



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

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixty-second session

SUMMARY RECORD OF THE 1581st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 21 March 2003, at 10 a.m.

Chairman: Mr. DIACONU

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued)

Draft concluding observations concerning the fifteenth to seventeenth periodic reports of the Russian Federation (CERD/C/62/draftCO/11, document distributed in the meeting room, in English only) (continued)

1. The CHAIRMAN invited the members of the Committee to continue their consideration paragraph by paragraph of the text of the draft concluding observations concerning the fifteenth to seventeenth periodic reports of the Russian Federation.

Paragraph 17

2. Paragraph 17 was adopted with one minor drafting change.

Paragraph 18

3. Mr. RESHETOV pointed out that the camps existing in Russia were sheltering some nationals of the Russian Federation, who were therefore displaced persons and not refugees, and proposed that the word “refugee” should be deleted from the second line.

4. Paragraph 18, as amended, was adopted.

Paragraph 19

5. Paragraph 19 was adopted.

Paragraph 20

6. Mr. THORNBERRY proposed that paragraph 20 should be deleted as it was difficult to maintain that there were many entirely fabricated criminal cases against members of ethnic minorities.

7. Paragraph 20 was deleted.

Paragraphs 21 to 24

8. Paragraphs 21 to 24 were adopted with minor drafting changes.

Paragraph 25

9. Mr. SICILIANOS proposed adding a reference in the Committee’s report to the General Assembly (A/57/18) containing the declaration concerned in the second sentence.

10. It was so decided.

Paragraph 26

11. Paragraph 26 was adopted with minor drafting changes.

Paragraph 27

12. Mr. THORNBERRY said it should be made clear that the Constitution mentioned in the third line was that of the Republic of Chechnya.
13. Paragraph 27, as amended, was adopted.

Paragraph 28

14. Mr. ABOUL-NASR said that the racist attacks committed in Russia against members of ethnic minorities were not attributable solely to skinheads and neo-Nazis.
15. The CHAIRMAN proposed that the first sentence should be redrafted to read: “The Committee is concerned about the incidence of violent racist attacks against ethnic minorities by, inter alia, skinheads and neo-Nazis.”
16. It was so decided.

Paragraphs 29 to 33

17. Paragraphs 29 to 33 were adopted.
18. The draft concluding observations concerning the fifteenth to seventeenth periodic reports of the Russian Federation as a whole, as amended, were adopted.

Draft concluding observations concerning the fifteenth and sixteenth periodic reports of Poland (CERD/C/62/draftCO/10, document distributed in the meeting room, in English only)

Paragraphs 1 to 6

19. Paragraphs 1 to 6 were adopted with one minor drafting change.

Paragraph 7

20. The CHAIRMAN proposed replacing the words “court decisions invoking the Convention” with the words “court decisions making reference to the Convention”.
21. It was so decided.

Paragraphs 8 to 11

22. Paragraphs 8 to 11 were adopted.

Paragraph 12

23. Mr. ABOUL-NASR said he wondered whether it would not be preferable to wait for the State party to begin implementation of the programme designed to guarantee the rights of the Roma population in Lesser Poland before commending it on the efforts which it was making in that regard.

24. Mr. RESHETOV proposed that the phrase “introduce a comprehensive programme” in the first sentence should be replaced by the words “implement the comprehensive programme”.

25. Mr. de GOUTTES said he thought that reference should be made, in paragraph 12 or paragraph 13, to the Committee’s General Recommendation XXVII on discrimination against Roma.

26. Following a discussion in which Mr. de GOUTTES, Mr. SICILIANOS and Mr. PILLAI took part, it was decided to add the phrase “taking into account the Committee’s General Recommendation XXVII on discrimination against Roma” at the end of the first sentence of the paragraph.

27. Paragraph 12, as amended, was adopted.

Paragraph 13

28. Paragraph 13 was adopted.

Paragraph 14

29. Paragraph 14 was adopted with minor drafting changes.

Paragraphs 15 to 17

30. Paragraphs 15 to 17 were adopted.

Paragraph 18

31. The CHAIRMAN said that since the Committee had decided to recommend that the State party should submit its seventeenth to nineteenth periodic reports in a single document, due on 4 January 2006, the alternative date of 4 January 2004 should therefore be deleted.

32. Paragraph 18, as amended, was adopted.

33. The draft concluding observations concerning the fifteenth and sixteenth periodic reports of Poland as a whole, as amended, were adopted.

Draft concluding observations concerning the fifth periodic report of Slovenia
(CERD/C/62/draftCO/13, document distributed in the meeting room, in English only)

Paragraphs 1 to 3

34. Paragraphs 1 to 3 were adopted.

Paragraph 4

35. The CHAIRMAN said that he wondered whether a single reference to a resolution of the General Assembly would not suffice.

36. Mr. HERNDL proposed deleting the end of the first sentence after the word “adopted” and the words “The Committee” at the beginning of the second sentence, and combining the two sentences by inserting the word “and” after the word “Convention”.

