



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

PROVISIONAL

For participants only

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Thirty-first session

PROVISIONAL SUMMARY RECORD OF THE 717th MEETING

Held at Headquarters, New York,  
on Friday, 15 March 1985, at 3 p.m.

Chairman: Mr. VALENCIA RODRÍGUEZ

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under article 9 of the Convention (continued)

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The meeting was called to order at 3.30 p.m.

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

Eighth periodic report of Czechoslovakia (CERD/C/118/Add.18)

At the invitation of the Chairman, Mr. Pulz (Czechoslovakia) took a place at the Committee table.

Mr. PULZ (Czechoslovakia), introducing the report, said that Czechoslovakia had been among the first States to sign the International Convention on the Elimination of All Forms of Racial Discrimination. Since detailed information on his country's implementation of the Convention had been provided in its previous reports, the eighth report was limited to answering questions already raised and did not pretend to be comprehensive.

According to the latest census, the population of Czechoslovakia was 15,395,000, of whom 63.8 per cent were Czech, 31 per cent Slovak, 0.3 per cent Ukrainian, 0.4 per cent Polish, 3.8 per cent Hungarian and 0.4 per cent German. The country's policy with respect to racial discrimination was based on article 20 of its Constitution, which guaranteed all citizens equality in respect of rights and duties regardless of race.

Part I of the report, dealing with the gypsy population, showed that education, training and a patient approach had resulted in substantial and rapid progress in integrating the gypsy population, but he stressed that that process was a long-term one.

The report contained much information on efforts to educate the younger generation in the spirit of peace and against racial prejudice. His country attached great importance to such efforts because the looming threat of nuclear conflict could be removed only in a climate of mutual respect among nations.

In connection with the fortieth anniversary of the victory over nazism, he noted that Czechoslovakia had been one of the first victims of the Second World War and was therefore greatly concerned over the resurgence of racism and attempts to

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(Mr. Pulz, Czechoslovakia)

negate post-War arrangements. His country fully supported the anti-racist positions of the international community and the United Nations Second Decade to Combat Racism and Racial Discrimination. It was particularly concerned over the worst form of racial discrimination, apartheid. Recent developments showed that South Africa, with Western help, was actively seeking to perpetuate that inhuman policy. His own country had no relations with South Africa, abided by all the United Nations resolutions and decisions relating to the apartheid régime and supported the national liberation movements of the victims of apartheid, just as it endorsed the notion that zionism was a form of racism.

There had been no changes in his country's legislation relating to the Convention since the previous report.

Mr. SONG Shuhua said that while the report complied with the Committee's guidelines, it was not comprehensive because it concentrated on answering questions which had been raised during the discussion of the seventh periodic report.

Part I described government efforts to help the gypsies in the area of employment and to raise their living standards. He wondered how the old and distinctive cultural tradition of the gypsies was being preserved in the process and whether any special legislation had been enacted for that purpose.

Noting that there had been no changes in the law since the seventh periodic report, he asked whether any new difficulties had been encountered in implementing existing legislation.

With regard to article 4 of the Convention, he requested further details on the penalties referred to in paragraph 26 of the eighth report.

He particularly commended the educational efforts described in paragraph 34, including those relating to the United Nations.

Mr. KARASIMEONOV said that the introduction was an important addition to an excellent and concise report which answered the questions raised in connection with the seventh periodic report. The current report itself provided the basis for a useful dialogue with the Committee and showed Czechoslovakia's uncompromising opposition to all forms of racial discrimination.

Part I provided a wealth of data regarding Czechoslovakia's solicitous attitude towards the gypsy minority, a question of interest to all European States, which could find a valuable example in Czechoslovakia's approach to it. The country's achievements in integrating the gypsy population into the mainstream of

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(Mr. Karasimeonov)

Czechoslovak life were admirable. The intention, noted in paragraph 20 of the report, to ensure compulsory education at the primary level and at the secondary level also for children of national minorities, had been fully realized in Czechoslovakia. The fact that that included the gypsy population was extremely important. He welcomed the data provided on other national minorities and on the ethnic breakdown of the population. The country's achievements in dealing with minorities were extraordinary.

