

EQUALITY AND DISCRIMINATION - MINORITY RIGHTS

IV. CONCLUDING OBSERVATIONS, CONTINUED

CERD

- Austria, CERD, A/57/18 (2002) 15 at paras. 26 and 32.

26. The Committee...notes with approval the efforts undertaken by the State party to safeguard linguistic diversity in the country, including the adoption of bilingual topographical signs in areas inhabited by Croat and Hungarian minorities.

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32. The Committee is concerned about the significant number of allegations which have been brought to its attention which reflect the existence of racist and xenophobic attitudes among some sections of the population. It is further concerned about allegations of racist incidents involving police officers and other State employees. In the light of general recommendation XIX, the Committee encourages the State party to continue to monitor all tendencies which may give rise to racial or ethnic segregation and to endeavour to combat the negative consequences of such tendencies. The Committee further recommends that the State party strengthen existing educational measures for civil servants who deal with issues involving foreigners. Efforts should be made to recruit more members of minority groups into the public administration, in particular law enforcement.

- Belgium, CERD, A/57/18 (2002) 17 at paras. 46, 53, 55 and 57.

46. The Committee...welcomes the election of a body representing the Muslim communities with the view to maintaining and developing dialogue with the public authorities in Belgium.

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53. Concern was...expressed about several cases of racist incidents in police stations involving law enforcement officials, where the victims were immigrants and asylum seekers. The Committee is also concerned about reports that children belonging to ethnic minority groups have experienced verbal violence. The Committee recommends that State party take all necessary measures to prosecute racially motivated acts of violence by law enforcement officials and to prevent such verbal offences acts against members of minority groups, and continue its efforts to promote intercultural tolerance, understanding and respect.

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55. The Committee is concerned about the difficulties of access to employment and housing of members of ethnic minorities. The Committee recommends that the State party take all necessary measures to facilitate the occupational integration, in both the public and private sectors, and the access to housing, of persons belonging to ethnic minorities...

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57. While noting the satisfactory measures taken in the State party, especially by the Centre for Equal Opportunity and the Struggle against Racism, following the events of 11

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September 2001 in the United States, in order to promote tolerance between religious communities, the Committee regrets occurrences of racial acts against persons belonging to ethnic minorities, especially those of Muslim faith...

- Costa Rica, CERD, A/57/18 (2002) 21 at paras. 77, 80 and 81.

77. The Committee expresses concern at alleged manifestations in the media of racism, xenophobia and intolerance against minority groups. The State party should support the adoption of a code of ethics for the media.

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80. While commending the efficiency and credibility of the Costa Rican judicial system, the Committee expresses concern at information concerning the lack of equal access to the courts, particularly by minority and ethnic groups. The Committee encourages the State party to continue to make efforts to ensure *de facto* equal access to the courts to all persons, including members of minority and ethnic groups.

81. The Committee is also concerned about the lack of representation of minorities at the judicial and governmental levels. The Committee recommends that the State party undertake affirmative action to ensure such minority representation.

- Croatia, CERD, A/57/18 (2002) 24 at paras. 91, 94-97, 99, 100 and 102.

91. The Committee welcomes the efforts of the State party to introduce legislative reform in accordance with international standards, and to establish institutions, programmes and policies to promote equality. In particular, the Committee welcomes the adoption of the Associations Act, the establishment of the Office for Human Rights, the elaboration of a project of education aimed at achieving equality for minorities and promoting multiculturalism, the implementation of programmes of human rights education within the school environment, and the introduction of human rights training for police officers and judges.

...

94. The Committee reiterates its concern about the lack of clarity as to the various definitions used in the report and in domestic legislation to describe ethnic and national minorities. The Committee is concerned that the recent withdrawal of the draft Constitutional Law on the Rights of National Minorities will create further delays in legislative protection for such minorities. The Committee...encourages the State party to finalize the Constitutional Law on the Rights of National Minorities in conformity with international standards...

95. It is noted that statistical data provided in the State party report are based on the 1991

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census and that the results of the census of 2001 are still pending. The Committee is concerned that the delay in the publication of the results may create distrust among communities and has presented some difficulties for the Committee in undertaking effective analysis of issues affecting minorities. The Committee strongly encourages the State party to finalize and publish the general population census conducted in 2001 in order *inter alia*, to implement provisions of the law affecting political representation as well as to ensure, as necessary, special protection and benefits for ethnic minorities...

96. With respect to article 2 of the Convention, the Committee remains concerned about the limited representation of minorities in the Croatian Parliament. While it is noted that the Act on Election of Representatives to the Croatian State Parliament provides for proportional representation of minorities, the Committee is concerned that not all minority groups are included in this process while others are underrepresented. In particular, it is noted that Bosnians are not included in the list of minorities who may exercise the right to be represented in Parliament. It is recommended that the State party take further measures to ensure fair and adequate representation of all groups of minorities in the Croatian Parliament...

97. The Committee expresses concern at the continued practice of segregation of Roma children within the educational system and at the reports of discrimination against the Roma regarding access to employment, health, political representation and citizenship rights. The Committee recommends that the State party pay particular attention to the situation of the Roma and take effective measures to prevent the segregation of Roma children within the educational system. The Committee further recommends that the State party strengthen its efforts to address the high drop-out and poor performance rates of Roma children and guarantee non-discrimination, especially as regards respect for their cultural identity, language and values. The Committee also encourages the State party to reinforce its efforts to train and recruit Roma teachers and to prevent discrimination against the Roma in access to employment, health, political representation and citizenship rights.

...

99. While noting the challenges confronted by the State party in meeting the needs of large numbers of refugees, returnees and displaced persons, the Committee is concerned that return is still hindered by legal and administrative impediments and hostile attitudes adopted by some central and local officials. In this regard, concern is further expressed about allegations of inconsistency and lack of transparency in the National Programme for Return. The Committee is particularly concerned about the insufficient efforts of the State party to prevent discrimination against minorities, especially Croatian Serbs, in addressing issues of restitution of property, tenancy and occupancy rights, reconstruction assistance, as well as the inter-related issues of residency and citizenship rights. The Committee recommends that the State party introduce further measures to ensure fairness, consistency and transparency in the National Programme for Return. Further, the State party is strongly urged to take effective measures to prevent discrimination, especially against Croatian Serbs, particularly

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as regards the restitution of their property, tenancy and occupancy rights, access to reconstruction assistance and rights to residency and citizenship...The Committee draws the attention of the State party to its general recommendation XXII concerning the rights of refugees and displaced persons.

100. With respect to article 5 of the Convention, the Committee restates its concern regarding inconsistency between articles 8 and 16 of the Croatian Law on Citizenship, which appears to establish different criteria in granting citizenship to ethnic Croats as compared to other nationalities in Croatia. Concern is expressed that many former long-term residents of Croatia, particularly persons of Serb origin and other minorities, have been unable to regain residency status despite their pre-conflict attachment to Croatia. With respect to the acquisition of citizenship, the Committee again strongly urges that the State party undertake measures to ensure that all provisions of the Croatian Law on Citizenship are in conformity with article 5 of the Convention, and that the law is implemented in a non-discriminatory manner. The Committee also recommends that measures be taken to ensure that former long-term residents of Croatia are able to reclaim their status as citizens and/or residents on a non-discriminatory basis.

...

102. While noting the efforts of the State party to introduce training for the police and judges, the Committee is concerned about the sufficiency of efforts to raise public awareness about the Convention, promote tolerance and discourage prejudice against certain minorities. The Committee recommends that the State party strengthen its efforts to familiarize the public with the Convention, in order to reduce the level of prejudice against certain minorities, and to promote tolerance. In this regard, the State party should reinforce its efforts to provide instruction on international human rights standards in all schools and organize training programmes for persons engaged in the administration of justice, including judges, lawyers and law enforcement officials.

- Denmark, CERD, A/57/18 (2002) 27 at paras. 111 and 117-119.

111. The Committee welcomes the improvement of employment opportunities for minorities and refugees in the public sector, the creation of integration councils to ensure ongoing integration efforts, and the relative success in procuring housing for refugees, in line with article 5 of the Convention.

...

117. The Committee is concerned that policies and practices such as the housing dispersal policy, the quota system for the admission of minority children to certain crèches and nurseries, and the reported prohibition of the use of the mother tongue in some of these establishments may, though aimed at facilitating integration, lead to indirect discrimination against minorities and refugees...

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118. The Committee commends the State party for having invested in its human rights institutions and in a number of non-governmental organizations, which have promoted human rights and served the needs of minority groups, but is concerned by plans to reduce the level of funds and the potential impact this would have on the NGOs concerned. In light of the recommendations of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to strengthen human rights national institutions and NGOs, the Committee urges the State party to ensure that the organizational restructuring of the Board of Ethnic Equality and the Centre for Human Rights will strengthen the overall work on human rights and in particular the protection of the rights of ethnic minorities...

119. While acknowledging the information provided in the report regarding article 5 of the Convention, the Committee reiterates that equal attention should be paid to economic, social and cultural rights, particularly with respect to minorities. The Committee is concerned about the impact of the recent (May 2000) amendments to the Aliens Act, particularly as they abolish the statutory right to reunification of spouses under the age of 25 years. The Committee encourages the State party to take effective measures to ensure that the right to family life is guaranteed to all persons in Denmark without distinction...

- Jamaica, CERD, A/57/18 (2002) 30 at para. 135.

135. The Committee expresses concern about the limited information, including relevant demographic statistical data, provided in the State party report. While noting the State party's statement that it does not compile data based on race and ethnicity, the Committee recalls the importance of data, which enables it to assess the situation of minorities in a given state. In this regard, it urges the State party to reconsider its position...

- Lithuania, CERD, A/57/18 (2002) 35 at paras. 164 and 173.

164. The Committee welcomes the efforts made by the State party to respect, protect and promote the realization of the cultural rights of persons belonging to national minorities. In particular, the Committee welcomes the State party's willingness to protect the expression of a diversity of identities, while at the same time enhancing the integration of all within society and the realization of the right of each person to participate and contribute to cultural and social life.

...

173. The Committee notes with concern that, despite the adoption of a programme for the integration of the Roma into Lithuanian society for 2000-2004, the Roma experience difficulties in enjoying their fundamental rights in the fields of housing, health, employment and education, and are the subject of prejudicial attitudes. In this regard, the Committee wishes to draw the attention of the State party to general recommendation XXVII on

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discrimination against Roma...

- Republic of Moldova, CERD, A/57/18 (2002) 41 at paras. 214, 216, 220, 222, 225 and 226.

214. The Committee welcomes the decrees which the State party has adopted with the purpose of ensuring the functioning and development of languages of ethnic minorities and the development of the national culture of minorities, including Ukrainian, Russian, Jewish and Bulgarian groups. The Committee commends that the State party continue its efforts aimed at facilitating access to education in their mother tongue for members of minorities.

...

216. The Committee notes with satisfaction the efforts undertaken by the State party to implement human rights education programmes, including those intended for law enforcement officials. The Committee further notes the efforts undertaken by the State party to disseminate information on human rights and, in particular, the rights of minorities in its territory.

...

220. With regard to the constitutional and legal provisions aimed at the protection of the rights of persons belonging to ethnic minority groups, the Committee recommends that the State party take measures to guarantee more fully for ethnic minority groups, economic, social and cultural rights, as defined in article 5 (e) of the Convention, including the rights to work and to adequate housing...

...

222. With regard to article 7 of the Convention, the Committee recommends that the State party continue and extend its educational and cultural programmes in order to raise public awareness of issues of racism and racial discrimination...The Committee also recommends that the State party ensure that minorities and ethnic groups in its territory receive information and education in their respective languages.

...

225. The Committee is concerned at reports of police violence against persons belonging to minority groups, in particular the Roma population. The Committee recommends that the State party take all necessary measures to prevent and punish excessive use of force by law enforcement officials against minorities. Steps should also be taken for the education and sensitization of law enforcement officials about the provisions of the Convention. Due account should be taken of general recommendation XIII, according to which law enforcement officials should receive training to ensure that, in the performance of their duties, they respect and protect the human rights of all persons without distinction as to race, colour, or national or ethnic origin.

226. The Committee expresses its concern about reports that minorities experience discrimination in the areas of employment, housing, education and health care. It is also concerned at reports that the Roma population is sometimes denied access to, and service

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in, places intended for the general public. The Committee recommends that the State party undertake effective measures to eradicate practices of discrimination against minorities and, in particular, the Roma population...

- Saint Vincent and the Grenadines, CERD, A/57/18 (2002) 45 at para. 239.

239. The Committee reiterates its concern that the initial report of St. Vincent and the Grenadines did not comply with the requirements of article 9 of the Convention as it consisted of a single paragraph asserting that there was no form of racial discrimination practised in the country and that protection from such discrimination was provided in the basic clauses of the Constitution. In this connection, the Committee takes note of reports regarding the human rights situation in St. Vincent and the Grenadines, including alleged discrimination against certain minorities such as the Amerindians and Asians. Reports further indicate that these groups are over represented at the lower-income levels of the State economy and that members of some minorities consider that they have been discriminated against by the majority.

- Switzerland, CERD, A/57/18 (2002) 46 at para. 253.

253. Allegations of police abuse and excessive use of force against persons of foreign origin during arrest or in the course of deportations are...of concern. The Committee notes that many cantons do not have independent mechanisms for investigation of complaints regarding violence and abuse by the police, and that sanctions against responsible officers have been rare. The State party should ensure that independent bodies with authority to investigate complaints against police officers are established in all cantons. Efforts should also be made to recruit members of minority groups into the police and to provide sensitization and training of police officers on issues of racial discrimination.

- Turkmenistan, CERD, A/57/18 (2002) 49 at paras. 263 and 264.

263. The Committee expresses deep concern about grave allegations of human rights violations in Turkmenistan, both in civil and political, as well as social, economical and cultural domains...

264. In particular, the Committee is concerned about alleged discrimination affecting persons belonging to minorities in the fields of employment and education, as well as with respect to the freedom of thought, conscience and religion. The Committee received information alleging that the State party's present policy of promotion of Turkmen identity leads to discrimination against persons not of Turkmen ethnicity.

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- Armenia, CERD, A/57/18 (2002) 50 at paras. 275, 277, 278, 280 and 281.

275. The Committee is concerned about the view expressed in the State party report that Armenia is a mono-ethnic State, and the inconsistency of this notion with the existence of several national and ethnic minorities, although they are not very numerous. While welcoming the background information provided on each national and ethnic group, the Committee recommends that the State party carefully analyze the situation and reflect the reality...

...

277. ...The Committee reminds the State party that the absence of complaints and legal action by victims of racial discrimination could possibly be an indication of a lack of awareness of available legal remedies. The State party is requested to supply the relevant provisions in the national legislation and to inform the public of the availability of all legal remedies. The Committee is concerned that no reply was received from the delegation with regard to allegations of discrimination against Yezidis by police and local authorities and lack of response by police to crimes committed against this minority by other citizens...

278. The Committee expresses its concern at the lack of representation of ethnic and national minorities in the National Assembly. It recommends that the State party take the necessary steps to secure their due representation of minorities in the National Assembly...

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280. While noting the adoption in 1999 of the Education Act, guaranteeing the right to education without discrimination, the Committee remains concerned about inadequate access by minority children to education in their mother tongue and reiterates its recommendation that the State party take measures to ensure, wherever possible, such access.

281. The Committee encourages the Government to allocate resources to facilitate publications and broadcasting in minority languages. It welcomes the statement by the delegation that a special budget is to be established for that purpose.

- Botswana, CERD, A/57/18 (2002) 53 at paras. 303 and 305.

303. The Committee notes with concern that, in spite of the significant economic growth achieved in Botswana, 47 per cent of the population remain below the poverty line and that no special and concrete measures have been taken to ensure the adequate development and protection of marginalized ethnic groups. The Committee recommends that the State party identify further the specific needs of persons belonging to minorities and indigenous peoples and adopt special measures to enhance the equal enjoyment of human rights among the various sectors of the population.

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305. The Committee notes that the cultural and linguistic rights of the Basarwa/San are not fully respected, especially in educational curricula and in terms of access to the media. The Committee recommends that the State party fully recognize and respect the culture, history, languages and way of life of its various ethnic groups as an enrichment of the State's cultural identity and adopt measures to protect and support minority languages, in particular within education.

- Canada, CERD, A/57/18 (2002) 56 at paras. 323, 328, 334 and 338.

323. The Committee welcomes the extension of the scope of the Employment Equity Act to the federal public service and the Canadian Forces, and notes with satisfaction the progress achieved regarding the representation of Aboriginals and minorities in the federal public service.

...
328. The Committee reiterates its concern about references to "visible minorities" in Canadian anti-discrimination policy, since this term, which basically refers to non-white persons, does not appear to cover fully the scope of article 1 of the Convention.

...
334. The Committee is concerned with the high number of incidents of discrimination targeting Aboriginals and people belonging to minorities in the field of employment...

...
338. The Committee notes with concern that, in the aftermath of the events of 11 September 2001, Muslims and Arabs have suffered from increased racial hatred, violence and discrimination. The Committee therefore welcomes the statement of the Prime Minister in the Ottawa Central Mosque condemning any acts of intolerance and hatred against Muslims, as well as the reinforcement of Canadian legislation to address hate speech and violence. In this connection, the Committee requests the State party to ensure that the application of the Anti-terrorism Act does not lead to negative consequences for ethnic and religious groups, migrants, asylum-seekers and refugees, in particular as a result of racial profiling.

- Estonia, CERD, A/57/18 (2002) 60 at paras. 348, 355-357 and 365.

348. The Committee appreciates the increasing debate about and recognition of the multicultural nature of society in the State party. In this regard, the Committee welcomes the progressive implementation of the State programme "Integration in Estonian Society 2000-2007", aiming at furthering the integration of minorities at the socio-economic level, and appreciates the improved public access to the reports and preliminary results of the programme, including through the web site of the Ministry for Foreign Affairs.

...
355. The Committee remains concerned by the restrictive definition of national minorities

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contained in the 1993 National Minorities Cultural Autonomy Act. The Committee reiterates that such a narrow definition may limit the scope of the State integration programme and have the effect of transforming a policy of integration into a policy of assimilation.

356. The Committee is concerned by the scope of language requirements in the Language Law in relation to employment, particularly in the private sector, and is of the opinion that they could lead to discrimination against minorities in violation of article 5 of the Convention...

357. The Committee remains concerned by the situation of the Russian minority residing in Estonia, *inter alia* in relation to issues under article 5 of the Convention, especially economic, social, and cultural rights, including the right to employment, health care, and education. The Committee is particularly concerned about double discrimination against women based on gender and on national or ethnic origin.

...

365. The Committee recommends that the State party's reports be made readily available to the public from the time they are submitted and that the Committee's observations on them be similarly publicized in Estonian and in languages of national minorities.

- Hungary, CERD, A/57/18 (2002) 63 at paras. 370, 371, 373-375, 378, 379 and 381-385.

370. The Committee reiterates, in particular, its satisfaction with the promulgation and implementation of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities, which recognizes 13 minorities and provides them with a degree of cultural autonomy, as well as a wide range of educational and linguistic rights, and sets up a system of minority self-governments.

371. The Committee also welcomes the introduction of new provisions into the Criminal Code through Act XVII of 1996, in particular article 174/B penalizing violence against members of national, ethnic or racial minorities and religious groups. The Committee notes the positive elements incorporated in Law Decree No.11 of 1997 modernizing certain provisions of the Rules on the Enforcement of Punishment, with a view to prohibiting discrimination among convicted persons and ensuring basic rights of foreign convicted persons, and in Act CX of 1999 amending the Code of Civil Procedure so as to reinforce the principle that no one shall be discriminated against because of lack of knowledge of the Hungarian language.

...

373. The Committee commends the activities of the Parliamentary Commissioner for National and Ethnic Minority Rights and of the Parliamentary Commissioner for Civil Rights and takes note with appreciation of the recent establishment and activities of many other human rights institutions and administrative bodies, in particular for promoting the

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rights and interests of Roma.

374. While noting the above efforts, the Committee expresses concern at persisting intolerance and discrimination especially in relation to the Roma minority, as well as at xenophobic manifestations against immigrants, refugees and asylum seekers.

375. Noting that the Government of Hungary is working on a comprehensive anti-discrimination law, the Committee encourages the State party to complete its efforts as soon as possible, taking into account the United Nations Model National Legislation for the Guidance of Governments in the Enactment of Further Legislation against Racial Discrimination, as well as the Committee's general recommendations, in particular general recommendation XXVII concerning discrimination against Roma.

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378. The Committee is concerned about the number of allegations of ill-treatment and discrimination against the Roma and non-citizens by law enforcement officials, especially the police. The Committee notes that the "Medium-Term Package of Measures to Improve the Living Conditions and Social Position of the Roma Population", as revised, contains a section on police behaviour in connection with members of the Roma minority. The Committee is aware, however, that the above practices have not ceased.

379. The Committee recommends that the State party intensify its efforts to combat ill treatment of Roma and non-citizens by the police, especially through the strict application of relevant legislation and regulations providing for sanctions, adequate training and instructions to be given to law enforcement bodies and the sensitization of the judiciary. The State party should also consider recruiting more members of minority groups, especially of the Roma minority, to serve in law enforcement bodies and strengthening the existing legal aid system for alleged victims, as well as empowering parliamentary commissioners to investigate allegations of ill-treatment and discrimination by the police.

...

381. The Committee expresses concern at the fact that minorities are under-represented in Parliament. The Committee appreciates the fact that the State party is considering amending existing legislation so as to ensure better parliamentary representation of minorities and encourages it to proceed in this direction.

382. The Committee notes that, notwithstanding the measures provided for in the "Medium-Term Package of Measures", the drop-out rates among Roma students remain high, especially in secondary education and even more so at university level. The Committee strongly recommends that the State party reconsider its policy of assigning Roma children to schools and classes for the mentally disabled. The Committee is also concerned about discriminatory practices resulting from the system of separate classes for Roma students and from private schooling arrangements. While noting that the State party intends to improve the education of Roma, the Committee further recommends that new programmes integrate

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Roma children into mainstream schools, as far as possible, in order to avoid discrimination.

383. The Committee is concerned at the proportionately higher unemployment rate among the Roma population. The Committee recommends that the State party strictly apply existing anti-discriminatory provisions in that field and ensure in particular that Roma have fair access to professional training programmes and to professional activities.

384. The Committee is concerned that the Roma population is disproportionately subjected to discrimination in respect of housing and, in particular, to forced evictions. The Committee recommends that the State party take further positive measures to effectively address the issue of discrimination with regard to housing.

385. The Committee expresses concern about discriminatory practices against persons belonging to the Roma minority in respect of access to public places such as restaurants, bars and cafés. The Committee recommends that the State party continue to intensify its efforts to combat such behaviour and raise the awareness of the population about all aspects of racial discrimination.

- New Zealand, CERD, A/57/18 (2002) 69 at para. 415, 416, 422 and 424.

415. The Committee welcomes the information that the “fiscal envelope” policy, which limited both the total funds available for the settlement of claims with Maori and for the settlement of all historical claims, was abandoned in 1996 in favour of a programme of “fair and equitable” settlements. The Committee is encouraged by the progress that has since been made on the settlements of historical Maori grievances and claims with individual *iwi* (tribes), including components of financial compensation and formal apology on behalf of the Crown.

416. The Committee welcomes acknowledgement of the disadvantaged position in society of minorities, especially Maori, and accordingly appreciates the large number of initiatives, programmes and projects in the areas of health, education, employment, social welfare, housing, language and culture, and correction services, which are designed to address the specific needs of Maori, Pacific Island people and persons from other groups such as refugees and ethnic minorities.

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422. While noting the programmes and projects initiated by the State party...the Committee remains concerned about the continuing disadvantages that Maori, Pacific Island people and other ethnic communities face in the enjoyment of social and economic rights, such as the rights to employment, housing, social welfare, and health care. The State party is invited to devote priority attention to this issue and to continue to encourage active and effective participation by Maori in the search for solutions such as the Maori Mental Health Strategic

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Framework adopted in May 2002, with a view to further reducing these disadvantages.

...

424. While noting the measures that have been taken by the State party to reduce the incidence and causes of crime within the Maori and Pacific Island communities, the Committee remains concerned at the disproportionately high representation of Maori and Pacific Islanders in correctional facilities. The State party is invited to ensure appropriate funding for the measures envisaged or already initiated to address the problem.

- Senegal, CERD, A/57/18 (2002) 72 at para. 444.

444. The Committee recommends that the State party supplement its legislation in order to give effect to article 4 of the Convention, bearing in mind the Committee's general recommendation XV, which is relevant in this context.

- Yemen, CERD, A/57/18 (2002) 74 at para. 464.

464. The Committee notes the information given by the delegation regarding the conditions governing the acquisition of Yemeni nationality. The Committee recommends that the State party take effective measures to ensure the right to acquire nationality for non-citizens, including for non-Muslims and children of mixed couples, without any discrimination.

- Côte d'Ivoire, CERD, A/58/18 (2003) 19 at para. 32.

32. The Committee notes with concern that the misinterpretation of election laws has given rise to tensions between ethnic and religious groups and recommends that these laws be reviewed in the light of the provisions of the Convention relating to the right of all citizens to take part in the country's political life.

- Ecuador, CERD, A/58/18 (2003) 22 at paras. 49, 57,59, 61 and 63.

49. The Committee notes with satisfaction that the 1998 Constitution, as well as other legal provisions, guarantee special measures of protection for indigenous and Afro-Ecuadorian people and criminalize racial discrimination against these and other ethnic minorities...

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57. The Committee notes that, despite constitutional and legal guarantees, indigenous and Afro-Ecuadorian people, as well as members of other ethnic minorities are, *de facto*, still

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discriminated against. It urges the State party to ensure the practical application of the constitutional and legal provisions which outlaw racial discrimination and to guarantee special protection measures in favour of indigenous and Afro-Ecuadorian people, as well as members of other ethnic minorities, in particular through the national courts and other competent bodies such as the Ombudsman.

...

59. While welcoming the sincerity with which the State party recognizes the existence of *de facto* discrimination against indigenous people, Afro-Ecuadorians and members of other minorities, the Committee is concerned that a disproportionately high percentage of persons belonging to ethnic minority groups often do not enjoy equal access to the labour market, land and means of agricultural production, health services, education and other facilities and, accordingly, a disproportionately high percentage of members of these groups live in poverty. The Committee urges the State party to intensify its efforts to raise the living standards of these groups, with a view to ensuring their full enjoyment of the economic, social and cultural rights enumerated in article 5 of the Convention...

...

61. The Committee notes that women belonging to ethnic minorities are subject to double discrimination, based on their ethnic origin as well as their gender...In formulating the action plan on the rights of women, the State party should address the problem of double discrimination against women belonging to ethnic minorities as well as their lack of political representation in Ecuador, in line with the Committee's General Recommendation XXV on gender-related dimensions of racial discrimination.

...

63. The Committee is concerned about the lack of confidence on the part of members of ethnic minorities in the Ecuadorian judicial system. The State party is requested to report on the causes of this lack of confidence, and on whether the current reform of the judicial system has made it more efficient and more easily accessible for the poor.

- Fiji, CERD, A/58/18 (2003) 25 at paras. 75, 83-87, 90 and 92.

75. The Committee notes the State party's intention to promote stability in the multi-ethnic and multicultural Fijian society, to restore and rebuild confidence among its citizens and communities and to strengthen the foundation for economic growth and prosperity for all in Fiji. It welcomes the creation of a Ministry of Reconciliation to help unite all Fijians.

...

83. The Committee is deeply concerned that section 99 of the 1997 Constitution, which ensures power-sharing between ethnic communities through the creation of a multiparty Cabinet, is not currently being implemented. The Committee welcomes, however, the assurances given by the State party that it will comply with the Supreme Court ruling to be issued later this year on this matter.

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84. The Committee welcomes the commitment of the State party to ensure the social and economic development as well as the right to cultural identity of the indigenous Fijian community. None of these programmes, however, should abrogate or diminish the enjoyment of human rights for all, which can be limited solely in accordance with the rules and criteria established under international human rights law. In this regard, the Committee strongly urges the State party to ensure that the affirmative action measures it adopts to pursue the above objectives are necessary in a democratic society, respect the principle of fairness, and are grounded in a realistic appraisal of the situation of indigenous Fijians as well as other communities. The Committee further recommends that the State party guarantee that the special measures adopted to ensure the adequate development and protection of certain ethnic groups and their members in no case lead to the maintenance of unequal or separate rights for different ethnic groups after the objectives for which they were taken have been achieved (article 1, paragraph 4, and article 2, paragraph 2, of the Convention).

85. The Committee notes that despite reports that levels of poverty among all Fijian nationals, including Indo-Fijians and Banabans, have worsened over the years, the State party's affirmative action programmes, as adopted under the Social Justice Act of 2001 and the 50/50 by year 2020 plan, mainly target indigenous Fijians and Rotumans. The Committee strongly recommends that the State party ensure that its poverty alleviation programmes benefit all poor Fijian citizens, irrespective of their ethnic origin, to avoid undue stress on already strained ethnic relations. It also recommends that the adoption of any affirmative action programme be preceded by consultations involving all ethnic communities.

86. The Committee is concerned about current perceptions amongst some Fijians that the State party is not paying enough attention to the issue of reconciling the different population groups in Fiji. It encourages the State party to explicitly promote a national identity that unites rather than divides indigenous and Indo-Fijians, as well as other communities, and to include this objective in its development plans.

87. The Committee expresses concern about the underrepresentation of Indo-Fijians and other ethnic minorities in the police, the army and other public services in general, and recommends that specific programmes be adopted to ensure appropriate representation of all ethnic communities in these services...

...

90. The Committee is concerned that, according to some information, hate speech and assertions of the supremacy of indigenous Fijians occur regularly. The Committee recommends that the State party adopt all necessary measures to put an end to the dissemination of doctrines of superiority based on ethnic origin, which are socially unjust and dangerous, as well as in breach of the Convention...

...

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92. The Committee is concerned about information relating to racist attacks and acts of religious intolerance against Indo-Fijians, in particular during the 1987 and 2000 coups...

- Ghana, CERD, A/58/18 (2003) 30 at para. 107.

107. The Committee appreciates the approach adopted by the State party that seeks to respect the customs and traditions of various ethnic groups on its territory, while at the same time enhancing the enjoyment of human rights for all. It further notes that, under article 26 of the Constitution, which protects cultural rights, customary practices which dehumanize or are injurious to the physical and mental well-being of a person are prohibited.

- Morocco, CERD, A/58/18 (2003) 33 at paras. 135 and 142-145.

135. The Committee notes with satisfaction the increased attention being paid to the Amazigh culture, as illustrated by the establishment by His Majesty King Mohammed VI of the Royal Institute of Amazigh Culture on 17 October 2001.

...

142. The Committee invites the State party to review the situation of the Amazigh, in keeping with international human rights agreements, so as to ensure that members of the Amazigh community can exercise their rights to their own culture, the use of their own language, and the preservation and development of their own identity.

143. While noting the replies provided by the delegation, the Committee requests the State party to take appropriate steps to put an end to the administrative practice of prohibiting the entering of Amazigh first names in the civil register.

144. The Committee is concerned at reports that members of Amazigh associations have suffered violations of the right to freedom of assembly and association.

145. The Committee also recommends that more programmes in Amazigh be included in the public broadcast media.

- Poland, CERD, A/58/18 (2003) 35 at paras. 155, 160, 162 and 163.

