

## **CULTURE - CULTURAL PARTICIPATION**

### **IV. CONCLUDING OBSERVATIONS**

#### **CERD**

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

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

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

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

- El Salvador, CERD, A/50/18 (1995) 83 at para. 491.

It is regretted that no references to the rights of indigenous persons are made in the Constitution, including their right to participate in decisions affecting their lands, culture, traditions and the allocation of natural resources.

- Nicaragua, CERD, A/50/18 (1995) 89 at para. 536.

Concern is expressed at the lack of adequate consultation with the regional authorities in the decision-making process by the central authorities, thus leading to insufficient participation of the indigenous groups in decisions affecting their land and the allocation of the natural resources of their land, their cultures and their traditions.

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

Special attention should be paid to the minority and indigenous groups living in the Northern Territories by taking appropriate and effective measures to promote and protect their rights, especially the rights to use and exploit the land where they are living and to live in their own cultural environment.

## CULTURE - CULTURAL PARTICIPATION

- Finland, CERD, A/51/18 (1996) 29 at para. 177.

As regards the land rights of the Sami people, concern is expressed over the mining and other economic interests of national and international companies which may be threatening the way of life of the Samis.

- Brazil, CERD, A/51/18 (1996) 45 at para. 303.

Special concern is expressed about the unfair treatment of the indigenous populations during land demarcation and distribution, the violent and unlawful means used to settle numerous land disputes and the violence and intimidation used against them by private militias and even occasionally by members of the military police. Concern is also expressed about their social protection and the discrimination they suffer in the spheres of health, education, culture, employment, access to public office and housing.

- China, CERD, A/51/18 (1996) 57 at paras. 408 and 421.

### *Paragraph 408*

The effects of the differing levels of economic development of different regions and their impact on different communities are of concern, as they may generate racial discrimination towards disadvantaged groups. In addition, efforts with respect to economic development and national modernization should not deprive members of such ethnic groups of their right to their own culture, in particular their traditional ways of life.

### *Paragraph 421*

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

- Venezuela, CERD, A/51/18 (1996) 65 at para. 471.

Concern was expressed about the insufficient measures to ensure bilingual education of indigenous peoples and to prevent the destruction of their cultural heritage.

- Yugoslavia, CERD, A/53/18 (1998) 45 at para. 207.

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

## **CULTURE - CULTURAL PARTICIPATION**

whenever possible.

- Cambodia, CERD, A/53/18 (1998) 55 at para. 293.

Concern is expressed about the situation of the indigenous peoples (also referred to as Highland Peoples, Khmer Loeu or Hill Tribes Peoples), and to their lack of legal status, as well as the insufficient legal framework to protect their rights, culture and traditional lands.

- Niger, CERD, A/53/18 (1998) 75 at para. 453.

Concern is expressed that ambiguity in provisions which prohibit associations of a regional or ethnic nature may also lead to the prohibition of cultural associations that have no involvement in acts of racial discrimination.

- Costa Rica, CERD, A/54/18 (1999) 24 at para. 202.

The State party should intensify its efforts to ensure a fair and equitable distribution of land, taking into account the needs of the indigenous population. The importance that the land holds for indigenous peoples and their spiritual and cultural identity, including the fact that they have a different concept of land use and ownership is stressed. In this regard, the approval by the Legislative Assembly of the bill for the autonomous development of indigenous people would be of great importance.

- Colombia, CERD, A/54/18 (1999) 44 at para. 463.

Concern is expressed at reports indicating that violence in Colombia has been largely concentrated in areas where indigenous and Afro-Colombian communities live; that increasingly these communities have been targeted by armed groups; and that the Government's tactics in fighting the drug trade have led to a further militarization of these regions, creating an atmosphere that is conducive to human rights violations and the destruction of cultural autonomy and identity.

- Finland, CERD, A/55/18 (2000) 41 at para. 214.

It is regretted that the question of land ownership of the Sami has not yet been resolved and that Finland has not acceded to ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries. Furthermore, concern is expressed about activities authorized by State

## CULTURE - CULTURAL PARTICIPATION

bodies in Sami reindeer-breeding areas which may threaten Sami culture and their traditional way of life. The State party is urged to pursue its efforts, together with the Sami people, towards the adequate resolution of the land dispute, giving due consideration in this respect to General Recommendation XXIII.

- Slovenia, CERD, A/55/18 (2000) 45 at para. 244.

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

- Japan, CERD, A/56/18 (2001) 34 at para. 163.

The Committee notes with interest the recent jurisprudence recognising the Ainu people as a minority people with the right to enjoy its unique culture.

- Sudan, CERD, A/56/18 (2001) 40 at para. 211.

