

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

CERD A/52/18 (1997)

512. The Committee considered the initial, second and third periodic reports, consolidated into one report, of the former Yugoslav Republic of Macedonia (CERD/290/Add.2) at its 1226th and 1227th meetings (CERD/C/SR.1226 and 1227), held on 11 and 12 August 1997, and, at its 1241st meeting, held on 21 August 1997, adopted the following concluding observations.

A. Introduction

513. The Committee commends the State party on the quality of its report prepared in accordance with the Committee's guidelines. It notes with appreciation the high-level delegation which presented the report, indicating the importance attached by the State party to the Convention. It further notes the open and constructive dialogue with representatives of the State party. The Committee expresses its appreciation to the delegation of the State party for the additional information that it provided to the Committee orally and in writing.

B. Factors and difficulties impeding the implementation of the Convention

514. It is recognized that the State party has experienced considerable economic difficulties, partly resulting from hostilities in the Balkan region, which have had a negative impact on the enjoyment of human rights, including those protected by the Convention.

C. Positive aspects

515. The State party is commended for the many legislative acts that have been adopted in order to comply with the provisions of the Convention, including the Act on Public Information; the Act on Telecommunications, which prohibits the use of mass media to incite national, racial or religious hatred or intolerance; the Act on Political Parties, which prohibits the establishment of those parties whose aim is the incitement of national, racial and religious hatred and intolerance; and the Act on Social Organizations and Citizens' Associations, which prohibits activities which violate human freedoms and rights or encourage national, racial or religious hatred or intolerance.

516. The willingness affirmed by representatives of the State party during the oral dialogue to make the declaration under article 14 of the Convention and to consider the ratification of the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties to the Convention, is welcomed.

D. Principal subjects of concern

517. The lack of statistical information on the invocation of the various protections against racial discrimination, in particular those referred to in paragraph 515, is noted with concern.

518. It is noted that the representation of various ethnic groups in the judiciary, Parliament and other public bodies and agencies of government continues to be below their respective percentages

in the population.

519. With respect to article 5 of the Convention, the lack of sufficient information on the participation of ethnic minorities in public life and on their economic and social situation, especially with regard to access to employment, health, education and housing, is regretted.

520. Concern is expressed at the impossibility of conducting the census in the whole territory of the State party.

521. Concern is also expressed over the low levels of participation, in particular in secondary and higher education, of certain minorities, notably Roma children and Albanian girls in rural areas.

522. With regard to article 7 of the Convention, concern is expressed that there is little or no reference to the Convention in human rights educational programmes.

E. Suggestions and recommendations

523. More information is requested in the next periodic report concerning the participation of the various minorities in public life and the implementation and enjoyment by them on a non-discriminatory basis of the human rights contained in the various laws.

524. The Committee encourages the State party to continue its programmes of affirmative action in order to increase the representation of the ethnic minorities in public life; including the civil service, army and police.

525. Emphasizing the role of the justice system in eliminating racial discrimination, the Committee asks to be provided with additional information on whether the Convention is directly applicable before the domestic courts, on the effectiveness of remedies in cases of racial discrimination, on the number of complaints of racial or racially-motivated offences and on the judicial action taken on those complaints and the redress or compensation awarded to victims.

526. The Committee recommends that the State party continue its efforts to facilitate the participation of different ethnic minorities in the educational system, in particular at the secondary and higher educational level, and to provide for the training of teachers for minority languages in public establishments.

527. The Committee suggests that the State party consider incorporating the Convention into its human rights programmes in school curricula with a view to promoting the prevention of racial discrimination.

528. While recommending that the State party provide greater educational and cultural opportunities to the Albanian minority, it was also felt that that minority should truly see its future as lying within the State party.

529. The Committee recommends that that State party's next periodic report, due on 17 September 1998, be an updating report and that it address all the points raised in the present observations.