The information concerning article 4 of the Convention showed that the implementation of that extremely important article was fully guaranteed under Czechoslovakia's laws, which included several safeguards to prohibit any manifestation of racial discrimination against persons or organizations.

He welcomed the information on the implementation of article 3 provided in the introductory statement. It was clear that continuing moral and material assistance was being extended by the Government and people of Czechoslovakia to the peoples of southern Africa in their struggle to liberate themselves from the pernicious apartheid régime.

Czechoslovakia had been an extremely active participant in the preparation of several relevant international instruments under the aegis of the United Nations. It was on that country's initiative that the General Assembly had adopted the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, in which the principle of peaceful coexistence was reflected. It would be useful to have a list of those instruments relating to human rights and racial discrimination which Czechoslovakia had helped to prepare and to which it was a party.

Finally, the representative of Czechoslovakia had rightly stressed the significance for the Czechoslovak people of the fortieth anniversary of the victory over nazism and fascism because Czechoslovakia had been one of the first victims of those ideologies.

Mr. SHERIFIS said that the report's emphasis on the problems of gypsies was understandable in the light of the questions raised in connection with the previous report. He welcomed the efforts to answer them.

He was pleased that the introductory statement had filled a lacuna in the report in connection with the implementation of article 3 of the Convention. He welcomed Czechoslovakia's uncompromising opposition to apartheid and its obvious

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(Mr. Sherifis)

compliance with that article. He too looked forward to having available a list of the human rights instruments to which Czechoslovakia was a party.

Lastly, he would like the information requested on article 7 in accordance with the Committee's revised general guidelines (CERD/C/70/Rev.1), particularly on the use of the mass media to combat racial discrimination and disseminate information on human rights.

Mr. YUTZIS said that he welcomed the progress which had been achieved in Czechoslovakia in improving employment and education for the gypsy minority and the efforts made to integrate it into the general population.

While Czechoslovakia had implemented most of the articles of the Convention, he found no information in any of its reports on the implementation of subparagraphs (i), (ii) and (vii) of article 5 (d). He wondered, in particular, how much religious freedom the country had and whether new churches could be opened.

Mr. STARUSHENKO said that the abundant information provided with regard to the ethnic composition of Czechoslovakia was extremely useful in enabling the Committee to assess the situation there. Other countries would do well to follow the example set by the reporting State.

The Czechoslovak Government had been highly successful in dealing with the problems of the gypsy population, and its experience could be of benefit to other States. The fact that 71 per cent of the gypsy population of working age was in the labour force was commendable. Not many countries could claim such achievements with regard to minority employment. He wished to know how the rights of other national minorities, including Ukrainian members of the population, were protected.

He drew attention to the discussion of sections 260 and 98 of the Czechoslovak Penal Code, in particular in paragraph 30 of the report, and said he was convinced that the existing legal machinery ensured respect for article 4 of the Convention, at least for the present.

He noted with satisfaction that the Czechoslovak Government participated in carrying out the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. Inasmuch as the Committee would be considering activities undertaken in connection with the Second Decade throughout the Decade, States might be requested regularly to transmit relevant information to it. That might encourage all States to increase their participation in the Decade and to share experience in the field.

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Mr. ČIČANOVIĆ said that the Czechoslovak Government had achieved good results in assisting the gypsy population. He welcomed the demographic data based on the latest census, which the Czechoslovak representative had presented in his introduction, and suggested that such information should be included in future reports. With regard to efforts made to ensure equal conditions for the education of every citizen in his/her mother tongue (CERD/C/118/Add.18, para. 20), it would be useful to have the most recent figures showing the number of children using their own language in school, as a means of facilitating comparison with the figures provided in the sixth periodic report. Similarly, the figures given in the sixth report relating to the number of minorities employed in the State government should be updated.

Czechoslovakia's record in condemning the South African régime was a very good one. Although he was pleased that the representative of the reporting State had provided information in that regard in his introduction to the report, he felt that the information should be included in the report itself, given the importance which the Committee attached to the subject. Lastly, he wished to know about the current situation of foreign workers in Czechoslovakia.

