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IV. CONCLUDING OBSERVATIONS, CONTINUED

CERD

- Austria, CERD, A/57/18 (2002) 15 at para. 26.

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

- Croatia, CERD, A/57/18 (2002) 24 at para. 97.

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

- Denmark, CERD, A/57/18 (2002) 27 at para. 117.

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

- Liechtenstein, CERD, A/57/18 (2002) 33 at para. 152.

152. The Committee...notes that the State party provides facilities to foreign associations organizing mother-tongue language courses and courses on the culture of countries of origin, but that it does not provide financial support for teachers or educational material. The Committee therefore recommends that the State party consider providing funding for associations that organize such courses.

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

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

...

222. ...The Committee...recommends that the State party ensure that minorities and ethnic groups in its territory receive information and education in their respective languages.

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

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

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

- Botswana, CERD, A/57/18 (2002) 53 at paras. 301 and 305.

301. The Committee is concerned by the discriminatory character of certain domestic laws, such as the Chieftainship Act and the Tribal Territories Act, which only recognize the Tswana-speaking tribes. Other tribes, especially the Basarwa/San peoples, are reported to suffer from cultural, social, economic and political exclusion, do not enjoy group rights to land, and do not participate in the House of Chiefs. Noting that the amendment of sections 77 to 79 of the Constitution is currently in process, the Committee recommends that recognition and representation of all tribes in Botswana on an equal basis be ensured in the Constitution, and that the Chieftainship Act and the Tribal Territories Act be amended accordingly.

...

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

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- Estonia, CERD, A/57/18 (2002) 60 at paras. 350, 356, 359 and 365.

350. The Committee...welcomes the amendment to the Act on Basic and Upper Secondary Schools which authorizes secondary schools to continue teaching in languages other than Estonian beyond 2007.

...

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

...

359. Although it welcomes the elimination of the language requirements from the Election Act and the Local Government Council Election Act, the Committee expresses concern that, according to article 48 of the Estonian Constitution, only citizens can be members of political parties. Furthermore, the Committee considers it important that political bodies of towns with a majority of Russian-speaking inhabitants are offered the possibility of conducting their work also in Russian, as stipulated in the Law on Languages and in the Local Government Organization Act...

...

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

- Hungary, CERD, A/57/18 (2002) 63 at paras. 370, 371 and 389.

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

371. ...The Committee notes the positive elements incorporated in...Act CX of 1999 amending the Code of Civil Procedure so as to reinforce the principle that no one shall be discriminated against because of lack of knowledge of the Hungarian language.

...

389. The Committee recommends that the State party's reports be made readily available to the public, including in the national language, from the time they are submitted and that the Committee's concluding observations on them be similarly publicized.

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- Mali, CERD, A/57/18 (2002) 66 at para. 397.

397. The Committee welcomes the information concerning human rights education as part of the training given to State officials, the promotion of national languages, the development of press freedom and the growing role of NGOs in Mali.

- New Zealand, CERD, A/57/18 (2002) 69 at paras. 416 and 420.

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

...

420. The Committee welcomes the State party's policies and initiatives designed to improve the status and use of the Maori language, including the increase[d] supply of services in the Maori language, including in education and State broadcasting.

- Ecuador, CERD, A/58/18 (2003) 22 at para. 52.

52. The Committee welcomes the introduction of a bilingual education system in Ecuador for teaching some 94,000 indigenous children in both Spanish and their own languages.

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

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

...

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

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

253. The Committee notes that the State party did not provide information on the Berber (or

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Amazigh) population and on measures taken for the protection and promotion of their culture and language...The Committee...recommends that increased attention be given to the situation of Berbers as a specific component of the Tunisian population.

- Albania, CERD, A/58/18 (2003) 53 at paras. 301, 303, 308, 310, 315 and 317.

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

...

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

...

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

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

...

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

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

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

...

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

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

...

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

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

- Bolivia, CERD, A/58/18 (2003) 58 at paras. 337 and 344.

337. The Committee...takes note with appreciation of the steps taken to give adequate recognition to indigenous languages.

...

344. Regarding article 7 of the Convention, the Committee encourages the State party to make additional efforts to disseminate the Convention and other international human rights instruments in the main languages.

- Cape Verde, CERD, A/58/18 (2003) 62 at para. 360.

360. The Committee notes with appreciation the steps taken to give adequate recognition to the Creole language, without prejudice to the use of Portuguese as the main official

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language in the country.

- Latvia, CERD, A/58/18 (2003) 75 at paras. 443, 445, 449, 452 and 453.

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

...

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

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

...

449. While noting the measures taken by the State party to increase the rate of naturalization of non-citizens, the Committee remains concerned at the limited results of these efforts. The Committee is concerned at the growing number of persons who fail the language examination and at the possible lack of availability or accessibility of Latvian language instruction for all those wishing to benefit from this facility.

The Committee recommends that the State party further study the underlying reasons for the low level of naturalization applications with a view to devising strategies targeting specific groups of potential applicants. The Committee stresses that positive measures should be employed to attract non-citizens to the process, while ensuring that any measures taken do not adversely affect their current status. It also strongly urges the State party to ensure the availability of Latvian language instruction, to the extent possible, for those wishing to avail themselves of such opportunities.

...

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

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

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

- Norway, CERD, A/58/18 (2003) 79 at para. 479.

479. The Committee is concerned about the shortage of well-qualified interpreters in court proceedings, which may be an obstacle to the enjoyment by non-native speakers of the right to equal treatment before the courts and all other organs administering justice.

The Committee recommends that the State party adopt further measures, in accordance with article 5 (a) of the Convention, to mitigate the current difficulties with regard to interpretation services.