155. The Committee welcomes the establishment of the Committee for National and Ethnic Minorities in the parliament (Sejm) in August 1999, as well as ongoing efforts to draft a comprehensive law on the protection of national minorities.

...

160. The Committee is concerned about reports of racially motivated harassment and

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discrimination against Jews, Roma and persons of African and Asian origin which have not been properly investigated by the law enforcement agencies. The Committee recommends that the State party intensify its efforts to combat and punish all such cases, especially through the strict application of relevant legislation and regulations providing for sanctions. It further recommends that law enforcement bodies be given adequate training and instructions on how to address complaints of racially motivated crimes and that similar training be provided to the judiciary.

...

162. The Committee welcomes the State party's efforts to implement the comprehensive programme to guarantee the rights of the Roma population in the Malopolska region and encourages the State party to extend the programme to other regions of the country, taking into account general recommendation XXVII (57) of 16 August 2000 concerning discrimination against Roma. It further recommends that the State party pay particular attention to the rights to housing and to employment of the Roma population...

163. The Committee notes efforts to meet the specific educational needs of Roma children, but is concerned that in some cases these efforts have led to segregated classes having a lower standard of education than the Polish counterparts. The Committee recommends that new programmes integrate Roma children into mainstream schools as far as possible, in order to avoid discrimination, and that the State party recruit more teachers and teaching assistants from the Roma minority...

- Russian Federation, CERD, A/58/18 (2003) 38 at paras. 176, 181, 183, 192, 193 and 195.

176. The Committee welcomes the State party's ratification in 2001 of the Council of Europe Framework Convention for the Protection of National Minorities.

...

181. The Committee is concerned at reports of racially selective inspections and identity checks targeting members of specific minorities, including those from the Caucasus and Central Asia and Roma. The Committee recommends that the State party take immediate steps to stop the practice of arbitrary identity checks by law enforcement authorities. These steps should include the education and sensitization of police and law enforcement personnel to ensure that, in the performance of their duties, they respect and protect the human rights of all persons without distinction as to race, colour, or national or ethnic origin.

...

183. The Committee is concerned about consistent reports of discrimination against Meskhetians in Krasnodar Krai, including arbitrary denial of residence registration and of formal recognition of citizenship. The Committee urges the State party to ensure that the Meskhetians in Krasnodar Krai, who arrived in the Russian Federation in 1989-1991, are given residence registration and enjoy the rights and benefits of citizenship. Also, the Committee urges the State party to ensure that the local authorities do not pressure

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Meskhetyans to resettle outside Krasnodar Krai.

...

192. While acknowledging the efforts made to confront the scourge of terrorism, the Committee is concerned about reports that members of particular groups, notably Chechens, are singled out by law enforcement officials. In this regard, the Committee draws the State party's attention to its statement of 8 March 2002 in which the Committee underlines the obligation of States to "ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent, or national or ethnic origin" (A/57/18, chap. XI, sect. C, para. 5).

193. The Committee is concerned about reports that racist materials targeting minority groups and perpetuating negative stereotypes are disseminated in the national media. The Committee recommends that the State party monitor the situation closely...

...

195. The Committee is concerned about the incidence of violent racist attacks against ethnic minorities by, among others, skinheads and neo-Nazis. In this regard, the Committee recommends that the State party strengthen its efforts to prevent racist violence and protect members of ethnic minorities and foreigners, including refugees and asylum-seekers...

- Slovenia, CERD, A/58/18 (2003) 45 at paras. 234-238.

234. The Committee appreciates the clarification provided by the delegation of various definitions used in the report and in domestic legislation to describe ethnic and national minorities, and "indigenous" and "new" communities. However, the Committee notes the potential discriminatory effects of the various definitions of the different ethnic groups...

235. The Committee expresses concern about the paucity of available data on the implementation of the Convention and emphasizes the importance of additional information, including statistical information, on the extent of integration of minorities into society. It recommends that the State party, while ensuring protection of individual privacy, provide relevant information on the demographic composition of its population...

236. With respect to article 2 of the Convention, the Committee, while noting that the Constitution of Slovenia provides for representation in Parliament of the Italian and Hungarian minorities, observes that the issue of the representation of other minorities in the Slovenian Parliament has not been addressed. The Committee therefore recommends that the State party consider taking further measures to ensure that all groups of minorities are represented in Parliament...

237. The Committee acknowledges the efforts made by the State party to promote cultural diversity, as well as to promote equal opportunities for the Roma and facilitate their

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participation in decision-making processes. However, the Committee is concerned that discriminatory attitudes and practices may still persist and that the distinction between “indigenous” Roma and “new” Roma may give rise to further discrimination. The Committee encourages the State party to pursue its current efforts to combat any discriminatory practices and attitudes against Roma which may exist, in particular in the areas of housing, employment and treatment by the police, by, *inter alia*, developing comprehensive proactive strategies in these fields...

238. The Committee appreciates the flexible approach of the State party as regards the education of Roma children by attempting to address the issue in each given community. However, the Committee is concerned at the existing practice of educating some children in vocational centres for adults and others in special classes. Recalling its general recommendation XXVII on discrimination against Roma, the Committee encourages the State party to promote the integration of children of Roma origin into mainstream schools.

- Tunisia, CERD, A/58/18 (2003) 47 at para. 253.

253. The Committee notes that the State party did not provide information on the Berber (or Amazigh) population and on measures taken for the protection and promotion of their culture and language...the Committee...recommends that increased attention be given to the situation of Berbers as a specific component of the Tunisian population.

- Uganda, CERD, A/58/18 (2003) 50 at para. 278.

278. While noting the efforts made by the State party to resume the dialogue with rebels of the Lord’s Resistance Army in the north of the country, the Committee remains concerned about reports of grave acts of violence against tribes in the Gulu and Kitgum districts committed in the course of internal strife. The Committee invites the State party to continue its efforts to restore peace in the region and to protect vulnerable groups from human rights violations, notably tribal groups and children.

- Albania, CERD, A/58/18 (2003) 53 at paras. 301-303, 307, 308, 310, 312 and 315-318.

301. The Committee welcomes with satisfaction the measures adopted to protect religious freedom and the considerable efforts made to promote the education and cultural rights of persons belonging to national minorities. It particularly commends the adoption of article 20 of the Constitution on education in the mother tongue.

302. The Committee welcomes the draft national strategy for the improvement of the living

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conditions of the Roma.

303. The Committee welcomes the decision by the Albanian authorities to improve the legislative framework for traditional street names and other indications for the public in minority languages.

...

307. The Committee notes that the State party has a tendency not to regard the particularly unfavourable situation in which certain minority groups in Albania live as one involving racial or ethnic discrimination, believing that the social and economic problems encountered by persons belonging to these minorities are the same as those with which the rest of the population has to deal.

The Committee recommends that the State party reconsider that approach and carry out analyses to determine whether and to what extent the unfavourable situation of some minorities is the result of racial or ethnic discrimination.

308. The Committee takes note of the distinction made by the State party in internal law between national minorities (Greek, Macedonian-Slav and Montenegrin) and linguistic minorities (Roma and Aromanian or Vlach). It notes the statement by the State party that this distinction has no effect on the rights enjoyed by persons belonging to such minorities. It nevertheless points out that article 20 of the Constitution does not expressly grant rights only to national minorities and that the members of linguistic minorities do not, in practice, enjoy the same cultural rights. Furthermore, persons belonging to the Roma and Aromanian minorities are reportedly not satisfied that their communities are classified as linguistic minorities alone, since the main components of their identity go beyond the question of language.

The Committee recommends that the State party reconsider the criteria on the basis of which the distinction between national minorities and linguistic minorities is based, in consultation with the groups concerned, and ensure that persons belonging to these communities enjoy the same rights, especially in the cultural field.

...

310. The Committee takes note of the State party's explanations that "minority areas" no longer exist in Albania, as the persons belonging to minorities have the same rights, whatever their geographical location. The periodic report nevertheless refers primarily to measure adopted to implement cultural rights in districts where the Greek and Macedonian-Slav minorities are traditionally concentrated. These minorities complain about the lack of mother-tongue education system outside these regions and about the refusal by the Albanian authorities to respond to their requests for such education.

The Committee understands that the exercise of the right to study and to be taught in the mother tongue means that a specific number of members of a minority must be present in a

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particular geographical area. It also recognizes the efforts being made by the State party to ensure that mother-tongue classes and schools are maintained, despite the drop in the number of students. It nevertheless recommends that the State party ensure that the rights of member of minorities are not unduly restricted outside area's where these minorities are concentrated....

...

312. The Committee is concerned about information that members of the Roma minority, especially the young, are generally regarded with suspicion and subjected to ill-treatment and the improper use of force by police officers.

The Committee recommends that the State party take measures to halt such practices and to increase law enforcement officials' sensitivity to and training in matters involving racial discrimination.

...

315. The Committee is concerned about information relating to discrimination against the Roma in respect of access to education, health, hygiene, housing, employment, and sufficient and adequate food and water.

The Committee recommends that the State party intensify its efforts on behalf of the Roma minority, in accordance with general recommendation XXVII. Special efforts should be made, in consultation with the communities concerned, to integrate Roma children into the Albanian educational system, while allowing for the possibility of bilingual or mother-tongue instruction and respecting the communities' cultural identity and way of life...

316. The Committee is concerned about the difficulties encountered by certain national minorities, in particular, the Greek and Aromanian minorities, in recovering and obtaining compensation for their religious properties.

The Committee encourages the State party to ensure the swift entry into force of the bill on property restitution and compensation, so as to settle this issue once and for all.

317. The Committee notes that persons belonging to minorities in Albania have very little access to radio and television in minority languages.

The Committee welcomes the Albanian authorities' decision to take measures to increase broadcast time in minority languages on public radio and television and urges the State party to ensure that these measures are intended for all minorities, in particular, the Montenegrin, Roma and Aromanian minorities. It also suggests that the State party facilitate broadcasting designed especially for minorities, including the Greek minority.

318. The Committee is concerned at reports of the problems encountered by Roma and members of the community who call themselves Egyptians in having access to places and

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services intended for public use.

The Committee invites the State party to adopt appropriate measures to guarantee that access to all places and services intended for public use is not denied to anyone on the grounds of race, colour, ancestry, or national or ethnic origin.

- Bolivia, CERD, A/58/18 (2003) 58 at para. 341.

341. The Committee notes the lack of information regarding the Afro-Bolivian community which, according to the information received, accounts for around 31,000 individuals situated at the lower end of the socio-economic scale and who face severe disadvantages in health, life expectancy, education, income, literacy, employment and housing. The Committee further notes that there are no specific provisions making reference to this group in the domestic legislation.

The Committee recommends that the State party adopt measures with a view to ensuring to members of the Afro-Bolivian community the full enjoyment of the rights enumerated in article 5 of the Convention...

- Czech Republic, CERD, A/58/18 (2003) 65 at paras. 377-379, 381, 383-386 and 388.

377. The Committee is encouraged by the legislative efforts of the State party to give effect to the provisions of the Convention, in particular in the field of protection of national minorities, as well as the amendment to the Criminal Code adopted in 2002 and the amendments to the Civil Procedure Code reversing the burden of proof from the victim to the alleged offender.

378. Furthermore, the Committee welcomes the existence of a number of advisory bodies of the Government dealing with human rights and specifically the rights of national minorities, which work in cooperation with civil society. It notes in particular the Council of the Government of the Czech Republic for the Affairs of the Roma Community, the Human Rights Council of the Government of the Czech Republic and the Government Council for National Minorities.

379. The Committee greatly appreciates the concrete measures, programmes and strategies adopted by the State party with a view to improving the situation of the Roma and other marginalized groups, including refugees.

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...

381. While noting the efforts undertaken by the State party to counter racially motivated violence and discrimination, the Committee remains concerned at the continuance of acts of racially motivated violence and incitement to hatred and the persistence of intolerance and *de facto* discrimination, in particular with regard to the Roma minority.

The Committee recommends that the Government pursue and intensify its efforts to achieve more effective application of existing legislation.

...

383. The Committee is concerned about allegations of racially motivated ill-treatment, ineffective protection and discrimination against the Roma by law enforcement officials, especially the police. Furthermore, it has been suggested that allegations of abuse by law enforcement officials are not always promptly and impartially investigated. While noting the many initiatives taken in the field of training and education of the police, the Committee stresses that prompt and impartial investigations are paramount in countering discriminatory attitudes and practices. The Committee recommends that the State party intensify its efforts to end such discriminatory practices.

It further recommends that the procedure relating to the investigation of complaints with respect to the work of the police be conducted and overseen by a body independent of the police and the Ministry of the Interior...

384. The Committee notes the efforts under way to facilitate access to the labour market by individuals experiencing difficulties in finding employment, including the Roma, asylum applicants and other marginalized groups. However, the unemployment rate among the Roma remains disproportionately high and continues to be an issue of concern for the Committee. This concern is compounded by the information relating to the practice of usury and its negative economic and social consequences for the Roma.

The Committee urges the State party to continue and intensify poverty reduction and employment programmes for the Roma, and also to consider establishing a functional loan system for socially weak sections of the population, including the Roma, as an alternative to usury. In this respect, the Committee encourages the State party to take due account of the situation of Roma Women, in accordance with its general recommendation XXVII.

385. The Committee welcomes the information on the housing projects for Roma which the State party has implemented and notes the significant efforts invested in seeking optimal solutions to improve their deteriorating housing conditions. While the Committee notes that, in the short term, construction of housing units that are occupied predominantly by Roma may be successful, it is concerned that, in the long term, such solutions may perpetuate segregation. The Committee is further concerned by the evictions from flats or threats to evict reportedly faced by many Roma families.

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The Committee encourages the State party to continue its activities in the area of research relating to the problem of housing and to seek solutions that promote the social integration of the Roma. With respect to evictions, the Committee recommends that the State party devise measures to prevent evictions or mitigate their negative effects, in particular on the most vulnerable groups.

386. While appreciating the complexity of the problem of special schooling and noting the accompanying measures taken by the Government with a view to promoting adequate support to Roma children, the Committee remains concerned, as does the Committee on the Rights of the Child (see CRC/C/15/Add.201, para. 54), at the continued placement of a disproportionately high number of Roma children in “special schools”.

Recalling its general recommendation XXVII, the Committee urges the Government to continue and intensify the efforts to improve the educational situation of the Roma through, *inter alia*, enrolment in mainstream schools, recruitment of school personnel from among members of Roma communities, and sensitization of teachers and other education professionals to the social fabric and world views of Roma children and those with apparent learning difficulties.

...

388. The Committee welcomes the anti-racism campaigns conducted annually and the broad population targeted by them, and notes the numerous other initiatives of the State party to combat discriminatory attitudes and practices. Unfortunately, that negative attitudes towards minorities and refugees persist among public officials, in the media and among the general public, is a matter of concern to the Committee. Furthermore, the Committee is concerned that the judiciary, unlike the police, does not seem to be the object of sensitization and educational activities.

The Committee recommends that the State party continue and intensify its anti-racism campaigns and other efforts aimed at combating racial and ethnic stereotyping. It recommends that the State party, while pursuing public education campaigns, continue and diversify targeted training programmes for professionals, such as the police, judges and other public officials working with the Roma and other vulnerable groups.

- Finland, CERD, A/58/18 (2003) 69 at paras. 400, 401 and 409.

400. The Committee welcomes the adoption, on 22 March 2001, of a Plan of Action to combat ethnic discrimination and racism aiming to support and develop measures enhancing good inter-ethnic relations and preventing ethnic discrimination and racism in Finnish society. In this connection, the Committee also welcomes the appointment, on 1 September 2001, within the framework of the Plan of Action, of a Minority Ombudsman.

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401. The Committee also welcomes the programmes and institutions put in place as well as the research and studies undertaken by the State party for the promotion and protection of human rights, in particular those regarding minorities, in conformity with paragraphs 92 to 98 of the Durban Programme of Action.

...

409. With respect to article 5, the Committee is concerned about the difficulties faced by Roma in the fields of employment, housing and education, as well as about reported cases of discrimination in daily life such as denial of access to public places, restaurants or bars.

The Committee draws the attention of the State party to its general recommendation XXVII on discrimination against Roma and recommends that the State party take all necessary measures with a view to promoting tolerance and overcoming prejudices and negative stereotypes in order to avoid any form of discrimination against members of the Roma community.

- Islamic Republic of Iran, CERD, A/58/18 (2003) 72 at paras. 418 and 428.

418. The Committee welcomes the social, economic and cultural measures taken by the State party, in accordance with article 2, paragraph 2, of the Convention, such as the new Economic, Social and Cultural Development Plan, which aims to enhance basic social and infrastructural services in less developed areas inhabited by ethnic minority groups, as well as to improve the living conditions of nomadic groups.

...

428. The Committee takes note with concern of the reported discrimination faced by certain minorities, including the Bahá'ís, who are deprived of certain rights, and that certain provisions of the State party's legislation appear to be discriminatory on both ethnic and religious grounds.

The Committee recommends that the State party ensure that all persons enjoy their right to freedom of thought, conscience and religion, without any discrimination based on race, colour, descent or national or ethnic origin, in accordance with article 5 (d) of the Convention. The Committee recommends that the State party permit students of different origins to register in universities without being compelled to state their religion...

- Latvia, CERD, A/58/18 (2003) 75 at paras. 443, 445, 452, 453 and 456.

443. The Committee welcomes the Supreme Court ruling of 6 June 2003 declaring unconstitutional section 19, paragraph 5, of the Law on Radio and Television which restricts the airtime of broadcasts in languages spoken by minorities in Latvian private media.

...

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445. The Committee notes the entry into force in September 2000 of the State Language Law aimed at promoting the Latvian language and better integration of members of ethnic minorities into Latvian society. The Committee is concerned at the possible negative effects of a narrow and strict interpretation of this legislation. Furthermore, the scope of language requirements in the State Language Law in relation to employment, particularly in the private sector, may lead to discrimination against minorities.

The Committee recommends that the State party ensure that the State Language Law does not result in unnecessary restrictions that may have the effect of creating or perpetuating ethnic discrimination. The Committee calls on the State party to ensure that vulnerable groups, such as prisoners, sick and poor persons, among non-Latvian speakers have the possibility of communicating with the relevant authorities through provision of, if necessary, translation facilities.

...

452. While recognizing the importance of the education system in creating a coherent society, the Committee is concerned that the educational reform that will introduce bilingual education in all minority schools by September 2004 may cause problems for linguistic minorities in the educational system if it is implemented in the proposed time frame.

The Committee encourages the State party to remain attentive and flexible to the needs and abilities of the persons primarily affected and concerned by the reform. The importance of maintaining a close dialogue with the schools and local communities, including both parents and children, is paramount in the process. It further urges the State party to monitor the reform process closely in order to ensure that a high quality of education is maintained by, *inter alia*, considering an extension of the transition period to bilingual education and preventing any negative effects that might otherwise arise.

453. While recognizing the possibility of establishing private schools offering, *inter alia*, education in minority languages, the Committee urges the State party to ensure that the manner in which funding to private schools is provided is in conformity with the Convention.

...

456. The Committee is concerned at the persistence of negative racial and ethnic stereotypes and notes that educational and training activities undertaken by the State party may not have been sufficient to combat discriminatory attitudes and practices.

The Committee recommends that the State party pursue its efforts to combat prejudices and promote understanding and tolerance through a broad range of measures targeting both professionals working with and persons belonging to minority groups, as well as the general public. The Committee encourages the State party, through the broad-based participatory drafting process of the envisaged National Plan of Action to implement the Durban Declaration and Plan of Action, to create awareness with regard to the diverse issues relating

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to racial discrimination.

- Norway, CERD, A/58/18 (2003) 79 at paras. 469 and 477.

469. The Committee commends the State party's policy in respect of national minorities which is based on the principle of respect for cultural diversity.

...

477. While the Committee acknowledges the frankness of the State party and its efforts to combat discrimination faced by minorities in relation to the housing and labour markets, it remains concerned about the persistence of such discrimination.

The Committee encourages the State party to intensify its efforts in these fields, in accordance with article 5 (e) of the Convention, and trusts that provisions to combat discrimination in the housing and labour markets will be included in the proposed Act on protection against ethnic discrimination.

- Saint Vincent and the Grenadines, CERD, A/58/18 (2003) 85 at para. 511.

511. The Committee is concerned that no information has been provided by the State party on the economic, social and cultural situation of minority groups. It is further concerned that persons of Carib ancestry tend to be viewed as the base of the social pyramid and experience discrimination. In general, access to health care and educational opportunities depends on the level of family income.

...The enjoyment of economic, social and cultural rights, including access to public services, must be ensured for all without discrimination, in accordance with article 5 of the Convention.

- United Kingdom of Great Britain and Northern Ireland, CERD, A/58/18 (2003) 88 at paras. 532, 533, 537-540, 542 and 543.

532. The Committee is concerned about the increasing racial prejudice against ethnic minorities, asylum-seekers and immigrants reflected in the media and the reported lack of effectiveness of the Press Complaints Commission in dealing with this issue. The Committee recommends that the State party consider further how the Press Complaints Commission can be made more effective and can be further empowered to consider complaints received from the Commission for Racial Equality as well as other groups or

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organizations working in the field of race relations.

...

533. The Committee remains concerned at reports of attacks on asylum-seekers. In this regard, the Committee notes with concern that antagonism towards asylum-seekers has helped to sustain support for extremist political opinions.

The Committee recommends that the State party adopt further measures and intensify its efforts to counter racial tensions generated through asylum issues, *inter alia* by developing public education programmes and promoting positive images of ethnic minorities, asylum-seekers and immigrants, as well as measures making the asylum procedures more equitable, efficient and unbiased.

...

537. While the Committee welcomes the initiatives taken for further reforms within the police force, including enhanced representation of ethnic minorities, it recalls its previous concerns about the disproportionately high incidence of deaths in custody of members of ethnic or racial minority groups.

The Committee...encourages the State party to adopt measures conducive to integrating the different ethnic and racial representation within the police force.

538. The Committee is concerned that a disproportionately high number of “stops and searches” are carried out by the police against members of ethnic or racial minorities.

The Committee encourages the State party to implement effectively its decision to ensure that all “stops and searches” are recorded and to give a copy of the record form to the person concerned...

539. The Committee notes that the State party recognizes the “intersectionality” of racial and religious discrimination, as illustrated by the prohibition of discrimination on ethnic grounds against such communities as Jews and Sikhs, and recommends that religious discrimination against other immigrant religious minorities be likewise prohibited.

540. The Committee is concerned about reported cases of “Islamophobia” following the 11 September attacks. Furthermore, while the Committee takes note that the State party’s criminal legislation includes offences where religious motives are an aggravating factor, it regrets that incitement to racially motivated religious hatred is not outlawed. The Committee recommends that the State party give early consideration to the extension of the crime of incitement to racial hatred to cover offences motivated by religious hatred against immigrant communities.

...

542. The Committee expresses concern about the discrimination faced by Roma/Gypsies/Travellers that is reflected, *inter alia*, in their higher child mortality rate,

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exclusion from schools, shorter life expectancy, poor housing conditions, lack of available camping sites, high unemployment rate and limited access to health services.

The Committee draws the attention of the State party to its general recommendation XXVII on discrimination against Roma and recommends that the State party develop further appropriate modalities of communication and dialogue between Roma/Gypsy/Traveller communities and central authorities. It also recommends that the State party adopt national strategies and programmes with a view to improving the situation of the Roma/Gypsies/Travellers against discrimination by State bodies, persons or organizations.

543. The Committee reiterates its concern that besides the Roma/Gypsy/Traveller populations, certain other minority groups or individuals belonging to them experience discrimination in the areas of employment, education, housing and health.

The Committee urges the State party to continue taking affirmative measures in accordance with article 2, paragraph 2, of the Convention to ensure equal opportunities for full enjoyment of their economic, social and cultural rights...

- Brazil, CERD, A/59/18 (2004) 14 at para. 60.

60. While the Committee takes note of the State party's objective to complete the demarcation of indigenous lands by 2007 and considers it an important step towards securing the rights of indigenous peoples, it remains concerned at the fact that effective possession and use of indigenous lands and resources continues to be threatened and restricted by recurrent acts of aggression against indigenous peoples.

In the light of general recommendation XXIII on the rights of indigenous peoples, the Committee recommends that the State party complete the demarcation of indigenous lands by 2007. Furthermore, the Committee recommends that the State party adopt urgent measures to recognize and protect, in practice, the right of indigenous peoples to own, develop, control and use their lands, territories and resources...

- Libyan Arab Jamahiriya, CERD, A/59/18 (2004) 21 at paras. 108 and 110.

108. The Committee notes that, according to some information, there is no recognition of Amazigh language and culture in the Libyan Arab Jamahiriya and Amazighs are impeded from preserving and expressing their cultural and linguistic identity.

The Committee stresses the obligation of the State party, under article 5 of the Convention, to respect the right of Amazighs to enjoy their own culture and to use their own language,

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in private and public, freely and without discrimination. It invites the State party to enhance the enjoyment of the right of association for the protection and promotion of Amazigh culture, and to take measures especially in the field of education in order to encourage knowledge of the history, language and culture of Amazighs.

...

110. The Committee takes note of the reportedly insufficient human rights education programmes in school curricula, in particular regarding the promotion of tolerance and respect for religious and ethnic minorities.

The Committee encourages the State party to strengthen its efforts in this area...

- The Netherlands, CERD, A/59/18 (2004) 29 at paras. 148, 150, 153 and 155.

148. The Committee...notes with satisfaction the establishment in 2001 of the Committee on the Employment of Women from Ethnic Minority Groups aimed at promoting participation of ethnic minority women in society and in the labour market.

...

150. The Committee is concerned about the occurrence in the State party of racist and xenophobic incidents, particularly of an anti-Semitic and "Islamophobic" nature, and of manifestations of discriminatory attitudes towards ethnic minorities.

The Committee encourages the State party to continue monitoring all tendencies which may give rise to racist and xenophobic behaviour and to combat the negative consequences of such tendencies. The Committee further recommends that the State party continue to promote general awareness of diversity and multiculturalism at all levels of education, paying particular attention to respect for the cultural rights of minorities, and pursue the effective implementation of measures to facilitate the integration of minority groups in Dutch society.

...

153. The Committee notes that the Employment of Minorities Act (*Wet Samen*) ceased to be in force on 31 December 2003 and expresses concern about possible negative consequences that may ensue, given that the *Wet Samen* was the only legislative instrument containing regulations on the participation of ethnic minorities in the labour market and requiring employers to register the number of members of ethnic minorities employed by them.

The Committee recommends that the State party take adequate policy measures to ensure proper representation of ethnic minority groups in the labour market.

...

155. While the Committee notes with satisfaction the information that the number of police officers belonging to ethnic minorities has increased in recent years, it remains concerned

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about the high percentage of resignations among these groups.

The Committee encourages the State party to continue promoting the effective implementation of measures aimed at ensuring that the ethnic composition of the police appropriately reflects the ethnic composition of Dutch society...

- Spain, CERD, A/59/18 (2004) 32 at paras. 167, 169, 170 and 174.

167. The Committee...notes with satisfaction the extensive measures taken in the social, economic, cultural and other spheres in connection with the Gypsy community, including *inter alia*:

(a) The further implementation of the Gypsy Development Programme, aimed at promoting access for members of the Gypsy community - on terms of equality with the rest of the population - to public education, health, housing, employment;

(b) The National Plan of Action for Social Inclusion identifying the Gypsy community as a specific beneficiary group;

(c) The Gypsy Education Group aimed at improving the current situation regarding education for Gypsy children and young people.

...

169. While the Committee notes the continuous efforts undertaken by the State party to combat racial discrimination, including the recent creation of the Spanish Observatory for Racism and Xenophobia, it is concerned about the occurrence of racist and xenophobic incidents and the re-emergence of discriminatory attitudes, especially towards Gypsies, North Africans, Muslims and Latin Americans.

The Committee encourages the State party to continue monitoring all tendencies which may give rise to racist and xenophobic behaviour and to combat the negative consequences of such tendencies. The Committee further recommends that the State party continue to promote at all levels of education general awareness of diversity and multiculturalism and put into practice effective measures to facilitate the integration of minority groups in Spanish society.

170. Concern is also expressed about allegations received of instances of police misbehaviour towards ethnic minorities or persons of non-Spanish origin, including abusive and insulting speech, ill-treatment and violence.

The Committee draws the State party's attention to its general recommendation XIII on the training of law enforcement officials in the protection of human rights and recalls that law

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enforcement officials should receive intensive training to ensure that in the performance of their duties they respect and protect human dignity and maintain and uphold the human rights of all persons without distinction as to race, colour or national or ethnic origin.

...

174. With respect to article 5 of the Convention, while the Committee notes with satisfaction the extensive measures taken by the State party in order to improve the overall situation of Gypsies, it is concerned about the difficulties still faced by a large part of them in the fields of employment, housing and education, as well as about reported cases of discrimination in daily life.

The Committee draws the attention of the State party to its general recommendation XXVII on discrimination against Roma (Gypsies) and recommends that the State party take all necessary measures with a view to promoting tolerance and overcoming prejudices and negative stereotypes in order to avoid any form of discrimination against members of the Roma (Gypsy) community.

- Suriname, CERD, A/59/18 (2004) 36 at para. 198.

198. The Committee is disturbed at the continuing lack of health and education facilities and utilities available to indigenous and tribal peoples. It regrets that no special measures have been taken to secure their advancement on the grounds that there are no available data suggesting that they need special protection.

The Committee recommends that greater efforts be undertaken by the State party, in particular as regards the education plan of action for the interior. It also recommends the inclusion in agreements with large business ventures - in consultation with the peoples concerned - of language specifying how those ventures will contribute to the promotion of human rights in areas such as education.

- Sweden, CERD, A/59/18 (2004) 41 at para. 221.

221. While the Committee acknowledges with satisfaction the initiatives taken by the State party to improve the situation of the Roma, such as the establishment of a Council for Roma Issues in 2002 as an advisory body to the Government, it remains concerned about the difficulties still faced by a large part of the Roma community in areas such as employment, housing and education.

The Committee draws the attention of the State party to its general recommendation XXVII on discrimination against Roma and encourages the State party to intensify its efforts to

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implement national strategies and programmes in these areas, including the biennial strategic programme of the Ombudsman against Ethnic Discrimination, with a view to improving the situation of the Roma and their protection against discrimination.

- Belarus, CERD, A/59/18 (2004) 50 at para. 266.

266. With respect to article 5, the Committee reiterates its regrets regarding the lack of information on the situation of minority groups and their enjoyment of all human rights. In particular, it notes the paucity of information on the Roma.

...[T]he Committee draws the attention of the State party to its general recommendation XXVII and encourages it to adopt or make more effective legislation prohibiting discrimination in employment and all discriminatory practices in the labour market affecting members of Roma communities and to protect them against such practices.

- Kazakhstan, CERD, A/59/18 (2004) 54 at paras. 289, 290 and 293.

289. The Committee notes the absence of legislation regarding the status of languages and that little information has been provided by the State party on the participation of minorities in the elaboration of cultural and educational policies. The Committee is concerned that minority languages are not used in the educational system to an extent commensurate to the proportion of the different ethnic communities represented in the student body.

The Committee recommends that the State party adopt legislation on the status of languages...

290. The Committee notes that the ethnic representation in State institutions does not correspond to the proportion of the different ethnic communities represented in the population of the State party.