37. Mr. THIAM pointed out that the phrase to be deleted was found in the concluding observations concerning other States parties and would have to be deleted there too.

38. The CHAIRMAN said that the necessary adjustments would be made to harmonize the wordings insofar as the situations were identical.

39. Paragraph 4, as amended, was adopted.

Paragraph 5

40. Mr. SICILIANOS noted an inconsistency between the texts of paragraphs 5 and 13. Paragraph 5 spoke of the amendment of the 1991 nationality law simplifying the procedure for obtaining nationality for certain categories of persons residing in Slovenia, whereas paragraph 13 referred to difficulties in meeting the requirements of the new legislation.

41. Mr. HERNDL proposed replacing the term “simplifying” with the word “concerning”

42. Paragraph 5, as amended, was adopted.

Paragraph 6

43. Paragraph 6 was adopted.

Paragraph 7

44. Paragraph 7 was adopted with one minor drafting change.

Paragraph 8

45. The CHAIRMAN said that it would be preferable in his view to delete the words “at its disposal for monitoring” from the first sentence.

46. Mr. HERNDL proposed reformulating the beginning of the first sentence to read: “The Committee expresses concern about the paucity of available data on the implementation of the Convention ...”.

47. Paragraph 8, as amended, was adopted.

Paragraph 9

48. Paragraph 9 was adopted with one minor drafting change.

Paragraph 10

49. Paragraph 10 was adopted with minor drafting changes.

Paragraph 11

50. Paragraph 11 was adopted with one minor drafting change.

Paragraph 12

51. Paragraph 12 was adopted with minor drafting changes.

Paragraph 13

52. Following a discussion in which Mr. THORNBERRY, the CHAIRMAN, Mr. HERNDL, Mr. SICILIANOS and Mr. PILLAI took part, the CHAIRMAN proposed deleting the words “due to their status” from the second sentence and replacing the word “law” at the end of that sentence with the words “new citizenship legislation”.

53. Paragraph 13, as amended, was adopted.

Paragraph 14

54. Mr. THIAM said that the gravity of the situation described would call for something more from the Committee than a simple request for information.

55. Mr. HERNDL explained that the problem of housing and pensions, inter alia, had been raised during the consideration of the State party’s report, that a note from the Slovenian delegation indicating what steps the Government of Slovenia had undertaken to address the problem had been distributed towards the end of the consideration of the report and that it would perhaps be desirable to revert to the question subsequently on the basis of more complete information supplied formally by the Government of Slovenia.

56. Mr. THIAM suggested that the Committee should encourage the State party to pursue the efforts which it had undertaken to deal with the problems referred to and request it to report at a later stage on the results obtained.

57. The CHAIRMAN proposed that the words “The Committee requests that the State party provide” in the second sentence should be replaced with “The Committee takes note of the efforts undertaken by the State party to address these issues and requests that it provides ...”.

58. Paragraph 14, as amended, was adopted.

Paragraphs 15 to 18

59. Paragraphs 15 to 18 were adopted.

60. The draft concluding observations concerning the fifth periodic report of Slovenia as a whole, as amended, were adopted.

Draft concluding observations concerning the sixteenth and seventeenth periodic reports of Ghana (CERD/C/62/draftCO/6, document distributed in the meeting room, in English only)

Paragraphs 1 and 2

61. Paragraphs 1 and 2 were adopted.

Paragraph 3

62. Mr. THIAM proposed replacing “poor (education infrastructure)” with “insufficient (education infrastructure)” in the first line of the paragraph.

63. Paragraph 3, as amended, was adopted.

Paragraphs 4 to 8

64. Paragraphs 4 to 8 were adopted.

65. The CHAIRMAN suggested that the order of paragraphs 7 and 8 should be reversed, paragraph 7 being a technical paragraph while paragraph 8 dealt with a substantive matter.

66. It was so decided.

Paragraph 9

67. Mr. YUTZIS suggested deleting the words “in particular” from the sixth line of the paragraph and inserting, after the word “through”, a phrase along the following lines: “reinforcement of education in general, and human rights education programmes in particular”.

68. Paragraph 9, as amended, was adopted.

Paragraph 10

69. Paragraph 10 was adopted with minor drafting changes.

Paragraph 11

70. Mr. THORNBERRY suggested replacing the words “eradicate them” with the words “eradicate such practices” in the last line of the paragraph.

71. Paragraph 11, as amended, was adopted.

Paragraph 12

72. Mr. SICILIANOS said he felt that it would be appropriate to make reference in paragraph 12 to the practice of Trokosi, and therefore suggested adding, in the fourth line of the paragraph, after the words “degrading treatment of widows”, the words “and the Trokosi system”.

73. Mr. THIAM said that, in his view, the Committee should not confine itself to requesting information about practices harmful to women’s health but should encourage the State party to pursue its efforts to put an end to them, and therefore suggested inserting, after the words “ethnic dimensions”, the phrase “and encourages the Government to continue its efforts in this field”.