- Republic of Korea, CERD, A/58/18 (2003) 83 at para. 496.

496. The Committee is concerned about the trafficking of foreign women to the State party for the purpose of prostitution, although it notes the State party's efforts to combat this phenomenon.

The Committee encourages the State party to expand and strengthen ongoing efforts to prevent trafficking and provide support and assistance to victims, wherever possible in their own language.

- Malawi, CERD, A/58/18 (2003) 93 at paras. 562 and 568.

562. The Committee is concerned that the budgetary constraints facing the Malawi Human Rights Commission may limit its effectiveness. The Committee...recommends that

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information on the functions and activities of the Malawi Human Rights Commission be disseminated both in English and in Chichewa.

...

568. The Committee requests that the State party give wide publicity to the Convention and to the present concluding observations, both in English and in Chichewa, and draw the attention of the Malawi Human Rights Commission to them.

- Bahamas, CERD, A/59/18 (2004) 10 at para. 35.

35. The Committee notes that it has not received sufficient information on the rights of asylum-seekers and is disturbed by reports that the current system is incapable of guaranteeing that no one will be sent back to a country where his life or liberty might be in danger.

The Committee advises the State party to guarantee the rights of asylum-seekers to information, the services of an interpreter, legal assistance and judicial remedies...

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

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

The Committee stresses the obligation of the State party, under article 5 of the Convention, to respect the right of Amazighs to enjoy their own culture and to use their own language, in private and public, freely and without discrimination. It invites the State party to enhance the enjoyment of the right of association for the protection and promotion of Amazigh culture, and to take measures especially in the field of education in order to encourage knowledge of the history, language and culture of Amazighs.

- Suriname, CERD, A/59/18 (2004) 36 at paras. 200 and 201.

200. While noting the State party's legitimate desire to ensure that the official language is taught and to promote the teaching of Spanish and English, the Committee is disturbed at the lack of plans to preserve the native languages of the country's indigenous and tribal peoples. It is also concerned that Sranan Tongo, which is spoken by the majority of the population, is not given sufficient prominence in education.

The Committee invites the State party to encourage the learning of mother tongues, in

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particular Sranan Tongo, with a view to preserve the cultural and linguistic identity of the various ethnic groups.

201. The Committee notes that the authorities appear to limit themselves to not hampering the exercise by the various ethnic groups and their members of their cultural rights.

The Committee recommends that the State party should respect and promote the indigenous and tribal peoples' cultures, languages and distinctive ways of life. It encourages the authorities to carry out a survey, in collaboration with the groups concerned, of the impact of economic development in the indigenous and tribal peoples' lands on their collective and individual cultural rights.

- Argentina, CERD, A/59/18 (2004) 45 at para. 249.

249. The Committee regrets that despite the State party's efforts, the right to a bilingual and intercultural education for indigenous peoples recognized by the Constitution is not fully respected in practice. It takes note with concern of allegations regarding the lack of adequate training provided to indigenous teachers and discrimination faced by them, as well as the insufficient measures to preserve indigenous languages and to include the history and culture of indigenous peoples in school curricula.

The Committee recommends that the State party adopt all necessary measures to ensure, in consultation with the indigenous communities, a bilingual and intercultural education for indigenous peoples with full respect for their cultural identity, languages, history and culture, bearing also in mind the wider importance of intercultural education for the general population. It further recommends that adequate training be provided to indigenous teachers and effective measures be adopted to combat all forms of discrimination against them...

- Kazakhstan, CERD, A/59/18 (2004) 54 at para. 289.

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

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

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- Mauritania, CERD, A/59/18 (2004) 61 at paras. 347-349.

347. The Committee notes with concern that no provision is made in the educational curriculum for the inclusion of the national languages Pulaar, Soninke and Wolof.

The Committee recommends that the State party study this question again in consultation with the population groups concerned and that it consider including national languages in the education system for those children who wish to receive an education in those languages. The Committee recalls that, in any event, education in national languages should not lead to the exclusion of the group concerned and should meet the minimum standards with regard to the quality of the courses offered.

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

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

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

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

- Slovakia, CERD, A/59/18 (2004) 70 at para. 385.

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

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

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members of Roma communities and promote intercultural education.

- Tajikistan, CERD, A/59/18 (2004) 74 at paras. 403, 412 and 413.

403. The Committee notes with appreciation that Tajik law guarantees the freedom of citizens to choose their language of instruction and to use their language when dealing with government bodies and authorities, enterprises, institutions and associations.

...

412. The Committee, while appreciating the State party's efforts to provide children belonging to ethnic minorities with education in their native languages, notes with regret that there is an insufficient number of Uzbek textbooks in the Latin alphabet, adapted to new curricula.

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

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

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

- Saint Lucia, CERD, A/59/18 (2004) 86 at paras. 446, 448 and 449.

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

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

...

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

It recommends that the State party consider the inclusion in public radio and television

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programmes of broadcasts in Kweyol and other minority languages.

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

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

- Australia, CERD, A/60/18 (2005) 13 at para. 27.

27. The Committee welcomes the adoption of a Charter of Public Service in a Culturally Diverse Society to ensure that government services are provided in a way that is sensitive to the language and cultural needs of all Australians.

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

62. ...[T]he Committee...is...concerned at the lack of programmes to support minority languages, and that those languages are not used in the educational system to an extent commensurate to the proportion of the different ethnic communities represented in the State party's population (art. 5).

The Committee...recommends to the State party that it take the necessary measures to create favourable conditions that will enable persons belonging to minorities to develop their culture, language, religion, traditions and customs, and to learn or to have instruction in their mother tongue...