The Committee recommends that the State party...adopt practical measures to ensure that ethnic minorities have equal access to those institutions.

...

293. While acknowledging that the State party has developed a governmental work plan to combat human trafficking, the Committee notes with concern that there is ongoing trafficking of women and children, particularly affecting non-citizens and ethnic minorities.

...[T]he Committee urges the State party to make determined efforts to prosecute the perpetrators and underlines the paramount importance of prompt and impartial

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investigations.

- Madagascar, CERD, A/59/18 (2004) 58 at para. 316.

316. The Committee notes that incitement to tribal and racial hatred occurs sporadically and that acts of racial violence have been committed against members of the Indian/Pakistani community.

The Committee recommends that additional measures be taken to prevent such acts, and that the perpetrators should be brought to justice in accordance with relevant domestic legislation, promulgated pursuant to article 4 of the Convention...

- Mauritania, CERD, A/59/18 (2004) 61 at paras. 348 and 349.

348. The Committee notes with concern the State party's policy of ensuring that the curricula in private and public schools are identical. While taking account of the State party's desire to monitor the quality of private education, the Committee nevertheless has doubts whether such control over private schools is conducive to the teaching of the languages and cultures of minority groups.

The Committee recommends that the State party respect parents' freedom to choose the type of education they wish for their children and to choose for their children private schools that offer programmes meeting their expectations in terms of culture and language.

349. The Committee is concerned about the delegation's statement that the Berber language is no longer spoken in Mauritania. According to some reports, a minority still uses this language, which is in danger of disappearing from the country.

The Committee recommends that the State party, in consultation with the community concerned, take steps to preserve the Berber language. Room should be made for Berber language, history and civilization in school textbooks, education and cultural events.

- Portugal, CERD, A/59/18 (2004) 66 at para. 360, 362, 365-367, 369 and 370.

360. The Committee welcomes the enactment of Decree Law 251/2002 of 22 November 2002 which, *inter alia*, enlarges the structure and competencies of the Office of the High Commissioner for Immigration and Ethnic Minorities and establishes the Advisory Board for Immigration Affairs, tasked with ensuring the participation of associations representative of immigrants, employers' associations and social solidarity institutions in the elaboration

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of policies promoting social integration and combating exclusion.

...

362. The Committee notes with appreciation the work performed by the Office of Multiculturalism, especially in promoting numerous programmes and projects in the field of education in respect of children belonging to ethnic minorities, in particular Roma/gypsies.

...

365. The Committee notes the absence of statistical data on the ethnic composition of the population owing to the State party's legislation, which prohibits the collection of data and statistics on race and ethnicity.

The Committee is of the opinion that, if progress in eliminating racial discrimination based on race, colour, descent, and national and ethnic origin is to be monitored, some indication is needed of the number of persons who could suffer discrimination on these grounds. The Committee therefore recommends that, in line with paragraph 8 of the reporting guidelines, the State party provide information on the use of mother tongue as indicative of ethnic differences, together with information derived from targeted social surveys performed on a voluntary basis and in full respect of the privacy and anonymity of the individuals concerned.

366. While noting the efforts undertaken by the State party to counter racially motivated violence and discrimination, the Committee continues to be concerned that racially motivated acts and incitement to hatred continue to occur and that intolerance and *de facto* discrimination, in particular towards ethnic minorities, persist. Furthermore, the Committee is concerned about the activities of the National Renovation Party, which targets immigrants in its manifestos and campaigns.

The Committee recommends that the Government pursue and intensify its efforts to eradicate all incitement to, and acts of, racial discrimination. In this respect, in light of its general recommendation XXX, the Committee recommends that the State party introduce in its criminal law a provision to the effect that committing an offence with racist motivation or aim constitutes an aggravating circumstance...

367. The Committee expresses concern about allegations it has received of instances of police misconduct towards ethnic minorities or persons of non-Portuguese origin, including excessive use of force, ill-treatment and violence.

The Committee recommends that the State party investigate thoroughly, impartially and effectively all allegations of ill-treatment, violence or excessive use of force by police officers, bring those responsible to justice and provide adequate remedies and compensation to the victims. Furthermore, in light of its general recommendation XIII, the Committee recommends that the State party continue to provide intensive training to law enforcement

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officials so as to ensure that in the performance of their duties they respect and protect human dignity and maintain and uphold the human rights of all persons without distinction as to race, colour, descent, or national or ethnic origin.

...

369. The Committee is concerned about the relative isolation of some groups of immigrants and members of ethnic minorities in marginalized neighbourhoods or areas and their difficult situation in respect of housing conditions.

The Committee encourages the State party to continue taking measures to avoid the marginalization of some groups of immigrants and members of ethnic minorities in ghetto-like neighbourhoods and guarantee the equal enjoyment of the right to adequate housing to all.

370. While the Committee notes the measures taken by the State party to improve the situation of Roma/gypsies, it remains concerned about the difficulties faced by many members of this community in the fields of employment, housing and education, as well as reported cases of discrimination in daily life. The Committee also invites the State party to take more effectively into account, in all programmes and projects planned and implemented and in all measures adopted, the situation of Roma/gypsy women, who are often victims of double discrimination.

The Committee urges the State party to continue taking special measures in accordance with article 2, paragraph 2, of the Convention to ensure the adequate protection of Roma/gypsies and to promote equal opportunities for the full enjoyment of their economic, social and cultural rights.

- Slovakia, CERD, A/59/18 (2004) 70 at paras. 380, 381 and 383-389.

380. The Committee notes with appreciation that the Hungarian minority - the largest national minority in Slovakia - is well integrated in mainstream society and that it is adequately represented, including among high-level civil servants and politicians.

381. The Committee also welcomes:

...

(c) Act No. 253/2001 and Act No. 421/2004, amending the Criminal Code by, respectively, adding membership of an ethnic group to the elements of racially motivated crimes and criminalizing offences committed through the Internet;

(d) The numerous activities undertaken by the Government Plenipotentiary for Roma minority affairs in promoting and coordinating programmes and projects aimed at achieving equal status for citizens belonging to the Roma community;

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...

383. The Committee shares the delegation's concern that discriminatory attitudes and feelings of hostility towards members of the Roma community are deep-rooted and widespread throughout the country.

The Committee wishes to recall its general recommendation XXVII on discrimination against Roma and recommends that the State party continue to endeavour, by encouraging a genuine dialogue, to improve relations between Roma communities and non-Roma communities with a view to promoting tolerance and overcoming prejudices and negative stereotypes. The Committee also invites the State party to take more effectively into account, in all programmes and projects planned and implemented and in all measures adopted, the situation of Roma women, who are often victims of double discrimination.

384. While the Committee notes with satisfaction the efforts of the State party in respect of the training of law enforcement officials, it expresses concern about allegations of discriminatory behaviour by the police towards members of minority groups, in particular Roma, including acts of ill-treatment and violence.

The Committee recommends that the State party intensify its action to halt this phenomenon and set up an independent monitoring mechanism to carry out investigations into allegations of police misconduct.

385. While the Committee welcomes the extensive measures adopted by the State party in the field of education aimed at improving the situation of Roma children, including the "Roma assistants" project, it continues to express concern at *de facto* segregation of Roma children in special schools, including special remedial classes for mentally disabled children.

The Committee recommends that the State party prevent and avoid the segregation of Roma children, while keeping open the possibility of bilingual or mother-tongue education. The Committee further recommends that the State party intensify its efforts to raise the level of achievement in school by Roma children, recruit additional school personnel from among members of Roma communities and promote intercultural education.

386. While the Committee recognizes the efforts made in the field of employment - including the recent adoption of the amended Labour Code, which prohibits discrimination in its section 13 - it is alarmed by *de facto* discrimination against Roma as well as by the very high rate of unemployment among members of the Roma community.

The Committee recommends that the legislation prohibiting discrimination in employment and all discriminatory practices in the labour market be fully implemented in practice and that further measures be taken, in particular by focusing on professional training, to reduce unemployment among the Roma community.

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387. While the Committee notes the “comprehensive Roma settlements development programme”, as well as the “programme of support for the construction of communal rental housing of a different standard”, it expresses concern about the isolation of the Roma community in ghetto-like neighbourhoods and their critical situation in respect of housing conditions, especially in the eastern part of the country, where most of the Roma community is concentrated.

In light of its general recommendation XXVII, the Committee recommends that the State party effectively implement policies and projects aimed at avoiding segregation of Roma communities in housing and involve Roma communities and associations as partners in housing construction, rehabilitation and maintenance projects. Furthermore, the Committee encourages the State party to take all possible measures to further improve housing conditions for Roma, taking also into account that for families, and particularly children, living in a proper environment is an essential prerequisite for access to education and employment on an equal footing.

388. The Committee is alarmed at the critical health situation of some Roma communities, which is largely a consequence of their poor living conditions.

The Committee recommends that the State party continue to implement programmes and projects in the field of health for Roma, bearing in mind their disadvantaged situation resulting from extreme poverty and low levels of education; to this end, the Committee encourages the State party to take further measures to address the issues of drinking water supplies and sewage disposal systems in Roma settlements.

389. The Committee is concerned about reports of cases of sterilization of Roma women without their full and informed consent. In this respect, the Committee welcomes the assurances given by the delegation that a draft law on health care, which would address shortcomings in the system by specifying the requirement of free and informed consent for medical procedures and guarantee patients’ access to medical files, has been approved by the Government and should shortly be adopted by the Parliament.

The Committee strongly recommends that the State party take all necessary measures to put an end to this regrettable practice, including the speedy adoption of the above-mentioned draft law on health care. The State party should also ensure that just and effective remedies, including compensation and apology, are granted to the victims.

- Tajikistan, CERD, A/59/18 (2004) 74 at paras. 412 and 413.

412. The Committee, while appreciating the State party’s efforts to provide children belonging to ethnic minorities with education in their native languages, notes with regret that

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there is an insufficient number of Uzbek textbooks in the Latin alphabet, adapted to new curricula.

The Committee encourages the State party to undertake consultations with the Uzbek minority and make every effort to address their concerns on this issue...

413. The Committee notes with concern that, according to some information, minority languages are rarely used on public television and radio, newspapers and magazines.

The Committee recommends that the State party ensure that sufficient time is devoted to programmes in minority languages on public radio and television. The State party should take steps to facilitate the publication of newspapers in minority languages. Particular efforts should be made in this regard in relation to the use of Uzbek, which is the language spoken by the largest minority.

- Saint Lucia, CERD, A/59/18 (2004) 86 at paras. 446-449.

446. The Committee notes the information received indicating the alleged absence of indigenous representatives in senior government posts. It notes that the requirement to speak and read English, provided for under article 25 of the Constitution, curtails the right of the indigenous population, the majority of whom are fluent only in Kweyol, to participate in political elections.

The Committee recommends that the State party bring the relevant legislation into line with the provisions of articles 2 (c) and 5 (c) of the Convention.

447. The Committee notes with concern that, according to certain sources, the Bethechilokono people are allegedly not invited to participate in decisions affecting them, including decisions concerning management of cultural sites and other cultural objects.

The Committee draws the attention of the State party to its general recommendation XXIII concerning the rights of indigenous peoples and recommends the establishment of mechanisms guaranteeing participation by the Bethechilokono people in decisions affecting them.

448. The Committee is concerned at the apparent lack of television programmes in Kweyol on the three national channels.

It recommends that the State party consider the inclusion in public radio and television programmes of broadcasts in Kweyol and other minority languages.

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449. The Committee notes that access to education and training by indigenous peoples appears very limited and is concerned at the fact that Kweyol is not taught in the education system.

The Committee encourages the State party to take measures to facilitate access to education by members of indigenous peoples and to ensure, as far as possible, that members of indigenous peoples have the opportunity to learn Kweyol and to receive instruction in this language.

- Azerbaijan, CERD, A/60/18 (2005) 18 at para. 62.

62. While welcoming the information provided on minority groups, the Committee regrets the insufficiency of information on the participation of these groups in the elaboration of cultural and educational policies. It is also concerned at the lack of programmes to support minority languages, and that those languages are not used in the educational system to an extent commensurate to the proportion of the different ethnic communities represented in the State party's population (art. 5).

The Committee invites the State party to facilitate the participation of ethnic minorities in the elaboration of cultural and educational policies. The Committee also recommends to the State party that it take the necessary measures to create favourable conditions that will enable persons belonging to minorities to develop their culture, language, religion, traditions and customs, and to learn or to have instruction in their mother tongue...

- France, CERD, A/60/18 (2005) 26 at para. 117.

117. The Committee notes shortcomings in the teaching of the languages of certain ethnic groups - particularly Arabic, Amazigh or Kurdish - in the education system.

The Committee encourages the State party to promote the teaching of the languages of these groups in the education system, as proposed by the Stasi Commission in its report.

- Ireland, CERD, A/60/18 (2005) 30 at paras. 135, 141, 144 and 147.

135. While noting the continuous efforts undertaken by the State party to combat racial discrimination and related intolerance, the Committee remains concerned that racist and

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xenophobic incidents and discriminatory attitudes towards ethnic minorities are still encountered in the country (art. 2).

The Committee encourages the State party to continue to combat prejudice and xenophobic stereotyping, especially in the media, and fight prejudice and discriminatory attitudes. In this context, the Committee recommends that the State party introduce in its criminal law a provision that makes committing an offence with a racist motivation or aim an aggravating circumstance allowing for a more severe punishment.

...

141. While welcoming the efforts of the State party with regard to the human rights training of the national police force, the establishment of a Garda Racial and Intercultural Office and the appointment of Garda Ethnic Liaison Officers, the Committee expresses concern about allegations of discriminatory behaviour by the police towards members of minority groups and regrets that data on complaints of racial discrimination against the police have not been provided in the report (arts. 5 (b) and 6).

The Committee...recommends that the State party intensify its sensitization efforts among law enforcement officials, including the setting up of an effective monitoring mechanism to carry out investigations into allegations of racially motivated police misconduct.

...

144. Recalling its general recommendation VIII on the principle of self-identification, the Committee expresses concern at the State party's position with regard to the recognition of Travellers as an ethnic group. The Committee is of the view that the recognition of Travellers as an ethnic group has important implications under the Convention (arts. 1 and 5).

Welcoming the open position of the State party in this respect, the Committee encourages the State party to work more concretely towards recognizing the Traveller community as an ethnic group.

...

147. The Committee is particularly concerned about the situation faced by women belonging to vulnerable groups and at the instances of multiple discrimination they may be subject to (art. 5).

The Committee, recalling its general recommendation XXV, encourages the State party to take measures with regard to the special needs of women belonging to minority and other vulnerable groups, in particular female Travellers, migrants, refugees and asylum-seekers.

- Lao People's Democratic Republic, CERD, A/60/18 (2005) 35 at paras. 169, 170 and 172-174.

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169. The Committee takes note of the delegation's explanations regarding the reluctance of the authorities to classify ethnic groups in the Lao People's Democratic Republic as minorities or indigenous peoples (arts. 1, 2 and 5).

The Committee recommends to the State party that it recognize the rights of persons belonging to minorities and indigenous peoples as set out in international law, regardless of the name given to such groups in domestic law. It invites the State party to take into consideration the way in which the groups concerned perceive and define themselves. The Committee recalls that the principle of non-discrimination requires that the specific characteristics of ethnic, cultural and religious groups be taken into consideration.

170. The Committee notes that the State party has adopted a policy of resettling members of ethnic groups from the mountains and highland plateaux to the plains (art. 5).

The Committee recommends...to the State party that it study all possible alternatives with a view to avoiding displacement; that it ensure that the persons concerned are made fully aware of the reasons for and modalities of their displacement and of the measures taken for compensation and resettlement; that it endeavour to obtain the free and informed consent of the persons and groups concerned; and that it make remedies available to them. The State party should pay particular attention to the close cultural ties that bind certain indigenous or tribal peoples to their land and take into consideration the Committee's general recommendation XXIII of 1997 in this regard. The preparation of a legislative framework setting out the rights of the persons and groups concerned, together with information and consultation procedures, would be particularly useful.

...

172. The Committee is disturbed by reports of the infringement of the freedom of religion of members of religious minorities, in particular Christians, who are also often members of ethnic minorities.

The Committee recommends to the State party that it ensure that all persons enjoy their right to freedom of thought, conscience and religion, without discrimination, in accordance with article 5, subparagraph (d), of the Convention.

173. The Committee remains concerned at persistent allegations of conflict between the Government and members of the Hmong minority who have taken refuge in the jungle or mountainous areas of the Lao People's Democratic Republic since 1975. According to various corroborating reports, this group is living in difficult humanitarian conditions (art. 5).

The Committee calls on the State party to take all measures, if necessary with the support of the Office of the United Nations High Commissioner for Human Rights, the United Nations and the international community, to find a political and humanitarian solution to this

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crisis as quickly as possible and to create the necessary conditions for the initiation of a dialogue with this group. The Committee strongly encourages the State party to authorize United Nations agencies to provide emergency humanitarian assistance to this group.

174. The Committee is concerned at reports that serious acts of violence have been perpetrated against members of the Hmong minority, in particular allegations that soldiers brutalized and killed a group of five Hmong children on 19 May 2004 (art. 5).

The Committee recommends to the State party that it provide more precise information about the bodies responsible for investigating these allegations. It also strongly recommends that the State party allow United Nations bodies for the protection and promotion of human rights to visit the areas in which members of the Hmong minority have taken refuge.

- Luxembourg, CERD, A/60/18 (2005) 40 at paras. 194 and 200.

194. While noting the State party's efforts to tighten up its laws and strengthen its institutions combating racial discrimination, the Committee notes that racist and xenophobic incidents, in particular against Arabs and Muslims, and discriminatory attitudes towards ethnic minorities are still encountered.

The Committee encourages the State party to continue to combat prejudice and xenophobic stereotypes, in the media especially, and fight prejudice and discriminatory attitudes. It recommends that the authorities adopt a strategy for making the public at large better aware of the existence and purpose of the institutions established to combat racial discrimination.

200. The Committee is concerned at allegations of discriminatory or vexatious conduct towards non-nationals on the part of officials working in various national or local authorities.

While aware of the information provided by the State party about human rights training for State employees, the Committee encourages the State party to include within the training a specific focus on the problems of racism and discrimination, and to ensure that all officials who come into contact with minority groups receive training of this type.

- Georgia, CERD, A/60/18 (2005) 46 at paras. 237, 238, 241-243 and 246-248.

237. The Committee...expresses its satisfaction at recent measures taken by the State party to strengthen the participation of ethnic minorities in its political institutions.

238. While noting the adoption of a detailed "plan of action to strengthen protection of the rights and freedoms of various population groups of Georgia for the period 2003-2005", the

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Committee regrets that the draft legislation to protect minorities has not yet been adopted (art. 2).

The Committee recommends that the State party provide detailed information on the implementation and results of the “plan of action to strengthen protection of the rights and freedoms of various population groups of Georgia for the period 2003-2005” and encourages the State party to adopt specific legislation to protect minorities.

...

241. The Committee notes the absence of legislation regarding the status of languages, the lack of sufficient knowledge of the Georgian language by minority groups and of effective measures to remedy this situation as well as to increase the use of ethnic minority languages in the public administration (art. 5).

The Committee recommends that the State party adopt legislation on the status of languages as well as effective measures to improve the knowledge of the Georgian language amongst minority groups and to increase the use of ethnic minority languages in the public administration.

242. The Committee notes that the representation of the different ethnic communities of the population of the State party in State institutions and in the public administration is disproportionately low, which leads to their reduced participation in public life (art. 5).

The Committee recommends that the State party...adopt practical measures to ensure that ethnic minorities are represented in the public administration and in those institutions, and to enhance their participation in public life, including the elaboration of cultural and educational policies relating to them.

243. While acknowledging the commitment of the State party to repatriate and integrate Meskhetians who were expelled from Georgia in 1944 as well as the recent establishment of a State Commission on the Repatriation of Meskhetians, the Committee notes with concern that no specific measures have yet been taken to address this issue (art. 5).

The Committee recommends that the State party include detailed information in its next periodic report on the situation of Meskhetians and take the appropriate measures to facilitate their return and their acquisition of Georgian citizenship, including the adoption of the necessary framework legislation to this effect, which has been under drafting since 1999.

...

246. Religious questions are of relevance to the Committee when they are linked with issues of ethnicity and racial discrimination. In this connection, and while acknowledging the effort made by the State party to fight ethno-religious violence, the Committee remains concerned about the situation of ethno-religious minorities, such as the Yezidi-Kurds (art.

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5).

The Committee recommends that the State party...adopt the bill on freedom of conscience and religion designed to protect those minorities against discrimination and, in particular, against acts of violence.

247. Poverty is a human rights issue and a factor which impedes the full enjoyment by all, including vulnerable minority groups, of those rights. The Committee is concerned about the extreme poverty in which part of the population of the State party lives and its effects on the most vulnerable minority groups for the enjoyment of their human rights and regrets that the State party's programme to reduce poverty and stimulate economic growth has not yet been adopted (art. 5).

The Committee recommends that the State party...adopt all the necessary measures to reduce poverty, especially regarding the most vulnerable minority groups, and stimulate economic growth, including the adoption of a national plan to this effect.

248. The Committee is concerned by allegations of arbitrary arrests and detention, excessive use of force by law enforcement officials, and ill-treatment in police custody of members of minority groups and non-citizens, and about the lack of investigation of those cases (arts. 5 and 6).

The Committee recommends that the State party take appropriate measures to eradicate all forms of ill-treatment by law enforcement officials and ensure prompt, thorough, independent and impartial investigations into all allegations of ill-treatment, especially of members of ethnic groups and non-citizens; perpetrators should be prosecuted and punished, and victims granted compensation.

- Nigeria, CERD, A/60/18 (2005) 54 at para. 294.

294. The Committee is deeply concerned about the adverse effects on the environment of ethnic communities through large-scale exploitation of natural resources in the Delta Region and other River States, in particular, the Ogoni areas. It is concerned at the State party's failure to engage in meaningful consultation with the concerned communities, and about the deleterious effects of the oil production activities on the local infrastructure, economy, health and education. In this regard, the Committee also notes with concern that the Land Use Act of 1978 and the Petroleum Decree of 1969 are contrary to the provisions of the Convention. Furthermore, the Committee is alarmed at the reports of assaults, use of excessive force, summary executions and other abuses against members of local communities by law enforcement officers as well as by security personnel employed by petroleum corporations (arts. 2 and 5).

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In the light of general recommendation XXIII (1997) on the rights of indigenous peoples, the Committee urges the State party to take urgent measures to combat “environmental racism” and degradation. In particular, it recommends that the State party repeal the Land Use Act of 1978 and the Petroleum Decree of 1969 and the adoption of a legislative framework which clearly sets forth the broad principles governing the exploitation of the land, including the obligation to abide by strict environmental standards as well as fair and equitable revenue distribution. The Committee reiterates that along with the right to exploit natural resources there are specific, concomitant obligations towards the local population, including effective and meaningful consultation. It further urges the State party to conduct full and impartial investigations of cases of alleged human rights violations by law enforcement officials and by private security personnel, institute proceedings against perpetrators and provide adequate redress to victims and/or their families.

- Turkmenistan, CERD, A/60/18 (2005) 61 at paras. 315, 317-321 and 327.

315. The Committee notes with concern the lack of consistent data relating to the ethnic composition of the population. It notes that the proportion of national and ethnic minorities in Turkmenistan seems to have significantly diminished between 1995 and 2005, but finds it difficult to interpret these figures, which may have resulted, at the same time, from an assimilation policy conducted by the State party, the emigration of many members of minority groups, and the alleged distortion of statistics by the State party so as to diminish the importance of minorities on its territory.

The Committee requests the State party to provide consistent information on the ethnic composition of its population.

...

317. The Committee is deeply concerned about reported instances of hate speech against national and ethnic minorities, including statements attributed to high-ranking government officials and public figures supporting an approach to Turkmen ethnic purity, which is reported to have a significant detrimental impact on the population given the severe restrictions on freedoms of opinion and expression impeding opposition to such discourses. The Committee is further concerned that such speech is inconsistent with the fundamental principle of racial and ethnic equality underlying the Convention (art. 4).

The Committee urges the State party to abide by its obligation under article 4 (c) of the Convention not to permit public authorities or public institutions, national or local, to promote or incite racial discrimination...

318. The Committee is deeply concerned by consistent information relating to the policy of “Turkmenization” conducted by the State party, and implemented through various measures in the field of employment, education and political life (arts. 2 and 5).

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The Committee recalls that policies of forced assimilation amount to racial discrimination and constitute grave violations of the Convention. It urges the State party to respect and protect the existence and cultural identity of all national and ethnic minorities within its territory...

319. The Committee is concerned that, according to some information, and in the light of paragraph 2(e) of General Assembly resolution 59/206 of 22 December 2004, national and ethnic minorities face severe restrictions on their participation in the labour force, in particular in public sector employment. It is particularly disturbed about reports relating to the removal of many non-ethnic Turkmen from State employment and to “third generation tests” imposed on persons wishing to access higher education and public sector employment (arts. 2 and 5).

The Committee invites the State party to verify whether “third generation tests” exist and to ensure the right to work without discrimination based on national or ethnic origin...

320. The Committee notes with deep concern information that the State party has internally forcibly displaced populations, targeting in particular ethnic Uzbeks, to inhospitable parts of Turkmenistan. It is further concerned about reported restrictions on freedom of movement imposed through internal travel documents and special permits to travel to internal border regions, which have a particular impact on persons belonging to national and ethnic minorities (arts. 2 and 5).

The Committee requests the State party not to forcibly displace populations and to re-examine its policy in this regard...The Committee further recommends to the State party that it lift restrictions on freedom of movement having a disproportionate impact on members of national minorities.

321. The Committee is concerned about information that persons belonging to national and ethnic minorities are impeded from exercising their right to enjoy their own culture. In particular, it is concerned about the reported closure of minority cultural institutions and of numerous schools teaching in minority languages, in particular Uzbek, Russian, Kazakh and Armenian languages, and the reduced possibilities for the use of minority languages in the media (arts. 2 and 5).

The Committee recommends that the State party fully respect the cultural rights of persons belonging to national and ethnic minorities. In particular, the State party should consider reopening Uzbek, Russian, Kazakh, Armenian and other minority language schools. The Committee suggests that the State party reconsider the requirement that students belonging to national or ethnic minorities wear Turkmen national dress... The State party should ensure that members of national and ethnic minorities are not discriminated against in their access to the media and have the possibility of creating and using their own media in their own

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language.

...

327. The Committee notes that, since independence, no case of racial discrimination has been referred to the courts. According to some information, members of national and ethnic minorities who suffer racial discrimination do not complain to courts because they fear reprisals and lack confidence in the police and the judicial authorities, and because of the authorities' lack of impartiality and of sensitivity to cases of racial discrimination (art. 6).

The Committee recommends to the State party that it inform victims of their rights, including remedies available to them, facilitate their access to justice, guarantee their right to just and adequate reparation, and publicize the relevant laws. The State party should ensure that its competent authorities proceed to a prompt and impartial investigation on complaints of racial discrimination, or whenever there are reasonable grounds to believe that racial discrimination has been committed on its territory. Judges and lawyers, as well as law enforcement personnel, should be trained accordingly.

- United Republic of Tanzania, CERD, A/60/18 (2005) 67 at para. 354.

354. While noting that a reform of the legal sector has been undertaken and that the issue of access to justice is being considered, the Committee remains concerned about the difficulties of access to justice, especially for the poor and members of minority groups (arts. 5 and 6).

The Committee recommends that the State party take the necessary measures to establish mechanisms to improve the capacity and efficiency of the judicial system, so as to ensure access to justice to all without discrimination, and to establish mechanisms to provide legal aid to all members of vulnerable groups.

ICCPR

- Ukraine, ICCPR, A/57/40 vol. I (2002) 32 at paras. 74(13) and 74(23).

(13) The Committee is concerned about allegations of police harassment, particularly of the Roma minority and aliens.

The State party should take effective measures to eradicate all forms of police harassment, and set up an independent authority to investigate complaints against the police. It should take steps against those held responsible for such acts of harassment.

...

(23) The Committee expresses its concern about the vague and undefined concept of

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"national minorities", which is the dominant factor in the State party's legislation on national minorities but does not cover the entire scope of article 27 of the Covenant. The Committee is also concerned about reports of cases of discrimination and harassment of persons belonging to minorities.

The State party should ensure that all members of ethnic, religious and linguistic minorities enjoy effective protection against discrimination, and that members of these communities can enjoy their own culture and use their own language, in accordance with article 27 of the Covenant.

- United Kingdom of Great Britain and Northern Ireland, ICCPR, A/57/40 vol. I (2002) 36 at paras. 75(7), 75(12) and 75(13).

(7) The Committee regrets that the State party, while having incorporated many Covenant rights into its domestic legal order through the Human Rights Act 1998, has failed to accord the same level of protection to other Covenant rights, including the provisions of articles 26 and 27.

The State party should consider, as a matter of priority, how persons subject to its jurisdiction may be guaranteed effective and consistent protection of the full range of Covenant rights. It should consider, as a priority, accession to the first Optional Protocol.

...

(12) The Committee is disturbed at the sharply increased number of racist incidents within the criminal justice system, particularly those reported as having been committed by police and prison staff against inmates. Racist violence between prisoners inappropriately located together has also resulted in serious violations of prisoners' rights under the Covenant, including at least one case of murder.

The State party should encourage the transparent reporting of racist incidents within prisons and ensure that racist incidents are rapidly and effectively investigated. It should ensure that appropriate disciplinary and preventive measures are developed to protect those persons who are particularly vulnerable. To this end, the State party should pay particular attention to improving the representation of ethnic minorities within the police and prison services.

(13) Although the Committee appreciates that a number of improvements over the reporting period in the representation of ethnic minorities in various walks of public life, as well as the extension in the Race Relations (Amendment) Act 2000 of a positive duty to certain public bodies to promote racial equality, the Committee remains concerned at the disproportionately low levels of participation by members of minority groups in government and the civil service, particularly the police and prison service.

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The State party should take appropriate measures to ensure that its public life better reflects the diversity of its population.

- Georgia, ICCPR, A/57/40 vol. I (2002) 53 at paras. 78(17) and 78(19).

(17) The Committee notes with deep concern the increase in the number of acts of religious intolerance and harassment of religious minorities of various creeds, particularly Jehovah's Witnesses.

The State party should take the necessary measures to ensure the right to freedom of thought, conscience and religion as provided in article 18 of the Covenant. It should also:

- (a) Investigate and prosecute documented cases of harassment against religious minorities;
- (b) Prosecute those responsible for such offences;
- (c) Conduct a public awareness campaign on religious tolerance and prevent, through education, intolerance and discrimination based on religion or belief.

...

(19) The Committee expresses its concern with respect to obstacles facing minorities in the enjoyment of their cultural, religious or political identities.

The State party should ensure that all members of ethnic, religious and linguistic minorities enjoy effective protection from discrimination and that the members of such communities can enjoy their own culture and use their own language, in accordance with article 27 of the Covenant.

- Sweden, ICCPR, A/57/40 vol. I (2002) 57 at paras. 79(13) and 79(15).

(13) The Committee expresses its concern at reports of persistent manifestations of racism and xenophobia, whether refusal of access to public places because of ethnicity or difficulties for foreigners in the job market (articles 19 and 26 of the Covenant).

