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IV. CONCLUDING OBSERVATIONS

CERD

- Yugoslavia (Serbia and Montenegro), CERD, A/48/18 (1993) 95 at para. 538.

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

- Guatemala, CERD, A/50/18 (1995) 58 at para. 309.

The lack of awareness of members of indigenous communities about recourse procedures, the shortage of practical facilities for them to use their own language in court procedures and the weaknesses of the judicial system are regretted as is the resulting relative impunity for perpetrators of such violations.

- Mexico, CERD, A/50/18 (1995) 66 at para. 386.

Concern continues regarding the serious discrimination indigenous peoples have to face in respect of the enjoyment of their civil, political, economic, social and cultural rights. Particular concern is expressed at the inequitable treatment of indigenous people in the process of land distribution, including restitution, and at the violent and illegal resolution of many land disputes, at the amendment to article 27 of the Constitution, and at the lack of support given to the bilingual-bicultural education system.

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

Paragraph 92

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

Paragraph 98

With regard to the protection and promotion of the rights of ethnic minorities, the State party is

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encouraged to take all necessary measures to provide mother-tongue teaching in the areas where minorities live in substantial numbers.

- Russian Federation, CERD, A/51/18 (1996) 25 at paras. 138 and 147.

Paragraph 138

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

Paragraph 147

The State party should take all appropriate measures to ensure the promotion of minority and indigenous people's languages. Education programmes should be provided in the appropriate languages.

- Finland, CERD, A/51/18 (1996) 29 at paras. 178 and 190.

Paragraph 178

Concern is expressed over the Sami people's participation in the Sami parliament in their mother tongue.

Paragraph 190

The State Party should do all in its power to enable Sami children to pursue their studies at the primary and secondary levels in their mother tongue.

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

Paragraph 208

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

Paragraph 216

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

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- United Kingdom of Great Britain and Northern Ireland, CERD, A/51/18 (1996) 35 at para. 249.

An effort should be made to make available, in the principal minority languages, important public information, particularly that concerning basic health care.

- Venezuela, CERD, A/51/18 (1996) 65 at paras. 471 and 475.

Paragraph 471

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

Paragraph 475

Further efforts should be made to strengthen the system of bilingual education in order to cover the whole of the indigenous population, 40 per cent of which remains illiterate, and to prevent the destruction of the indigenous cultural heritage.

- Guatemala, CERD, A/52/18 (1997) 14 at paras. 91 and 94.

Paragraph 91

Efforts should be continued to ensure the full participation of all citizens in public life, particularly in elections, after they have been adequately informed in the respective languages spoken in the State party.

Paragraph 94

Efforts to promote affirmative measures in the fields of education and training and to introduce bilingual education for all parts of the population should be increased.

- Belarus, CERD, A/52/18 (1997) 18 at para. 122.

Due attention should be paid to the availability of education in the Belarusian language for all students who desire to study in that language.

- Mexico, CERD, A/52/18 (1997) 42 at paras. 306, 312 and 320.

Paragraph 306

In certain situations, an individual's right to enjoy equal treatment in the courts is not effectively

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guaranteed for members of indigenous groups. Specifically, they are not guaranteed the right to express themselves in their own languages during legal proceedings.

Paragraph 312

The absence of local and federal legislation guaranteeing indigenous populations the possibility of a bilingual and bicultural education remains a source of concern.

Paragraph 320

The State party should take all appropriate measures to ensure equal and impartial treatment before the law for all persons, and particularly those from indigenous groups. In particular, indigenous inhabitants should have the possibility of expressing themselves in their mother tongue in all judicial proceedings.

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

Paragraph 474

It is noted with concern that despite evident efforts made by the authorities, children belonging to minority groups do not always have access to education in their own language.

Paragraph 479

Children belonging to minorities should have fuller access to education in their own language. Appropriate measures should be taken to meet the specific educational needs of Roma children.

- Sweden, CERD, A/52/18 (1997) 65 at para. 508.

Further measures should be taken to ensure the use by Sami of their own language.

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

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

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

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

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- The Netherlands, CERD, A/53/18 (1998) 33 at para. 106.

Concern is expressed at the under-representation of ethnic minorities in most areas of education and, in particular, that only an estimated 2 per cent of the total student population in higher education comes from ethnic minorities. As for Aruba and the Netherlands Antilles, concern is expressed that the process of education may not give the necessary attention to the fact that the majority of the population speaks Papiamentu. The State party should give more attention to providing students from ethnic minorities at all levels of education, as appropriate, instruction in their mother tongue.