- France, CERD, A/60/18 (2005) 26 at paras. 109, 116 and 117.

109. The Committee remains concerned at the fact that only French may be used in applications for asylum.

In order to allow asylum-seekers to exercise their rights fully, the Committee invites the State party to lay down that asylum-seekers may be assisted by translators/interpreters

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whenever necessary, and/or to agree that applications for asylum may be written in the most common foreign languages.

...

116. The Committee is concerned that for some local population groups in its overseas communities, the fact that they do not have a full command of French constitutes an obstacle to their enjoyment of their rights, particularly the right to access to justice.

In order to enable all those under the jurisdiction of the State party in its overseas communities to exercise their rights fully, the Committee recommends to the State party that it should take all appropriate steps to ensure that local population groups in overseas communities who do not have a command of French benefit from the services of translators/interpreters, especially in their contacts with the system of justice.

...

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

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

- Lao People's Democratic Republic, CERD, A/60/18 (2005) 35 at para. 171.

171. The Committee notes with concern that, according to certain reports, a major obstacle to the education and vocational training of persons belonging to ethnic groups is the fact that education is provided only in Lao. Language barriers are also apparently responsible for the many problems encountered in obtaining access to social services (art. 5).

The Committee recommends to the State party that it take all possible measures to ensure that persons belonging to ethnic groups receive education and vocational training in their mother tongue and that it increase its efforts to ensure that they learn Lao.

- Luxembourg, CERD, A/60/18 (2005) 40 at para. 192.

192. The Committee...notes with satisfaction school curricula that promote interculturalism, a certain number of mother-tongue classes for immigrant children and the introduction of intercultural mediators in schools.

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- Georgia, CERD, A/60/18 (2005) 46 at para. 241.

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

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

- Nigeria, CERD, A/60/18 (2005) 54 at para. 297.

297. While welcoming the extensive counter-trafficking measures taken by the State party, including the establishment in 2003 of the National Agency for Prohibition of Trafficking in Persons and the adoption in 2003 of the Anti-Human Trafficking Law, the Committee remains concerned that human trafficking, including trafficking of foreign women, men and children, remains a serious problem in the State party (art. 5).

...The Committee urges the State party to provide support and assistance to victims, wherever possible in their own language...

- Turkmenistan, CERD, A/60/18 (2005) 61 at para. 321.

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

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

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- Venezuela (Bolivarian Republic of), CERD, A/60/18 (2005) 71 at paras. 366 and 371.

366. The Committee welcomes with satisfaction the rights and principles contained in the Constitution of the Bolivarian Republic of Venezuela of 1999, in particular the preamble, which establishes the multi-ethnic and multicultural nature of Venezuelan society, as well as article 21 and chapter VIII which guarantees the rights of indigenous peoples, such as the right to intercultural bilingual education, the right to traditional medicine and the right to participate in political life.

...

371. The Committee notes with satisfaction Presidential Decree No. 1795 of 27 May 2002 concerning protection of the languages of indigenous peoples. It notes that indigenous peoples may make use of their languages in their dealings with the authorities or, where appropriate, have an official interpreter, and that the Constitution has been translated into the Wayuu language.

ICCPR

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

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

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

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

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

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

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- New Zealand, ICCPR, A/57/40 vol. I (2002) 63 at para. 81(9).

(9) The Committee regrets that the State party does not consider it necessary to include in the prohibited grounds of discrimination all the grounds stated in the Covenant, in particular, language, although in New Zealand language has been interpreted as an aspect of race.

The State party should revise its domestic law in order to bring it into full conformity with the provisions of articles 2 and 26 of the Covenant.

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

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

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

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

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

The State party is invited to ensure that, pursuant to article 27 of the Covenant, minorities are able in practice to enjoy their own culture and to use their own language. It is also invited to ensure that legislation related to the use of languages does not lead to discrimination contrary to article 26 of the Covenant.

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- Slovakia, ICCPR, A/58/40 vol. I (2003) 52 at para. 82(16).

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

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

- Portugal, ICCPR, A/58/40 vol. I (2003) 56 at para. 83(7).

(7) The Committee notes with satisfaction that the State party has translated into Portuguese and disseminated numerous United Nations documents relating to human rights.

- Israel, ICCPR, A/58/40 vol. I (2003) 64 at para. 85(9).

(9) The Committee notes the efforts by the State party to provide better conditions for migrant workers. It welcomes the amendment to the Foreign Workers Law and the increase in penalties imposed on employers for non-compliance with the law. It also welcomes free access to labour courts for migrant workers and the provision of information to them about their rights in several foreign languages.

- Latvia, ICCPR, A/59/40 vol. I (2003) 25 at paras. 65(4), 65(16), 65(19) and 65(20).

(4) The Committee welcomes the significant progress in legislative and institutional reform since the review of the first periodic report in 1995...[P]ositive legislative reforms include in particular the adoption and entry into force of a new Asylum Law, dealing with the question of non-*refoulement*; the labour law; amendments to the election law, removing the language requirement to stand for election; and to legislation on trafficking in human

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beings...

...

(16) While noting the measures taken by the State party to make the naturalization process more accessible and to increase the rate of naturalization of non-citizens, the Committee is concerned about the limited results of these policies, with many candidates not even initiating the procedure...Furthermore, the Committee is concerned at the possible obstacles posed by the requirement to pass a language examination.

The State party should further strengthen its efforts to effectively address the lack of applications for naturalization as well as possible obstacles posed by the requirement to pass a language examination, in order to ensure full compliance with article 2 of the Covenant.

...