The State party must make a sustained effort to improve the application of laws punishing racially motivated crimes, the integration into society of members of minority groups and the dissemination of a culture of tolerance, in particular as part of primary and secondary education.

...

(15) The Committee is concerned at the limited extent to which the Sami Parliament can

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have a significant role in the decision-making process on issues affecting the traditional lands and economic activities of the indigenous Sami people, such as projects in the fields of hydroelectricity, mining and forestry, as well as the privatization of land (articles 1, 25 and 27 of the Covenant).

The State party should take steps to involve the Sami by giving them greater influence in decision-making affecting their natural environment and their means of subsistence.

- Hungary, ICCPR, A/57/40 vol. I (2002) 60 at para. 80(7).

(7) The Committee is deeply concerned at the situation of the Roma people who, despite various steps taken by the State party, remain disadvantaged in almost all aspects of life covered by the Covenant. The Committee particularly regrets ongoing discrimination against Roma with regard to employment, housing, education, social security and participation in public life. The excessively high number of Roma in prisons, reports of their ill-treatment in police custody and the continuing existence of separate schools are also ongoing sources of concern to the Committee.

The State party should strengthen measures for improving the situation of the Roma people. In addition to further legislative steps, the training of officials, in particular the police, is strongly recommended, as is a vigorous campaign to alter public attitudes *vis-à-vis* the Roma people. The State party should also discontinue the placement of Roma children in special schools or special classes and give priority to measures that will enable them to benefit from regular schools and classes (articles 26 and 27 of the Covenant).

- Viet Nam, ICCPR, A/57/40 vol. I (2002) 67 at para. 82(19).

(19) While noting that the State party denies any violation of the Covenant rights in this respect, the Committee remains concerned at the abundance of information regarding the treatment of the Degar (Montagnard) indicating serious violations of articles 7 and 27 of the Covenant. The Committee is concerned at the lack of specific information concerning indigenous peoples, especially the Degar (Montagnard), and about measures taken to ensure that their rights under article 27 to enjoy their cultural traditions, including their religion and language, as well as to carry out their agricultural activities, are respected.

The State party should take immediate measures to ensure that the rights of members of indigenous communities are respected. Non-governmental organizations and other human rights monitors should be granted access to the central highlands.

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- Republic of Moldova, ICCPR, A/57/40 vol. I (2002) 76 at para. 84(19).

(19) While acknowledging steps that have been taken to improve the legal position of minorities, the Committee remains concerned at their situation in practice. In this connection, it expresses its concern at the situation of the Gagauz and that of the Roma, who continue to suffer serious discrimination, notably in rural areas.

The State party should increase its efforts to translate its international commitments under articles 26 and 27 of the Covenant into practical achievements for its minorities, including the Gagauz and the Roma in rural communities.

- Egypt, ICCPR, A/58/40 vol. I (2002) 31 at para. 77(17).

(17) The Committee is concerned about infringements of the right to freedom of religion or belief.

(a) The Committee deplores the ban on worship imposed on the Baha'i community.

(b) The Committee is also concerned at the pressures applied to the judiciary by extremists claiming to represent Islam, who have even succeeded, in some cases, in imposing on courts their own interpretation of the religion (articles 14, 18 and 19 of the Covenant).

The State party must see to it that its legislation and practice are consistent with article 18 of the Covenant as regards the rights of the Baha'i community and reinforce its legislation, in particular Act No. 3 of 1996, to make it consistent with articles 14, 18 and 19 of the Covenant.

- Estonia, ICCPR, A/58/40 vol. I (2003) 41 at para. 79(16).

(16) While welcoming the abolition of the requirement of proficiency in the Estonian language for standing as a candidate in elections and the assertion by the delegation that the use or size of advertisements and signs in other languages is not restricted, the Committee is concerned at the practical implementation of Estonian language proficiency requirements, including in the private sector, and the effect this may have on the availability of employment to the Russian-speaking minority. It is also concerned that, in those areas where a substantial minority speaks primarily Russian, public signs are not posted also in Russian.

The State party is invited to ensure that, pursuant to article 27 of the Covenant, minorities are able in practice to enjoy their own culture and to use their own language. It is also

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invited to ensure that legislation related to the use of languages does not lead to discrimination contrary to article 26 of the Covenant.

- Luxembourg, ICCPR, A/58/40 vol. I (2003) 45 at para. 80(7).

(7) The Committee notes, on the one hand, that the State party grants financial assistance to the Christian and Jewish communities only and, on the other hand, that the criteria applied (such as membership of a religion recognized worldwide and officially in at least one European Union country) may give rise to problems as far as their compatibility with the provisions of articles 18, 26 and 27 of the Covenant is concerned.

The State party should guarantee non-discriminatory treatment of communities of religion and belief in respect of financial assistance and, to this end, ensure that all criteria in this regard are revised to guarantee that they are in keeping with the Covenant.

- Slovakia, ICCPR, A/58/40 vol. I (2003) 52 at paras. 82(11), 82(12) and 82(16)-82(19).

(11) The Committee is concerned about the persistent allegations of police harassment and ill-treatment during police investigations, particularly of the Roma minority, which the delegation described as resulting from psychological failure to handle the situation rather than to problems with legislation or police incompetence (arts. 2, 7, 9, 26).

The State party should take measures to eradicate all forms of police harassment and ill-treatment during police investigations of the Roma, including prompt investigations, prosecution of perpetrators and the provision of effective remedies to the victims.

(12) Despite the oral and written answers provided by the delegation, the Committee remains concerned at reports of forced or coerced sterilization of Roma women. In particular, the Committee regrets that in its written answers submitted after the oral consideration of the report, the State party did not clearly deny or admit breaches of the principle of full and informed consent but asserted that an investigation of maternity wards and gynaecology departments of 12 hospitals did not reveal infringements of “medical indication” of sterilization. The reference made, in the same submission, to “the fact that not all administrative acts were fulfilled in every case” appears to amount to an implicit admission of breaches of the requirement of informed consent (arts. 7, 26).

The State party should adopt all necessary measures to investigate all alleged cases of coerced or forced sterilization, publicize the findings, provide effective remedies to victims and prevent any future instances of sterilization without full and informed consent.

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...

(16) The Committee is concerned about discrimination against the Roma. The Committee notes that the delegation has acknowledged the problem and stated that the situation of the Roma is both a short-term and a long-term priority of the Government. The Committee takes note of the measures aimed at improving the situation of Roma in various areas such as employment, health care, housing and education. The Committee also welcomes educational campaigns amongst the general public to attack stereotypes. However, the steps taken by the State party to improve the socio-economic condition of the Roma and to change the attitudes of society *vis-à-vis* the Roma do not appear to be sufficient, and *de facto* discrimination persists (arts. 2, 26).

The State party should take all necessary measures to eliminate discrimination against the Roma and to enhance the effective enjoyment of their rights under the Covenant. The State party should also make greater efforts to provide opportunities for Roma to use their language in official communications, to provide readily accessible social services, to provide training to Roma in order to equip them for employment and to create job opportunities for them...

(17) The Committee reiterates the concern expressed in its previous concluding observations about reports that Roma are often victims of racist attacks, without receiving adequate protection from law enforcement officers. It further notes continued reports of statements by prominent politicians reflecting discriminatory attitudes *vis-à-vis* the Roma (arts. 2, 20, 26).

The State party should take all necessary measures to combat racial violence and incitement, provide proper protection to Roma and establish adequate mechanisms to receive complaints from victims and ensure adequate investigation and prosecution of cases of racial violence and incitement to racial hatred.

(18) The Committee notes the introduction of programmes such as pre-school grades at elementary schools, the inclusion of Romani language education and the inclusion of teacher's assistant positions for Roma pupils. However, the Committee is concerned about the grossly disproportionate number of Roma children assigned to special schools designed for mentally disabled children, which causes a discriminatory effect in contravention of article 26 of the Covenant.

The State party should take immediate and decisive steps to eradicate the segregation of Roma children in its educational system by ensuring that any differentiation within education is aimed at securing attendance in non-segregated schools and classes. Where needed, the State party should also provide special training to Roma children to secure, through positive measures, their access to education without segregation.

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(19) The Committee has taken note of the position of the delegation as to the reasons for the lack of statistical data with regard to the situation of Roma as well as of women. However, the Committee emphasizes the importance of data in assessing the situation in the State party and in addressing possible inequalities and patterns of discrimination. Furthermore, the Committee is concerned at the large discrepancy between official census figures and data provided by non-governmental organizations as to the size of the Roma population in the State party. Such under-reporting may have a significant impact on the position of Roma in public life, including the exercise of certain rights, for instance under the Minority Language Law (arts. 2, 3 and 26).

While appreciating the complex nature of gathering such data, the Committee urges the State party to take steps to collect, through methods compatible with the principles of data protection, statistical data reflecting the current size of the Roma population, as well as the position of minorities and women in society, including in the workplace, both in the public and the private sectors.

- Portugal, ICCPR, A/58/40 vol. I (2003) 56 at paras. 83(8) and 83(20).

(8) The Committee is concerned about reported cases of disproportionate use of force and ill-treatment by the police, occurring particularly at the time of arrest and during police custody, and resulting, in some instances, in the death of the victims. Police violence against persons belonging to ethnic minorities appears to be recurrent...

(a) The State party should end police violence without delay. It should increase its efforts to ensure that education on the prohibition of torture and ill-treatment, as well as sensitization on issues of racial discrimination, are included in the training of law enforcement personnel. Efforts should also be made to recruit members of minority groups into the police.

...

(20) The Committee is concerned that, despite extensive positive measures adopted by the State party, the Roma continue to suffer from prejudice and discrimination, particularly with regard to access to housing, employment and social services, and that the State party was unable to submit detailed information, including statistical information, on the situation of these communities as well as on the results achieved by the institutions responsible for the advancement and welfare of the Roma (arts. 26 and 27).

(a) The State party should intensify its efforts to integrate Roma communities in Portugal in a manner that is respectful of their cultural identity, in particular through the adoption of positive action with regard to housing, employment, education and social services.

...

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- Israel, ICCPR, A/58/40 vol. I (2003) 64 at paras. 85(12), 85(19), 85(22) and 85(23).

(12) While welcoming the State party's decision to review the need to maintain the declared state of emergency and to prolong it on a yearly rather than an indefinite basis, the Committee remains concerned about the sweeping nature of measures during the state of emergency that appear to derogate from Covenant provisions other than article 9, derogation from which was notified by the State party upon ratification. In the Committee's opinion, these derogations extend beyond what would be permissible under those provisions of the Covenant which allow for the limitation of rights (e.g. arts. 12, para. 3, 19, para. 3, and 22...). As to measures derogating from article 9 itself, the Committee is concerned about the frequent use of various forms of administrative detention, particularly for Palestinians from the Occupied Territories, entailing restrictions on access to counsel and on the disclosure of full reasons for the detention. These features limit the effectiveness of judicial review, thus endangering the protection against torture and other inhuman treatment prohibited under article 7 and derogating from article 9 more extensively than what in the Committee's view is permissible pursuant to article 4. In this regard, the Committee refers to its earlier concluding observations on Israel and to its general comment No. 29.

The State party should complete as soon as possible the review initiated by the Ministry of Justice of legislation governing states of emergency. In this regard, and pending the adoption of appropriate legislation, the State party should review the modalities governing the renewal of the state of emergency and specify the provisions of the Covenant from which it seeks to derogate, to the extent strictly required by the exigencies of the situation (art. 4).

...

(19) While again acknowledging the seriousness of the State party's security concerns, which have prompted recent restrictions on the right to freedom of movement, for example through imposition of curfews or establishment of an inordinate number of roadblocks, the Committee is concerned that the construction of the "Seam Zone", by means of a fence and, in part, of a wall, beyond the Green Line imposes additional and unjustifiably severe restrictions on the right to freedom of movement of, in particular, Palestinians within the Occupied Territories. The "Seam Zone" has adverse repercussions on nearly all walks of Palestinian life; in particular, the wide-ranging restrictions on freedom of movement disrupt access to health care, including emergency medical services, and access to water. The Committee considers that these restrictions are incompatible with article 12 of the Covenant.

The State party should respect the right to freedom of movement guaranteed under article 12. The construction of a "Seam Zone" within the Occupied Territories should be stopped.

...

(22) The Committee is concerned about the criteria in the 1952 Law on Citizenship enabling the revocation of Israeli citizenship, especially its application to Arab Israelis. The

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Committee is concerned about the compatibility with the Covenant, in particular article 24 of the Covenant, of the revocation of the citizenship of Israeli citizens.

The State party should ensure that any changes to citizenship legislation are in conformity with article 24 of the Covenant.

(23) ...The Committee notes with concern that the percentage of Arab Israelis in the civil service and public sector remains very low and that progress towards improving their participation, especially of Arab Israeli women, has been slow (arts. 3, 25 and 26).

The State party should adopt targeted measures with a view to improving the participation of Arab Israeli women in the public sector and accelerating progress towards equality.

- Russian Federation, ICCPR, A/59/40 vol. I (2003) 20 at para. 64(24).

(24) The Committee is concerned at the increase of racially motivated violent attacks against ethnic and religious minorities, as well as about reports of racial profiling by law enforcement personnel. It notes with concern reports of xenophobic statements made by public officials.

The State party should take effective measures to combat racially motivated crimes. It should ensure that law enforcement personnel receive clear instructions and proper training with a view to protecting minorities against harassment. The State party is also encouraged to introduce specific legislation to criminalize racist acts as well as racially motivated statements made by those in public office (arts. 2, 20 and 26).

- Latvia, ICCPR, A/59/40 vol. I (2003) 25 at paras. 65(20) and 65(21).

(20) While noting the explanation provided by the State party for the adoption of the Education Law of 1998, particularly the gradual transition to Latvian as the language of instruction, the Committee remains concerned about the impact of the current time limit on the move to Latvian as the language of instruction, in particular in secondary schools, on Russian-speakers and other minorities. Furthermore, the Committee is concerned about the distinction made in providing state support to private schools based on the language of instruction (arts. 26 and 27).

The State party should take all necessary measures to prevent negative effects on minorities of the transition to Latvian as the language of instruction. It should also ensure that if State subsidies are provided to private schools, they are provided in a non-discriminatory manner.

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(21) The Committee is concerned about the social and economic situation of the Roma minority and its impact on the full enjoyment of their rights under the Covenant, as well as the potentially negative effect on them of the present regulations regarding the entry of ethnic origin in passports and identity documents. (arts. 2, 26 and 27).

The State party should take steps to remove obstacles to the practical enjoyment by the Roma of their rights under the Covenant, and, in particular, abolish the provisions allowing for entry of ethnic origin in passports and identity documents.

- Colombia, ICCPR, A/59/40 vol. I (2004) 35 at para. 67(20).

(20) The Committee expresses its concern about the continued discrimination against indigenous and minority communities. The Committee is also concerned about the lack of forums for consultation with representatives of the communities with regard to the distribution of land to the indigenous peoples. The Committee is also concerned about the lack of guarantees with respect to the exercise by the indigenous communities of the right to property, given the existence of projects to develop and exploit resources that could affect those communities.

The State party should guarantee the full enjoyment of the rights of persons belonging to minorities which are set out in the Covenant, in particular with respect to the distribution of land and natural resources, through effective consultations with representatives of the indigenous communities.

- Germany, ICCPR, A/59/40 vol. I (2004) 39 at paras. 68(16), 68(20) and 68(21).

(16) While appreciating the reduction in the number of complaints made public in recent years, the Committee expresses its concern about continuing reports of ill-treatment of persons by the police, including foreigners and members of ethnic minorities. It is concerned that despite the previous concluding observations of the Committee, the State party has not found ways to monitor the situation effectively and still lacks the necessary statistical information on police misconduct (art. 7).

(a) The State party should promptly, thoroughly and impartially investigate all allegations of police ill-treatment and, where appropriate, bring those responsible to justice.

(b) The State party should protect persons who bring complaints of ill-treatment against police officers against intimidation and provide full reparation, including fair and adequate compensation, and rehabilitation to victims and their families.

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(c) The State party should improve monitoring of police misconduct by designating a central governmental agency to maintain and publish comprehensive statistics on ill-treatment and other relevant misconduct, including racist abuse, the measures taken in such cases and the results of investigations and disciplinary or penal proceedings. Furthermore, the State party should establish independent bodies throughout its territory to investigate complaints of ill-treatment by the police.

...

(20) While it takes note of the firm stance of Germany in favour of respect for human rights within the framework of the anti-terrorism measures it adopted subsequent to the events of 11 September 2001, the Committee expresses its concern regarding the effect of those measures on the situation of human rights in Germany, in particular for certain persons of foreign extraction, because of an atmosphere of latent suspicion towards them (arts. 17, 19, 22 and 26).

(a) The State party should ensure that anti-terrorism measures are in full conformity with the Covenant. The State party is requested to ensure that the concern over terrorism is not a source of abuse, in particular for persons of foreign extraction, including asylum-seekers.

(b) The State party is also requested to undertake an educational campaign through the media to protect persons of foreign extraction, in particular Arabs and Muslims, from stereotypes associating them with terrorism, extremism and fanaticism.

(21) The Committee is concerned that the Roma continue to suffer prejudice and discrimination, in particular with regard to access to housing and employment. It also expresses its concern at reports that Roma are disproportionately affected by deportation and other measures to return foreigners to their countries of origin (arts. 26 and 27).

(a) The State party should intensify its efforts to integrate Roma communities in Germany in a manner respectful of their cultural identity, in particular through the adoption of positive action with regard to housing, employment and education.

(b) The State party should guarantee the principle of non-discrimination in its practice relating to deportation and return of foreigners to their countries of origin.

- Suriname, ICCPR, A/59/40 vol. I (2004) 43 at para. 69(21).

(21) The Committee is concerned at the lack of legal recognition and guarantees for the protection of indigenous and tribal rights to land and other resources. It regrets that logging and mining concessions in many instances were granted without consulting or even informing indigenous and tribal groups, in particular the Maroon and Amerindian communities. It also notes allegations that mercury has been released into the environment

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in the vicinity of such communities, which continues to threaten the life, health and environment of indigenous and tribal peoples. The latter are also said to be victims of discrimination in employment and education, and generally with respect to their participation in other areas of life (arts. 26 and 27).

The State party should guarantee to members of indigenous communities the full enjoyment of all the rights recognized by article 27 of the Covenant, and adopt specific legislation for this purpose. A mechanism to allow for indigenous and tribal peoples to be consulted and to participate in decisions that affect them should be established. The State party should take the necessary steps to prevent mercury poisoning of waters, and thereby of inhabitants, in the interior of the State party's territory.

- Lithuania, ICCPR, A/59/40 vol. I (2004) 52 at para. 71(8).

(8) While welcoming the adoption of the Programme for Roma Integration into Lithuanian Society and the oral information provided by the delegation on the achievements of the first phase of the Programme, the Committee continues to be concerned about the social and economic situation of the Roma minority and its impact on the full enjoyment of their rights under the Covenant. It notes that the Roma continue to suffer from discrimination, poverty and unemployment, and play no part in the public life of the State party (arts. 26 and 27).

The State party should provide the Committee with an assessment of the results of the first phase of the Programme, including detailed information on its outcome and achievements and the extent to which it has improved the social and economic conditions of the Roma minority. The Committee also encourages the State party to take this assessment into account in designing and implementing the second phase of the Programme.

- Belgium, ICCPR, A/59/40 vol. I (2004) 56 at para. 72(26).

(26) The Committee is concerned that not a single mosque has yet been granted official recognition in Belgium (arts. 18 and 26).

The State party should step up its efforts to ensure that mosques are recognized and that Islam enjoys the same advantages as other religions.

- Liechtenstein, ICCPR, A/59/40 vol. I (2004) 61 at para. 73(9).

(9) While noting the measures taken by the State party to promote equality and integration

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of non-citizens, the Committee regrets that the principle of equality before the law for all the individuals under the State party's jurisdiction is only indirectly recognized in the Constitution. It is also concerned about the persistence of xenophobia and intolerance, especially against Muslims and people of Turkish origin (arts. 2 and 26).

The State party should consider amending the Constitution to ensure that the principle of equality before the law is guaranteed to all individuals under its jurisdiction. The State party should intensify its efforts to combat right-wing extremism and other expressions of xenophobia and religious intolerance.

- Serbia and Montenegro, ICCPR, A/59/40 vol. I (2004) 68 at paras. 75(23) - 75(25).

(23) While noting the adoption of the Law on the Protection of the Rights and Freedoms of National Minorities, the Committee remains concerned that the practical enjoyment by members of ethnic, religious and linguistic minorities of their Covenant rights still requires improvement. In this context, the Committee notes the lack of a comprehensive non-discrimination legislation covering all aspects of distinction (arts. 2, 26, 27).

The State party should ensure that all members of ethnic, religious and linguistic minorities, whether or not their communities are recognized as national minorities, enjoy effective protection against discrimination and are able to enjoy their own culture, to practise and profess their own religion, and use their own language, in accordance with article 27 of the Covenant. In this context, the State party should enact comprehensive non-discrimination legislation, in order to combat ethnic and other discrimination in all fields of social life and to provide effective remedies to victims of discrimination.

(24) The Committee is concerned that widespread discrimination against the Roma persists with regard to all areas of life. The Committee is particularly concerned about the deplorable social and economic situation of the Roma minority, including access to health services, social assistance, education and employment which has a negative impact on the full enjoyment of their rights under the Covenant (arts. 2, 26, 27).

The State party should take all necessary measures to ensure the practical enjoyment by the Roma of their rights under the Covenant, by urgently implementing all strategies and plans to address discrimination and the serious social situation of the Roma in Serbia and Montenegro.

(25) While noting reports about the decrease in police violence against Roma, the Committee continues to be concerned at violence and harassment by racist groups, and inadequate protection against racially motivated acts afforded by law enforcement officers (arts. 2, 20, 26).

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The State party should take all necessary measures to combat racial violence and incitement, provide proper protection to the Roma and other minorities, and establish mechanisms to receive complaints from victims and ensure investigation and prosecution of cases of racial violence and incitement to racial hatred, and ensure access to adequate remedies and compensation.

- Finland, ICCPR, A/60/40 vol. I (2004) 22 at paras. 81(15) and 81(17).

(15) While acknowledging the State party's efforts to enable the Roma minority to preserve its language and culture and to integrate fully into society, the Committee again notes with concern that Roma still face discrimination in housing, education, employment and access to public places.

The State party should step up its efforts to combat social exclusion and discrimination, and allocate the requisite resources to put into effect all plans to do away with obstacles to the Roma's practical exercise of the rights they enjoy under the Covenant (arts. 26 and 27).

...

(17) The Committee regrets that it has not received a clear answer concerning the rights of the Sami as an indigenous people (Constitution, sect. 17, subsect. 3), in the light of article 1 of the Covenant. It reiterates its concern over the failure to settle the question of Sami rights to land ownership and the various public and private uses of land that affect the Sami's traditional means of subsistence - in particular reindeer breeding - thus endangering their traditional culture and way of life, and hence their identity.

The State party should, in conjunction with the Sami people, swiftly take decisive action to arrive at an appropriate solution to the land dispute with due regard for the need to preserve the Sami identity in accordance with article 27 of the Covenant. Meanwhile it is requested to refrain from any action that might adversely prejudice settlement of the issue of Sami land rights.

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at paras. 82(21) and 82(22).

(21) While noting measures undertaken to improve the living conditions of the Roma community, the Committee is concerned that the Roma community continues to suffer prejudice and discrimination, in particular with regard to access to health services, social assistance, education and employment which have a negative impact on the full enjoyment of their rights under the Covenant (arts. 2, 26 and 27).

The State party should take all necessary measures to ensure the practical enjoyment by the Roma of their rights under the Covenant, by urgently implementing and reinforcing effective

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measures to address discrimination and the serious social situation of the Roma.

(22) While noting the adoption of institutional measures to improve the rights of minorities, the Committee remains concerned that the practical enjoyment of the Covenant rights by members of ethnic and linguistic minorities is imperilled by a variety of factors and discriminatory practices (arts. 2, 26 and 27).

The State party is urged to ensure that all members of ethnic and linguistic minorities, whether or not they are recognized as national minorities, are effectively protected against discrimination and may enjoy their own culture and use their own language, have access to all social rights, participate in public affairs, and are provided with effective remedies against discrimination.

See also:

- Slovenia, ICCPR, A/60/40 vol. I (2005) 74 at para. 93(17).
- Poland, ICCPR, A/60/40 vol. I (2004) 40 at paras. 85(17) and 85(20).

(17) While noting measures taken to improve the conditions of the Roma community, the Committee is concerned that the Roma continue to suffer prejudice and discrimination, in particular with regard to access to health services, social assistance, education and employment. It is also concerned that acts of violence against members of the Roma community are not appropriately investigated and sanctioned (arts. 2, 26 and 27).

The State party should intensify its efforts to prevent discrimination against the Roma community and ensure their full enjoyment of their Covenant rights. The police and judiciary should be properly trained to investigate and sanction all acts of discrimination and violence against the Roma.

...

(20) While taking note of the draft Law on National and Ethnic Minorities and on Regional Languages, the Committee is concerned that current legislation does not allow linguistic minorities to use their own language when dealing with administrative authorities in areas where their numbers warrant (arts. 26 and 27).

The State party should ensure that new legislation on minorities is in full compliance with article 27 of the Covenant, in particular regarding the rights of minorities to be recognized as such and to use their own languages.

- Greece, ICCPR, A/60/40 vol. I (2005) 60 at paras. 90(8), 90(9), 90(14), 90(18) and 90(20).

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(8) The Committee is concerned about the impediments that Muslim women might face as a result of the non-application of the general law of Greece to the Muslim minority on matters such as marriage and inheritance (arts. 3 and 23).

The Committee urges the State party to increase the awareness of Muslim women of their rights and the availability of remedies and to ensure that they benefit from the provisions of Greek civil law.

(9) The Committee is concerned about reported cases of disproportionate use of force by the police, including fatal shootings, and ill-treatment at the time of arrest and during police custody. Police violence against migrants and Roma appears to be recurrent. The Committee is equally concerned about the reported failure of the judicial and administrative systems to deal promptly and effectively with such cases and the leniency of the courts in the few cases where law enforcement officers have been convicted (arts. 2 and 7).

(a) The State party should end police violence without delay. It should increase its efforts to ensure that education on the prohibition of torture and ill treatment, as well as sensitization on issues of racial discrimination are included in the training of law enforcement personnel;

(b) The State party should ensure that all alleged cases of torture, ill treatment and disproportionate use of force by police officers are fully and promptly investigated, that those found guilty are punished under laws that ensure that sentences are commensurate with the gravity of the offence, and that compensation is provided to the victims or their families...

...

(14) The Committee is concerned at allegations of discrimination against members of minority religions, including in the field of education. In particular, public school students are required to attend instructional classes in the Christian Orthodox religion and can opt out only after declaring their religion (art. 18).

(a) The State party should take measures to ensure full respect for the rights and freedoms of each religious community, in conformity with the Covenant;

(b) The Committee encourages the State party to hold consultations with representatives of minority religions, in order to find practical ways to permit religious instruction to be given to those desiring such opportunities. Pupils not wishing to attend religious education classes should not be obliged to declare their religion.

...

(18) The Committee is concerned that the Roma people remain disadvantaged in many aspects of life covered by the Covenant (arts. 26 and 27).

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(a) The State party should intensify its efforts to improve the situation of the Roma people in a manner that is respectful of their cultural identity, in particular, through the adoption of positive measures regarding housing, employment, education and social services...

...

(20) The Committee notes the State party's commitment to the equal enjoyment of their rights by all citizens of Greece, regardless of religion or ethnic origin. However, the Committee notes with concern the apparent unwillingness of the Government to allow any private groups or associations to use associational names that include the appellation "Turk" or "Macedonian", based upon the State party's assertion that there are no ethnic, religious or linguistic minorities in Greece other than the Muslims in Thrace. The Committee notes that individuals belonging to such minorities have a right under the Covenant to the enjoyment of their own culture, the profession and practise of their own religion, and the use of their own language in community with other members of their group (art. 27).

The State party should review its practice in light of article 27 of the Covenant.

- Slovenia, ICCPR, A/60/40 vol. I (2005) 74 at para. 93(16).

(16) The Committee is concerned about the difference in the status between the so-called "autochthonous" (indigenous) and "non-autochthonous" (new) Roma communities in the State party (arts. 26 and 27).

The State party should consider eliminating discrimination on the basis of status within the Roma minority and provide to the whole Roma community a status free of discrimination, and improve its living conditions and enhance its participation in public life.

- Syrian Arab Republic, ICCPR, A/60/40 vol. I (2005) 78 at paras. 94(18) and 94(19).

(18) The Committee notes the information provided by the State party and the delegation's statement as to the absence of any discrimination on grounds of race, colour, descent, or national or ethnic origin in the State party. However, the Committee remains concerned at discrimination against Kurds and that the practical enjoyment by the Kurdish population of their Covenant rights is not fully guaranteed (arts. 26 and 27).

The State party should ensure that all members of the Kurdish minority 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.

(19) The Committee has noted the information provided by the State party with regard to the stateless Kurds. The Committee remains concerned at the situation of the large number

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of Kurds treated as aliens or unregistered persons and the discrimination experienced by them. The Committee reminds the State party that the Covenant is applicable to all individuals subject to its jurisdiction (arts. 2 (1), 24, 26 and 27).

The State party should take urgent steps to remedy the situation of statelessness of Kurds in Syria and to protect and promote the rights of non-citizen Kurds. The Committee further urges the State party to allow Kurdish children born in Syria to acquire Syrian nationality.

- Thailand, ICCPR, A/60/40 vol. I (2005) 83 at paras. 95(22) - 95(24).

(22) Notwithstanding the corrective measures taken by the State party, most notably through the Central Registration Regulations 1992 and 1996, to address the issue of statelessness among ethnic minorities, including the Highlanders, the Committee remains concerned that a significant number of persons under its jurisdiction remain stateless, with negative consequences for the full enjoyment of their Covenant rights, as well as the right to work and their access to basic services, including health care and education. The Committee is concerned that their statelessness renders them vulnerable to abuse and exploitation. The Committee is also concerned about the low levels of birth registration, especially among Highlander children. (arts. 2 and 24).

The State party should continue to implement measures to naturalize the stateless persons who were born in Thailand and are living under its jurisdiction. The State party should also review its policy regarding birth registration of children belonging to ethnic minority groups, including the Highlanders, and asylum-seeking/refugee children, and ensure that all children born in the State party are issued with birth certificates.

(23) The Committee is concerned about the lack of full protection of the rights of registered and unregistered migrant workers in Thailand, particularly with regard to liberty of movement, access to social services and education, and access to personal documents. The deplorable conditions in which migrants are obliged to live and work indicate serious violations of articles 8 and 26 of the Covenant. The Committee notes that ethnic minorities and migrants from Myanmar are particularly vulnerable to exploitation by employers as well as to deportation by the Thai authorities. The Committee is also concerned that a significant number of migrant workers, mainly from Myanmar, are still missing in the aftermath of the tsunami in December 2004 and that others were not provided with the necessary humanitarian assistance due to their lack of legal status (arts. 2, 8 and 26).

The State party must take measures to effectively implement the existing legislation providing for the rights of migrant workers. Migrant workers should be afforded full and effective access to social services, educational facilities and personal documents, in accordance with the principle of non-discrimination. The State party should consider

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establishing a governmental mechanism to which migrant workers can report violations of their rights by their employers, including illegal withholding of their personal documents. The Committee also recommends that humanitarian assistance be effectively provided to all victims of the tsunami disaster without discrimination, regardless of their legal status.