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

Paragraph 199

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

Paragraph 207

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

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

Paragraph 225

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

Paragraph 227

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

- Cambodia, CERD, A/53/18 (1998) 55 at para. 292.

Concern is expressed over the limited educational facilities in the villages of ethnic Vietnamese, the lack of legislation authorizing the establishment of schools for them and the obstacles to their children learning the Khmer language.

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- Finland, CERD, A/54/18 (1999) 16 at para. 71.

The recent legislation ensuring enjoyment by immigrant children of their right to education, as well as the measures taken to facilitate education of immigrants in their own language, are welcomed. Measures to facilitate the education of the Sami and Roma people in their own languages are similarly welcomed.

- Haiti, CERD, A/54/18 (1999) 28 at para. 263.

With regard to the implementation of article 7 of the Convention, concern is expressed that the Convention has not yet been translated into Creole, since this is the other official language.

- Mauritania, CERD, A/54/18 (1999) 34 at para. 333.

With regard to implementation of article 7 of the Convention, the State party should intensify its efforts to promote the various national languages and to encourage the broad dissemination of human rights.

- Latvia, CERD, A/54/18 (1999) 39 at para. 409.

The State party should maintain the possibility to receive an education in languages of various ethnic groups or to study those languages at different levels of education, without prejudice for learning the official language, as well as the possibility of using the mother tongue in private and in public.

- Azerbaijan, CERD, A/54/18 (1999) 46 at para. 486.

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

- Denmark, CERD, A/55/18 (2000) 22 at para. 69.

The Convention has not yet been translated into the Greenlandic language. It is recommended that the State party rapidly facilitate this process and provide means for the dissemination of the Greenlandic version of the Convention.

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- Estonia, CERD, A/55/18 (2000) 24 at para. 82.

Information that the State party intends to reduce the provision of instruction in minority languages in the near future, including in areas where the Russian-speaking population is in the majority, is noted with concern. The State party is urged to maintain the possibility for the various ethnic groups of receiving instruction in their languages or to study those languages at different educational levels without prejudice to the learning of the official language, as well as of using their mother tongue in private and in public.

- Zimbabwe, CERD, A/55/18 (2000) 38 at paras. 191 and 198.

Paragraph 191

The efforts made by the State party within the education system to reduce racial segregation, introduce the use of minority languages and incorporate human rights education into the curricula through innovative methods are noted.

Paragraph 198

It is noted with regret that the full implementation of the policy to introduce minority languages into the school curricula has been impeded by financial, human and material constraints. The State party is encouraged to proceed with its proposal to give priority in the teacher training and curriculum development programmes to persons with minority languages.

- Sweden, CERD, A/55/18 (2000) 57 at para. 337.

While new legislation which gives individuals the right to use the Sami language in legal and administrative proceedings is noted, it is stressed that this right is recognized only in respect of some geographic regions. It is recommended that the State party consider the extension of these rights to all Sami territory.

- Algeria, CERD, A/56/18 (2001) 16 at paras. 31 and 36.

Paragraph 31

Concern is expressed about the Law on the Generalization of the Arabic Language of 5 July 1998, prohibiting the use of languages other than Arabic in various fields. While noting the statement by the delegation that the Law on the Generalization of Arabic Language has not been applied in practice, the Government is urged to review this law as a matter of priority, particularly in the context of the steps taken to promote Amazigh language.

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Paragraph 36

It is noted that despite the significant steps taken by the Government to preserve and promote the Amazigh identity through the setting up of a High Commission on Amazighness, no additional information has been given on this population group, on measures taken for the protection and promotion of its culture and language. Concern is expressed about the inadequate functioning of this Commission.

- Georgia, CERD, A/56/18 (2001) 24 at para. 95.

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

- Greece, CERD, A/56/18 (2001) 29 at paras. 129 and 133.

Paragraph 129

Consistent with the State party's expressed desire to integrate rather than assimilate minority groups into the social, economic and cultural life of the country in a manner aimed at preserving their diverse cultures and identities, the Committee welcomes the information provided by the State party concerning the implementation of educational programmes aimed at the teaching of the Greek language to students with a different mother tongue, and the training of teachers in the teaching of Greek as a second language.