Mrs. SADIQ ALI welcomed the fact that the gypsy population had made progress in such areas as health care and education. Inasmuch as social and economic development must have had an impact on the gypsies, as it had on the rest of the population, she wished to know how the cultural identity of the gypsies was preserved and what unique aspects of their culture were protected. She also wished to know how the gypsies were represented in management and decision-making bodies at the grass-roots level.

She wondered what the impact of the economic gains of the gypsies had been on such indicators as their life expectancy and infant mortality rates. With regard to paragraph 4 of the report, more precise figures were required to provide a better idea of the extent to which gypsies were participating in the commissions and groups of activists discussed.

She noted that the sixth periodic report had indicated that school enrolment of gypsies, particularly at the secondary level, was relatively low. She wondered whether the situation had improved. Lastly, she hoped that valuable information of the kind provided by the Czechoslovak representative concerning the implementation of article 3 of the Convention would be included in future reports, given the impressive record of his country in field.

(Mrs. Sadiq Ali)

She noted that the sixth periodic report had indicated that school enrolment of gypsies, particularly at the secondary level, was relatively low. She wondered whether the situation had improved. Lastly, she hoped that valuable information of the kind provided by the Czechoslovak representative concerning the implementation of article 3 of the Convention would be included in future reports, given the impressive record of his country in the field.

Mr. PARTSCH welcomed the abundance of information concerning the situation of gypsies in Czechoslovakia and the results of efforts to expand their participation in education and employment.

He recalled that during the discussion of the seventh periodic report of Czechoslovakia, the representative of that country had been asked why an association of gypsies had been banned and whether Public Law 74 (which imposed a severe penalty on individuals refusing to accept flats assigned to them) was still in force, given the apparent connection with the Government's attempt to integrate gypsies into the general social fabric of the country. That question remained unanswered in the current report.

While it was satisfying to note that the number of gypsies integrated in the working process and serving as apprentices had increased between 1975 and 1979, it was disappointing to note that during the same period the number of gypsies receiving a secondary education had declined from 1.9 to 1.4 per cent of the gypsy population, figures which in any event were very low in relation to those for the Czechoslovak population as a whole. Similarly, while the number of gypsies staying at home, unable to take up further professional occupation, had declined from 15.5 per cent in 1975 to 11.7 per cent in 1979, the figure was still high, and was higher than the number of gypsy youth able to pursue a secondary education.

Regarding the information provided on the rights of the German minority, he continued to consider it absolutely improbable that of the 60,000 citizens of German origin, only 2,000 were school-age children. While it was true that Czechoslovakia had been a victim of foreign domination, that was no reason to punish the German population remaining in the country.

The information regarding the implementation of article 4 of the Convention was inadequate, for it indicated action taken to punish the offence of subversion of the Republic, but not to deal with insults or injuries against individuals or incitement to racial discrimination.

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(Mr. Partsch)

As had been the case with previous reports, no information was provided in the eighth report with regard to the implementation of article 6 of the Convention, which was a critical provision for the protection of victims of racial discrimination.

Mr. SHAHI welcomed the informative nature of the Czechoslovak report (CERD/C/118/Add.18), which in general conformed to the guidelines established by the Committee. The Committee had been informed at its twenty-sixth session that the gypsy population had been estimated at 303,000, whereas the figure given in the eighth periodic report was 300,000. A natural increase would have been expected, and he wondered what the explanation was for the apparent decrease.

The Committee had also learned at its twenty-sixth session that some 1,500 apartments had been allocated to gypsies, but no information on the subject was given in the report under consideration. Such information would be useful in view of the importance which the Czechoslovak Government attached to housing the gypsies as part of its effort to integrate them with the rest of the population. The percentage of employed people among gypsies of working age was 71 per cent, an impressive figure given their nomadic lifestyle.