(24) The Committee expresses its concern about the structural discrimination by the State party against minority communities, in particular the Highlanders with regard to citizenship, land rights, freedom of movement and the protection of their way of life. The Committee notes with concern the treatment of the Highlanders by law enforcement officials, in particular their forced eviction and relocation in the context of the 1992 Master Plan on Community Development, Environment and Narcotic Crop Control in Highland Areas, which gravely affected their livelihood and way of life, as well as the reports of extrajudicial killings, harassment and confiscation of property in the context of the “war on drugs” campaign. The Committee is also concerned about the construction of the Thai-Malaysian Gas Pipeline and other development projects which have been carried out with minimal consultation with the concerned communities. In addition, the Committee is concerned about violent suppression of peaceful demonstrations by law enforcement officers in contravention of articles 7, 19, 21 and 27 of the Covenant (arts. 2, 7, 19, 21 and 27).

The State party should guarantee the full enjoyment of the rights of persons belonging to minorities that are set out in the Covenant, in particular with respect to the use of land and natural resources, through effective consultations with local communities. The State party should respect the rights of persons belonging to minorities to enjoy their own culture, to profess and practice their own religion, and to use their own language in community with other members of their group.

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- Sweden, ICESCR, E/2002/22 (2001) 106 at para. 745.

745. The Committee urges the State party to take additional and effective measures that promote instruction in the mother tongue of minorities and immigrants.

- Algeria, ICESCR, E/2002/22 (2001) 116 at paras. 816 and 831.

816. The Committee notes with concern that Arabic is the only official language in the State party and that the Amazigh population continues to be denied the use of their language at the official level. The Committee further notes the announcement by the Government on 3 October 2001 that the Constitution will be amended to make Amazigh a national language.

...

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831. The Committee encourages the State party to preserve the language and culture of the Amazigh population and to take appropriate steps to implement the plans to accord constitutional status to the Amazigh language as a national language, as announced by the Government on 3 October 2001. The Committee furthermore recommends that the State party undertake measures towards the recognition of the Amazigh language as an official language.

- France, ICESCR, E/2002/22 (2001) 121 at paras. 864, 874 and 875.

864. The Committee expresses its concern about the lack of recognition of minorities in France. While the French tradition emphasizes the unity of the State and the equality of all French citizens, and while there is a commitment on the part of the State party to respect and protect equal rights for all, the Committee is of the opinion that the fact that all individuals are guaranteed equal rights in the State party and that they are all equal before the law does not mean that minorities do not have the right to exist and to be protected as such in the State party. The Committee emphasizes that equality before the law is not always adequate to ensure the equal enjoyment of human rights, and in particular economic, social and cultural rights, by certain minority groups in a country.

...

874. The Committee suggests that the State party review its position with regard to minorities, ensuring that minority groups have the right to exist and to be protected as such in the State party. The Committee recommends that the State party withdraw its reservation with regard to article 27 of the International Covenant on Civil and Political Rights and that it ratify the Framework Convention on the Protection of National Minorities, as well as the European Charter for Regional and Minority Languages, signed by State members of the Council of Europe in 1995 and 1992, respectively.

875. The Committee also recommends that the State party increase its efforts to preserve regional and minority cultures and languages, and that it undertake measures to improve education on, and education in, these languages.

- Croatia, ICESCR, E/2002/22 (2001) 125 at paras. 894, 898, 902, 903, 905, 911, 919 and 920.

894. The Committee expresses particular concern that the granting of citizenship under the Law on Croatian Citizenship (1991) has not been governed by fair and objective non-discriminatory criteria based on pre-war residence and connections to Croatia, and as a result has heavily favoured ethnic Croats. The Committee notes with concern that the inability to prove habitual residence negatively affects the possibility of obtaining Croatian nationality

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for persons from certain minority groups who left during the war and wish to return to Croatia.

...

898. The Committee is alarmed at the large backlog of cases before the courts, estimated at 1 million cases in a country with a population of about 4.8 million people, which impedes access to justice. The Committee is also concerned that many court decisions that are favourable to minorities, particularly ethnic Serbs, are not implemented by the responsible enforcement agencies. The obstacles faced by many ethnic Serbs with regard to occupancy rights and the difficulty they encounter when seeking redress through the courts is illustrated, in particular, by Application No. 45943/99, *Rudan v. Croatia*, recently decided by the European Court of Human Rights. The facts of that case demonstrate the legal and administrative obstacles facing a Serb family appealing the unilateral termination of occupancy rights. Although the Court declared this case inadmissible *ratione temporis*, the Committee notes that the events detailed in that case have occurred since 1992, when the Covenant was in force in Croatia, and that the situation persists today.

...

902. With respect to the right to education, the Committee commends the near-achievement of universal and free compulsory primary education, in conformity with article 14 of the Covenant. However, the Committee is concerned by reports that some children from certain minority groups, in particular the Roma, and children of undocumented aliens may not be going to school. The Committee is concerned about reports that the curriculum and textbooks used in schools contain derogatory references to minority groups.

903. The Committee urges the State party to undertake a comprehensive review of the phenomenon of all forms of discrimination within the meaning of article 2 of the Covenant and the relevant provisions of other international human rights treaties to which the State is a party, particularly the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Civil and Political Rights. The Committee recommends that the necessary measures, including legislative reforms, be taken to ensure that the rights of all minority groups are enjoyed throughout the territory, without discrimination, in accordance with article 2 of the International Covenant on Economic, Social and Cultural Rights.

...

905. The Committee urges that the State party establish objective criteria for the granting of citizenship to those wishing to obtain citizenship, in particular to those who left during the war and wish to return to Croatia, irrespective of ethnic origin, and that the Law on Croatian Citizenship be amended accordingly. It further recommends that the State party ratify the 1961 Convention on the Reduction of Statelessness.

...

911. In view of the very large number of persons affected in the areas of occupancy rights, acquisition of citizenship and other matters resulting from the war and the aftermath of independence, the Committee is of the opinion that the burden on the court system could be

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significantly reduced by adopting non-discriminatory laws and by streamlining legal and administrative procedures accordingly.

...

919. The Committee recommends that immediate steps be taken to ensure that all children residing within the territory of the State party, regardless of their ethnic origin or the status of their parents, are able to go to school and are protected from discrimination.

920. The Committee urges that the educational curricula of schools at all levels be reviewed with a view to promoting human rights education, mutual understanding, tolerance and friendship, in accordance with article 13 of the Covenant. Conversely, any educational material that is discriminatory or derogatory towards others should be removed. The Committee recommends that the State party take guidance in such educational reform from its General Comment No. 13 (1999) on the right to education (art. 13 of the Covenant) and by Committee on the Rights of the Child General Comment No. 1 (2001) on the aims of education (art. 29, para. 1, of the Convention on the Rights of the Child).

- Czech Republic, ICESCR, E/2003/22 (2002) 25 at paras. 79, 81, 89, 96, 100 and 111.

79. The Committee is deeply concerned about the high level of discrimination against Roma people in the fields of employment, housing and education. In spite of the fact that the State party acknowledges this fact, the administrative and legislative measures undertaken by the State party to improve the socio-economic conditions of the Roma are still insufficient to address the problem. The Committee is also concerned that, despite the affirmative programmes in favour of the Roma undertaken by the State party, no specific legislation has yet been enacted to outlaw discrimination against them.

...

81. The Committee is alarmed about the increasing rate of unemployment, particularly among women, the Roma and other vulnerable groups.

...

89. The Committee is deeply concerned about the over-representation of Roma children in so-called "special schools" which are primarily designed for mentally retarded children, resulting in discrimination, substandard education and the stigma of mental disability.

...

96. The Committee urges the State party, in line with "The Concept of Roma Integration", approved by the Government on 23 January 2002, to take all necessary measures, legislative or otherwise, to eliminate discrimination against groups of minorities, in particular Roma.

...

100. The Committee calls upon the State party to take effective action to reduce the unemployment rate, in particular among Roma people, women and other vulnerable groups.

...

111. The Committee urges the State party to take immediate and effective measures to

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eliminate discrimination against Roma children by removing them from "special schools" and integrating them into the mainstream of the educational system.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/2003/22 (2002) 39 at paras. 217, 221, 222, 234 and 241.

217. The Committee is concerned about the persistence of *de facto* discrimination in relation to some marginalized and vulnerable groups in society, especially ethnic minorities and persons with disabilities, in various fields, including employment, housing and education. The Committee regrets the unwillingness of the State party to adopt comprehensive legislation on equality and protection from discrimination, in accordance with article 2, paragraph 2, and article 3 of the Covenant.

...

221. The Committee reiterates its concern about the persistence of considerable levels of poverty, especially in certain parts of the country, such as Northern Ireland, and among certain sections of the population, such as ethnic minorities, persons with disabilities and older persons. Moreover, despite measures taken by the State party to combat poverty and social exclusion, the gap between the rich and poor in the State party has increased, according to information provided by the State party. The Committee also notes with particular concern the high levels of child poverty among certain groups of society in the State party.

222. The Committee is concerned at the persistence of homelessness, particularly among certain groups of society, such as ethnic minorities...

...

234. The Committee urges the State party to take more effective steps to combat *de facto* discrimination, in particular against ethnic minorities and people with disabilities, especially in relation to employment, housing and education. The Committee strongly recommends that the State party enact comprehensive legislation on equality and non-discrimination in British law, in conformity with article 2, paragraph 2, and article 3 of the Covenant.

...

241. The Committee recommends that the State party focus its efforts to combat homelessness on those groups in society which are disproportionately affected, such as ethnic minorities...

- Slovakia, ICESCR, E/2003/22 (2002) 50 at paras. 314, 316, 323, 327, 329 and 338.

314. The Committee is deeply concerned about discrimination against Roma people in the fields of employment, housing, health care and education. Although the State party acknowledges this fact, the legislative and administrative measures undertaken by the State

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party to improve the socio-economic conditions of the Roma are still insufficient to address the problem. The Committee is also concerned about the absence of a comprehensive anti-discrimination law.

...

316. ...The Committee is...concerned that unemployment among Roma people is steadily increasing and, in some cases, has risen above 80 per cent.

...

323. The Committee is alarmed about the low rate of primary school enrolment and the high drop out rates at secondary schools among Roma children.

...

327. The Committee urges the State party to take concrete measures, including the adoption of a comprehensive anti-discrimination law, in accordance with article 2, paragraph 2, of the Covenant, to combat and eliminate discrimination against minority groups, in particular against Roma people.

...

329. The Committee calls upon the State party to take effective measures, including increasing the resources allocated to reducing the unemployment rate, in particular among women, Roma people and other disadvantaged and marginalized groups, especially in rural areas.

...

338. The Committee urges the State party to intensify its efforts to increase the school attendance of Roma children, especially at the primary level, and to address the problem of dropouts among secondary school pupils...

- Poland, ICESCR, E/2003/22 (2002) 54 at paras. 354, 355, 376 and 377.

354. The Committee is deeply concerned about the recent increase in xenophobic manifestations and acts of violence against certain minorities, in particular Jews and Roma.

355. The Committee regrets that the State party has not provided data about the Roma population living in Poland and that it has not yet adopted and implemented a comprehensive programme to address the problems faced by Roma communities, in particular unemployment and inadequate living standards. The Committee also expresses its concern at the high dropout rates among Roma students.

...

376. The Committee urges the State party to take legislative and other measures to ban and prosecute organizations which incite or promote racial discrimination.

377. The Committee also urges the State party to provide updated information on the Roma population and to adopt a comprehensive programme to address the obstacles to the advancement of the Roma population, including measures to ensure effective remedy for

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cases of discrimination against Roma in employment, housing and health care. The Committee further urges the State party to adopt effective measures to combat the low school attendance and high dropout rates among Roma students and to provide for their integration into regular classes on an equal footing with other Polish children.

- Estonia, ICESCR, E/2003/22 (2002) 68 at paras. 495, 515 and 540.

495. The Committee expresses its concern that unemployment rates are higher in certain regions of the State party than in others and that the unemployment rate for ethnic minorities is around 16.6 per cent, which is well above the national average of around 9.9 per cent...

...

515. The Committee is concerned about the persistent lack of attention to the issue of minority languages and cultural rights, including the realization of the right to education in minority languages.

...

540. The Committee recommends that the National Minorities Cultural Autonomy Act be revised to provide for the expedient and full recognition of the rights of minority groups. The Committee also calls upon the State party to ensure that ethnic groups continue to have ample opportunities to be educated in their own languages, as well as to use these languages in public life.

- Brazil, ICESCR, E/2004/22 (2003) 28 at paras. 127 and 151.

127. The Committee is concerned about the widespread and deeply rooted discrimination against Afro-Brazilians, indigenous peoples and minority groups such as Gypsies and the Quilombo communities.

...

151. The Committee urges the State party to take all effective measures to prohibit discrimination on the basis of race, colour, ethnic origin or sex in all fields of economic, social and cultural life. It further recommends that the State party undertake urgent measures to ensure equal opportunity for Afro-Brazilians, indigenous peoples and minority groups such as Gypsies and the Quilombo communities, especially in the fields of employment, health and education...

- Israel, ICESCR, E/2004/22 (2003) 42 at paras. 247, 248, 259, 268, 270, 275, 284 and 286.

247. The Committee welcomes the steps undertaken by the State party to implement the Multi-Year Plan for the Development of Arab Sector Communities (2000), aimed at closing the gap between Jews and Arabs by promoting equality in the enjoyment of economic, social

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and cultural rights.

248. The Committee notes with appreciation the various affirmative-action measures taken, as mentioned in the State party's replies to the list of issues, with respect to various disadvantaged sectors such as the Arab, Druze, Circassian and Bedouin communities, despite the decline in economic growth in the State party in recent years.

...

259. The Committee is deeply concerned about the continuing difference in treatment between Jews and non-Jews, in particular Arab and Bedouin communities, with regard to their enjoyment of economic, social and cultural rights in the State party's territory. The Committee reiterates its concern that the excessive emphasis upon the State as a "Jewish State" encourages discrimination and accords a second-class status to its non-Jewish citizens.^{15/} This discriminatory attitude is apparent in the continuing lower standard of living of Israeli Arabs as a result, *inter alia*, of higher unemployment rates, restricted access to and participation in trade unions, lack of access to housing, water, electricity and health care and a lower level of education, despite the State party's efforts to close the gap. In this regard, the Committee expresses its concern that the State party's domestic legal order does not enshrine the general principles of equality and non-discrimination.

...

268. The Committee is particularly concerned about limited access to and distribution and availability of water for Palestinians in the occupied territories, as a result of inequitable management, extraction and distribution of shared water resources, which are predominantly under Israeli control.

...

270. The Committee continues to be concerned about the situation of Bedouins residing in Israel, and in particular those living in villages that are still unrecognized.^{19/} Despite measures by the State party to close the gap between the living conditions of Jews and Bedouins in the Negev, the quality of living and housing conditions of the Bedouins continues to be significantly lower, with limited or no access to water, electricity and sanitation. Moreover, Bedouins continue to be subjected on a regular basis to land confiscations, house demolitions, fines for building "illegally", destruction of agricultural crops, fields and trees, and systematic harassment and persecution by the Green Patrol, in order to force them to resettle in "townships". The Committee is also concerned that the present compensation scheme for Bedouins who agree to resettle in "townships" is inadequate.

...

275. The Committee reiterates its recommendation that the State party take steps to ensure equality of treatment of all Israeli citizens in relation to all Covenant rights.^{20/}

...

284. The Committee strongly urges the State party to take immediate steps to ensure equitable access to and distribution of water to all populations living in the occupied territories, and in particular to ensure that all parties concerned participate fully and equally

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in the process of water management, extraction and distribution. In that connection, the Committee refers the State party to its general comment No. 15 (2002) on the right to water.

...

286. The Committee...urges the State party to recognize all existing Bedouin villages, their property rights and their right to basic services, in particular water, and to desist from the destruction and damaging of agricultural crops and fields, including in unrecognized villages. The Committee further encourages the State party to adopt an adequate compensation scheme for Bedouins who have agreed to resettle in “townships”.

Notes

...

15/ [*Official Records of the Economic and Social Council, 1999, Supplement No. 2 (E/1999/22-E/C.12/1998/26)*, chap. IV], para. 236.

...

19/ [*Official Records of the Economic and Social Council, 1999, Supplement No. 2 (E/1999/22-E/C.12/1998/26)*, chap. IV], para. 254.

20/ [*Official Records of the Economic and Social Council, 1999, Supplement No. 2 (E/1999/22-E/C.12/1998/26)*, chap. IV], para. 260.

- Greece, ICESCR, E/2005/22 (2004) 23 at paras. 128, 130, 131, 135, 141, 142, 148, 151, 152, 156, 162, 164 and 170.

128. The Committee notes with satisfaction that the State party adopted the Integrated Action Plan for the Social Integration of Greek Roma (2001-2008), which aims at improving the housing situation of the Greek Roma and their enhanced access to basic health services, i.e. through the development of new, and the improvement of existing, settlements, the establishment of socio-medical centres in these settlements and the deployment of mobile health units to encampments of the itinerant Roma population, especially in remote areas. The Committee also welcomes the implementation, since 2002, of a programme of housing loans for the Roma, under which some 4,700 grants of 60,000 euros each have been granted to applicants.

...

130. The Committee is concerned that there is only one officially recognized minority in Greece, whereas there are other ethnic groups seeking that status.

131. While acknowledging the State party's efforts to promote the social integration of Greek Roma, the Committee remains deeply concerned about the persistent discrimination against Roma people in the fields of housing, health and education. It is particularly concerned about reported instances of police violence against Roma, sweeping arrests, and

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arbitrary raids of Roma settlements by the police.

...

135. The Committee is concerned that low income persons, the Roma, and documented and undocumented immigrants and their families may not have access to social services.

...

141. The Committee is gravely concerned about numerous reports on the extrajudicial demolition of dwellings and forced evictions of Roma from their settlements by municipal authorities, often under the pretext of construction projects for the 2004 Olympic Games, and frequently without payment of adequate compensation or provision of alternative housing.

142. The Committee is deeply concerned that many Roma reportedly live in sub-standard conditions, as their settlements often lack access to running water, electricity, sanitation and other essential services.

...

148. The Committee is concerned that a high percentage of Roma and Turkish-speaking children are not enrolled in school, or drop out at a very early stage of their schooling. While it is possible to receive bilingual instruction in Turkish and Greek at the two Muslim minority secondary schools in Thrace, the Committee notes with concern that no such possibility exists at the primary level or outside Thrace, and that members of other linguistic groups have no possibility to learn their mother tongue at school.

...

151. The Committee urges the State party to reconsider its position with regard to the recognition of other ethnic, religious or linguistic minorities which may exist within its territory in accordance with recognized international standards, and invites it to ratify the Framework Convention for the Protection of National Minorities, adopted in 1995 by the Council of Europe.

152. The Committee urges the State party to investigate reported instances of police violence against the Roma and alleged arbitrary raids of Roma settlements, and to bring perpetrators to justice. It further recommends that the State party continue its efforts to train police officers on international human rights standards and to raise awareness of the dimensions of discrimination against the Roma among local authorities

...

156. The Committee urges the State party to ensure access of disadvantaged and marginalized persons and families to individual as well as collective social services...

...

162. The Committee urges the State party to ensure that forced evictions are carried out in accordance with the guidelines defined in the Committee's general comment No. 7 (1997), on the right to adequate housing (article 11, paragraph 1 of the covenant): forced evictions and that those affected have a right to adequate compensation for the loss of any property, both personal and real, and are provided with adequate alternative housing meeting their specific cultural needs.

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...

164. The Committee urges the State party to take measures towards providing for all the Roma, including itinerant and non-Greek Roma, adequate and affordable housing with legal security of tenure, access to safe drinking water, adequate sanitation, electricity and other essential services, and meeting their specific cultural needs. The Committee recommends that the State party ensure the participation of Roma representatives in the assessment of the Integrated Action Plan for the Social Integration of Greek Roma...

...

170. The Committee urges the State party to take effective measures to increase school attendance by Roma and Turkish-speaking children, including at the secondary level, to ensure, to the extent possible, that children belonging to minority linguistic groups have an opportunity to learn their mother tongue, including regional dialects, at school, and to ensure an adequate staffing with teachers specialized in multicultural education.

- Kuwait, ICESCR, E/2005/22 (2004) 29 at paras. 185 and 204.

185. The Committee on Economic, Social and Cultural Rights is concerned about the continuing discrimination against the “Bidun” due to the fact that they are denied the possibility of becoming Kuwaiti nationals by the State party.

...

204. The Committee recommends that the State party ensure that all persons in its territory, including the “Bidun”, enjoy economic, social and cultural rights enshrined in the Covenant and expedite their acquisition of Kuwaiti nationality when possible...

- Spain, ICESCR, E/2005/22 (2004) 34 at paras. 232, 235, 249 and 252.

232. The Committee is concerned that, in spite of the existence of a range of programmes at the national and regional levels aimed at improving the situation of the Roma (Gypsy) population, including the Second National Plan of Action for Social Inclusion (2003-2005) and the Gypsy Development Programme, the Roma remain in a vulnerable and marginalized situation in the State party, especially with regard to employment, housing, health and education.

...

235. The Committee is concerned that the level of unemployment remains high (11.3 per cent), particularly among young people and women (15.7 per cent as compared to 8.1 per cent among men). The high rate of long-term unemployment, particularly affecting persons above the age of 40, unemployment among the Roma, well above the national average, and significant regional disparities in unemployment, ranging from 5.23 per cent in Navarra to 20.19 per cent in Andalucía (data for 2002), are also causes of concern.

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...

249. The Committee encourages the State party to continue and strengthen its efforts to address the situation of the Roma population, increasing at the same time the involvement of Roma associations in the planning and implementation of such programmes...

...

252. The Committee recommends that the State party continue strengthening programmes to reduce unemployment targeting the most affected regions and groups. It also recommends that the State party take further measures to make it easier for women to reconcile work and family life. The Committee encourages, in this regard, the State party to improve childcare facilities for children under the age of 3.

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 277, 292, 297, 300, 317 and 323.

277. The Committee is concerned that, despite the legal framework in place and the growing influence of indigenous grassroots community groups, indigenous people continue to suffer discrimination, particularly with regard to employment, housing, health and education.

...

292. The Committee is deeply concerned about the persistent and growing level of poverty in the State party, affecting primarily women, children, indigenous and Afro-Ecuadorian communities.

...

297. The Committee is concerned about the high rate of illiteracy and school dropouts in the State party. The Committee is particularly concerned in this regard about the situation of young girls and of indigenous and Afro-Ecuadorian children.

...

300. The Committee recommends that the State party take effective and practical steps to ensure effective protection of indigenous people against discrimination in many fields, especially with regard to employment, housing, health and education...

...

317. The Committee encourages the State party to intensify its efforts and activities to combat poverty, including the setting up of an antipoverty strategy to improve the living conditions of the disadvantaged and marginalized groups...In this regard, the Committee refers the State party to its statement adopted on 4 May 2001 on poverty and the International Covenant on Economic, Social and Cultural Rights.

...

323. The Committee urges the State party to take all possible measures to combat illiteracy, particularly amongst the most disadvantaged and marginalized groups...

- Italy, ICESCR, E/2005/22 (2004) 54 at paras. 435-437 and 456-458.

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435. Reiterating its concluding observations on Italy's third periodic report, the Committee remains concerned about the plight of Roma immigrants living in camps with poor housing, unhygienic sanitary conditions, limited employment prospects and inadequate educational facilities for their children.

436. The Committee is concerned about the increasing difficulties faced by disadvantaged and marginalized groups, in particular immigrants and Roma, in renting or obtaining public housing, owing to discrimination.

437. The Committee is also concerned about the continuing increase in rents and the privatization of housing and about the scarcity of adequate social housing units for low-income families while the social fund established to provide housing assistance has been reduced.

...

456. The Committee urges the State party to step up its efforts to build more permanent housing settlements for the Roma immigrants and take all the necessary measures to promote their integration into local communities, offer them job opportunities and make adequate educational facilities available to their children.

457. The Committee urges the State party to take all necessary corrective measures to combat discrimination in the housing sector against the disadvantaged and marginalized groups, particularly immigrants and the Roma.

...

458. The Committee urges the State party to take effective measures to ensure that forced evictions of Roma and tenants who cannot pay their rents comply with the guidelines established by the Committee in its General Comment No. 7 (1997) on the right to adequate housing (article 11, paragraph 1, of the Covenant): forced evictions, and to provide more housing units to cater for the needs of the disadvantaged and marginalized groups, including older persons, people with disabilities and immigrants.

- Azerbaijan, ICESCR, E/2005/22 (2004) 59 at paras. 480, 493, 506 and 519.

480. While noting that the constitutional guarantee of the enjoyment of all rights and freedoms is extended to all foreign citizens and stateless persons, the Committee is concerned about the persistent *de facto* discrimination against foreign citizens, ethnic minorities and stateless persons in the fields of housing, employment and education. The Committee is also concerned about the legal status of a significant number of long-term residents in the State party who remain stateless.

...

493. The Committee is concerned about the illegal occupation by refugees and internally displaced persons of properties belonging to Armenians and other ethnic minorities. The

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Committee is also concerned about the lack of adequate social housing units, particularly in Baku...

...

506. The Committee recommends that the State party take all measures to ensure that all persons under its jurisdiction enjoy the economic, social and cultural rights enshrined in the Covenant without discrimination and to facilitate regularization of the legal status of foreigners residing in Azerbaijan whenever possible...

...

519. The Committee recommends that the State party take corrective measures to ensure that Armenians and other ethnic minorities whose properties are illegally occupied by refugees and internally displaced persons are provided with adequate compensation or offered alternative accommodation, in accordance with the guidelines adopted by the Committee and its General Comment No. 7 (1997) on the right to adequate housing (article 11, paragraph 1, of the Covenant):forced evictions. The Committee also recommends that the State party take the necessary measures to guarantee the right to adequate housing to all persons residing under its jurisdiction and to address the problem of the lack of adequate social housing units in the most expedient manner possible, particularly in Baku. In this connection, the Committee wishes to draw the attention of the State party to its General Comment No. 4 (1991) on the right to adequate housing (article 11, paragraph 1, of the Covenant)...

- China, ICESCR, E/2006/22 (2005) 25 at paras. 161, 165-167, 189, 194 and 195.

161. The Committee notes with concern that funds allocated to public health have diminished despite the overall increase of health-care expenditures over the past decade in the State party. Furthermore, the Committee notes with concern that the health-care system that had in the past delivered basic health care to the majority of rural residents has been considerably reduced.

...

165. The Committee is deeply concerned about reports of forced abortions and forced sterilizations imposed on women, including those belonging to ethnic minority groups, by local officials in the context of the one-child policy, and about the high maternal mortality rate as a result of unsafe abortions.

166. The Committee is concerned about the continued irregularities in the State party's provision of universal access to free compulsory primary education, in particular with regard to rural communities, minority regions, disadvantaged families and internal migrant population. The Committee is also concerned about the high junior middle school drop-out rate in some rural areas.

167. The Committee notes with concern the reports regarding the discrimination of ethnic

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minorities in the State party, in particular in the field of employment, adequate standard of living, health, education and culture. In this regard, the Committee regrets the insufficient information provided by the State party regarding the enjoyment of economic, social and cultural rights enshrined in the Covenant by populations in the ethnic minority areas. The Committee notes with concern the reports from sources other than the State party relating to the right to the free exercise of religion as a right to take part in cultural life, and the use and teaching of minority languages, history and culture and the Xinjiang Uighur Autonomous Region and the Tibet Autonomous Region.

...

189. In line with its general comment No. 14 (2000) on the right to the highest attainable standard of health (art. 12 of the Covenant), the Committee urges the State party to undertake effective measures to improve the delivery of health services in rural areas and ethnic minority regions, *inter alia*, by allocating adequate and increased resources...

...

194. The Committee urges the State party to undertake effective measures to ensure that abortions are carried out voluntarily and under adequate medical and sanitary conditions and to ensure that the existing legislation governing the one-child policy does not violate the rights enshrined in article 10 of the Covenant....

195. In line with its general comments No. 11 (1999) on plans of action for primary education (art. 14 of the Covenant) and 13 (1999) on the right to education (art. 13 of the Covenant), the Committee calls upon the State party to take effective measures to ensure that all children, including migrant children and ethnic minority children, have access to free compulsory primary education. The Committee also calls upon the State party to undertake effective reforms in the current education financing policies so as to allocate sufficient funds to support the provision of free and compulsory nine-year education to all children on national, state and local levels; and to eliminate all school-related fees so as to make compulsory primary education truly free for all children. The Committee further urges the State party to increase public expenditure on education in general, and to take deliberate and targeted measures towards the progressive realization of the right to education for the disadvantaged and marginalized groups throughout the country.

- Serbia and Montenegro, ICESCR, E/2006/22 (2005) 41 at paras. 264, 272, 273, 276, 277, 289-291, 293, 297, 300, 301, 304, 316-318, 320 and 324.

264. The Committee notes with appreciation that, in accordance with article 16 of the Constitutional Charter (2003) of the State Union of Serbia and Montenegro, the Covenant takes precedence over the law of Serbia and Montenegro and that of the Republics, and that the Charter on Human and Minority Rights and Civil Liberties protects many economic, social and cultural rights, including special rights of members of national minorities.

...

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272. The Committee expresses its deep concern about reported incidents of inter-ethnic violence and racially motivated acts against ethnic minorities such as the Roma.

273. The Committee is deeply concerned that, despite the State party's efforts to improve the economic and social situation of Roma through national action plans for the implementation of the Decade of Roma Inclusion (2005-2015) in both Republics, widespread discrimination against Roma persists with regard to employment, social security, housing, health care and education.

...
276. The Committee is concerned about the high unemployment rate in Serbia and in Montenegro, especially among women, persons with disabilities, Roma and internally displaced persons.

277. The Committee is equally concerned that many persons, especially Roma, internally displaced persons and refugees, work in the informal economy or in the low-income sector without adequate working conditions and social security coverage.

...
289. The Committee notes with concern that poverty among Roma is four to five times higher than among the general population.

290. The Committee is gravely concerned about the poor conditions in which thousands of Roma families live in substandard informal settlements without access to basic services such as electricity, running water, sewage facilities, medical care and schools.

291. The Committee is deeply concerned that many refugees, internally displaced persons and Roma are being evicted from illegal collective centres and informal settlements which are being closed down without sufficient provision of adequate alternative housing.

...
293. The Committee is concerned about the limited access to primary health care in rural areas, especially for refugees and other vulnerable groups, and that 7 per cent of the Serbian population are not covered by compulsory health insurance.

...
297. The Committee is deeply concerned that a high percentage of Roma children and children belonging to other minority groups, as well as refugee and internally displaced children, are not enrolled in school, drop out at an early stage, are being discriminated against at school, or are placed in schools for children with special needs.

...
300. The Committee urges the State party to investigate such incidents, to bring perpetrators to justice, and to take all necessary measures to raise awareness of the dimensions of ethnic discrimination and intolerance among local authorities and the general public.

301. The Committee recommends that the State party ensure adequate participation of Roma

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representatives in the implementation of the plans of action adopted or envisaged by both Republics with regard to non-discrimination, gender equality, employment, social protection, housing, health and education of Roma, and to allocate sufficient funds to these and other relevant programmes.