(19) The Committee is concerned about the impact of the state language policy on the full enjoyment of rights stipulated in the Covenant. Areas of concern include the possible negative impact of the requirement to communicate in Latvian except under limited conditions, on access of non-Latvian speakers to public institutions and communication with public authorities (art. 26).

The State party should take all necessary measures to prevent negative effects of its language policy on the rights of individuals under the Covenant, and, if required, adopt measures such as the further development of translation services.

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

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

- Namibia, ICCPR, A/59/40 vol. I (2004) 64 at para. 74(21).

(21) While the Committee notes the reason why the State party recognizes only one official language, it is concerned that those persons who do not speak the official language may be discriminated against in the administration of public affairs and in the administration of justice.

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The State party should take measures to ensure, to the extent possible, that persons who only speak non-official languages used widely by the population are not denied access to public service. It should undertake measures to protect the use of such languages.

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

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

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

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

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

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

- Poland, ICCPR, A/60/40 vol. I (2004) 40 at para. 85(20).

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

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

- Greece, ICCPR, A/60/40 vol. I (2005) 60 at para. 90(20).

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

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

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

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

The State party should ensure that all members of the Kurdish minority enjoy effective protection against discrimination and are able to enjoy their own culture and use their own language, in accordance with article 27 of the Covenant.

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

(24) The Committee expresses its concern about the structural discrimination by the State party against minority communities, in particular the Highlanders with regard to citizenship, land rights, freedom of movement and the protection of their way of life...

...The State party should respect the rights of persons belonging to minorities to enjoy their own culture, to profess and practice their own religion, and to use their own language in community with other members of their group.

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

745. The Committee urges the State party to take additional and effective measures that promote instruction in the mother tongue of minorities and immigrants.
- Algeria, ICESCR, E/2002/22 (2001) 116 at paras. 816 and 831.

816. The Committee notes with concern that Arabic is the only official language in the State party and that the Amazigh population continues to be denied the use of their language at the official level. The Committee further notes the announcement by the Government on 3 October 2001 that the Constitution will be amended to make Amazigh a national language.
...
831. The Committee encourages the State party to preserve the language and culture of the Amazigh population and to take appropriate steps to implement the plans to accord constitutional status to the Amazigh language as a national language, as announced by the Government on 3 October 2001. The Committee furthermore recommends that the State party undertake measures towards the recognition of the Amazigh language as an official language.
- France, ICESCR, E/2002/22 (2001) 121 at paras. 874 and 875.

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

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

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- Benin, ICESCR, E/2003/22 (2002) 34 at paras. 181 and 201.

181. The Committee considers it worrying that the State party is not making enough effort to preserve the diversity of languages in the country, and not taking steps to ensure that some of them do not disappear altogether.

...

201. The Committee recommends the State party to embark on a general policy of protecting its linguistic heritage.

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

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

...

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

- Guatemala, ICESCR, E/2004/22 (2003) 59 at paras. 398, 419 and 437.

398. The Committee takes note with satisfaction of the adoption of Legislative Decree No. 19 of May 2003 on national languages recognizing, promoting and respecting the languages of the Maya, Garifuna and Xinka people.

...

419. The Committee is concerned that only 30 per cent of children living in rural communities complete primary education and, in the case of indigenous children, only 20 per cent complete it. The Committee also expresses its concern about the limited access for indigenous peoples to enjoy education in their mother tongue and to use it in their dealings with public authorities.

...

437. The Committee urges the State party to make efforts to increase school attendance of children, particularly of indigenous children. The Committee recommends that the State party broaden its intercultural bilingual education and allocate adequate funds and human resources to the Department of Intercultural Bilingual Education, and improve the working conditions of teachers by paying them better salaries and providing them with training as well as hiring additional teachers to cover rural areas fully.

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- Greece, ICESCR, E/2005/22 (2004) 23 at paras. 148 and 170.

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

...

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

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 298 and 324.

298. The Committee is concerned that, despite the existence of schools and universities where indigenous languages are taught, major indigenous languages, particularly Quechua, are gradually disappearing.

...

324. The Committee urges the State party to take all possible measures to ensure that indigenous languages are better protected and that the teaching of these languages in schools is increased as an important part of the enjoyment of the right to culture of the indigenous people.

- China, ICESCR, E/2006/22 (2005) 25 at para. 167.

167. ...The Committee notes with concern the reports from sources other than the State party relating to the right to the free exercise of religion as a right to take part in cultural life, and the use and teaching of minority languages, history and culture and the Xinjiang Uighur Autonomous Region and the Tibet Autonomous Region.

CEDAW

- Albania, CEDAW, A/58/38 part I (2003) 13 at para. 55.

55. ...The Committee commends the efforts of the State party to have the Convention translated into Albanian and disseminated.

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- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 321 and 322.

321. Although there is a bilingual education plan and gender mainstreaming programmes designed to be applied at the different levels of basic education and teacher training, the Committee notes with concern that the plan is not applied systematically and in all centres responsible for applying it.

322. The Committee urges the State party to implement the bilingual education plan and the gender mainstreaming programmes.

- New Zealand, CEDAW, A/58/38 part II (2003) 138 at paras. 423 and 424.

423. ...The Committee is...concerned that the Human Rights Act, 1993, does not explicitly cover non-discrimination on the basis of language and the cultural field, which are of particular relevance to Maori and Pacific women.

424 The Committee...recommends that the State party implement targeted measures to respond to the needs of Maori and Pacific women and girls, and to continue to invest in Maori and Pacific women and girls, taking into account their linguistic and cultural interests.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 291 and 292.

291. The Committee is concerned about the poor conditions of indigenous women, including monolingual Guaraní women, reflected in their high illiteracy rates, which surpass the national average, low school enrolment rates, poor access to health care and significant levels of poverty, which lead them to migrate to urban centres where they are even more vulnerable to multiple forms of discrimination.