The Committee reiterates its recommendations to the State party contained in its Decision 5(54) of 19 March 1999 (A/54/18, para. 21(5)), *inter alia*, to implement immediately effective measures to guarantee all Sudanese, without distinction based on race, colour, descent, or national or ethnic origin, freedom of religion, opinion, expression and association; the right to security of person and protection by the State against violence or bodily harm; the right to study and communicate in a chosen language, and the right to enjoy their own culture without interference.

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

### *Paragraph 243*

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

### *Paragraph 245*

## **CULTURE - CULTURAL PARTICIPATION**

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

- Cyprus, CERD, A/56/18 (2001) 48 at para. 272.

The State party is encouraged to take further steps to increase awareness of the Convention among the general public, in particular foreign domestic workers, members of the police and the judiciary. It is also recommended that measures taken by the State party to combat discrimination in the field of education, culture and information be intensified.

### **ICCPR**

- Venezuela, ICCPR, A/48/40 vol. I (1993) 61 at para. 310.

Further measures should be taken pursuant to article 27 of the Covenant, in order to guarantee indigenous peoples their own cultural life and the use of their own language.

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

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

- Estonia, ICCPR, A/51/40 vol. I (1996) 19 at para. 134.

With respect to the rights of minorities, the national legislation should be amended to bring all minorities within the scope of the Law on Cultural Autonomy for Ethnic Minorities, in conformity with article 27 of the Covenant, and attention is drawn to general comment No. 23 (50).

## CULTURE - CULTURAL PARTICIPATION

- Guatemala, ICCPR, A/51/40 vol. I (1996) 33 at para. 250.

Further measures should be taken to ensure that members of indigenous groups are protected against the prevailing violence within the country and enjoy fully their rights under article 27 of the Covenant, particularly with regard to preservation of their cultural identity, language and religion. The legislation on indigenous communities should be enacted without delay.

### *See also:*

- Bolivia, ICCPR, A/52/40 vol. I (1997) 35 at para. 225.
  
- France, ICCPR, A/52/40 vol. I (1997) 62 at para. 411.

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

- Iraq, ICCPR, A/53/40 vol. I (1998) 18 at para. 102.

Steps should be taken to promote and ensure full equality between men and women in the political, economic, social and cultural life of the country, and to eliminate all forms of legal and *de facto* discrimination against women.

- Sudan, ICCPR, A/53/40 vol. I (1998) 22 at para. 131.

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

## **CULTURE - CULTURAL PARTICIPATION**

- Finland, ICCPR, A/53/40 vol. I (1998) 40 at para. 255.

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

- Ecuador, ICCPR, A/53/40 vol. I (1998) 43 at para. 292.

Further measures should be taken to ensure that members of indigenous groups are protected against the adverse effects of the oil exploitation within the country and are able to enjoy fully their rights under article 27 of the Covenant, particularly with regard to preservation of their cultural identity and traditional livelihood.

- Chile, ICCPR, A/54/40 vol. I (1999) 44 at para. 218.

When planning actions that affect members of indigenous communities, primary attention must be paid to the sustainability of the indigenous culture and way of life and to the participation of members of indigenous communities in decisions that affect them. Relocation and compensation arrangements must be appropriate.

- Cambodia, ICCPR, A/54/40 vol. I (1999) 57 at para. 311.

Immediate measures should be taken to ensure that the rights of members of indigenous communities to enjoy their cultural traditions, including their agricultural activities, are respected.

- Guyana, ICCPR, A/55/40 vol. I (2000) 53 at para. 379.

Members of the indigenous Amerindian minority do not enjoy fully the right to equality before the law. The right of indigenous peoples to enjoy their own culture is threatened by logging, mining, delays in the demarcation of their traditional lands, and in some cases the demarcation of insufficient land to enable them to pursue their traditional economic activities. There appears to be no effective means to enable members of Amerindian communities to enforce their rights under article 27.

## **CULTURE - CULTURAL PARTICIPATION**

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

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

### **ICESCR**

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

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

- Democratic People's Republic of Korea, ICESCR, E/1992/23 (1991) 33 at para. 157.

With regard to the rights enshrined in article 15 of the Covenant, concern was expressed that the existing machinery for the examination of works of art and literature for the purpose of publication could result in inadequate protection of freedom of expression.

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

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

- Poland, ICESCR, E/1993/22 (1992) 32 at para. 132.

Concern is expressed that the reduction of the budget for culture could lessen the opportunity for the expression and enjoyment of the rich cultural heritage of the State party. Special provisions should be made to ensure that the elderly are able to continue to enjoy and participate in the cultural life of the country in full measure.



## CULTURE - CULTURAL PARTICIPATION

- Hungary, ICESCR, E/1993/22 (1992) 37 at para. 154.

Special emphasis is placed upon the need to ensure that special attention is paid to the right to education and culture of the most vulnerable and disadvantaged members of society.