Paragraph 133

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

- Iceland, CERD, A/56/18 (2001) 32 at para. 149.

The introduction of new curricula for nursery and primary schools, with increased attention to the role of schools in facilitating the integration of children from different cultural backgrounds without the loss of their ties to their own culture is welcomed. The emphasis on the promotion of tolerance is noted, as is the recognition of the need to provide students from different linguistic backgrounds with special education in Icelandic to address educational and employment disparities.

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- Japan, CERD, A/56/18 (2001) 34 at paras. 174 and 177.

Paragraph 174

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

Paragraph 177

While noting the recent increase in the number of refugees accepted by the State party, concern is expressed about the different standards of treatment applicable to Indochinese refugees on the one hand and the limited number of refugees of other national origins on the other. Whereas Indochinese refugees have access to accommodation, financial aid and state funded Japanese language courses, such assistance is as a rule not available to other refugees. It is recommended that the State party take measures to ensure equal entitlement of all refugees to such services.

- 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 para. 245.

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

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

Paragraph 365

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

Paragraph 376

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

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.

- Dominican Republic, ICCPR, A/48/40 vol. I (1993) 95 at para. 462.

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

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

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

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

Concern is expressed at the information in the report, corroborated by cases, that there are incidents and situations which may be conducive to acts of discrimination on ethnic, gender, religious, linguistic or property grounds. It is regretted that the appropriate steps have not yet been taken by the authorities to resolve those difficulties and, in particular, to prevent and suppress the advocacy of national, racial or religious hatred in conformity with the requirements of article 20 of the Covenant.

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This situation is particularly alarming in that it may undermine harmonious relations with minorities. In that regard, the Committee regrets that the definition of minorities under the Declaration of the Rights of the Nationalities of Ukraine does not conform fully with article 27 of the Covenant, which grants protection to persons belonging to all ethnic, religious or linguistic minorities, and not only to those belonging to "national" minorities.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), ICCPR, A/51/40 vol. I (1996) 13 at paras. 58 and 66.

Paragraph 58

It is noted with concern that, while the majority of the population is Chinese-speaking, official charge forms and charge sheets as well as court documents are issued in English only, although efforts are being made to make Chinese versions available.

Paragraph 66

Efforts should be increased to introduce, as soon as possible, Chinese versions of official charge forms and charge sheets and of court documents.

- 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. Legislation on indigenous communities should be enacted without delay.

See also:

- Bolivia, ICCPR, A/52/40 vol. I (1997) 35 at para. 225.
- Portugal (Macau), ICCPR, A/52/40 vol. I (1997) 50 at paras. 319 and 325.

Paragraph 319

While the majority of the population is Chinese-speaking, official charge forms and charge sheets, as well as court documents and decisions, are in Portuguese only.

Paragraph 325

Efforts should be accelerated to introduce, as soon as possible, the use of the Chinese language in the courts at all levels and particularly in regard to court documents and decisions.

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

Legislation should be rapidly adopted to secure language rights for minorities, with due consideration being given to the provisions of the Covenant and to the Committee's General Comment 23(50).

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

The declaration made by France concerning the prohibition, 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.

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

Concern is expressed 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.

- Zimbabwe, ICCPR, A/53/40 vol. I (1998) 35 at para. 229.

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

- Finland, ICCPR, A/53/40 vol. I (1998) 40 at paras. 255, 262 and 269.

Paragraph 255

The Committee notes with satisfaction the recognition in the Constitution of the Sami and Roma people and of their rights along with other groups to develop their language and culture. The existence of Advisory Boards for both Sami and Romani Affairs, mandated to advance the interests of these minority populations is welcomed, as well as the right of Samis since 1992 to communicate

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with the authorities in their native language and to be consulted through their representatives on matters affecting them closely. It also welcomes that primary and secondary education level students may be taught in their mother tongue of Sami or in Romani.

Paragraph 262

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

Paragraph 269

Swedish speaking persons should have the possibility of using their language in dealing with authorities.

- Israel, ICCPR, A/53/40 vol. I (1998) 45 at para. 308.

That the Arabic language, though official, has not been accorded equal status in practice, and that discrimination against members of the Arab minority appears to be extensive in the private sector are of concern. The State party is urged to take steps without delay to ensure equality to Arabs and to proceed as soon as possible with the planned formulation of a draft law on discrimination in the private sector and to adopt it at an early date.