292. The Committee urges the State party to ensure that all policies and programmes explicitly address the high illiteracy rates and the needs of indigenous women, including monolingual Guaraní women, and to actively seek their participation in the formulation and implementation of sectoral policies and programmes. It recommends that the State party strengthen its efforts to implement bilingual educational programmes at all levels of education and to ensure indigenous women's access to education and health care. The Committee also encourages the State party to adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to accelerate such access for indigenous women. The Committee recommends that the State party strengthen its programmes of dissemination, education and training on the Convention and its Optional Protocol for

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indigenous women, including monolingual Guaraní women.

- Turkey, CEDAW, A/60/38 part I (2005) 58 at paras. 371 and 372.

371. The Committee is...concerned that women and girls whose mother tongue is not Turkish may face multiple forms of discrimination in access to and achievement in education...

372. ...The Committee calls on the State party to implement further targeted policies and programmes to overcome educational disadvantages faced by girls and women belonging to diverse ethnic groups and those whose mother tongue is not Turkish, particularly in rural areas, as well as to address regional disparities...

CAT

- Cyprus, CAT, A/58/44 (2002) 21 at para. 36.

36. The Committee recommends that the State party widely disseminate the Committee's conclusions and recommendations, in all appropriate languages, in the country.

- Estonia, CAT, A/58/44 (2002) 26 at para. 50.

50. The Committee recommends that the State party:

...

(e) Strengthen the safeguards provided in the Code of Criminal Procedure against ill-treatment and torture and ensure that, in law as well as in practice, persons in police custody and in remand have the right of access to a medical doctor of their choice, the right to notify a person of their choice of their detention and access to legal counsel. Legal exceptions to these rights should be narrowly defined. Persons deprived of their liberty, including suspects, should immediately be informed of their rights in a language that they understand.... ...

- Belgium, CAT, A/58/44 (2003) 49 at para. 131.

131. The Committee recommends that the State party:

...

(g) Expressly guarantee in national legislation the right of all persons who are judicially or

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administratively detained to have access to a lawyer and a doctor of their choice immediately following their arrest, to be informed of their rights in a language they understand and to inform their families promptly of their detention;

...

- Republic of Moldova, CAT, A/58/44 (2003) 53 at para. 139.

139. The Committee recommends that the State party:

...

(k) Provide an information sheet in the appropriate languages in all police stations to inform all detainees of all their rights immediately after their arrest;

...

- Latvia, CAT, A/59/44 (2003) 48 at para. 102.

102. The Committee...recommends that the State party disseminate widely the Committee's conclusions and recommendations, in all appropriate languages, through official web sites, the media and non-governmental organizations.

CRC

- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 648 and 649.

648. ...The Committee is concerned...that not all children are fluent in both Creole and Portuguese and that these children risk being marginalized, given that school education is in Portuguese.

649. Noting efforts to increase enrolment levels, particularly to primary school, the Committee recommends that the State party:

...

(f) Take steps to ensure that all children are fluent in Creole and Portuguese;

...

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 119, 120, 132, 133, 138, 139, 158 and 159.

119. Acknowledging the State party's efforts in this regard, the Committee is concerned that

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knowledge and understanding of the Convention among children, professionals working with children, distinct ethnic, religious, linguistic or cultural groups and among the public in general is still insufficient. The Committee is concerned, in addition, that the Convention has not been translated into the languages of some sectors of the population, such as the Roma language.

120. The Committee recommends that the State party:

(a) Strengthen its efforts to provide training for professionals - such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, judges, lawyers and national ministerial and local government officials with responsibility for children's rights - children, parents and the population in general, and distinct ethnic, religious, linguistic or cultural groups, on the Convention and its principles and provisions and other relevant human rights instruments in a systematic and ongoing manner;

...

(c) Ensure that translated versions of the Convention are disseminated, as needed, in the languages spoken within the State party by the distinct groups referred to under paragraph 120 (a) of these concluding observations.

...

132. The Committee is concerned:

...

(b) That persons who speak a language other than Greek, including refugees and asylum-seekers, have difficulty in registering names for their children in their native language.

133. The Committee recommends that the State party ensure:

...

(b) That all children are able to be registered under, and make use of, their full original name as chosen by themselves, their parents or other legal guardian.

...

138. The Committee is concerned that children and their families who do not speak, read or write Greek fluently, and children from some isolated regions of the State party and from some distinct ethnic, religious, linguistic or cultural groups do not always have adequate access to information regarding, for example, welfare or legal assistance, and information reflecting the multicultural nature of the State party...

139. The Committee recommends that the State party:

(a) Make additional efforts to ensure that all children and their families have access to essential information regarding their rights, giving particular attention to isolated groups and those who do not communicate easily in Greek;

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(b) Promote the development and accessibility, including through radio and television, of a wide variety of information reflecting the cultural diversity of the State party's population;

...

158. Acknowledging the many activities of the State party towards improving access to education and the quality of education and introducing multicultural teaching, the Committee remains concerned about a variety of problems that still exist, such as:

...

(f) The poor quality of education in many schools that teach in languages other than Greek, including the use of outdated textbooks and late term starting dates...

...

159. The Committee recommends that the State party:

...

(e) Expand the practice of recruiting second teachers who speak languages other than Greek to cover all relevant schools and major languages;

...

(g) Continue and strengthen existing programmes of training and information for all teachers on multicultural concerns, with a view to the effective integration into the State party's school system of children from all distinct ethnic, religious, linguistic or cultural groups and other backgrounds;

...

- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 270 and 271.

