of the Convention, the State party should ensure that the education system and the media in particular foster positive attitudes towards minorities and inter-cultural dialogue between the minorities and the majority, including children.

- Latvia, CRC, CRC/C/103 (2001) 9 at paras. 78 and 79.

Paragraph 78

It is of concern that the Education Law of 1998 foresees that, as of 2004, all State-funded schools will provide secondary education in Latvian only, while bilingual education will be available only until 9th grade.

Paragraph 79

The State party is encouraged to ensure that children belonging to minorities can also use their own language in secondary education, in accordance with articles 29 and 30 of the Convention.

- Ethiopia, CRC, CRC/C/103 (2001) 24 at paras. 146 and 147.

Paragraph 146

It is of concern that children and their families who are members of ethnic groups which are in a minority in a particular region, or which are not in control of the region's administration, face discrimination.

Paragraph 147

Appropriate additional efforts should be made to strengthen the implementation of the non-discrimination provisions of the Constitution, giving particular attention to the situation of children from ethnic groups which are a minority within a particular province, to girls, to children with disabilities and to discrimination against women.

- Saudi Arabia, CRC, CRC/C/103 (2001) 71 at para. 413.

The aims of education presented in the report do not adequately reflect the aims outlined under article 29 of the Convention. In particular, the development of and respect for human rights, tolerance and equality of the sexes and of religious and ethnic minorities are not explicitly included in the curricula.

- Denmark, CRC, CRC/C/108 (2001) 10 at paras. 58, 59, 64 and 65.

Paragraph 58

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De facto discrimination against and xenophobia directed at certain groups of children, especially children belonging to ethnic minorities, refugee and asylum-seeking children, children belonging to migrant families, children with disabilities and those belonging to socially and economically disadvantaged families, continues to be of concern, including within the education system.

Paragraph 59

In light of article 2 and other related articles of the Convention, the State party should strengthen its measures, including through the Board for Ethnic Equality by, *inter alia*, organizing ongoing awareness raising campaigns to change attitudes and to eliminate *de facto* discrimination against and xenophobia directed at minority groups, especially children belonging to migrant families, refugee children, children with disabilities, and children belonging to socially and economically disadvantaged families.

Paragraph 64

While it is noted that financial and special assistance programmes for single parents have been established, including at the municipal level, concern remains regarding the vulnerability of children belonging to single-parent families. Concern is also expressed about the situation of children belonging to ethnic minority families.

Paragraph 65

The strengthening of programmes and initiatives in support of single parent and ethnic minority families is recommended.

- Turkey, CRC, CRC/C/108 (2001) 18 at paras. 90-92, 109 and 110.

Paragraph 90

The State party's narrow interpretation of the definition of minority is impeding some groups' enjoyment of human rights protected under the Convention.

Paragraph 91

The reservations to articles 17, 29 and 30 of the Convention are noted with concern. It is also noted that, in some cases, in particular in the fields of education and freedom of expression and the right to enjoy one's own culture and use one's own language, these reservations may have a negative impact on children belonging to ethnic groups which are not recognized as minorities under the Treaty of Lausanne of 1923, in particular children of Kurdish origin.

Paragraph 92

The State party is encouraged to consider withdrawing its reservations to articles 17, 29 and 30 of the Convention.

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Paragraph 109

It is of concern that the principle of non-discrimination (art. 2) is not fully implemented for children belonging to minorities not recognized under the Treaty of Lausanne of 1923, in particular children of Kurdish origin; children with disabilities; children born out of wedlock; girls; refugee and asylum-seeking children; children who are internally displaced; and children living in the south-eastern region and in rural areas, especially with regard to their access to adequate health and educational facilities.

Paragraph 110

Appropriate measures should be taken to prevent and combat discrimination. The collection of appropriate disaggregated data is also recommended in order to enable monitoring of discrimination against all children, in particular those belonging to the above-mentioned vulnerable groups, with a view to developing comprehensive strategies aimed at ending all forms of discrimination.

- Côte d'Ivoire, CRC, CRC/C/108 (2001) 59 at paras. 309 and 310.

Paragraph 309

While noting that discrimination is prohibited under the Constitution, the persistence of discrimination in the country is of concern. Of particular concern is the occurrence of discrimination against non-citizen children, children with disabilities, children born out of wedlock, children from ethnic minorities, Muslim children, and girls; particularly the low participation rate of girls in education.

Paragraph 310

In light of article 2 of the Convention, concerted efforts should be made at all levels to address discrimination, notably discrimination based on gender, disability, religion, and national, ethnic or social origin, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups. The State party should also ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.

See also:

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 52 and 53.

- Bhutan, CRC, CRC/C/108 (2001) 85 at para. 473.

Taking due regard of the Committee's General Comment No. 1 on the aims of education, the State party should include human rights education in the curricula, particularly with respect to the development and respect for human rights, tolerance, and equality of the sexes and of religious and

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ethnic minorities and should seek assistance from UNICEF and UNESCO in this regard.