- Kenya, ICESCR, E/1994/23 (1993) 24 at para. 85.

The frequent interventions by the Government in cultural life through, for example, the banning of plays and the prohibition of certain books and periodicals is regretted.

- Canada, ICESCR, E/1994/23 (1993) 28 at paras. 114 and 119.

### *Paragraph 114*

Human rights legislation should incorporate more explicit reference to social, economic and cultural rights.

### *Paragraph 119*

The Canadian courts should continue to adopt a broad and purposive approach to the interpretation of the Charter of Rights and Freedoms and of human rights legislation so as to provide appropriate remedies against violations of social and economic rights in Canada.

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

Concern is expressed over the situation of the Kurds and the disparities that exist between the different ethnic and economic groups in the enjoyment of their rights to education, to work, to travel, to housing and to the enjoyment of cultural activities.

- Australia, ICESCR, E/1994/23 (1993) 36 at paras. 153, 158, 159 and 162.

### *Paragraph 153*

As regards the implementation of article 15 of the Covenant, it is of particular concern that Aboriginals and Torres Strait Islanders do not have sufficient opportunities to fully involve themselves in creating awareness of their cultural heritage.

### *Paragraph 158*

## CULTURE - CULTURAL PARTICIPATION

The importance of taking steps to monitor more closely the general situation of Aboriginals and Torres Strait Islanders and other disadvantaged groups, particularly in education and culture, is emphasized.

### *Paragraph 159*

The appropriateness of the efforts being undertaken by the Government to identify the needs of disadvantaged groups and to continue to draw on the results of studies and reviews in the development of policy initiatives to respond to the needs of such groups is emphasized. The importance attached to the economic, social and cultural rights of persons with disabilities and of the elderly is emphasized and therefore the Government is urged to direct major efforts towards assessing and addressing the needs of these groups in relation to their rights under articles 13 and 15 of the Covenant.

### *Paragraph 162*

It is recommended that action be taken to provide Aboriginal artists with opportunities to participate in international fora in order to promote awareness of their indigenous culture.

- Mexico, ICESCR, E/1994/23 (1993) 47 at paras. 233 and 236.

### *Paragraph 233*

The economic, social and cultural situation of many indigenous groups who suffer from the difficult conditions brought about by the economic situation and by the imbalance of wealth in the country is of concern. The difficulties being experienced by these groups in preserving their culture and in teaching their language is noted. Although the Government publishes and distributes textbooks in 25 languages free of charge, overall government programmes devoted to these groups nevertheless remain inadequate.

### *Paragraph 236*

Resources should be made available for indigenous groups to enable them to preserve their language, culture and traditional way of life, and at the same time to promote the economic, social and cultural rights provided for in the Covenant.

- Germany, ICESCR, E/1994/23 (1993) 49 at para. 253.

The German authorities should respect the rights of teachers, professors and other educational personnel of the former German Democratic Republic so that they may continue to exercise their professional activities and participate to the fullest possible extent in cultural life without any discrimination.

## CULTURE - CULTURAL PARTICIPATION

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

### *Paragraph 94*

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

### *Paragraph 97*

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

- Mauritius, ICESCR, E/1995/22 (1994) 37 at para. 182.

Regarding article 15 of the Covenant, it is of concern that the use of the two main languages spoken by 92 per cent of the population, namely Kreol and Bhojpuri, is still banned in the Mauritian National Assembly and actively discouraged in all Government institutions.

- Guinea, ICESCR, E/1997/22 (1996) 39 at para. 209.

The provisions of article 15 of the Covenant are not being implemented satisfactorily. Access to culture remains difficult, as demonstrated, for example, by the high price of publications. The inadequacy of the steps taken by the Government to safeguard the cultural identity of the various ethnic groups in Guinea is of equal concern.

- Dominican Republic, ICESCR, E/1997/22 (1996) 44 at para. 226.

Groups representing Blacks in the Dominican Republic claim that the State violates their cultural rights by allowing the police and local communities to suppress Afro-American or African-identified cultural practices. They also assert that discrimination of this kind is encouraged at public schools and by employers in both the public and private sectors.

## CULTURE - CULTURAL PARTICIPATION

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

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

- Libyan Arab Jamahiriya, ICESCR, E/1998/22 (1997) 38 at para. 187.

Censorship against expressions of a literary and artistic nature is of concern, as is the State party's notion of "cultural security" to justify such censorship.

- Switzerland, ICESCR, E/1999/22 (1998) 59 at para. 364.

The cantonal laws should be further harmonized, to ensure due respect for the provisions of the Covenant, particularly with regard to fundamental rights such as the right to work, education and culture.

- Tunisia, ICESCR, E/2000/22 (1999) 36 at para. 181.