270. While noting recent efforts, including the translation of certain articles of the Convention into some local languages, the Committee is concerned that the provisions of the Convention are insufficiently known and understood in the State party.

271. The Committee recommends that the State party:

(a) Continue efforts to translate the whole of the Convention into the most widely spoken national languages and that these translations be used for, *inter alia*, radio and theatre presentations accessible to persons who are illiterate;

...

- Belarus, CRC, CRC/C/118 (2002) 54 at paras. 249 and 250.

249. The Committee, while acknowledging the State party's efforts to include human rights in school curricula, notes with concern that the availability of education in the Belarusian language is becoming increasingly limited, from early childhood to secondary education...

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250. In light of articles 28 and 29 of the Convention, the State party should:

(a) Ensure the availability of education in the Belarusian language and the accessibility for Roma children and those belonging to other minorities to good quality education;

...

- Seychelles, CRC, CRC/C/121 (2002) 41 at para. 177.

177. The Committee recommends that the State party strengthen its efforts to ensure that the principles and provisions of the Convention are widely known and understood by adults and children alike. In this regard, the Committee encourages the State party:

(a) To ensure that the Convention is translated in its entirety into all three official languages;

...

- Ukraine, CRC, CRC/C/121 (2002) 70 at paras. 353, 354, 367 and 368.

353. The Committee welcomes the efforts undertaken by the State party to improve the education system with the introduction of the Act “On education”, which includes such aims as ensuring the delivery of compulsory secondary education to all children of school age...The Committee remains concerned, however, that:

...

(e) There are important regional disparities in the number of education establishments and in the quality of education available, with rural areas being at a particular disadvantage, and that children of small national minorities such as Roma do not get quality education, including in their own language;

...

354. The Committee recommends that the State party:

(a) Ensure the availability of free primary education and accessibility for all children in the State party, giving particular attention to children in rural communities, Roma children, Crimean Tartar children and children of other minorities, as well as children from disadvantaged backgrounds, to good quality education, including in their own language;

...

367. The Committee is concerned that, despite pilot programmes aimed at improving the situation of the Roma in certain provinces, they still suffer from widespread discrimination, which has in some instances impeded their children’s right to education, health and social welfare.

368. The Committee recommends that the State party:

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...

(b) Develop and implement a plan aimed at integrating all Roma children into mainstream education and prohibiting their segregation in special classes and which includes pre-school programmes for them to learn the primary language of schooling in their community;

...

See also:

- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 420 and 421.
- Poland, CRC, CRC/C/121 (2002) 120 at paras. 545 and 546.

- Estonia, CRC, CRC/C/124 (2003) 9 at paras. 25, 64, 65, 74 and 75.

25. The Committee welcomes:

(a) The adoption of new legislation, such as the Juvenile Sanctions Act 1999, the Social Benefits for Disabled Persons Act 1999, the new Penal Code 2002, the Amendment to the Basic and Upper Secondary Schools Act 2002, and Regulation No. 209 of 2002 on the procedure for creating conditions for learning the mother tongue and studying the national culture for students in Estonian-language schools whose mother tongue is not Estonian;

...

(c) The programme called “Integration in Estonian Society, 2000-2007”;

...

64. The Committee welcomes the inclusion of the Convention in the school curriculum and appreciates the acknowledgment by the State party that there are challenges facing the right to education. In this regard, it shares the concern that more than 5,000 children do not attend school, and that repetition and drop-out rates are high. Possible reasons for dropping out include: lack of protection from bullying, overcrowded classrooms, a poor school environment as a result of diminished extracurricular activities, overburdened teachers and closure of schools in rural areas for economic reasons.

65. The Committee encourages the State party:

...

(f) To take all the appropriate measures to implement regulation No. 09 for mother-tongue instruction for students whose mother tongue is not Estonian, providing also for the teaching of their culture and history;

...

74. While welcoming the Programme on Integration in Estonian Society, 2000-2007, the Committee notes the tension arising around the question of the language of instruction of children belonging to minority groups in Estonia.

75. The Committee recommends that the State party:

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(a) Take all measures to implement effectively regulation No. 209 for mother-tongue instruction for students whose mother tongue is not Estonian;

(b) Implement the Programme on Integration in Estonian Society in such a way that all the children of Estonia will be taught about the culture, history and identity of the various groups living in Estonia and that exchanges are organized between pupils of different schools in order to foster contacts, friendships and mutual respect among children from all groups of society;

(c) Guarantee the quality of instruction of the Estonian language to children belonging to minority groups so as to ensure that minority-language-speaking children can participate on a more equal level with Estonian-speaking children, in particular at higher education levels.

- Romania, CRC, CRC/124 (2003) 49 at paras. 252 and 253.

252. The Committee notes:

(a) That the legislation (Law 48/2002) provides special protection for vulnerable persons, but remains concerned that *de facto* discrimination persists regarding access to education, health care and social benefits;

...

253. The Committee recommends that the State party:

(a) Ensure the availability of Romanian language courses, as stipulated by law, to facilitate the integration of asylum-seeker and refugee children in the education system;

...

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 375 and 376.

375. The Committee welcomes the efforts of the Government aimed at developing post-secondary education, making it more accessible, ensuring education for minority groups and integrating children with disabilities into mainstream education. The Committee welcomes the secondary school for Roma children established on the initiative of the Roma people themselves. However, the Committee is concerned that the implementation of the reform of the education system remains insufficient and that in-service teacher training in this respect is lacking...