- Algeria, ICCPR, A/53/40 vol. I (1998) 52 at para. 363.

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

- The Former Yugoslav Republic of Macedonia, ICCPR, A/53/40 vol. I (1998) 55 at para. 383.

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

- Belgium, ICCPR, A/54/40 vol. I (1999) 26 at para. 83.

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Suspects should be promptly informed of their rights in a language they understand.

- Armenia, ICCPR, A/54/40 vol. I (1999) 29 at para. 118.

The Committee expresses its concern about the State party's position that it is not possible to ensure that small national minorities have access to educational facilities in their language of origin. Measures in conformity with article 27 of the Covenant should be taken.

- Japan, ICCPR, A/54/40 vol. I (1999) 36 at para. 156.

The Committee is concerned about the discrimination against members of the Ainu indigenous minority with regard to language and higher education, as well as about non-recognition of their land rights.

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

The State party's initiative in translating the Covenant into Greenlandic (art. 27) is welcomed.

- Argentina, ICCPR, A/56/40 vol. I (2001) 38 at para. 74(7).

The advances made in the protection of the rights of the indigenous peoples, the devolution of national and provincial land to indigenous communities through the National Registry of Indigenous Communities, and the promotion of multicultural and multilingual education, are noted with satisfaction.

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

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

- 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

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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.

- Guatemala, ICCPR, A/56/40 vol. I (2001) 93 at para. 85(9).

That the administration of justice has been extended to many municipalities in the country through the appointment of justices of the peace, some of whom are bilingual and who have criminal jurisdiction, is considered positive.

ICESCR

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

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

- 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 noted with concern. The difficulties being experienced by these groups in preserving their culture and in teaching their language are also 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.

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- Senegal, ICESCR, E/1994/23 (1993) 51 at para. 267.

In order to encourage and facilitate greater public involvement in the implementation of the Covenant, the State party should ensure that adequate publicity is given to the Covenant, its provisions are translated into local languages and its report to the Committee, along with these concluding observations, are made available to interested groups and individuals.

- Mauritius, ICESCR, E/1995/22 (1994) 37 at paras. 181 and 182.

Paragraph 181

It is noted with concern that Kreol and Bhojpuri, the only languages spoken by the large majority of the population, are not used in the Mauritian educational system.

Paragraph 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.

- Suriname, ICESCR, E/1996/22 (1995) 37 at paras. 163 and 170.

Paragraph 163

With regard to education, it is noted that education is provided only in Dutch, the official language of the State party. It is regretted that no efforts are being made by the Government to promote the use of Sranan Tongo, which is spoken by most Surinamese, or to preserve the native languages of the various indigenous groups. Education provided in Dutch only may serve as a contributing factor to the high incidence of school drop-outs.

Paragraph 170

With regard to education, it is recommended that the Government consider promoting the use of Sranan Tongo in schools and elsewhere and make efforts to preserve the native languages of indigenous groups.

- Portugal (Macau), ICESCR, E/1997/22 (1996) 48 at para. 256.

Although Chinese constitute about 95 per cent of the population in Macau, the requirements for the civil service effectively exclude many persons of Chinese origin who cannot satisfy the condition of being "local" because they lack a necessary language or other qualifications or for other reasons which cannot be overcome in a short time. It is therefore considered necessary to incorporate

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persons of Chinese origin into the civil service in order to facilitate a smooth transmission of administration to China.

- Peru, ICESCR, E/1998/22 (1997) 33 at para. 157.

The Government is called upon to make a greater effort to translate the Covenant into appropriate indigenous languages and to give more publicity to its provisions.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/1998/22 (1997) 56 at paras. 303 and 315.

Paragraph 303

It is noted that the Irish language in Northern Ireland does not appear to receive the same degree of financial support and status as Gaelic in Scotland and Welsh in Wales. Such differentiation is unjustified.

Paragraph 315

The same degree of support and status should be given to the Irish language in Northern Ireland as to Gaelic in Scotland and Welsh in Wales.

- The Netherlands (Antilles), ICESCR, E/1999/22 (1998) 41 at paras. 218 and 223.

Paragraph 218

Concern is expressed at the increase in the school drop-out rate, the causes of which include the difficulties which have emerged in education due to the existence of several tongues spoken as first languages on the islands and the use of Dutch as the language of education.