No further action had been taken to implement article 4 of the Convention. He urged the Czechoslovak Government to give due consideration to an earlier observation that the dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, insult and injury directed against an individual and discrimination by public authorities were not declared offences punishable by law, as required under article 4 (A/37/18, para. 388). He also noted that no information was provided regarding the implementation of article 6 of the Convention.

On the other hand, the reporting State deserved the Committee's congratulations on its efforts to inculcate the importance of co-operation among States and of the promotion of friendly relations among different peoples in its educational process, pursuant to article 7 of the Convention.

Mr. CREMONA said that the report was a commendable one. It would be much easier to understand the reporting State's position on article 4 of the Convention if the Committee had before it the full text of the relevant law, as had been requested on a previous occasion.



Mr. PULZ (Czechoslovakia) said that all the remarks, comments and questions of members of the Committee would be transmitted to the relevant authorities. Where necessary, replies would be set forth in the next periodic report.

With regard to Czechoslovak legislation for the implementation of article 4 of the Convention, he said that section 98 of the Czechoslovak Penal Code fully met the requirements for the banning of any organization promoting racist ideology. In addition, there was a 1951 law prohibiting non-governmental organizations from promoting ideas of racial superiority or racial segregation. With respect to the remarks made by Mr. Partsch and Mr. Shahi in that connection, it was the opinion of the legal authorities of Czechoslovakia, as stated in the fourth and fifth periodic reports, that sections 140, 196, 198, 221, 260 and 261 of the Penal Code fully covered all the provisions of article 4. With respect to the request from Mr. Cremona, he would strongly recommend to the relevant authorities that the next report should provide the full text of the relevant parts of the Penal Code.

Mr. Partsch and Mr. Shahi had stated that there was no information on the implementation of article 6 of the Convention. In that connection, he wished to draw attention to the seventh periodic report, which gave a survey of the measures taken in that regard. Those measures covered not only penal justice, but also the protection of civil rights. In addition, Act No. 150 of 1958 enabled all citizens to appeal to any State organ. The relevant authorities were obliged to reply to such appeals and to take measures for redress.

With respect to minorities, Act No. 144 of 1968 made provisions for the protection of the rights of citizens of Hungarian, German, Polish and Ukrainian nationalities. Mr. Čičanović and Mrs. Sadiq Ali had asked about the situation of minorities in the educational system. In the 1980/81 school year, there had been 392,188 students in official secondary schools. That figure included 245,031 Czechs, 130,508 Slovaks, 1,116 Ukrainians, 13,637 Hungarians, 931 Poles and 614 Germans. In the grammar schools, there had been 145,249 students, including 90,319 Czechs, 48,290 Slovaks, 625 Ukrainians, 616 Poles, 5,174 Hungarians and 138 Germans. In institutions of higher learning, there had been 147,862 students, including 89,470 Czechs, 53,867 Slovaks, 3,109 Hungarians, 688 Ukrainians, 516 Poles and 95 Germans.

Mr. Starushenko had asked about the situation of citizens of Ukrainian nationality in Czechoslovakia. Act No. 144 of 1968 provided for full equal rights

(Mr. Pulz, Czechoslovakia)

of all nationalities under Czechoslovak law. Their right to develop their cultural identities was fully guaranteed by State authorities. With regard to the participation of minorities in the Federal Assembly and the National Committees, there had been no substantial change since the submission of the sixth periodic report. Any significant change would be reflected in the ninth periodic report.

He was not in a position to answer Mrs. Sadiq Ali's question about life expectancy and infant mortality rates of the gypsy population. That information would be provided in the next periodic report. With respect to Mr. Song's question about new difficulties in implementing existing legislation, he said that no significant new problems had arisen since the previous periodic report. The process of integration in all spheres of Czechoslovak life continued as the authorities strove to develop the backward areas of the country, especially in the fields of education, culture and housing. In 1948, those areas had accounted for only 7 per cent of Czechoslovak industry; however, as a result of the building of socialist Czechoslovakia, those areas now accounted for 30 per cent of Czechoslovak industry.