376. Noting the State party's efforts in this domain, the Committee recommends that the State party:

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(a) Ensure the availability and accessibility of free primary education for all children in the State party, giving particular attention to providing children in rural communities, children from Roma and other minorities, as well as children from disadvantaged backgrounds such as refugees and illegal migrants, particularly unaccompanied minors, good quality education, including in their own language;

...

- Eritrea, CRC, CRC/C/132 (2003) 8 at paras. 27, 75 and 76.

27. The Committee notes with appreciation the State party's successful efforts, following its independence in 1993:

...

(b) To increase enrolment and literacy rates, and the introduction of the mother tongue as a language of instruction in primary schools;

...

75. The Committee is encouraged by the State party's efforts to increase enrolment rates in basic education, reduce illiteracy, promote cultural and recreational activities and provide education in the native language of all nine ethnic groups. However, it...notes with concern that there are few trained teachers and limited opportunities for teachers to upgrade their skills.

76. The Committee recommends that the State party:

...

(e) Prioritize and continue to strengthen and expand efforts at teacher training and expand recruitment of qualified teachers, in particular women and persons from all ethnic groups for education in mother-tongue programmes;

...

- Solomon Islands, CRC, CRC/C/132 (2003) 58 at para. 300.

300. The Committee, noting that at least 87 languages and dialects are spoken in the country, welcomes the initiatives taken by the State party to disseminate the Convention and recommends further cooperation with UNICEF and OHCHR in disseminating international human rights treaties and in providing training programmes to raise awareness of the Convention. The Committee is concerned that due to the civil strife the dissemination and training on the rights set forth in the Convention effectively came to a halt.

- Morocco, CRC, CRC/C/132 (2003) 100 at paras. 523 and 524.

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523. The Committee is concerned that children belonging to the Amazigh community cannot always exercise their rights to their own culture, the use of their own language and the preservation and development of their own identity. In particular, the Committee is concerned that parents are not allowed to give Amazigh names to their children.

524. In line with the recommendations of the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.57), the Committee recommends that the State party take all necessary measures to ensure that children belonging to the Amazigh community can exercise their rights to their own culture, the use of their own language and the preservation and development of their own identity. In particular, the Committee recommends that the State party allow parents from that community to give Amazigh names to their children.

- Kazakhstan, CRC, CRC/C/132 (2003) 129 at paras. 642 and 643.

642. The Committee welcomes the efforts taken by the State party to improve the education system with the introduction of the Education Act 1999 which includes such aims as ensuring compulsory secondary education for all children of school age, providing free textbooks to vulnerable children and compulsory pre-school attendance. The Committee remains concerned at the many difficulties education is facing, *inter alia*:

(a) The increase in the cost of education which limits access by children from economically disadvantaged households and rural areas;

...

643. The Committee recommends that the State party:

(a) Ensure the availability of free primary education and accessibility for all children in the State party, giving particular attention to children in rural communities, children from minorities, including repatriates and refugees or asylum-seekers, children from disadvantaged groups and those who need special attention, and high-quality education, including in children's own languages;

...

- Canada, CRC, CRC/C/133 (2003) 14 at para. 94 and 95.

94. ...[T]he Committee is concerned about the reduction in education spending, increasing student-teacher ratios, the reduction of the number of school boards, the high dropout rate of Aboriginal children and the availability of instruction in both official languages only "where numbers warrant".

95. The Committee recommends that the State party further improve the quality of

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education throughout the State party in order to achieve the goals of article 29, paragraph 1, of the Convention and the Committee's general comment No. 1 on the aims of education by, *inter alia*:

(a) Ensuring that free quality primary education that is sensitive to the cultural identity of every child is available and accessible to all children, with particular attention to children in rural communities, Aboriginal children and refugees or asylum-seekers, as well as children from other disadvantaged groups and those who need special attention, including in their own language;

(b) Ensuring that human rights education, including in children's rights, is incorporated into the school curricula in the different languages of instruction, where applicable, and that teachers have the necessary training;

...

- New Zealand, CRC, CRC/C/133 (2003) 27 at paras. 155 and 156.

155. The Committee welcomes the development of bilingual education for Maori; however, it notes with concern the persistent disparities in enrolment and dropout rates among children of different ethnic groups...

156. The Committee recommends that the State party:

...

(c) Take effective measures to address disparities in enrolment and dropout rates between ethnic groups, including by strengthening programmes for bilingual education;

- Georgia, CRC, CRC/C/133 (2003) 111 at para. 585.

585. The Committee encourages the State party to take measures to combat racism, xenophobia, discrimination and intolerance by, *inter alia*, ensuring follow-up to the recommendations of the United Nations treaty bodies and ECRI [European Commission Racism and Intolerance], in particular as they relate to children. The Committee recognizes the important role of education in this respect and encourages the State party to continue to support education in languages of the minorities as well as education in their mother tongue for the ethnic Georgian population not having access to it.

- Guyana, CRC, CRC/C/137 (2004) 26 at paras. 172 and 173.

172. The Committee is concerned at the living conditions of Amerindian children with

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regard to the full enjoyment of all rights enshrined in the Convention, especially the degradation of their natural environment and the fact that they are not taught in their own languages.

173. In light of articles 2 and 30 of the Convention and the recommendations adopted by the Committee at its day of general discussion on the rights of indigenous children in September 2003, the Committee recommends that the State party take all necessary measures to protect Amerindian children against discrimination and to guarantee their enjoyment of all the rights recognized in the Convention...

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 231 and 232.

231. ...[I]n line with the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/61/CO/1), the Committee expresses its concern about the inadequate access by minority children to education in their mother tongue.

232. The Committee recommends that the State party:

...

(e) Ensure, whenever possible, that children belonging to minority groups have access to education in their mother tongue;

...

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at paras. 327, 328, 366 and 367.