Paragraph 223

In addressing the school drop-out problem, the implementation of the Government's programme for education in the students' mother tongues along with the progressive introduction of Dutch should be expedited.

- Israel, ICESCR, E/1999/22 (1998) 43 at paras. 236 and 269.

Paragraph 236

It is also noted with concern that despite the fact that the Arabic language has official status in law, it is not given equal importance in practice.

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Paragraph 269

Measures should be undertaken to address the inequalities in the educational system at the secondary and university levels, particularly in terms of budget allocations. A study should be undertaken on the viability of establishing an Arab university within Israel for the purpose of ensuring equal opportunities and access to higher education in the respective official languages.

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

Paragraph 231

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

Paragraph 239

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

- Honduras, ICESCR, E/2002/22 (2001) 33 at paras. 136 and 159.

Paragraph 136

Concern is expressed about the limited possibilities for indigenous peoples to education and to have access to the judicial system in their native languages.

Paragraph 159

The State party should undertake measures to ensure that indigenous populations are able to be educated and to have access to the judicial system in their own languages.

- Bolivia, ICESCR, E/2002/22 (2001) 52 at paras. 279 and 300.

Paragraph 279

Concern is expressed about the limited possibilities for indigenous populations to enjoy education in their mother tongue and to use their mother tongue in their dealings with public authorities.

Paragraph 300

The State party is encouraged to enact the Penal Proceedings Code, which renders three of the main indigenous languages, namely Quechua, Aymara and Tupi Guarani, languages of judicial and administrative procedures.

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

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Paragraph 420

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

Paragraph 435

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

- Ukraine, ICESCR, E/2002/22 (2001) 78 at para. 503.

Legal provisions should be strengthened with respect to the prohibition of discrimination in accordance with article 2 (2) of the Covenant, in particular on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

- 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

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- Paraguay, CEDAW, A/51/38 (1996) 16 at paras. 124 and 130.

Paragraph 124

The State party's initiatives to provide bilingual education are acknowledged but there is concern about the inadequacy of those initiatives, which posed a major obstacle to women's access to social and economic opportunities, since a large percentage of the female population spoke only Guaraní, the predominant aboriginal language. The high illiteracy and drop-out rates are major impediments to the advancement of women.

Paragraph 130

The State party should strengthen and broaden its initiatives to extend bilingual education to all citizens, in particular women, and to combat the social, economic and cultural factors causing the high drop-out and illiteracy rates among women.

- Ethiopia, CEDAW, A/51/38 (1996) 19 at para. 153.

When resources are available, the translation of the Convention must be in as many local languages as possible so that it may benefit many people.

- Australia, CEDAW, A/52/38/Rev.1 part II (1997) 111 at para. 401.

The Convention and the Beijing Declaration and Platform for Action should be translated for non-English-speaking Australians.

CAT

- Germany, CAT, A/53/44 (1998) 19 at para. 195.

All detainees, at the outset of their custody, should be given a form in a language they understand, outlining their rights, including the right to be informed of the reason for their arrest, to contact a relative and a lawyer of their choice, to submit a complaint about their treatment and to receive medical assistance.

CRC

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- Yugoslavia (Serbia and Montenegro), CRC, CRC/C/50 (1996) 17 at paras. 97, 107 and 108.

Paragraph 97

Reports of the progressive exclusion of teaching in languages other than Serbian, such as Bulgarian, are disquieting.

Paragraph 107

A solution should be found to the concerns about the situation of Albanian-speaking children in Kosovo, especially in the light of the principles and provisions of the Convention, including those of its article 3 relating to the best interests of the child. The State-controlled mass media, in the interests of healing and building trust within the country, have a role and a responsibility to contribute to the efforts to foster tolerance and understanding between different groups and the broadcasting of programmes that run counter to this objective should end. The securing and dissemination of broader and more diverse sources of information designed for children, including by broadcasting them on the mass media, would assist in ensuring further implementation of the principles and provisions of the Convention, including those of its article 17. Measures should also be taken to improve the activities of the mass media in imparting information for children in their own language, including Albanian.

Paragraph 108

The State party should give further consideration to the need to allocate greater resources to education and to reverse any trends in the education system which may perpetuate gender discrimination or stereotyping as well as to addressing other problems, including those relating to teaching in national languages.

- Croatia, CRC, CRC/C/50 (1996) 31 at para. 209.