...

304. The Committee requests the State party to intensify its efforts to reduce the unemployment rate, including through the implementation of its National Employment Strategy 2005-2010, to promote employment of persons belonging to vulnerable groups through special measures, for example, special training, the removal of physical barriers limiting workplace access by persons with disabilities, and wage subsidies or other incentives for employers...

...

316. The Committee recommends that, in applying its Poverty Reduction Strategy and national plans of action for the implementation of the Decade of Roma Inclusion 2005-2015, the State party take special measures to alleviate the extent of poverty among Roma.

317. The Committee urges the State party to ensure, by legalizing and improving the infrastructure of existing settlements or through social housing programmes, that Roma have access to adequate and affordable housing with legal security of tenure, safe drinking water, adequate sanitation, electricity and other essential services.

318. The Committee urges the State party to ensure that adequate alternative housing is provided whenever forced evictions take place, in line with the Committee's general comment No. 7 (1997) on the right to adequate housing (art. 11, para. 1, of the Covenant): forced evictions...

...

320. The Committee recommends that the State party ensure universal access to affordable primary health care, in particular by increasing the number of family doctors and community health centres, and allow all members of society, including refugees, internally displaced persons and Roma, to join the compulsory health insurance scheme.

...

324. The Committee urges the State party to take effective measures to promote school attendance by Roma children and children belonging to other minority groups, as well as refugee and internally displaced children, by increasing subsidies, scholarships and the number of teachers instructing in minority languages. It also urges the State party to eradicate ethnically discriminatory attitudes by taking effective measures in the fields of teaching, education, culture and information, in order to promote understanding, tolerance and mutual respect among all ethnic groups living on its territory.

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- Sri Lanka, CEDAW, A/57/38 part I (2002) 31 at paras. 286 and 287.

286. The Committee is alarmed by the high and severe incidences of rape and other forms of violence targeted against Tamil women by the police and security forces in the conflict areas. While recognizing the prohibition of torture in the Constitution and the establishment of the inter-ministerial working group to counter these acts of violence, the Committee is concerned that victims in remote areas might be unaware of their rights and of the manner in which to seek redress.

287. The Committee urges the State party to monitor strictly the behaviour of the police and the security forces, to ensure that all perpetrators be brought to justice and to take all necessary measures to prevent acts of violence against all women.

- Denmark, CEDAW, A/57/38 part II (2002) 120 at paras. 343 and 344.

343. The Committee expresses concern about the situation of migrant, refugee and minority women in Denmark, including discrimination in education and employment and at the gender-based discrimination and violence that they experience.

344. The Committee urges the State party to take effective measures to eliminate discrimination against migrant, refugee and minority women. It encourages the State party to be proactive in its measures to prevent discrimination against migrant, refugee and minority women, both within their communities and in society at large, to combat violence against them, and increase their awareness of the availability of social services and legal remedies.

- Greece, CEDAW, A/57/38 part III (2002) 184 at paras. 293-296.

293. The Committee expresses concern at the discrimination against minority women living in Greece, particularly Roma women, including with respect to access to education, who suffer from double discrimination based on both their sex and ethnic background, in society at large and within their communities.

294. The Committee urges the Government to take effective measures to eliminate discrimination against minority women. It urges the State party to respect and promote the human rights of women and to take effective and proactive measures, including awareness-raising programmes, to sensitize public opinion at large, and particularly the police, on the issue of minority women. It also urges the State party to address the forms of discrimination including with regard to access to education, by minority women through its legal, administrative and welfare systems.

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295. The Committee is concerned about the marginalization of Muslim women with regard to education, employment, and by the non-application of the general law of Greece to the Muslim minority on matters of marriage and inheritance, resulting particularly in the practice of polygamy and repudiation. The Committee is concerned that this situation leads to discrimination against Muslim women and negatively impacts on the realization of their human rights as protected under the Greek Constitution and the Convention.

296. The Committee urges the State party to accelerate its efforts aimed at improving Muslim women's education and employment opportunities. The Committee also urges the State party to increase the awareness of Muslim women of their rights and remedies and to ensure that they benefit from the provisions of Greek law.

- Norway, CEDAW, A/58/38 part I (2003) 61 paras. 413 and 414.

413. While acknowledging the adoption in 2001 of the State party's plan of action against racism and discrimination, the Committee expresses concern about the multiple discrimination faced by migrant, refugee and minority women with respect to access to education, employment and health care and exposure to violence.

414. The Committee urges the State party to take effective measures to eliminate discrimination against migrant, refugee and minority women and to further strengthen its efforts to combat xenophobia and racism. It also urges the State party to be proactive in its measures to prevent discrimination against these women, both within their communities and in society at large, and to increase their awareness of the availability of social services and legal remedies. The Committee recommends that the State party ensure that a gender dimension is included in legislation against ethnic discrimination.

- France, CEDAW, A/58/38 part II (2003) 116 at paras. 275 and 276.

275. The Committee is concerned about the continuing discrimination against immigrant, refugee and minority women who suffer from multiple forms of discrimination based on sex and on their ethnic or religious background, in society at large and within their communities. The Committee regrets the very limited information provided in the reports with regard to violence, including domestic violence, against immigrant women and girls.

276. The Committee urges the State party to take effective measures to eliminate discrimination against immigrant, refugee and minority women, both in society at large and within their communities. It urges the State party to respect and promote the human rights of women over discriminatory cultural practices, and take effective and proactive measures, including awareness-raising programmes to sensitize the community to combat patriarchal

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attitudes and stereotyping of roles and to eliminate discrimination against women in immigrant and minority communities. The Committee also recommends that the State party undertake research on the issue of violence against immigrant women and girls and implement policies and programmes to address this issue adequately.

- New Zealand, CEDAW, A/58/38 part II (2003) 138 at paras. 425 and 426.

425. Taking note of the efforts made by the State party to combat discrimination against refugee and migrant women in New Zealand, the Committee expresses concern at the continuing discrimination suffered by immigrant, refugee and minority women and girls, based on their ethnic background, particularly with respect to education, health, employment, violence against women, and in regard to permanent residence status.

426. The Committee urges the State party to take effective measures to eliminate discrimination against refugee, migrant and minority women and girls, and to strengthen its efforts to combat xenophobia and racism in New Zealand. It also encourages the State party to be more proactive in its measures to prevent discrimination against these women and girls 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, and to provide for their needs with respect to education, employment and health care...

- Germany, CEDAW, A/59/38 part I (2004) 62 at paras. 394 and 395.

394. The Committee is concerned about the situation of migrant and minority women, including Sinti and Roma women, who suffer from multiple forms of discrimination based on sex, ethnic or religious background and race, and at the vulnerability of some of these women to trafficking and sexual exploitation. The Committee regrets the lack of specific information provided in the reports with regard to their access to health, employment and education, as well as various forms of violence committed against them and, in particular, data and information about forced marriages. The Committee is also concerned about the situation of some foreign women domestic workers in the households of diplomats.

395. The Committee urges the State party to take effective measures to eliminate discrimination against migrant and minority women, both in society at large and within their communities, and to respect and promote their human rights, through effective and proactive measures, including awareness-raising programmes. The Committee recommends that the State party continue to undertake research on the situation of migrant and minority women and girls...The Committee also recommends that the State party intensify efforts to protect the human rights of foreign women domestic workers in diplomatic households.

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- Spain, CEDAW, A/59/38 part II (2004) 149 at paras. 344-347.

344. The Committee is concerned that Roma women remain in a vulnerable and marginalized situation, especially with regard to education, employment, housing and health.

345. The Committee recommends that the State party promote and protect the human rights of Roma women, in particular with regard to their access to education, employment, housing and health.

346. Despite the progress made by women in education in recent years, the Committee remains concerned about discrimination in this area, in particular about early drop out rates from school of Roma girls.

347. The Committee recommends that the State party intensify its efforts to promote the access of Roma girls to education and their retention in the system. It recommends that the State party conduct research into the subject and, on the basis of its findings, provide incentives to Roma parents to encourage them to ensure that their daughters attend school.

- Lao People's Democratic Republic, CEDAW, A/60/38 part I (2005) 16 at paras. 92-97.

92. While noting that 80 per cent of the population lives in rural areas, the Committee is deeply concerned about the pervasive poverty and underdevelopment of women, especially in rural and ethnic minority communities. The Committee is also concerned that ethnic minority women, having no alternative sources of income, depend on the production of opium poppies for their livelihood...

93. The Committee urges the State party to accelerate its plan to eradicate poverty among women, especially rural and ethnic minority women, by more actively seeking international assistance and at the same time by applying gender perspectives in all development programmes and fully integrating women into decision-making on those programmes, as well as in their implementation processes. The Committee also urges the State party to step up its efforts to provide ethnic minority women who depend on opium poppy production with alternative and sustainable means of livelihood...

94. Despite some progress, the Committee is alarmed at the still very high illiteracy rate of women, 40 per cent, and the large discrepancy between male and female literacy rates and between urban and rural women's education. The Committee is especially concerned at the extremely low literacy rate among ethnic minority women. The Committee is concerned that the initial plan to make primary education compulsory was postponed from 2000 to 2010.

95. The Committee urges that the State party immediately take all appropriate measures,

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including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to reduce the illiteracy rate of women and to provide education, both formal and informal, to women, including ethnic minority women, especially in rural areas. The Committee also recommends that free and compulsory primary education at the national level be implemented as soon as possible. It further recommends that the State party consider seeking international assistance for these purposes.

96. While noting improvement during the past few years, the Committee is seriously concerned about the very high maternal and infant mortality rates and the high fertility rate, especially among women in rural and remote areas and among ethnic minorities. The Committee is concerned about the lack of health-care facilities and medical professionals in rural villages and remote areas as well as the lack of awareness among women and adolescents regarding reproductive health and family planning, including the use of contraceptives and birth spacing.

97. The Committee recommends that the State party accelerate the implementation of its national population policy, focusing on expanding its network of health-care facilities and personnel throughout the nation and reaching out to rural and remote areas, *inter alia* to the benefit of ethnic minority women; that it enhance its educational programmes, not only for women, but also for men and adolescents, on reproductive health and family planning; and that it make contraceptives easily available.

- Croatia, CEDAW, A/60/38 part I (2005) 30 at paras. 196 and 197.

196. The Committee is concerned that Roma women remain in a vulnerable and marginalized situation, especially in regard to education, employment, health and participation in public life and decision-making. The Committee is also concerned about Roma women's difficulties in the enjoyment in practice of citizenship rights, in accordance with article 9 of the Convention.

197. The Committee requests the State party to take effective measures to eliminate discrimination against Roma women, both in society at large and within their communities, and to enhance respect for their human rights through effective and proactive measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and awareness-raising programmes...

- Italy, CEDAW, A/60/38 part I (2005) 51 at paras. 324, 325, 332 and 333.

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324. While noting with appreciation the increase in the number of Italian women in the European Parliament, the Committee remains deeply concerned about the severe underrepresentation of women in political and public positions, including in elected bodies, the judiciary and at the international level...

325. The Committee encourages the State party to take sustained measures to increase the representation of women in elected and appointed bodies and in the judiciary and at the international level. It recommends that the State party introduce appropriate measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to increase the number of women in political and public positions. It further encourages the State party to step up efforts to pass legislation under article 51 of the Constitution to increase the number of women in political and public positions, including through the use of quotas, and to ensure adequate representation in such positions of Roma and migrant women, and women from the south of the country...

332. The Committee is concerned that certain groups of women, including Roma and migrant women, remain in a vulnerable and marginalized situation, especially in regard to education, employment, health and participation in public life and decision-making. The Committee is particularly concerned about the impact of Law 189/2002, which imposes far-reaching restrictions on migrant women workers, and about the absence of laws and policies concerning asylum-seekers and refugees, including lack of recognition of gender-related forms of persecution in determining refugee status.

333. The Committee urges the State party to take effective measures to eliminate discrimination against vulnerable groups of women, including Roma and migrant women, and to enhance respect for their human rights through all available means, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25...The Committee also encourages the State party to revisit the provisions of Law 189/2002 with a view to removing the current restrictions on migrant women, and to adopt laws and policies which recognize gender-related forms of persecution in the determination of refugee status.

- Israel, CEDAW, A/60/38 part II (2005) 129 at paras. 251-260.

251. While noting the increase in the number of women in the Knesset, the Committee remains concerned about the low level of representation of women in decision-making positions in local authorities. It is also concerned that the number of women in high-level positions in the civil service and foreign service remains low. The Committee is further concerned about the low level of representation of Israeli Arab women in these areas.

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252. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables so as to accelerate the increase in the representation of women, including Israeli Arab women, in elected and appointed bodies in all areas of public life.

253. The Committee is concerned about the State party's temporary suspension order of May 2002, enacted into law as the Nationality and Entry into Israel Law (Temporary Order) of 31 July 2003, which suspends the possibility, subject to limited and subjective exceptions, of family reunification, especially in cases of marriages between an Israeli citizen and a person residing in the Occupied Territories. The Committee notes with concern that the suspension order, which has been extended until the end of August 2005, has already adversely affected the marriages and family life of Israeli Arab women citizens and Palestinian women from the Occupied Territories.

254. The Committee calls on the State party to balance its security interests with the human rights of persons affected by such policies, and to reconsider them with a view to facilitating family reunification of all citizens and permanent residents. It calls on the State party to bring the Nationality and Entry into Israel law (Temporary Order) of 31 July 2003 into line with articles 9 and 16 of the Convention...

255. While appreciating the progress made in the fields of women's education and health, the Committee is concerned that Israeli Arab women remain in a vulnerable and marginalized situation, especially in regard to education and health. While efforts have been made to eliminate gender stereotypes from textbooks, the Committee is concerned that these persist in the Arab education system.

256. The Committee recommends that the State party take urgent measures to reduce the drop-out rates of Israeli Arab girls and increase the number of Israeli Arab women at institutions of higher education, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. The Committee also urges the State party to review and revise textbooks in the Arab education system in order to eradicate gender stereotypes. The Committee recommends that the State party allocate adequate resources to improve the status of Israeli Arab women's health, in particular with regard to infant mortality...

257. The Committee is concerned about the number of incidents at Israeli checkpoints which have a negative impact on the rights of Palestinian women, including the right of access to health-care services for pregnant women.

258. The Committee calls upon the State party to ensure that the Israeli authorities at the checkpoints are instructed to ensure access to health-care services for pregnant women,

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while protecting the security of Israel.

259. The Committee is concerned that Bedouin women living in the Negev desert remain in a vulnerable and marginalized situation, especially in regard to education, employment and health. The Committee is especially concerned about the situation of Bedouin women who live in unrecognized villages with poor housing conditions and limited or no access to water, electricity and sanitation.

260. The Committee requests the State party to take effective measures to eliminate discrimination against Bedouin women and to enhance respect for their human rights through effective and proactive measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, in the fields of education, employment and health...

- Guyana, CEDAW, A/60/38 part II (2005) 136 at paras. 303, 304, 307 and 308.

303. The Committee recognizes the efforts of the Government to put in place comprehensive health structures. However, the Committee is concerned that women's access to health services is not monitored and there is no data to establish the *de facto* impact of such measures.

304. The Committee recommends that a broad framework for health services in line with the Committee's general recommendation 24 on article 12, on women and health, be put in place and that access to them by women, especially Amerindian women and other women living in rural and hinterland areas, be monitored...

...

307. While noting that women are disproportionately affected by poverty, and noting the existence of the National Development Strategy and a poverty reduction strategy paper, the Committee is disappointed that these policies insufficiently address the gender dimensions of poverty and do not target women specifically, notwithstanding the participation of women's groups in consultations for their preparation. The Committee is especially concerned about the consequences of this omission for Amerindian women and women living in rural and hinterland areas.

308. The Committee urges the State party to make the promotion of gender equality an explicit component of its national development strategies, in particular those aimed at poverty alleviation and sustainable development. It encourages the State party to include programmes that target vulnerable groups of women, such as Amerindian women and poor women living in rural and hinterland areas. The Committee invites the State party to strengthen these policies so as to enhance compliance with the Convention, especially article 14 on rural women. It encourages the State party to place emphasis on implementation of the

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Convention and women's human rights in all development cooperation programmes with international organizations and bilateral donors. It recommends that the State party channel resources available through the highly indebted poor countries initiative towards the empowerment of women, especially Amerindian women and women in rural and hinterland areas...

CAT

- Venezuela, CAT, A/58/44 (2002) 32 at para. 80.

80. The Committee expresses its concern at the following:

...

(d) Complaints of threats and attacks against sexual minorities and transgender activists, particularly in the State of Carabobo;

...

- Slovenia, CAT, A/58/44 (2003) 44 at paras. 115 and 116.

115. The Committee expresses concern about the following:

...

(d) Allegations of excessive use of force by the police, especially against members of ethnic minorities, continue. The Committee regrets the fact that disaggregated statistical data in this respect are not available from the State party;

...

116. The Committee recommends that the State party:

...

(d) Strengthen existing efforts to reduce occurrences of ill-treatment by police and other public officials, in particular that which is ethnically motivated, and, while ensuring protection of individual privacy, devise modalities for collecting data and monitoring the occurrence of such acts in order to address the issue more effectively...

- Bulgaria, CAT, A/59/44 (2004) 19 at paras. 31 - 33.

31. The Committee notes the following positive developments:

(a) Ongoing efforts by the State party to reform its legislation related to the implementation of the Convention and aimed at strengthening the protection of human rights. In particular, the Committee welcomes the following:

...

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(ii) The adoption by the National Assembly of the Law on the Protection against Discrimination on 16 September 2003 and other practical measures in the field of protection against discrimination, such as the recruitment of Roma into the police force;

...

32. The Committee expresses concern about the following:

...

(b) Numerous allegations of ill-treatment of persons in custody, in particular during police interviews, which may amount to torture and which disproportionately affect the Roma;

...

33. The Committee recommends that the State party:

...

(b) Strengthen the safeguards provided in the Code of Criminal Procedure against ill-treatment and torture and pursue efforts to reduce incidents of ill-treatment by police and other public officials, and devise modalities for collecting disaggregated data and monitoring the occurrence of such acts in order to address the issue more effectively. The State party is encouraged to pursue its efforts to recruit persons of Roma origin into the police;

...

- Croatia, CAT, A/59/44 (2004) 38 at paras. 77 and 78.

77. The Committee is concerned about the following:

...

(f) The alleged failure of the State party to prevent and fully and promptly investigate violent attacks by non-State actors against members of ethnic and other minorities;

...

78. The Committee recommends that the State party:

...

(l) Ensure the protection of members of ethnic and other minorities, *inter alia* by undertaking all effective measures to prosecute and punish all violent acts against these individuals, establishing programmes to raise awareness, prevent and combat this form of violence, and including this issue in the training of law enforcement officials and other relevant professional groups;

...

- Czech Republic, CAT, A/59/44 (2004) 42 at paras. 86 and 87.

86. The Committee expresses concern about the following:

(a) The persistent occurrence of acts of violence against the Roma and the alleged reluctance

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on the part of the police to provide adequate protection and to investigate such crimes, despite efforts made by the State party to counter such acts;

...

(k) Allegations regarding some incidents of uninformed and involuntary sterilizations of Roma women, as well as the Government's inability to investigate due to insufficient identification of the individual complainants.

87. The Committee recommends that the State party:

(a) Exert additional efforts to combat racial intolerance and xenophobia and ensure that the comprehensive anti-discrimination legislation being discussed include all relevant grounds covered by the Convention;

...

(n) Investigate claims of involuntary sterilizations, using medical and personnel records, and urge the complainants, to the extent possible, to assist in substantiating the allegations;

...

- Finland, CAT, A/60/44 (2005) 32 at para. 73.

73. The Committee recommends that the State party:

...

(d) Complete the process of implementing the suggestions made by the working group established to look at the situation of Roma in Finnish prisons and all other necessary measures to improve the situation and welfare of Roma prisoners;

...

CRC

- Portugal, CRC, CRC/C/111 (2001) 48 at paras. 223, 224, 258 and 259.

223. The Committee notes the numerous efforts initiated by the State party to address discrimination, including the development of mechanisms, the conduct of surveys and the implementation of policies. The Committee is concerned, however, with regard to *de facto* discrimination in the context of children and families living in poverty in less developed rural and urban areas and against the Roma and their children in particular.

224. The Committee recommends that the State party continue and strengthen its efforts to ensure equal respect for the right to non-discrimination of all children, giving particular attention to children and their families living in poverty, in particular Roma children and children living in less developed areas.

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...

258. Noting the State party's policies targeting the specific needs of children of some minorities, the Committee remains concerned at the difficult social situation of Roma children and their insufficient access to the education system.

259. The Committee strongly urges the State party to:

(a) To take measures to improve and implement more effectively existing legislation and policies with regard to ensuring protection of the rights of all children of minority groups, giving particular attention to the situation of Roma children;

(b) Continue to ensure the participation of minorities, including children, in implementing these policies.

- Cameroon, CRC, CRC/C/111 (2001) 71 at paras. 394 and 395.

394. The Committee is deeply concerned about the poor situation of Pygmy children and children of similar marginalized groups, and at the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination. The Committee is also concerned at the displacement of Pygmy families, including children, as a result of logging policies.

395. The Committee urges the State party urgently to gather additional information on the Pygmies and other marginalized groups of the population, and to elaborate a plan of action to protect their rights.

- Uzbekistan, CRC, CRC/C/111 (2001) 117 at para. 581.

581. The Committee recommends that the State party, taking due account of the Committee's General Comment No. 1 on the aims of education:

...

(d) Promote the participation of parents and communities, especially ethnic minorities, in school governance, to improve enrolment rates and monitor the quality of education;

...

- Lebanon, CRC, CRC/C/114 (2002) 11 at paras. 83 and 84.

83. The Committee is concerned about the high rate of Palestinian children living below the poverty line, as well as the lack of adequate access by Palestinian children to many basic

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rights, including health, education and an adequate standard of living, and about the quality of services provided.

84. The Committee reiterates its recommendation ([CRC/C/15/Add.54], para. 40) that the State party, in cooperation with United Nations Relief and Works Agency for Palestine Refugees in the Near East, seek ways of addressing the socio-economic problems among Palestinian children that affect children negatively, including teaching about the Convention in the school and include children in development programmes.

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 117-120, 125, 126, 128-133, 136-141, 146-149, 154-159, 172 and 173.

117. While noting the involvement of some NGOs in the preparation of the State party's initial report, the Committee remains concerned that other relevant NGOs working on human rights, including children's rights, and including NGOs from distinct ethnic, religious, linguistic and cultural groups were not involved in the process and that communication with part of the NGOs community has been insufficient.

118. The Committee recommends that the State party make every effort to further improve cooperation and coordination on a regular basis with NGOs and involve them in the Convention's implementation, giving particular attention to NGOs working on behalf of the rights of children from distinct ethnic, religious, linguistic and cultural groups, such as the Roma.

119. Acknowledging the State party's efforts in this regard, the Committee is concerned that knowledge and understanding of the Convention among children, professionals working with children, distinct ethnic, religious, linguistic or cultural groups and among the public in general is still insufficient. The Committee is concerned, in addition, that the Convention has not been translated into the languages of some sectors of the population, such as the Roma language.

120. The Committee recommends that the State party:

(a) Strengthen its efforts to provide training for professionals - such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, judges, lawyers and national ministerial and local government officials with responsibility for children's rights - children, parents and the population in general, and distinct ethnic, religious, linguistic or cultural groups, on the Convention and its principles and provisions and other relevant human rights instruments in a systematic and ongoing manner;

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...

(c) Ensure that translated versions of the Convention are disseminated, as needed, in the languages spoken within the State party by the distinct groups referred to under paragraph 120 (a) of these concluding observations.

...

125. While noting the State party's legislation against xenophobia and hate speech, the Committee remains deeply concerned:

(a) At the discrimination, including some societal discrimination and instances of xenophobia, against, among others, children from distinct ethnic, religious, linguistic or cultural groups within the State party;

...

126. The Committee recommends that the State party:

(a) Urgently strengthen its efforts to end all forms of discrimination affecting children, as provided in article 2 of the Convention, including through the strengthening of the implementation of anti-discrimination laws and the possibilities for children and their parents who have been victims of discrimination to seek recourse through the judicial system;

...

(c) Implement measures to ensure equal access to services such as education and health, welfare and other social services for all children without distinction, including children from distinct ethnic, religious, linguistic or cultural groups;

(d) Introduce public awareness and sensitivity campaigns on tolerance and respect for the other.

...

128. The Committee is concerned:

...

(b) At the very poor educational and health statistics relating to children from Roma communities.

129. The Committee recommends that the State party take steps:

...

(b) To improve respect for the rights to life, survival and development of Roma children, including through proactive efforts on the part of relevant authorities.

130. ...The Committee is...concerned that the Youth Parliament does not represent the views of a sufficiently wide spectrum of children in the State party.

131. The Committee recommends that the State party:

...

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(b) Ensure that the Youth Parliament is representative of all sectors of the State party's child population, including children from distinct ethnic, religious, linguistic or cultural groups.

132. The Committee is concerned:

(a) That the right of some children, and particularly child members of some distinct ethnic, religious, linguistic and cultural groups such as the Roma, to birth registration is not respected as a result of a lack of information on birth registration procedures, a lack of legal representation for particular population groups and the lack of sufficiently decentralized services;

(b) That persons who speak a language other than Greek, including refugees and asylum-seekers, have difficulty in registering names for their children in their native language.

133. The Committee recommends that the State party ensure:

(a) That all children are registered at birth, including through improvement of the provision of information on, and easier access to, birth registration facilities;

(b) That all children are able to be registered under, and make use of, their full original name as chosen by themselves, their parents or other legal guardian.

...

136. The Committee expresses its concern at reports of administrative and social pressures being placed on children from religious minorities including, for example, the requirement that a student's secondary school graduation certificate indicate, where this is the case, that the student does not practise the Greek Orthodox religion.

137. The Committee recommends that the State party ensure that a child's religious affiliation, or lack of one, in no way hinders respect for the child's rights, including the right to non-discrimination and to privacy, for example in the context of information included in the school graduation certificate.

138. The Committee is concerned that children and their families who do not speak, read or write Greek fluently, and children from some isolated regions of the State party and from some distinct ethnic, religious, linguistic or cultural groups do not always have adequate access to information regarding, for example, welfare or legal assistance, and information reflecting the multicultural nature of the State party...

139. The Committee recommends that the State party:

(a) Make additional efforts to ensure that all children and their families have access to

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essential information regarding their rights, giving particular attention to isolated groups and those who do not communicate easily in Greek;

(b) Promote the development and accessibility, including through radio and television, of a wide variety of information reflecting the cultural diversity of the State party's population;

...

140. The Committee is concerned:

...

(b) That the system of financial "allowances" provided by the State to assist in the care of children under certain circumstances, such as low family income, are not provided to children themselves but rather to mothers, irrespective of whether they are caring for their children;

(c) That the amount of such financial allowances is extremely low and, in addition, that many Roma families do not receive these allowances at all.

141. In the light of article 18, the Committee recommends that the State party:

(a) Strengthen its efforts to protect children's right to a family environment, including by reducing the number of persons living in poverty and ensuring access for all children and parents in need to financial assistance, giving particular attention in this regard to children and parents from Roma communities;

...

146. The Committee is concerned that:

...

(d) That children from some groups, such as Roma and illegal immigrants, receive particularly limited protection of their rights in the context of alternative care mechanisms.

147. The Committee recommends that the State party:

(a) Continue to strengthen further its ongoing efforts to improve the protection of children's rights in the context of alternative care proceedings;

...

148. The Committee is concerned that:

...

(e) Children from certain groups, such as the Roma and some immigrant groups, have particularly poor access to health care, leading to a high level of health concerns;

...

149. The Committee recommends that the State party:

...

(c) Give particular attention to ensuring the access to health care of children from Roma communities and other economically disadvantaged groups;

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...

154. While noting bill (2646/1998) on the development of the national system of social care which will create a network of services - coordinated by the National Centre for Immediate Social Help - providing social care to individual families and groups in need of immediate attention and help, the Committee remains concerned that:

...

(d) Many children and families from some distinct ethnic, religious, linguistic or cultural groups, such as the Roma, are not fully aware of their rights to social security and welfare and are consequently unable to claim such assistance.

155. The Committee recommends that the State party:

...

(d) Strengthen the provision of information on social security and welfare benefits to children and families in need of such assistance from distinct ethnic, religious, linguistic or cultural groups, including the Roma.

156. The Committee is concerned that:

(a) Some children in the State party live in very poor conditions;

(b) Children from Roma communities are particularly exposed to substandard living conditions, including inadequate housing, poor sanitation and waste disposal, and no running water.

157. The Committee recommends that the State party:

(a) Ensure that all children have access to adequate living conditions;

(b) Give particular attention to assisting Roma families to improve the living conditions of their children.

158. Acknowledging the many activities of the State party towards improving access to education and the quality of education and introducing multicultural teaching, the Committee remains concerned about a variety of problems that still exist, such as:

...

(b) Reports of xenophobia among teachers and students;

(c) The high overall drop-out rate and the very high drop-out rates among rural and Roma children;

...

(f) The poor quality of education in many schools that teach in languages other than Greek, including the use of outdated textbooks and late term starting dates; the very high estimated

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illiteracy rates among Roma children; the low proportion of children from distinct ethnic, religious, linguistic or cultural groups who attend secondary school and that some children, particularly from these groups, are accepted in school only as auditors and not permitted to gain academic credit for their studies;

...

159. The Committee recommends that the State party:

...

(b) Ensure the access to education for all children in the State party, including increasing the enrolment and reducing the drop-out rates, giving particular attention to children in rural communities, children from Roma and other distinct ethnic, religious, linguistic or cultural groups, and children from disadvantaged backgrounds, including through the use of information campaigns targeting parents and local authorities;

...

(d) Encourage and support increases in the numbers of children from distinct ethnic, religious, linguistic or cultural groups attending secondary school;

(e) Expand the practice of recruiting second teachers who speak languages other than Greek to cover all relevant schools and major languages;

...

(g) Continue and strengthen existing programmes of training and information for all teachers on multicultural concerns, with a view to the effective integration into the State party's school system of children from all distinct ethnic, religious, linguistic or cultural groups and other backgrounds;

(h) Ensure that all children are able to gain full academic credit for their school attendance;

...

172. The Committee is particularly concerned at the level of respect for the rights of Roma children.

173. The Committee strongly recommends that the State party continue and strengthen its efforts to develop and implement policies and programmes towards improved respect for the rights of Roma children, including through cooperation with representatives of the Roma themselves and through empowerment of Roma communities.

- Gabon, CRC, CRC/C/114 (2002) 47 at paras. 245 and 246.

245. The Committee is deeply concerned about the poor situation of Pygmy children and their limited access to social services, including health care, immunization and education, and the violation of their rights to survival and development, to enjoy their own culture and to be protected from discrimination.

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246. The Committee urges the State party to:

(a) Undertake a study to assess the situation and the needs of Pygmy children and to elaborate a plan of action involving leaders of the Pygmy community to protect the rights of those children and ensure their social services;

(b) Seek adequate means to ensure birth registration, health care, etc.

- Belgium, CRC, CRC/C/118 (2002) 29 at paras. 109, 110, 116 and 117.

109. ...The Committee is concerned at racist incidents against minorities; the disparities in the enjoyment of economic and social rights, particularly health and education, experienced by poor children, non-Belgian children, including unaccompanied minors, and disabled children.

110. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes, and implement the recommendations of the Committee on the Elimination of Racial Discrimination (March 2002);

(b) Take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination;

(c) Continue to prioritize and target resources and social services to children belonging to the most vulnerable groups;

...

116. The Committee is concerned that the aims of education outlined in article 29 of the Convention, including the development and respect of human rights, tolerance and equality of the sexes and religious and ethnic minorities is not explicitly part of the curricula throughout the State party.

117. The Committee recommends that the State party, taking into account the Committee's General Comment No. 1 on the aims of education, include human rights education, including children's rights, in the curricula of all primary and secondary schools, particularly with respect to the development and respect of human rights, tolerance and equality of the sexes and religious and ethnic minorities.

See also:

- Bahrain, CRC, CRC/C/114 (2002) 122 at para. 494.

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- Belarus, CRC, CRC/C/118 (2002) 54 at paras. 250 and 251.

250. The Committee, while acknowledging the State party's efforts to include human rights in school curricula, notes with concern that the availability of education in the Belarusian language is becoming increasingly limited, from early childhood to secondary education...

...

251. In light of articles 28 and 29 of the Convention, the State party should:

(a) Ensure the availability of education in the Belarusian language and the accessibility for Roma children and those belonging to other minorities to good quality education;

...

- Switzerland, CRC, CRC/C/118 (2002) 78 at paras. 363 and 364.

363. The Committee is concerned at the lack of information on Roma and Travellers and their children in the State party and that there is no policy for these children.

364. The Committee recommends that the State party undertake a study on children belonging to Roma and Traveller minorities to assess their situation and develop policies and programmes to prevent social exclusion and discrimination, and to allow these children to fully enjoy their rights, including access to education and health care.

- Saint Vincent and the Grenadines, CRC, CRC/C/118 (2002) 101 at paras. 430 and 431.

430. The Committee is concerned that:

(a) The Constitution of Saint Vincent and the Grenadines does not fully reflect the provisions of article 2 of the Convention and, in particular, does not specifically prohibit discrimination on the grounds of language, national, ethnic or social origin, property, disability, birth or other status;

(b) With reference, *inter alia*, to the findings of the Committee on the Elimination of Racial Discrimination, there are occurrences of racial discrimination affecting children, including the children of some minorities, such as the Amerindians and Asians, who form a disproportionate proportion of the population with lower-income levels;

...

431. The Committee recommends that the State party:

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(a) Amend its legislation, including the Constitution, to ensure that it fully corresponds with the provisions of article 2 of the Convention and to ensure the full implementation of non-discrimination provisions, giving special attention to children infected or affected by HIV/AIDS, to children with disabilities and to racial discrimination;

...

- Spain, CRC, CRC/C/118 (2002) 117 at paras. 494, 495, 509, 511, 518 and 519.

494. The Committee is concerned that the principle of non-discrimination is not fully implemented for children of Roma origin, children of migrant workers, particularly when they are not legal, and unaccompanied foreign children, especially with regard to their access to adequate health care and educational facilities.

495. The Committee recommends that the State party:

(a) Monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination; and

(b) Develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at eliminating all forms of discrimination.

...

509. The Committee notes with concern:

(a) The high rate of truancy and school drop-out and the difficult school integration of Roma children, children belonging to migrant families or children living in socio-economically deprived areas;

...

511. In light of articles 28 and 29 of the Convention, the Committee recommends that the State party:

(a) Ensure regular attendance at schools and the reduction of truancy and drop-out rates, especially with regard to Roma children and children belonging to migrant families;

...

518. While noting the State party's policies targeting the specific needs of the Roma, such as the projects for the Comprehensive Social Intervention for the Care, Prevention of Exclusion and Integration of the Gypsy people and the Gypsy Development Plan, the Committee remains concerned about the difficult social situation of Roma children and their insufficient access to the education system.

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519. The Committee strongly urges the State party:

(a) To take measures to improve and implement more effectively existing legislation and policies with regard to assuring protection of the rights of all children from minority groups, giving particular attention to the situation of Roma children;

(b) Continue to ensure the participation of persons from minorities, including children, in the drafting and implementation of these policies.

- United Kingdom of Great Britain and Northern Ireland, CRC, CRC/C/121 (2002) 23 at paras. 139, 140, 143 and 144.

139. ...The Committee is concerned at the still high rate of temporary and permanent exclusion from school affecting mainly children from specific groups (ethnic minorities, including black children, Irish and Roma travellers, children with disabilities, asylum-seekers, etc.), and the sharp differences in educational outcomes for children according to their socio-economic background and to other factors such as gender, disability, ethnic origin or care status...

140. In light of articles 2, 12, 28 and 29 of the Convention, and in line with its previous recommendations ([CRC/C/15/Add.34], para. 32), the Committee recommends that the State party:

...

(b) Take appropriate measures to reduce temporary or permanent exclusion, ensure that children throughout the State party have the right to be heard before exclusion and to appeal against temporary and permanent exclusion, and ensure that children who are excluded do continue to have access to full-time education;

(c) Take all necessary measures to eliminate the inequalities in educational achievement and in exclusion rates between children from different groups and to guarantee all children an appropriate quality education;

...

143. Committee is concerned at the discrimination against children belonging to the Irish and Roma travellers which is reflected *inter alia*, in the higher mortality rate among these children, their segregation in education, the conditions of their accommodation and social attitudes towards them. The Committee is also concerned at the gap between policies and service delivery.

144. In line with its previous recommendations ([CRC/C/15/Add.34], para. 40), the Committee recommends that the State party devise, in a consultative and participatory process with these groups and their children, a comprehensive and constructive plan of

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action to effectively target the obstacles to the enjoyment of rights by children belonging to these groups.

- Ukraine, CRC, CRC/C/121 (2002) 70 at paras. 329, 330, 353, 354, 367 and 368.

329. The Committee is...concerned at continued allegations of children, in particular Roma children, being ill-treated and tortured by law enforcement officials and that these allegations are not effectively investigated by an independent authority.

330. The Committee recommends that the State party:

...

(e) Take immediate measures to stop police violence against children belonging to minorities, in particular the Roma, and challenge the prevailing impunity for such acts of harassment;

...

353. ...The Committee remains concerned...that:

...

(e) There are important regional disparities in the number of education establishments and in the quality of education available, with rural areas being at a particular disadvantage, and that children of small national minorities such as Roma do not get quality education, including in their own language;

...

354. The Committee recommends that the State party:

(a) Ensure the availability of free primary education and accessibility for all children in the State party, giving particular attention to children in rural communities, Roma children, Crimean Tartar children and children of other minorities, as well as children from disadvantaged backgrounds, to good quality education, including in their own language;

...

367. The Committee is concerned that, despite pilot programmes aimed at improving the situation of the Roma in certain provinces, they still suffer from widespread discrimination, which has in some instances impeded their children's right to education, health and social welfare.

368. The Committee recommends that the State party:

(a) Initiate campaigns at all levels and in all provinces aimed at addressing the negative

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attitudes towards the Roma in society at large and in particular amongst authorities and professionals providing health, education and other social services;

(b) Develop and implement a plan aimed at integrating all Roma children into mainstream education and prohibiting their segregation in special classes and which includes pre-school programmes for them to learn the primary language of schooling in their community;

(c) Develop curriculum resources for all schools that include Romani history and culture in order to promote understanding, tolerance and respect for Roma in Ukrainian society.

See also:

- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 420 and 421.
- Poland, CRC, CRC/C/121 (2002) 120 at paras. 545 and 546.

- Poland, CRC, CRC/C/121 (2002) 120 at paras. 520 and 521.

520. The Committee notes with concern that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, including children of the Roma and other ethnic minorities, children living in institutions, children with disabilities, children of poor families and children with HIV/AIDS. In particular, the Committee is concerned about their limited access to adequate health, education and other social services and about reports of racially motivated violence in which police have failed to protect the victims.

521. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

- Israel, CRC, CRC/C/121 (2002) 131 at paras. 568, 569, 576, 577, 592, 593, 596, 597 and 602-607.

568. Against the backdrop of a declining economy, the Committee is concerned that the proposed budget cuts in social spending will negatively affect the economic, social and cultural rights of children belonging to the most vulnerable groups.

569. The Committee recommends that the State party:

(a) Ensure the economic, social and cultural rights of all children, to the maximum extent of available resources;

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(b) Continue to prioritize and target budgetary allocation for children belonging to the most vulnerable groups (e.g. Israeli Arab children, Bedouins, children of foreign workers);

(c) Systematically assess the impact of budgetary allocations on the implementation of child rights.

...

576. The Committee is concerned that discrimination, contrary to article 2 of the Convention, persists in the State party, and that non-discrimination is not expressly guaranteed under the Constitution. In particular, the Committee is concerned about discrimination against girls and women, especially in the context of religious laws, discrimination on religious grounds, inequalities in the enjoyment of the economic, social and cultural rights (i.e. access to education, health care and social services) of Israeli Arabs, Bedouins, Ethiopians and other minorities, children with disabilities and children of foreign workers, and of the rights and freedoms of Palestinian children in the occupied territories.

577. The Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding legislation where necessary, to ensure that all children enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Strengthen its efforts with respect to affirmative-action initiatives;

(c) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes in this regard;

(d) Mobilize religious leaders to support such efforts;

(e) Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (General Assembly resolution 45/158, annex).

...

592. The Committee notes the various efforts of the State party to address the rights and special needs of children with disabilities. However, it remains concerned at the large gap between the needs and services provided, and the gap between services provided to Jewish and Israeli Arab children.

593. The Committee recommends that the State party continue and strengthen its efforts to prioritize and target resources (human and financial) to ensure that the needs of children with disabilities are met and the necessary services provided. Furthermore, it recommends that the State party ensure that Israeli Arab children receive the same level and quality of services as Jewish children.

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...

596. The Committee welcomes the information that the National Health Insurance Law covers all citizens of Israel, but remains concerned at the persistent and significant gap in health indicators between Israeli Jews and Arabs.

597. The Committee recommends that the State party strengthen and increase the allocation of resources to ensure that all citizens benefit equally from available health services.

...

602. The Committee is concerned about the serious deterioration of access to education of children in the occupied Palestinian territories as a result of the measures imposed by the Israeli Defence Forces, including road closures, curfews and mobility restrictions, and the destruction of school infrastructure.

603. The Committee recommends that the State party guarantee that every Palestinian child has access to education, in accordance with the Convention. As a first step, the State party should ensure that restrictions on mobility are lifted throughout the occupied Palestinian territories during school hours.

604. The Committee welcomes the information that the budget for education has been protected from recent cuts in spending, but is concerned that investment in and the quality of education in the Israeli Arab sector is significantly lower than in the Jewish sector.

605. The Committee recommends that the State party continue and strengthen its affirmative-action programmes and further increase the budget allocated for education in the Arab sector.

606. The Committee is concerned that the aims of education outlined in article 29 of the Convention, including the development of respect for human rights, tolerance and equality of the sexes and religious and ethnic minorities, are not explicitly part of the curricula throughout the State party.

607. The Committee recommends that the State party and all relevant non-State actors, including the Palestinian Authority, taking into account the Committee's General Comment No. 1 on the aims of education, include human rights education, including children's rights, in the curricula of all primary and secondary schools, particularly with regard to the development of respect for human rights, tolerance and equality of the sexes and religious and ethnic minorities. Religious leaders must be mobilized in this effort.

- Estonia, CRC, CRC/C/124 (2003) 9 at paras. 45, 46, 64, 65, 74 and 75.

45. The Committee is concerned that the current discriminatory attitudes towards linguistic

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minority communities (e.g. the Russian-speaking community), non-citizens, especially those without legal status, and other disadvantaged groups may restrict, directly or indirectly, the rights guaranteed under the Convention to children belonging to those groups. In particular, the Committee is concerned:

- (a) That there are no legislative provisions defining crimes with a racist element as racially motivated crimes, or for racist motivation to be taken into account by the courts as a factor when pronouncing sentence. In this regard, the Committee is concerned at the effectiveness of measures to guarantee the security of children who may be victims of racist acts;
- (b) That there is no legislation at present prohibiting discrimination in housing, and access to education and public services;
- (c) That a high proportion of children from Russian-speaking communities are stateless;
- (d) That large minority groups (e.g. the Russian-speaking community, which accounts for approximately 30 per cent of the population) are disproportionately overrepresented among low-income and unemployed households, and underrepresented in the public service.

46. The Committee recommends that the State party:

- (a) Take effective measures, including enacting or rescinding legislation where necessary, to ensure that all children enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;
- (b) Study the effectiveness of the measures taken to counter all forms of discrimination;
- (c) Consider the adoption of provisions to criminalize and punish racially motivated acts;
- (d) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes in this regard.

...

64. The Committee welcomes the inclusion of the Convention in the school curriculum and appreciates the acknowledgment by the State party that there are challenges facing the right to education. In this regard, it shares the concern that more than 5,000 children do not attend school, and that repetition and drop-out rates are high...

65. The Committee encourages the State party:

...

- (d) To further enhance the system of education for national minorities;

...

- (f) To take all the appropriate measures to implement regulation No. 209 for mother-tongue

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instruction for students whose mother tongue is not Estonian, providing also for the teaching of their culture and history;

...

74. While welcoming the Programme on Integration in Estonian Society, 2000-2007, the Committee notes the tension arising around the question of the language of instruction of children belonging to minority groups in Estonia.

75. The Committee recommends that the State party:

(a) Take all measures to implement effectively regulation No. 209 for mother-tongue instruction for students whose mother tongue is not Estonian;

(b) Implement the Programme on Integration in Estonian Society in such a way that all the children of Estonia will be taught about the culture, history and identity of the various groups living in Estonia and that exchanges are organized between pupils of different schools in order to foster contacts, friendships and mutual respect among children from all groups of society;

(c) Guarantee the quality of instruction of the Estonian language to children belonging to minority groups so as to ensure that minority-language-speaking children can participate on a more equal level with Estonian-speaking children, in particular at higher education levels.

- Italy, CRC, CRC/124 (2003) 36 at paras. 161, 162, 192 and 194-196.

161. The Committee notes the establishment of several observatories on discrimination in the State party as well as the provisions on discrimination contained in Law 40/98 (Regulations on Immigration and Rules on the Conditions of the Foreigner). Nonetheless, the Committee is concerned at racist incidents involving minorities, the use of hate speech in public presentations, and the disparities in the enjoyment of economic and social rights, particularly in the fields of health, social welfare, education and housing, experienced by poor children, Roma children, non-Italian children, including unaccompanied minors, and disabled children.

162. In accordance with article 2 and other related articles of the Convention and in line with its previous recommendations ([CRC/C/15/Add.41], paras. 17 and 18), the Committee recommends that the State party:

(a) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes, and implement the recommendations of the Committee on the Elimination of Racial Discrimination (A/56/18, paras. 298 and 320);

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(b) Strengthen its efforts to incriminate and take appropriate penal sanctions against any act of racism, racial discrimination, xenophobia and related intolerance;

(c) Carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake, on the basis of this evaluation, the necessary steps to prevent and eliminate discrimination through proactive measures;

(d) Ensure that the devolution process will enhance the elimination of disparities between children based on the wealth of the region to which they belong;

(e) Continue to prioritize and target resources and social services to children belonging to the most vulnerable groups;

(f) Study promptly the situation of foreign children in detention, ensure their full rights without discrimination, especially to education, and ensure their right to integration into society.

...

192. The Committee notes that a reform of the juvenile justice system is pending. It is concerned at the existing discrimination against children of foreign origin and Roma children within the juvenile justice system; the lack of independent structures to monitor the conditions of detention of children; and at the inadequate training of the personnel involved in the juvenile justice system.

...

194. ...[T]he Committee recommends that the State party:

(a) Take all necessary measures, including through awareness-raising campaigns and adequate training of the personnel involved, to prevent and eliminate discrimination against children of foreign origin and Roma children;

...

195. While noting the efforts undertaken by the State party to improve the situation of Roma children, the Committee remains concerned at their difficult social situation and their insufficient access to education and health services. In addition, the Committee is deeply concerned at instances of discrimination against this group of children, sometimes from the personnel of the State party themselves.

196. The Committee recommends that the State party develop, in cooperation with Roma NGOs, comprehensive proactive policies and programmes to prevent social exclusion and discrimination and to allow Roma children to enjoy fully their rights, including access to education and health care.

- Romania, CRC, CRC/124 (2003) 49 at paras. 230, 231, 262 and 263.

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230. The Committee notes that Law No. 119/1996 includes special provisions for the issuance of birth certificates to abandoned children found in hospitals. However, the Committee remains concerned at the lack of measures to prevent non-registration of children and at the high number of stateless persons, in particular among the Roma.

231. The Committee recommends that the State party:

(a) Strengthen efforts to ensure birth registration of all children, paying particular attention to occurrences of non-registration of Roma children;

(b) Take further measures, in accordance with article 7 of the Convention, to facilitate applications for citizenship and resolve the situation of stateless children;

...

262. The Committee welcomes the implementation of strategies aimed at improving Roma children's rights to health-care services and inclusion in education (e.g. through the use of health and education mediators and supportive tuition in the Roma language). The Committee also welcomes Roma NGO participation in improving the rights of their children. However, it remains concerned at the negative attitudes and prejudices of the general public, in the political discourse and in media representations as well as at incidents of police brutality and discriminatory behaviour on the part of some teachers and doctors.

263. In accordance with articles 2 and 30 of the Convention, the Committee recommends that the State party:

(a) Initiate campaigns, at all levels and in all regions, aimed at addressing the negative attitudes towards the Roma in society at large, in particular among authorities such as the police and professionals providing health care, education and other social services;

(b) Based on the evaluation of previous strategies, develop and implement a comprehensive strategy for improving access to primary health care, education and social welfare services, in cooperation with Roma NGO partners and targeting the whole Roma child population;

(c) Develop curriculum resources for all schools, including in relation to Roma history and culture, in order to promote understanding, tolerance and respect for the Roma in Romanian society.

See also:

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 388 and 389.

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- Viet Nam, CRC, CRC/C/124 (2003) 67 at paras. 287, 288, 312 and 313.

287. The Committee notes with concern that domestic legislation does not specifically prohibit discrimination based on all the grounds listed under article 2 of the Convention... Moreover, the lower level of development indicators for ethnic minorities appears to indicate the existence of some level of societal and institutional discrimination, specifically with regard to their access to health and education.

288. The Committee recommends that the State party:

(a) Amend domestic legislation to ensure that it corresponds fully with all the provisions of article 2 of the Convention...

(b) Strengthen efforts to eliminate disparities in the accessibility and quality of health care and education between regions and ethnic minorities;

(c) Conduct a study in collaboration with ethnic community leaders to determine the extent to which ethnic minority children suffer from discrimination and develop policies and programmes to address the root causes of any such discrimination.

...

312. While noting the State party's efforts to achieve universal enrolment at primary school level, the Committee is concerned that there are significant gaps in access to and quality of education between urban and rural or mountainous regions, and that the school system still suffers from a shortage of well-trained teachers and educational materials...

313. The Committee recommends that the State party:

...

(c) Recruit and train a greater number of teachers from all ethnic minority groups and continue to provide incentives to teachers working in remote and mountainous regions;

...

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 349, 350, 360, 362, 375 and 376.

349. The Committee welcomes the Method Instruction of the Ministry of Education, Youth and Sports on education against expressions of racism, xenophobia and intolerance. The Committee also notes the numerous initiatives of the State party to counter discrimination in education, in particular against children belonging to the Roma minority, including the adoption of legislation to counter discrimination in employment (Act No. 167/1999 Coll.). However, the Committee is concerned that the provisions of article 2 are not yet integrated into all relevant legislation and thus not sufficiently implemented. The Committee reiterates

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also the concerns expressed by the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.76, paras. 12 and 23) and the Human Rights Committee (CCPR/CO/72/CZE, paras. 8-11) and remains concerned at the persistence of *de facto* discrimination against minorities, in particular the Roma and other vulnerable groups.

350. The Committee recommends that the State party continue and strengthen its legislative efforts to fully integrate the right to non-discrimination (article 2 of the Convention) into all relevant legislation concerning children and to ensure that this right is effectively applied in all political, judicial and administrative decisions and in projects, programmes and services which have an impact on all children, including non-citizen children and children belonging to minority groups, such as the Roma. The Committee further recommends that the State party continue to carry out comprehensive public education campaigns and undertake all necessary proactive measures to prevent and combat negative societal attitudes.

...

360. ...[T]he Committee is concerned at the ill-treatment and abuse committed against children in the family, the school and other institutions as well as by public officials in the streets and in places of detention, particularly in the context of a form of popular justice for an alleged crime such as theft. The Committee is further concerned that certain groups of children, such as Roma, are specifically targeted, and that a very small portion of reported cases of suspicion of abuse and neglect are investigated...

...

362. The Committee recommends that the State party take action to address ill-treatment and abuse committed against children in the family, in schools, in the streets, in institutions and in places of detention through, *inter alia*:

- (a) Enacting legislation to adequately protect minorities from racially motivated attacks;
- (b) Ensuring that allegations of ill-treatment by the police and police misconduct are promptly, thoroughly and impartially investigated by an independent authority and that those responsible are identified and brought before a competent tribunal that will apply sanctions provided for by the law;
- ...
- (e) Implementing training programmes to promote respect for children belonging to minority groups, in particular Roma children, and monitoring the treatment of children in both basic and special schools in order to ensure the protection of the physical and psychological integrity of all children while in the care of school officials;

...

375. The Committee welcomes the efforts of the Government aimed at developing post-secondary education, making it more accessible, ensuring education for minority groups and integrating children with disabilities into mainstream education. The Committee welcomes the secondary school for Roma children established on the initiative of the Roma people themselves. However, the Committee is concerned that the implementation of the

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reform of the education system remains insufficient and that in-service teacher training in this respect is lacking. The Committee is further concerned that Roma children continue to be over-represented in so-called “special schools” and at the discrimination in access to education of illegal migrants and refugees who are denied asylum.

376. Noting the State party’s efforts in this domain, the Committee recommends that the State party:

(a) Ensure the availability and accessibility of free primary education for all children in the State party, giving particular attention to providing children in rural communities, children from Roma and other minorities, as well as children from disadvantaged backgrounds such as refugees and illegal migrants, particularly unaccompanied minors, good quality education, including in their own language;

(b) Continue to strengthen its efforts to professionalize the pre-school assessment of children and avoid, as much as possible, assigning children of Roma origin or other children belonging to disadvantaged groups to special schools;

...

- Solomon Islands, CRC, CRC/C/132 (2003) 58 at paras. 304 and 305.

304. The Committee is concerned that:

...

(b) The principle of non-discrimination is not adequately implemented for children of some ethnic minorities and of economically disadvantaged households, children living in remote islands, children born out of wedlock and children with disabilities, especially with regard to their access to adequate health care and educational facilities.

305. The Committee recommends that the State party monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination and develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at eliminating all forms of discrimination.

- Morocco, CRC, CRC/C/132 (2003) 100 at paras. 523 and 524.

523. The Committee is concerned that children belonging to the Amazigh community cannot always exercise their rights to their own culture, the use of their own language and the preservation and development of their own identity. In particular, the Committee is concerned that parents are not allowed to give Amazigh names to their children.

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524. In line with the recommendations of the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.57), the Committee recommends that the State party take all necessary measures to ensure that children belonging to the Amazigh community can exercise their rights to their own culture, the use of their own language and the preservation and development of their own identity. In particular, the Committee recommends that the State party allow parents from that community to give Amazigh names to their children.

- Syrian Arab Republic, CRC, CRC/C/132 (2003) 116 at paras. 551, 552, 558, 559, 572 and 573.

551. The Committee is concerned that both direct and indirect discrimination against the child or his or her parents or legal guardians persists, contrary to article 2 of the Convention, particularly with respect to:

(a) Girls, children born out of wedlock and children belonging to minorities;

...

552. The Committee recommends that the State party:

(a) Take effective measures, for example by enacting or rescinding legislation where necessary, and implementing disparity-reduction programmes to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes in this regard;

...

(d) Mobilize religious leaders to support such efforts.

...

558. ...[T]he Committee regrets that children of Syrian-born Kurdish parents who are stateless and have no other nationality at birth continue to be denied Syrian nationality and are subject to discrimination, contrary to articles 2 and 7 of the Convention.

559. The Committee re-emphasizes that articles 2 and 7 of the Convention require that all children within the State party's jurisdiction have the right to be registered and acquire a nationality, irrespective of the child's or his or her parents' or legal guardians' sex, race, religion or ethnic origin. The Committee recommends that the State party:

...

(b) Take urgent steps to guarantee children of Syrian-born Kurdish parents the right to acquire Syrian nationality;

(c) Ratify the Convention relating to the Status of Stateless Persons of 1954, and the

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Convention on the Reduction of Statelessness of 1961.

...

572. The Committee notes the adoption of the Global Education Initiative to improve the quality of basic education and that some efforts have been undertaken towards curriculum reform. Nevertheless, it remains concerned that the aims of education presented in the report do not adequately reflect the aims outlined in article 29 of the Convention and, in particular, that:

...

(b) The development and respect for human rights, tolerance and equality of the sexes and religious and ethnic minorities are not explicitly part of the curriculum.

573. The Committee recommends that the State party, taking into account the Committee's general comment No. 1 on the aims of education:

...

(c) Include human rights education, including children's rights, in school curricula, particularly with respect to the development of and respect for human rights, tolerance and equality of the sexes and of religious and ethnic minorities. Religious leaders must be mobilized in this regard;

...

- Canada, CRC, CRC/C/133 (2003) 14 at paras. 71 and 72.

71. The Committee notes positive developments with respect to measures to promote and protect cultural diversity and specific legislative measures regarding discrimination, including the Multiculturalism Act, in particular as it bears upon the residential school system, the Employment Equity Act, and the amendment to the Criminal Code introducing racial discrimination as an aggravating circumstance (see also the 2002 annual report of the Committee on the Elimination of Racial Discrimination (CERD) (A/57/18), paras. 315-343). However, the Committee joins CERD in its concerns, in particular as they relate to children, such as those relating to the Indian Act, to the extent of violence against and deaths in custody of Aboriginals and people of African and Asian descent, to existing patterns of discrimination and expressions of prejudice in the media and to the exclusion from the school system of children of migrants with no status, and remains concerned at the persistence of *de facto* discrimination against certain groups of children (see also *ibid.*, paras. 332, 333, 335 and 337).

72. The Committee recommends that the State party continue to strengthen its legislative efforts to fully integrate the right to non-discrimination (article 2 of the Convention) in all relevant legislation concerning children, and that this right be effectively applied in all political, judicial and administrative decisions and in projects, programmes and services that have an impact on all children, in particular children belonging to minority and other

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vulnerable groups such as children with disabilities and Aboriginal children. The Committee further recommends that the State party continue to carry out comprehensive public education campaigns and undertake all necessary proactive measures to prevent and combat negative societal attitudes and practices...

- Pakistan, CRC, CRC/C/133 (2003) 37 at paras. 195, 196 and 204-207.

195. While acknowledging the actions taken to address discrimination against girls in education, the Committee is concerned at the persistence of discriminatory social attitudes and discrimination against minority children and against girls, early and forced marriages, low school enrolment and high dropout rates, honour killings, mutilation and violence. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and the social discrimination experienced by children belonging to the most vulnerable groups, including children with disabilities, children belonging to a religious or other minority group and children living in rural areas.

196. The Committee recommends that the State party:

(a) Make greater efforts to ensure that, in accordance with article 2, all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, particularly girl children, children belonging to a religious or other minority group, children with disabilities and other vulnerable groups of children;

(b) Target social services at children belonging to the most vulnerable groups.

...

204. While noting the many efforts made by the State party to promote timely birth registration, the Committee is concerned at the fact that a very significant number of children are not registered at birth, especially children belonging to a religious or other minority group and children living in rural areas, which has negative consequences on the full enjoyment of fundamental rights and freedoms by the children.

205. The Committee recommends that the State party strengthen and increase its measures to ensure the timely registration of all births, particularly of children belonging to a religious or other minority group and children living in rural areas, in accordance with article 7 of the Convention.

206. Although the State party is undertaking some training of police officers and other professionals working with children to promote respect for children's rights, the Committee is deeply concerned at the numerous reports of torture, serious ill-treatment and sexual abuse of children, including children belonging to religious or other minority groups, by police officers in detention facilities and other State institutions.

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207. The Committee recommends that the State party:

(a) Assess the scope, nature and causes of violence against children, in particular sexual violence against girls, with a view to adopting a comprehensive strategy and effective measures and policies and to changing attitudes;

(b) Properly investigate cases of violence, through a child-sensitive judicial procedure, notably by giving appropriate weight to children's views in legal proceedings, and apply sanctions against perpetrators, with due regard given to guaranteeing the right to privacy of the child;

(c) Add a definition of torture to the Constitution and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(d) Undertake public education campaigns to promote a culture of non-violence.

- Brunei Darussalam, CRC, CRC/C/133 (2003) 73 at paras. 350 and 351.

350. The Committee is concerned at the disparities in the enjoyment of all rights covered by the Convention by children practising religions other than Islam and by non-national children. The Committee is further concerned that race is indicated on identity cards, as this may lead to *de facto* discrimination.

351. The Committee recommends that the State party take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2.

- Bangladesh, CRC, CRC/C/133 (2003) 93 at paras. 511 and 512.

511. The Committee is deeply concerned about the poor situation of children of the Chittagong Hill Tracts, and other religious, national and ethnic minorities, tribal groups or similar marginalized groups and the lack of respect for their rights, including the rights to food, to health care, to education and to survival and development, to enjoy their own culture and to be protected from discrimination.

512. The Committee urges the State party to gather additional information on all minorities or similar marginalized groups of the population, and to elaborate policies and programmes to ensure the implementation of their rights without discrimination, taking into account the Committee's recommendations adopted at its day of general discussion on the theme "The rights of indigenous children".

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- Georgia, CRC, CRC/C/133 (2003) 111 at paras. 584 and 585.

584. The Committee welcomes the ratification by the State party of the International Convention on the Elimination of All Forms of Racial Discrimination. However, while the Committee is cognizant of the ethnic and religious diversity and tolerance in Georgia, it remains concerned at the increasing instances of direct or indirect discrimination and intolerance and the lack of an adequate response, as noted by the Council of Europe's European Commission against Racism and Intolerance (ECRI).

585. The Committee encourages the State party to take measures to combat racism, xenophobia, discrimination and intolerance by, *inter alia*, ensuring follow-up to the recommendations of the United Nations treaty bodies and ECRI, in particular as they relate to children. The Committee recognizes the important role of education in this respect and encourages the State party to continue to support education in languages of the minorities as well as education in their mother tongue for the ethnic Georgian population not having access to it.

- Indonesia, CRC, CRC/C/137 (2004) 8 at paras. 45, 110 and 111.

45. The Committee recommends that the State party:

...

(b) Take specific measures to make the Convention available to and known by all children, especially those belonging to ethnic minorities.

...

110. The Committee welcomes the adoption of the Human Rights Act of 1999, which recognizes the right to freedom of religion and worship of everyone. However, the Committee is still concerned that the rights of children belonging to a minority or ethnic group are not recognized by the Act and that these children also do not have adequate access to education, health and social services.

111. The Committee recommends the further implementation of the Community Social Welfare Programme and the further development of such programmes with special reference to children belonging to ethnic groups.