327. ...[T]he Committee is concerned that some domestic legislation in the Netherlands and in Aruba does not yet fully conform with the principles and provisions of the Convention, *inter alia*, with regard to education in minority languages...

328. The Committee recommends that the State party take all necessary measures to ensure that its domestic legislation in the Netherlands and in Aruba conforms fully with the principles and provisions of the Convention, in particular with regard to education in minority languages...

...

366. The Committee notes the information provided by the delegation that efforts will be strengthened in the Netherlands and Aruba to prevent and assist school dropouts and the intention to expand bilingual education (Papiementu and Dutch) to secondary schools in Aruba...

367. The Committee recommends that the State party:

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...

(d) In Aruba, ensure that sufficient teaching materials are available in Papiementu for primary and secondary students;

...

- Japan, CRC, CRC/C/137 (2004) 116 at paras. 651 and 652.

651. The Committee notes the State party's efforts to reform the education system and bring it into greater conformity with the Convention; however, it is concerned that:

...

(f) Children of minorities have very limited opportunities for education in their own language;

...

652. The Committee recommends that the State party:

...

(d) Expand opportunities for children from minority groups to enjoy their own culture, profess or practise their own religion and use their own language;

...

- Panama, CRC, CRC/C/140 (2004) 23 at paras. 156 and 157.

156. The Committee, acknowledging the adoption of the new legislation creating three indigenous *comarcas*, remains concerned that lack of economic resources is an obstacle to developing specific programmes on education, health and social services for indigenous children. The Committee is also concerned about the preservation of the identity of indigenous children since bilingual education remains a challenge in indigenous areas and education lacks resources of all kinds.

157. The Committee recommends that the State party take all necessary measures to ensure that indigenous children enjoy all their rights without discrimination, including equal access to culturally appropriate services including health, education, social services, housing, potable water and sanitation... The Committee also recommends that the State party pay particular attention to guarantee the preservation of the identity of indigenous and Afro-Panamanian children, e.g. by the implementation of the national plan to develop bilingual intercultural education.

- France, CRC, CRC/C/140 (2004) 124 at paras. 639 and 640.

639. The Committee welcomes information provided in the State party's report that all

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children in France are equal before the law and have a right to freedom of religion, expression in their own language in private affairs and right to cultural activities. However, the Committee remains concerned that equality before the law may not be sufficient to ensure equal enjoyment of rights by certain minority groups, such as the Roma, among others, who may face *de facto* discrimination. The Committee regrets that the State party has not considered reviewing its position and withdrawing its reservation to article 30 of the Convention.

640. The Committee encourages the State party to continue measures to prevent and combat racism, xenophobia, discrimination and intolerance, by, *inter alia*, ensuring follow-up to the recommendations of the United Nations treaty bodies and the European Commission against Racism and Intolerance (ECRI), in particular as concerns children. The Committee urges the State party to review its position with respect to children belonging to minority groups and to consider withdrawing its reservation to article 30.

- Brazil, CRC, CRC/C/143 (2004) 10 at paras. 96 and 98.

96. The Committee welcomes the fact that social organization, customs, languages, creeds and traditions are recognized to indigenous communities in the Constitution of 1988. However, as noted by the State party, the Indian Statute promotes for an integration which is not in accordance with the principle of respect for diversity of cultures. The Committee also welcomes the fact that, according to law 10.406/02, indigenous people are no longer considered “relatively incapable citizens”. It also welcomes the efforts made by the State party to stimulate bilingual education. However, the Committee is deeply concerned by the low standard of living of indigenous children, low educational opportunities and quality of health services, and malnutrition.

...

98. The Committee also recommends that the State party take adequate measures in order to provide protection for the rights of indigenous children, in particular their rights to preserve historical and cultural identity, customs, traditions and languages in accordance with the Constitution, and taking into account the recommendations adopted by the Committee on its day of general discussion on the rights of indigenous children in September 2003.

- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 206 and 207.

206. The Committee notes with satisfaction that refugee and asylum-seeking children have free access to the school system in Luxembourg and that the Ministry of Education has appointed intercultural mediators in order to facilitate the integration of foreigners in the educational system. However, the Committee is still concerned that a large number of

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foreign children (more than 40 per cent of the school population) are often disadvantaged by the educational programme and teaching methods in Luxembourg, including language problems.

207. The Committee recommends that the State party consider all possible measures through which foreign children and children of asylum-seekers can be granted equal access to the same standard of services in the field of education. The Committee also encourages the State party to ensure that language does not become an obstacle in education and recommends any initiative, including support classes, to help children to learn the needed languages.

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 173 and 197.

173. In the light of articles 28 and 29 of the Convention and the Committee's general comment No. 1 (2001) on the aims of education, the Committee recommends that the State party allocate adequate financial, human and technical resources in order to:

...

(f) Provide indigenous children and children belonging to minority groups with equal access to quality education which respects their distinct cultural patterns and uses local indigenous and minority languages in education through, *inter alia*, the Lingua Franca Project;

...

197. As regards the child's right to use his/her own language, the Committee encourages the State party to continue its efforts to address the linguistic needs of indigenous and minority children...

- Costa Rica, CRC, CRC/C/150 (2005) 149 at paras. 726 and 727.

726. With respect to indigenous communities, the Committee takes note of the State party's efforts to increase the number of schools providing bilingual education. It is however concerned at the insufficient number of indigenous teachers and schools, and at the fact that education does not fully take into account indigenous culture.

727. The Committee recommends that the State party continue to increase the number of indigenous schools and adequately trained indigenous teachers, and ensure the right of indigenous children to learn to read and write in their own language through methods adapted to their own culture...