It is recommended that the report of the State party, the records of the dialogue held between itself and the State delegation and the concluding observations adopted by the Committee be widely disseminated throughout the nation in all minority languages as well as in Croatian.

- Finland, CRC, CRC/C/50 (1996) 35 at paras. 223, 233 and 234.

Paragraph 223

The Convention does not yet exist in all languages spoken by minorities residing in the State party and this is of concern.

Paragraph 233

Greater efforts are required to make the provisions and principles of the Convention widely known and understood by adults and children alike, in the light of article 42 of the Convention. The

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Convention should be translated into all languages spoken by minorities living in the State party.

Paragraph 234

Upon arrival in Finland, all unaccompanied children seeking refugee status should be promptly informed in their language of their rights.

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

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

- Guatemala, CRC, CRC/C/54 (1996) 31 at paras. 219 and 227.

Paragraph 219

Information and education about children's rights should be disseminated among children and adults alike. Consideration should be given to the translation of such information into the main indigenous languages and appropriate measures should be adopted to spread such information in such a way that it reaches groups affected by a high level of illiteracy.

Paragraph 227

Greater efforts should be focused on providing for compulsory and free primary education, eradicating illiteracy and ensuring the availability of bilingual education for indigenous children. Moreover, greater efforts should be made in training qualified teachers. Such measures will contribute to the prevention of any form of discrimination on the basis of language with regard to the right to education.

- Morocco, CRC, CRC/C/57 (1996) 7 at para. 38.

The lack of measures taken to provide school education in all the existing languages and dialects is of concern.

- Paraguay, CRC, CRC/C/66 (1997) 29 at paras. 195 and 217.

Paragraph 195

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Concern is expressed over the fact that adequate measures have not yet been taken to fully guarantee in practice the right of indigenous students to education in their native language.

Paragraph 217

All appropriate measures should be taken to guarantee the full implementation of the right of the child to be educated in his/her own language.

- Mexico, CRC, CRC/C/90 (1999) 34 at para. 187.

The situation of children belonging to indigenous groups regarding their access to education and the low relevance of the current bilingual educational programmes available for them is especially of concern. Efforts should be taken to strengthen educational policies and the system in order to reduce regional disparities in access to education and to strengthen ongoing retention programmes and vocational training for drop-out students. Effective measures should continue to be taken to improve the educational situation of children belonging to the most vulnerable groups, in particular, with regard to bilingual education programmes for children belonging to indigenous groups. In this area, technical assistance should be considered from UNICEF and UNESCO.

See also:

- Peru, CRC, CRC/C/94 (2000) 64 at para. 378.

- The Former Yugoslav Republic of Macedonia, CRC, CRC/C/94 (2000) 45 at paras. 282 and 283.

Paragraph 282

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

Paragraph 283

With reference to articles 2 and 28 of the Convention, and with a view to ensuring an equal standard of educational services in all schools, to encouraging increased enrolment, to discouraging children from dropping out and to increasing the numbers of children from minorities who follow higher education, it is recommended that the State party review the allocation of financial and other resources to all primary and secondary schools, with particular attention to raising the quality of

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education in minority language schools. The State party should consider increasing the numbers of hours of teaching of the Macedonian language in minority language schools, on a voluntary basis, with a view to ensuring that children who are minority language speakers are able to participate on a more equal level with Macedonian-speaking children at higher education levels at which entrance examinations and teaching are conducted primarily in the Macedonian language.

- Peru, CRC, CRC/C/94 (2000) 64 at para. 358.

The translation of the Convention into Quechua, one of the official languages in the State party, is regarded as a positive measure in line with the Committee's recommendation (*ibid.*, para. 165).

See also:

- Marshall Islands, CRC, CRC/C/100 (2000) 89 at para. 488.
- South Africa, CRC, CRC/C/94 (2000) 81 at paras. 421 and 454.

Paragraph 421

The State party's initiatives within the school environment are appreciated. In this regard, the Committee welcomes the enactment of the South African Schools Act (1996) which has led to enhanced participatory rights for children within the educational system; the right of children to choose their own language of learning (multilingualism); and the abolition of corporal punishment in schools.

Paragraph 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.

- Suriname, CRC, CRC/C/97 (2000) 84 at paras. 466, 499 and 500.

Paragraph 466

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The State party is encouraged to translate the Convention into local languages and to promote its principles through the use of traditional methods of communication.