74. Mr. THORNBERRY suggested citing the exact title of the Committee’s General Recommendation XXV.

75. Paragraph 12, as amended, was adopted.

Paragraphs 13 and 14

76. Paragraphs 13 and 14 were adopted.

Paragraph 15

77. Following a discussion in which Mr. THIAM, Mr. SHAHI and Mr. PILLAI took part, the CHAIRMAN read out the amended second sentence of paragraph 15, which would be worded: “The Committee notes that the Criminal Code is currently being reviewed and revised, and encourages the State party to accelerate this process and to ensure that the new legislation will fully comply with article 4.” The third sentence would begin: “The Committee also requests ...”.

78. Paragraph 15, as amended, was adopted.

Paragraph 16

79. Mr. SICILIANOS proposed adding the word “directly” after the word “complaints” in the second line to indicate clearly that the issue concerned complaints relating directly to acts of racial discrimination, as the delegation had explained during the consideration of the report.

80. Paragraph 16, as amended, was adopted.

Paragraph 17

81. Paragraph 17 was adopted.

Paragraph 18

82. Mr. YUTZIS suggested making reference to the Committee's General Recommendation XX by inserting, after the words "reporting guidelines" (in the last line), the phrase "and taking into account its General Recommendation XX".

83. Paragraph 18, as amended, was adopted.

Paragraphs 19 and 20

84. Paragraphs 19 and 20 were adopted.

Paragraph 21

85. The CHAIRMAN proposed adding, after the words "decision-making process", in the second line, the words "on issues concerning them".

86. It was so decided.

87. Paragraph 21, as amended, was adopted.

Paragraphs 22 to 26

88. Paragraphs 22 to 26 were adopted.

89. The draft concluding observations concerning the sixteenth and seventeenth periodic reports of Ghana as a whole, as amended, were adopted.

Draft concluding observations concerning the sixth to fifteenth periodic reports of Fiji (CERD/C/62/draftCO/5, document distributed in the meeting room, in English only)

Paragraphs 1 to 3

90. Paragraphs 1 to 3 were adopted.

Paragraph 4

91. Mr. KJAERUM proposed deleting the adjective "enormous" from the first line.

92. Paragraph 4, as amended, was adopted.

Paragraphs 5 and 6

93. Paragraphs 5 and 6 were adopted.

Paragraph 7

94. Paragraph 7 was adopted with one minor drafting change.

Paragraph 8

95. Paragraph 8 was adopted.

Paragraph 9

96. Paragraph 9 was adopted with one minor drafting change.

Paragraphs 10 and 11

97. Paragraphs 10 and 11 were adopted.

Paragraph 12

98. Mr. YUTZIS proposed inserting the words “taking into account paragraph 75 of the Durban Plan of Action” at the end of the second sentence.

99. Paragraph 12, as amended, was adopted.

Paragraph 13

100. Paragraph 13 was adopted with one minor drafting change.

Paragraph 14

101. Paragraph 14 was adopted.

Paragraph 15

102. Mr. ABOUL-NASR, supported by the CHAIRMAN, Mr. THIAM and Mr. PILLAI, proposed that the word “self-determination” in the second line should be deleted as it referred to a very specific political process.

103. Mr. KJAERUM suggested modifying the first two sentences to indicate clearly that the problem of the indigenous Fijian community was not non-respect for their economic and social rights but respect for their right to social and economic development. He therefore proposed that the two sentences be recast to read: “The Committee welcomes the commitment of the State party to ensure the right to social and economic development, as well as the right to cultural identity, of the indigenous Fijian community. None of these programmes should, however, abrogate or diminish the enjoyment of human rights for all,” the end of the second sentence remaining unchanged.

104. Mr. THORNBERRY proposed replacing the word “proportionality” by the word “fairness” in the eighth line.

105. Paragraph 15, as amended, was adopted.

Paragraph 16

106. Following a discussion in which Mr. VALENCIA RODRIGUEZ, Ms. JANUARY-BARDILL, Mr. de GOUTTES, Mr. THIAM, Mr. SICILIANOS and Mr. YUTZIS took part, the CHAIRMAN suggested reverting to the consideration of paragraph 16 at a later meeting in order to allow the Rapporteur for Fiji time to consider a new wording.

107. It was so decided.

Paragraph 17

108. Mr. SICILIANOS proposed adding the phrase “irrespective of their ethnic origin” after the words “all poor Fijian citizens” in the sixth line.

109. Paragraph 17, as amended, was adopted.

Paragraph 18

110. Mr. VALENCIA RODRIGUEZ proposed that the adverb “strongly” should be deleted in the third line.

111. Paragraph 18, as amended, was adopted.

112. The CHAIRMAN said that the Committee would continue its consideration of the draft concluding observations concerning the sixth to fifteenth periodic reports of Fiji at a later meeting.

The meeting rose at 1 p.m.