- Guyana, CRC, CRC/C/137 (2004) 26 at paras. 118, 137, 138, 172 and 173.

118. The Committee welcomes the establishment of the Ministry for Amerindian Affairs led by a woman of Amerindian descent.

...

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137. The Committee is concerned that, as noted by the State party, societal discrimination persists against girls and vulnerable groups of children, including children living in poverty, Amerindian children and children with disabilities...

138. The Committee recommends that the State party increase its efforts to adopt appropriate legislation, to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

172. The Committee is concerned at the living conditions of Amerindian children with regard to the full enjoyment of all rights enshrined in the Convention, especially the degradation of their natural environment and the fact that they are not taught in their own languages.

173. In light of articles 2 and 30 of the Convention and the recommendations adopted by the Committee at its day of general discussion on the rights of indigenous children in September 2003, the Committee recommends that the State party take all necessary measures to protect Amerindian children against discrimination and to guarantee their enjoyment of all the rights recognized in the Convention. The Committee also recommends that the current revision of the Amerindian Act reflect the provisions and principles of the Convention.

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 208, 209, 231 and 232.

208. The Committee notes that in 2002 the study of the history of the Armenian Apostolic Church was made a compulsory subject in schools.

209. In the light of article 14, the Committee recommends that the compulsory teaching of that subject does not infringe on the rights of children belonging to religious minorities.

...

231. ...[I]n line with the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/61/CO/1), the Committee expresses its concern about the inadequate access by minority children to education in their mother tongue.

232. The Committee recommends that the State party:

...

(e) Ensure, whenever possible, that children belonging to minority groups have access to education in their mother tongue;

...

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- Germany, CRC, CRC/C/137 (2004) 51 at paras. 274, 275, 305 and 306.

274. While acknowledging the prohibition of discrimination in the Basic Law (art. 3), the Committee is concerned at the *de facto* discrimination against foreign children and at incidents of racial hatred and xenophobia that have a negative effect on the development of children. The Committee is also concerned that some of the Land disparities in practices and services provided and in the enjoyment of rights by children may amount to discrimination.

275. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate *de facto* discrimination against foreign children or children belonging to minorities.

...

305. In addition to its concerns related to the declaration made by the State party on article 22 of the Convention, the Committee remains concerned that:

...

(b) Roma children and other children belonging to ethnic minorities may be forcibly expelled to countries their families have been fleeing;

...

306. In light of article 7, 22 and other relevant provisions of the Convention, the Committee recommends that the State party take all necessary measures:

...

(b) To review its legislation and policies regarding Roma children and other children belonging to ethnic minorities seeking asylum in the State party;

...

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at paras. 327, 328, 345, and 346.

327. ...[T]he Committee is concerned that some domestic legislation in the Netherlands and in Aruba does not yet fully conform with the principles and provisions of the Convention, *inter alia*, with regard to education in minority languages and juvenile justice as well as compulsory education in Aruba.

328. The Committee recommends that the State party take all necessary measures to ensure that its domestic legislation in the Netherlands and in Aruba conforms fully with the

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principles and provisions of the Convention, in particular with regard to education in minority languages, juvenile justice as well as compulsory education in Aruba.

...

345. The Committee notes the significant efforts made by the State party to address racial discrimination, which have also been recognized in detail by the Committee on the Elimination of Racial Discrimination in its concluding observations (CERD/C/304/Add.104) on the thirteenth and fourteenth periodic reports of the Netherlands. However, the Committee is concerned that societal prejudices and discrimination persist in society, in particular, against children of ethnic minorities and refugee and asylum-seeking children, and that in some localities and schools in the Netherlands there is *de facto* segregation between ethnically Dutch families and families of foreign origin. In Aruba, the Committee is concerned about discrimination against children of migrant families, in particular, in accessing services...

346. The Committee recommends that the State party increase its efforts to ensure the implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups. The Committee requests the State party to pay particular attention to eliminating negative stereotype of refugee and asylum-seeking children in the Netherlands and to address the root causes of *de facto* segregation in schools and localities. It further recommends that the State party ensure that children of migrant families in Aruba have equal access to education, health and other services...

- India, CRC, CRC/C/137 (2004) 75 at paras. 409, 410, 459 and 460.

409. While welcoming the special temporary programmes and other activities to improve the enjoyment of rights by girls and vulnerable groups such as children belonging to Scheduled Castes and Tribes, the Committee expresses its concern at the possibility that other children in situations similar to that of those groups are not receiving the same benefits.

410. The Committee recommends that all existing and future special temporary programmes be provided with specified goals and timetables, in order to evaluate their success and justify their continuation, expansion and dissemination. The Committee further recommends that the State party start to develop special programmes for the allocation of educational and other benefits that are based on the child's needs and rights rather than on the basis of sex, caste or tribe, or any other characteristic that may result in unjustifiable discrimination.

...

459. The Committee is concerned at the situation of children belonging to minorities, including to the Primitive Tribal Groups, and at their limited access to social services, including health care, immunization and education, and the violation of their rights to

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survival and development, to enjoy their own culture and to be protected from discrimination.

460. In addition to its recommendation in paragraph 406, and in line with the recommendations made at its day of general discussion on the rights of indigenous children (CRC/C/133, para. 624), the Committee recommends that the State party implement and/or give the necessary follow-up to the recommendation made by the Standing Committee on Labour and Welfare on the Development of Primitive Tribal Groups (2002).

- Slovenia, CRC, CRC/C/137 (2004) 104 at paras. 553, 554, 575, 576, 579, 580, 597 and 598.

553. While taking note of the various programmes aiming at improving the position of the Roma, the Committee is concerned that prejudices and discrimination against the Roma and other minorities in the State party, including Serbs, Bosniacs, Albanians and Croats, remain widespread. The Committee also notes with concern that Roma children continue to be among the most vulnerable groups in Slovenia and that some programmes aiming at uplifting Roma communities make a distinction between “autochthonous” and “non-autochthonous” Roma and exclude the latter group. Furthermore, while welcoming measures taken to facilitate the integration of Roma children into regular primary schools, the Committee is concerned at the high number of Roma children attending classes for children with special needs.

554. The Committee recommends that the State party intensify its efforts to combat negative stereotypes of and discrimination against Roma children and children belonging to other minorities in the State party. Furthermore, the Committee recommends that the State party take further measures to improve the standard of living of Roma children and ensure that all these children are integrated into mainstream education, so that special assistance and support for Roma children can be provided at regular classes. It also recommends that the State party end the distinction between autochthonous and non-autochthonous Roma.

...

575. While acknowledging the measures taken by the State party to ensure that basic health care is provided for the most vulnerable groups in society and the overall good health indicators in Slovenia, the Committee is concerned at the relatively poor health situation of some children, particularly those belonging to the Roma community, and the relatively high maternal mortality rate...

576. The Committee recommends that the State party give priority attention to identifying and addressing the causes of the poor health situation of some children, particularly Roma children, and the high maternal mortality rate...

...

579. While welcoming measures undertaken to fight poverty, including the Action

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Programme against Poverty and Social Exclusion, adopted in 2000, the Committee is concerned about the incidence of poverty in the State party, particularly among Roma and single-parent families.

580. The Committee recommends that the State party continue and further strengthen measures to combat poverty, including special measures targeted at single-parent families and the Roma community.

...

597. The Committee is concerned that children belonging to some ethnic groups in Slovenia, such as Bosniacs, Croats, Serbs, Albanians and others, do not enjoy fully some of their cultural rights.

598. The Committee recommends that the State continue to strengthen and expand efforts to ensure that children from all ethnic groups fully enjoy their rights, in particular those mentioned in article 30 of the Convention.

- Japan, CRC, CRC/C/137 (2004) 116 at paras. 651 and 652.

651. The Committee notes the State party's efforts to reform the education system and bring it into greater conformity with the Convention; however, it is concerned that:

...

(f) Children of minorities have very limited opportunities for education in their own language;

...

652. The Committee recommends that the State party:

...

(d) Expand opportunities for children from minority groups to enjoy their own culture, profess or practise their own religion and use their own language;

...

- Rwanda, CRC, CRC/C/140 (2004)36 at paras. 234 and 235.

234. The Committee is concerned at the situation of children belonging to minorities, including Batwa children, in particular their limited access to basic social services, including health care, immunization and education, and the violation of their rights to survival and development, to enjoy their own culture and to be protected from discrimination.

235. In line with its recommendations adopted at its day of general discussion on the rights of indigenous children (CRC/C/133, para. 624), the Committee recommends that the State party:

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(a) Undertake a study to assess the situation and the needs of Batwa children and to elaborate a plan of action involving leaders of the Batwa community to protect the rights of those children and ensure their social services; and

(b) Seek adequate means and measures to ensure birth registration, health care, etc.

- Myanmar, CRC, CRC/C/140 (2004)81 at paras. 416, 417, 436, 437, 453 and 454.

416. The Committee expresses its concern at the lack of adequate social policies that enable families to be in charge of protecting their children's rights, and the disintegration and displacement of families and communities of ethnic minority groups.

417. In light of article 18 of the Convention, the Committee recommends that the State party introduce programmes to support families and, in particular, parents in the performance of their parental responsibilities, especially with respect to ethnic minorities and other vulnerable groups, and refrain from activities that may lead to the disintegration or displacement of families.

...

436. The Committee welcomes the launching in 2000 of the Special Four-Year Plan for Education (2000/01-2003/04) aimed at promoting the basic education sector, and of the "Education for All" National Action Plan introduced in 2003 which is aimed specifically at the "access, quality and relevance" of education, but is seriously concerned at the following problematic aspects of the existing education system:

...

(b) The significant variation in school enrolment between urban and rural areas, and the particularly low level of enrolment of children belonging to minority groups;

...

437. The Committee recommends that the State party:

...

(e) Strengthen its efforts to progressively ensure that girls as well as boys, from urban, rural and remote areas, and children belonging to minority groups all have equal access to educational opportunities;

(f) Adapt school curriculum to suit the particularities of the local communities, in particular for ethnic minority groups, and make use of local teachers to help children who are experiencing language difficulties;

...

453. The Committee is deeply concerned about the situation of the children of the Bengali people residing in northern Rakhine State, also known as the Rohingyas, and of children belonging to other ethnic, indigenous or religious minorities and in particular that many of their rights are denied, including the rights to food, to health care, to education, to survival

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and development, to enjoy their own culture and to be protected from discrimination.

454. The Committee urges the State party to gather additional information on all ethnic minorities and other marginalized groups and to elaborate policies and programmes to fully ensure the implementation of their rights without discrimination, taking into account the Committee's recommendations on the rights of indigenous children made at its day of general discussion (CRC/C/133, para. 624).

- France, CRC, CRC/C/140 (2004) 124 at paras. 639 and 640.

639. The Committee welcomes information provided in the State party's report that all children in France are equal before the law and have a right to freedom of religion, expression in their own language in private affairs and right to cultural activities. However, the Committee remains concerned that equality before the law may not be sufficient to ensure equal enjoyment of rights by certain minority groups, such as the Roma, among others, who may face *de facto* discrimination. The Committee regrets that the State party has not considered reviewing its position and withdrawing its reservation to article 30 of the Convention.

640. The Committee encourages the State party to continue measures to prevent and combat racism, xenophobia, discrimination and intolerance, by, *inter alia*, ensuring follow-up to the recommendations of the United Nations treaty bodies and the European Commission against Racism and Intolerance (ECRI), in particular as concerns children. The Committee urges the State party to review its position with respect to children belonging to minority groups and to consider withdrawing its reservation to article 30.

- Brazil, CRC, CRC/C/143 (2004) 10 at paras. 54, 55 and 96-98.

54. The Committee welcomes the fact that the Constitution of 1988 criminalizes acts of racism by not giving the right to bail or prescription and by subjecting them to imprisonment. The Committee notes the recent measures adopted by the federal Government, including the cultural diversity programme and Civil Code Law 10.406/02, which regulates the citizenship of the Brazilian Indian, since it abolishes the previous status of being a relatively "incapable" citizen. However, the Committee is concerned that discrimination is still present against some ethnic groups, such as Brazilians of African descent, in some cultural and social practices and by the persistent level of unequal social development in regions, specifically in the North and Northeast regions, which in many instances amount to discrimination.

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55. The Committee urges the State party to take adequate measures to ensure the implementation of existing laws and policies guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups, including all necessary special measures to address the rather persistent inequalities that exist against some ethnic groups such as Brazilian of African descent in the State party. The Committee further recommends that the State party continue to carry out comprehensive public education campaigns and undertake all necessary proactive measures to prevent and combat negative societal attitudes and practices.

...

96. The Committee welcomes the fact that social organization, customs, languages, creeds and traditions are recognized to indigenous communities in the Constitution of 1988. However, as noted by the State party, the Indian Statute promotes for an integration which is not in accordance with the principle of respect for diversity of cultures. The Committee also welcomes the fact that, according to law 10.406/02, indigenous people are no longer considered “relatively incapable citizens”. It also welcomes the efforts made by the State party to stimulate bilingual education. However, the Committee is deeply concerned by the low standard of living of indigenous children, low educational opportunities and quality of health services, and malnutrition.

97. The Committee urges the State party to pursue measures to effectively address the gap in life opportunities of indigenous children. Training and awareness-raising activities should be provided to break social prejudice, in order to revert the historical logic of colonization, which jeopardizes any chance of attaining genuinely equal treatment.

98. The Committee also recommends that the State party take adequate measures in order to provide protection for the rights of indigenous children, in particular their rights to preserve historical and cultural identity, customs, traditions and languages in accordance with the Constitution, and taking into account the recommendations adopted by the Committee on its day of general discussion on the rights of indigenous children in September 2003.

- Croatia, CRC, CRC/C/143 (2004) 36 at paras. 188-190, 198, 199, 218, 219, 222-225, 237 and 238.

188. The Committee acknowledges the various efforts undertaken by the State party to follow up its previous recommendations but remains concerned at the *de facto* discrimination against ethnic and national minorities and Roma and foreign children, and at incidents of harassment and expressions of hatred, which have a negative effect on the development of children. The Committee joins the Committee on the Elimination of Racial Discrimination in its concern as it relates to the lack of legal provisions prohibiting incitement to racial

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discrimination and violence, and about the adequacy of efforts to investigate and prosecute persons responsible for fomenting ethnic hatred (see CERD/C/60/CO/4, para. 12).

189. The Committee reiterates its recommendation that the State party should take measures aimed at developing a culture of tolerance in the society at large through all possible channels, including the schools, the media and the law.

190. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate *de facto* discrimination against children belonging to minorities, especially Roma and foreign children.

...

198. The Committee welcomes the efforts made by the State party to reform its legislation in accordance with the provisions and principles of the Convention but it remains concerned about the different types of access to citizenship, which mainly affect children from minority groups, especially Roma children.

199. The Committee recommends that the State party undertake measures to ensure that all provisions of the Croatian Law on Citizenship are in conformity with article 7 of the Convention and that the law is implemented in a non-discriminatory manner.

...

218. The Committee notes the efforts made by the State party to improve its health-care system, e.g. the new Health Insurance Law (2002), but remains concerned about the lack of data about children's health status, in particular children of ethnic and minority groups, and that medical coverage is not ensured for every child...

219. The Committee recommends that the State party undertake all necessary measures to ensure that all children enjoy equal access to and quality of health services, with special attention to children from ethnic and minority groups, especially Roma children...

...

222. The Committee notes the measures undertaken by the State party to increase economic growth, but remains concerned at the widespread prevalence of poverty in Croatian society, which affect in particular families with more than one child, families headed by women and minority families, including Roma families and families of foreign origin, and in areas that were affected by armed conflict.

223. The Committee, in line with its previous recommendations ([CRC/C/15/Add.52,] para. 31) recommends that the State party:

...

(b) Continue to provide material assistance and support to economically disadvantaged

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families, notably Roma families and families of foreign origin, in order to guarantee the right of children to an adequate standard of living;

...

224. While noting the efforts made by the State party with regard to education, e.g. the 2001 Law on the Changes and Amendments of the Primary Education Law, it remains concerned about the different access to education of children belonging to minority and the most vulnerable groups, including Roma children, children living in poverty, children with disabilities and foreign children, which hampers their full enjoyment of a system of education adequate to their values and identity...

225. The Committee recommends that the State party:

(a) Take all necessary measures to ensure that articles 28 and 29 of the Convention are fully implemented, in particular with regard to children belonging to the most vulnerable groups (i.e. minority groups, children living in poverty, etc.);

(b) Ensure the implementation of the National Programme for Roma, providing it with adequate human and financial resources and with periodic evaluation of its progress;

...

(h) In the light of article 29 on the aims of education, establish adequate programmes and activities with a view to creating an environment of tolerance, peace and understanding of cultural diversity in order to prevent intolerance, bullying and discrimination in schools and in society at large.

...

237. The Committee notes the measures undertaken by the State party to improve domestic legislation with regard to minority rights, e.g. the Constitutional Law on the Rights of National Minorities, but remains concerned that these legal instruments are not effectively implemented. It is also concerned about continuing problems of ethnic discrimination and intolerance, particularly concerning the Roma and other minority groups, e.g. Serbs and Bosniaks.

238. The Committee reiterates its recommendation that the State party should take effective measures to encourage the protection of the rights of children belonging to minority groups and eliminate the impunity enjoyed by those who harass these groups. It also recommends that the State party undertake special measures to stimulate a process of reconciliation and confidence-building, including wide-ranging educational and awareness-raising campaigns.

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 398 and 399.

398. The Committee is concerned at the discrimination faced by children with disabilities, girls, and children belonging to the San communities in the State party.

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399. The Committee recommends that the State party take the necessary legislative measures to explicitly prohibit all forms of discrimination, in accordance with article 2 of the Convention...

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 98 and 99.

98. The Committee welcomes the many legislative amendments providing for equal rights to all children, including giving children equal inheritance rights without discrimination based on their status at birth. However, the Committee is concerned that discrimination persists in particular with respect to ethnic minorities, including Roma children, disabled children and children living in remote areas many of whom have reduced access to support and protection. The Committee regrets the lack of information on the efforts made by the State party to counter these forms of discrimination while noting statements that this is primarily a result of mentality and attitudes rather than lack of related legislation...

99. The Committee urges the State party to undertake concerted actions to develop and implement policies aimed at countering the various forms of discrimination in the country. This would include revision of existing legislation, introduction of comprehensive anti-discrimination legislation and conducting educational campaigns to address discrimination against the Roma and other minorities, as well as discrimination on grounds such as disability, sex, birth status or others.

- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 175 and 176.

175. The Committee is further concerned at the discriminatory attitudes and the emergence of racism, xenophobia and related intolerance towards the Muslim community and other minorities and at their impact on children belonging to these groups.

176. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

- Belize, CRC, CRC/C/146 (2005) 59 at paras. 364 and 365.

364. With regard to children belonging to minorities and indigenous peoples, such as Maya

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and Garifuna children, the Committee is concerned about the widespread poverty among them and the limited enjoyment of their rights, particularly concerning their access to social and health services and education. The Committee notes with concern that it is generally difficult for girls belonging to minorities and indigenous peoples to be heard in society and that their right to participate and to be heard in proceedings affecting them is often limited.

365. The Committee recommends that the State party strengthen its efforts to improve the equal enjoyment of all rights of children belonging to minorities and indigenous peoples, in particular, by prioritizing effective measures to reduce poverty among them. The Committee also recommends that the State party take measures to promote respect for the views of children, especially girls, belonging to minorities and indigenous peoples and facilitate their participation in all matters affecting them.

- Bahamas, CRC, CRC/C/146 (2005) 77 at paras. 398 and 399.

398. The Committee is concerned that societal discrimination persists against vulnerable groups of children, including children living in poverty, Haitian immigrant children and children with disabilities...

399. The Committee recommends that the State party:

(a) Strengthen, in the current process of reforming the Constitution, the existing provisions on non-discrimination and ensure observance of the principle of non-discrimination in full compliance with article 2 of the Convention;

(b) Adopt further appropriate legislation (e.g. a separate law on non-discrimination);

(c) Adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

- Islamic Republic of Iran, CRC, CRC/C/146 (2005) 88 at paras. 476 and 477.

476. The Committee is concerned that little progress has been made in the area of freedom of religion and notes that members of unrecognized religions continue to be discriminated against and do not have the same rights as those of recognized religions, for example with regard to access to social services. In addition, it continues to be concerned at reports that these minorities, in particular the Baha'i minority, are subjected to harassment, intimidation and imprisonment on account of their religious beliefs.

477. The Committee recommends that the State party take effective measures, including

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enacting or rescinding legislation, to prevent and eliminate discrimination on the grounds of religion or belief and ensure that members of minority religions are not imprisoned or otherwise ill-treated on account of their religion and that access to education for their children is provided on an equal footing with others.

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 123, 124, 136, 137, 173 and 195-197.

123. Notwithstanding the measures taken by the State party to eliminate discrimination against children, *inter alia*, through the implementation of the provisions of the Child and Youth Welfare Code (Presidential Decree No. 603), the Family Code and the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act and several programmes, such as the Third Elementary Education Programme, the Committee is concerned about discrimination faced by many children, in particular children living in poverty, children with disabilities, indigenous and minority children, including Muslim children living in Mindanao, migrant children, street children and children living in rural areas as well as children living in areas of conflict, as regards their access, *inter alia*, to social and health services and education...

124. In the light of article 2 of the Convention, the Committee recommends that the State party increase its efforts to ensure effective implementation of existing laws guaranteeing the principle of non-discrimination and adopt a proactive and comprehensive strategy to eliminate all forms of discrimination, including forms of multiple discrimination, against all vulnerable groups of children...

...

136. While noting the estimated increase in the birth registration rate and the measures taken by the State party in this respect, including the Unregistered Children Project conducted in collaboration with PLAN International and the National Statistics Office, the Committee remains concerned at the difficulties in ensuring timely birth registration of children, in particular children belonging to religious or other minority groups or indigenous peoples and children living in the remote areas of the country and at the fact that birth registration is not free of charge and not equally accessible to all parents in the entire territory of the State party...

137. In order to secure the full enjoyment of all human rights and fundamental freedoms by children and to achieve 100 per cent birth registration, the Committee recommends that the State party strengthen its efforts to develop an efficient and at all stages free of charge birth registration system, which covers its territory fully, including through using more effectively mobile birth registration units to reach the most remote areas of its territory. The Committee requests the State party to pay particular attention to improved access to an early birth registration for parents whose children were born out of wedlock and parents belonging to religious or other minorities or indigenous peoples.

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...

173. In the light of articles 28 and 29 of the Convention and the Committee's general comment No. 1 (2001) on the aims of education, the Committee recommends that the State party allocate adequate financial, human and technical resources in order to:

...

(b) Urgently take all necessary measures to ensure universal and free primary education for all and pay particular attention to the schooling opportunities in the most remote *barangays* and to the educational needs of children belonging to vulnerable groups, such as children living in poverty, children with disabilities, indigenous children, child labourers, children in armed conflict, children infected with or affected by HIV/AIDS and street children, in order to fulfil their right to education;

...

(f) Provide indigenous children and children belonging to minority groups with equal access to quality education which respects their distinct cultural patterns and uses local indigenous and minority languages in education through, *inter alia*, the Lingua Franca Project;

...

195. While noting the provisions of the Indigenous Peoples Rights Act (Republic Act No. 8371) as well as programmes and projects for children belonging to minorities and indigenous peoples, such as an alternative system of education for children belonging to indigenous cultural communities, the Childcare Development Programme and the Lingua Franca Project, the Committee is concerned about the widespread poverty among minorities and indigenous peoples and the limited enjoyment of their human rights, in particular, concerning their access to social and health services and education. The Committee shares the State party's concern about arranged early marriage in the indigenous communities. In addition, the Committee notes with concern more pronounced discrimination against Muslims.

196. The Committee recalls the obligations of the State party under articles 2 and 30 of the Convention and recommends that the State party ensure that indigenous children and children belonging to minorities fully enjoy all of their human rights equally and without discrimination. In this respect the Committee recommends that the State party strengthen its efforts to implement the Indigenous Peoples Rights Act (Republic Act No. 8371) and develop and implement policies and programmes in order to ensure equal access for indigenous and minority children to culturally appropriate services, including social and health services and education. Furthermore, the Committee recommends that the State party strengthen its mechanisms for data collection on minority and indigenous children so as to identify existing gaps and barriers to the enjoyment of their human rights and with a view to developing legislation, policies and programmes to address such gaps and barriers.

197. As regards the child's right to use his/her own language, the Committee encourages the State party to continue its efforts to address the linguistic needs of indigenous and minority children. In addition, the Committee recommends that the State party seek, in close

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collaboration with indigenous and minority communities and their respective leaders, effective measures to abolish traditional practices prejudicial to the health and well-being of indigenous and minority children, such as early marriage.

- Bosnia and Herzegovina, CRC, CRC/C/150 (2005) 49 at paras. 227, 288, 233-235, 249, 251, 259-261, 277 and 278.

227. The Committee is concerned that discrimination on grounds of ethnicity, political affiliation, national origin, social status, status as internally displaced persons or returnees, residence in rural areas and gender or disability continues to be widespread. The Committee also expresses concern at the information that - despite some improvements - the media sometimes contribute to stigmatization and social exclusion by conveying stereotyped messages and distrust of people belonging to minority and/or ethnic groups.

228. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat all discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate *de facto* discrimination against children, in particular children with disabilities, Roma children and children belonging to ethnic and/or religious minorities or other nationalities. The State party is also encouraged to develop, in consultation with the media, a code of conduct with a view to eliminating stereotyping and stigmatization of minority and/or ethnic groups in the media.

...

233. The Committee recommends that further efforts be made to ensure the implementation of the respect for the views of the child. In this connection, particular emphasis should be placed on the right of every child to participate in the family, at school, within other institutions and bodies, and in society at large, with special attention to vulnerable and minority groups...

234. The Committee is concerned that, according to data provided by the Ombudsmen of the two Entities, there are about 5,000 children with incomplete data in the registries and a number of children in some regions of the country who are not registered at all. The Committee is further concerned at the information that Roma children are often not registered due to the lack of identification documents for their parents. They are also discriminated against by authorities who refuse to recognize the right of Roma children to registration.

235. In the light of article 7 of the Convention, the Committee urges the State party to continue to strengthen, as a matter of priority, its efforts to establish a system ensuring the registration of all children born within its territory - irrespective of the nationality and status

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of the parents - of all children born abroad by parents who are citizens of the State party and to take specific steps to ensure the registration of Roma children.

...

249. The Committee is concerned that the country's complex political structure and the lack of unified laws and policies make equitable access to health-care services for all children increasingly difficult...[T]he Committee expresses serious concern that some 90 per cent of Roma have no health insurance, which results in their *de facto* exclusion from access to health care.

...

251. The Committee recommends that the State party undertake all necessary measures to ensure that all children enjoy the same access and quality of health services, with special attention to children belonging to vulnerable groups, especially Roma...

...

259. The Committee is concerned that there exists extensive discrimination regarding access to education by ethnic and/or national minorities, especially Roma (only 33 per cent of whom attend primary school). Furthermore, the Committee is concerned that other marginalized groups of children, including refugees and returnees and children with disabilities face difficulties of access to schooling.

260. The Committee is also concerned about:

(a) The still existing phenomenon of the "two-schools-under-one-roof" system, whereby - in some Cantons - common premises are either divided or being used at different times by children of different ethnicity, who are taught a different curriculum depending on their national origin;

...

261. The Committee recommends that the State party:

...

(b) Take all necessary measures to ensure that articles 28 and 29 of the Convention are fully implemented, in particular with regard to children belonging to the most vulnerable groups (i.e. minority groups, those living in poverty, refugee and returnee children, Roma children, children with disabilities, etc.);

...

(f) In the light of article 29 on the aims of education, harmonize the educational system throughout the country, eliminate the so-called system of "two-schools-under-one-roof" and establish adequate programmes and activities with a view to create an environment of tolerance, peace and understanding of cultural diversity shared by all children to prevent intolerance, bullying and discrimination in schools and society at large;

...

277. While the Committee welcomes the Law on the Protection of National Minorities, adopted by Parliament of Bosnia and Herzegovina on 1 April 2003, as well as the establishment of the Roma Committee, it remains concerned about the fact that continuing

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problems of ethnic discrimination and intolerance, including instances of violence and of daily discrimination, have a huge impact on the full enjoyment of the rights enshrined in the Convention by children belonging to ethnic minorities, especially Roma.

278. The Committee recommends that the State party take effective measures to protect the full enjoyment of the rights of children belonging to ethnic minority groups and undertake special measures to stimulate a process of reconciliation and confidence-building, including wide-ranging educative and awareness-raising campaigns.

- Nepal, CRC, CRC/C/150 (2005) 66 at paras. 316, 318, 352 and 354.

316. While noting that discrimination is prohibited under the Constitution and other relevant legislation, as well as the various efforts undertaken by the State party to eliminate discrimination, the Committee reiterates its deep concerns about the widely prevailing *de facto* discrimination against girls and children belonging to the most vulnerable groups such as the *Dalit* community, children belonging to indigenous or ethnic minority groups, refugee and asylum-seeking children, street children, children with disabilities and children living in rural areas. The Committee notes with grave concern that as a consequence of prevailing discriminatory attitudes, children belonging to vulnerable groups are particularly likely to fall victim to abuse and exploitation.

...

318. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the right to non-discrimination, and to adopt appropriate legislation, where necessary, to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. In this regard, the Committee urges the State party to prioritize and target social services for children belonging to the most vulnerable groups, and to take all effective measures to ensure their protection from exploitation. The Committee encourages the State party to launch comprehensive public information campaigns to prevent and combat all forms of discrimination.

...

352. The Committee expresses concern about the high level of prevailing poverty in the State party, which hampers the respect for, and fulfilment of, the rights of children, particularly those living in rural areas, those living in slums and squats, and among the lower castes and ethnic minorities, and the ability of their families to provide them with adequate protection.

...

354. In accordance with articles 26 and 27 of the Convention, the Committee recommends that the State party:

...

(b) Reinforce its efforts to provide support and material assistance to economically

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disadvantaged families, notably those living in rural areas, slums and squats and to guarantee the right of children to an adequate standard of living;

...

- Ecuador, CRC, CRC/C/150 (2005) 91 at paras. 414 and 415.

414. The Committee reiterates the concern voiced by the Committee on the Elimination of Racial Discrimination (CERD/C/62/CO/2, para. 11) that, despite constitutional and legal guarantees, indigenous and Afro-Ecuadorian people, as well as members of other ethnic minorities are, *de facto*, still discriminated against...

415. The Committee urges the State party to take adequate measures to ensure practical application of the constitutional and legal provisions guaranteeing the principle of non-discrimination and the full compliance with article 2 of the Convention and to strengthen and effectively implement its national strategies to eliminate discrimination on any grounds and against all vulnerable groups.

- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 584 and 585.

584. The Committee regrets that it has been largely precluded, through lack of information in the report, from examining compliance of the State party's obligations with the rights guaranteed under article 30 of the Convention with regard to children belonging to minorities, such as Khazakhs and Tsaatans. The Committee is concerned about the limited enjoyment of their human rights, particularly concerning their access to social and health services and education.

585. The Committee recalls the obligations of the State party under articles 2 and 30 of the Convention and recommends that the State party ensure that children belonging to minorities fully enjoy all of their human rights equally and without discrimination...