Paragraph 499

The insufficient efforts made by the State party to incorporate the use of local languages into the educational curriculum is also a matter of concern.

Paragraph 500

The State party is encouraged to reinforce its efforts to include the use of traditional languages in the school curricula.

See also:

- Georgia, CRC, CRC/C/97 (2000) 18 at paras. 128 and 129.

- Finland, CRC, CRC/C/100 (2000) 8 at paras. 46, 75, 76 and 84.

Paragraph 46

The State party is encouraged to consider translating the Convention into the Roma language and into other minority languages and making the Convention available in the languages of the main immigrant groups.

Paragraph 75

It appears that education for refugee children in their language is available only in those municipalities which can provide sufficient resources.

Paragraph 76

The State party is encouraged to consider measures through which asylum-seeking and refugee children can be granted equal access to the same standard of services, in particular education, irrespective of who they are and where they live.

Paragraph 84

Note is taken of the measures undertaken by the State party to develop special education and prevent social exclusion, such as strengthening the status of the Roma language in school teaching, developing teaching material in the Roma language and training teachers. It is recommended that these measures be implemented. The State party is requested to continue its efforts in this area.

- United Kingdom of Great Britain and Northern Ireland (Isle of Man), CRC, CRC/C/100 (2000) 31 at paras. 198 and 199.

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Paragraph 198

It is noted that the Manx Gaelic language is currently taught as an option in all primary schools for a two-year period and that the Department of Education is currently reviewing the possibility of establishing a Gaelic-medium School, to commence in September 2002.

Paragraph 199

The Isle of Man is encouraged to continue its efforts in promoting the Gaelic language in schools.

- Central African Republic, CRC, CRC/C/100 (2000) 77 at paras. 467 and 468.

Paragraph 467

The difficulties linked to the introduction of the national language into schools are of concern.

Paragraph 468

The State party should continue to make every effort, including through the allocation of relevant material and other resources, to standardize the use of the Sango language in schools.

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

Paragraph 590

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

Paragraph 591

Measures should be designed that are aimed at ensuring that Roma children have equal access to and opportunities to attend regular school, with supportive education if necessary. The State party should examine to what extent the current situation of the Roma language in the education system, with respect to both law and practice, meets the demands of the Roma population and their children and consider, as appropriate, further measures aimed at ensuring education or instruction in the Roma language, with reference to article 29 of the Convention. Teacher training in this language should be strengthened. In accordance with article 29 (c) of the Convention, the State party should ensure that the education system and the media in particular foster positive attitudes towards minorities and intercultural dialogue between the minorities and the majority, including children.

- Comoros, CRC, CRC/C/100 (2000) 110 at para. 616.

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Concerns remain that the text of the Convention has not yet been translated into all national languages and that professionals working with and for children, parents, children and the public at large are generally not aware of the Convention and of the human rights it enshrines.

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

Paragraph 78

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

Paragraph 79

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

- Palau, CRC, CRC/C/103 (2001) 79 at paras. 423, 470 and 471.

Paragraph 423

Efforts to disseminate the principles and provisions of the Convention are noted with appreciation. In particular, it is noted that the State party has translated the Convention into Palauan and distributed it at public meetings, in schools and among parents.

Paragraph 470

The lack of clear policy and practice on the incorporation of Palauan, as a parallel language, in the educational curriculum is a matter of concern.

Paragraph 471

Efforts to establish clear policy and practice regarding the use of Palauan as a parallel language in the school curriculum should be reinforced.

- Turkey, CRC, CRC/C/108 (2001) 18 at paras. 91 and 92.

Paragraph 91

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

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Treaty of Lausanne of 1923, in particular children of Kurdish origin.

Paragraph 92

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

- Guatemala, CRC, CRC/C/108 (2001) 47 at para. 274.

The State party should continue to strengthen the teacher training programme in order to increase the number of trained teachers and improve the quality of teaching and the bilingual education programme. In this respect, the State party is encouraged to seek additional technical cooperation from, among others, UNESCO and UNICEF.

- Côte d'Ivoire, CRC, CRC/C/108 (2001) 59 at para. 306.

Efforts should be increased to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization. The Convention should be translated into all national languages in order to reach the whole population.

See also:

- Mauritania, CRC, CRC/C/111 (2001) 8 at para. 47.