The censorship exercised on cultural productions is of concern, and it is recommended that the criteria for censorship be made transparent, in law and in practice, and made fully compatible with the right of all persons to take part in cultural life.

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

### *Paragraph 420*

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

### *Paragraph 435*

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

## **CULTURE - CULTURAL PARTICIPATION**

- Ukraine, ICESCR, E/2002/22 (2001) 78 at para. 504.

The State party is called upon to take all effective legal measures to prohibit gender discrimination in all fields of civil, political, economic, social and cultural life.

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

### *Paragraph 611*

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

### *Paragraph 639*

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

## **CEDAW**

- Antigua and Barbuda, CEDAW, A/52/38/Rev.1 part II (1997) 97 at para. 270.

Culture is a positive vehicle for influencing the advancement of women. Cultural art forms should be used as a vehicle to promote respect for women. The media should be used to promote positive attitudes towards women.

- Lithuania, CEDAW, A/55/38 part II (2000) 61 at paras. 160 and 161.

### *Paragraph 160*

Concern is expressed over the fact that the Government does not have enough information on the situation of rural women, especially older rural women, as concerns their cash income, health situation, access to free health care services and social and cultural opportunities.

### *Paragraph 161*

## **CULTURE - CULTURAL PARTICIPATION**

The Government should monitor existing programmes and develop additional policies and programmes aimed at the economic empowerment of rural women, ensuring their access to productive resources and capital as well as to health care services and to social and cultural opportunities.

- Uzbekistan, CEDAW, A/56/38 part I (2001) 18 at para. 173.

A comprehensive and holistic approach should be taken to promoting equality between women and men in all areas, including the economic, social, political, cultural and family domains. A shift from a welfare approach towards a human rights approach, whereby women are claimants of their rights, is also recommended.

### **CRC**

- Sri Lanka, CRC, CRC/C/43 (1995) 26 at para. 168.

An adequate alternative family care system that responds to the national culture and customs should be established.

- Lebanon, CRC, CRC/C/54 (1996) 7 at para. 60.

Opportunities for the cultural development of children are critical. Measures should be taken to give children access to child literature and media.

- Guatemala, CRC, CRC/C/54 (1996) 31 at para. 220.

The inclusion of children's rights in the school curricula should be pursued as a measure to enhance respect for the indigenous culture and multiculturalism and to combat paternalistic and discriminatory attitudes which, as recognized by the State party, continue to prevail in society.

- Panama, CRC, CRC/C/62 (1997) 19 at para. 124.

Children's rights should be included in the school curricula as a measure of enhancing respect for indigenous culture, promoting multiculturalism and combating the paternalistic attitudes prevailing in society. In this regard, seeking technical cooperation from appropriate international intergovernmental and non-governmental organizations, including the High Commissioner/Centre for

## CULTURE - CULTURAL PARTICIPATION

Human Rights and UNICEF is encouraged.

- Bangladesh, CRC, CRC/C/66 (1997) 22 at para. 148.

The State party's failure to take measures to promote the child's right to leisure, recreation and cultural activities (art. 31) is of concern.

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

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

- Micronesia, CRC, CRC/C/73 (1998) 20 at para. 141.

Cultural, artistic, recreational and leisure activities should be developed at schools.

- Ecuador, CRC, CRC/C/80 (1998) 9 at para. 50.

Measures should be strengthened to improve children's access to leisure and to recreational and cultural activities, especially for the most vulnerable groups of children.

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

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

- Burundi, CRC, CRC/C/100 (2000) 17 at paras. 162 and 163.

*Paragraph 162*

## **CULTURE - CULTURAL PARTICIPATION**

Deep concern is expressed about the poor situation of Batwa children and the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to a culture and to be protected from discrimination.

### ***Paragraph 163***

The State party should urgently gather information on the Batwa people, strengthen the representation of Batwa in national policy-making and elaborate a plan of action to protect the rights of Batwa children, including those rights related to minority populations and indigenous peoples.

- Central African Republic, CRC, CRC/C/100 (2000) 77 at paras. 469 and 470.

### ***Paragraph 469***

Children have insufficient opportunity to exercise their rights to leisure and cultural activities.

### ***Paragraph 470***

The State party should improve respect for the right of children to leisure and cultural activities, including promoting these rights among parents, teachers and community leaders. The State party should make its “Ambassadors for Peace” programme accessible to children who are currently excluded from the education process.

- Lithuania, CRC, CRC/C/103 (2001) 47 at paras. 296 and 297.

### ***Paragraph 296***

Adequate consideration has not been given to the rights of children to rest and leisure, to engage in play and recreational activities appropriate to their age, and to participate freely in cultural life and the arts.

### ***Paragraph 297***

In light of article 31 of the Convention, adequate attention should be paid to planning leisure and cultural activities for children, taking into consideration the physical and psychological development of the child.