Mrs. Sadiq Ali had asked about the role of the representatives of gypsies in local decision-making bodies. The fifth and seventh periodic reports had attempted to show how those bodies were structured so as to enable gypsies to be integrated into the society. He could only add that the participation of gypsies in the Czech and Slovak National Councils and the Federal Assembly was increasing. The ninth periodic report would provide more data in that connection. Mrs. Sadiq Ali and Mr. Song had asked whether the cultural traditions of the gypsies were being preserved, in view of the integration process. It should be emphasized that integration was not intended to do away with gypsy culture. Their cultural traditions were in no way weakened by integration measures, and every effort was being made by the National Committees to preserve them.

Mr. Shahi had asked about the apparent decline in the gypsy population. The ninth periodic report would provide figures in that connection on the basis of the next census.

The fifth and seventh periodic reports had provided figures on foreign workers in Czechoslovakia: in 1982, there had been 32,764, while in 1983 there had been 39,538 - a remarkable increase. That figure included workers from Viet Nam, Poland, Cuba and a small number from Mongolia, Bulgaria, Hungary and Cyprus.

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(Mr. Pulz, Czechoslovakia)

In 1984, the Czechoslovak authorities had signed an agreement with Poland to increase the number of Polish workers.

Mr. Sherifis had asked whether the mass media were used to disseminate information against racial discrimination. Such information was indeed disseminated by the mass media, throughout the school system and in all cultural institutions, with a view to educating the population about the need for friendship and understanding among peoples. That dissemination of information was in line with the relevant resolutions of the General Assembly and the Security Council and in accordance with the Czechoslovak system of socialism.

There was indeed a need to combine the ideals of the struggle against racial discrimination with those of the struggle to achieve peace, stop the arms race and avoid nuclear catastrophe. It was clear that the ideas of Fascist Germany and those of apartheid endangered international peace and security.

Mr. Karasimeonov and Mr. Sherifis had asked about Czechoslovakia's participation in international instruments intended to eradicate racism, racial discrimination and apartheid. Czechoslovakia had been a party to the International Convention on the Elimination of All Forms of Racial Discrimination since 1966. In 1975, it had ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In 1976, it had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid and, as far back as 1948, it had ratified the Convention on the Prevention and Punishment of the Crime of Genocide. Czechoslovakia was implementing the provisions of all those instruments and participated actively in the struggle of the world community against all forms of racial discrimination, racism and apartheid. As a Vice-Chairman of the Special Committee on decolonization, Czechoslovakia participated in the struggle against racism in colonial Territories.

Mr. PARTSCH asked whether education was provided for the children of all national minorities in their own language or whether that applied only to Ukrainians.

Mr. PULZ (Czechoslovakia) said he knew that education was also provided in German. However, the ninth periodic report would provide full information in that regard.

Mr. Pulz (Czechoslovakia) withdrew.

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Eighth periodic report of the United Kingdom (continued) (CERD/C/118/Add.7)

At the invitation of the Chairman, Mr. Goddard (United Kingdom) took a place at the Committee table.

Mr. GODDARD (United Kingdom), replying to members who had asked why the United Kingdom report had not included material on the implementation of article 3 of the Convention, said the reason had been that policies of racial discrimination or apartheid did not exist in the United Kingdom or in any of its dependent Territories. The necessary action to outlaw such activities had been taken earlier. His Government's interpretation of article 3 remained unchanged. South Africa was not under the jurisdiction of the United Kingdom.

It was possible that not all the dependent Territories were immune from racial prejudice, but every effort was made to ensure that, when incidents involving racial prejudice occurred, they were dealt with severely. All aspects of the United Kingdom's policy towards the dependent Territories were regularly reported to the Special Committee of 24, in accordance with the United Kingdom's position as an administering Power under Article 73 (e) of the Charter. All dependent Territories in the Caribbean had been visited by United Nations visiting missions, which had submitted lengthy reports. In none of those reports had there been any evidence of the existence of racial discrimination.

The question of the activities of foreign economic and other interests had been discussed in detail in the Special Committee of 24. That was the proper forum for those matters. Private investment had contributed to the development of the dependent Territories. For example, thanks in large measure to private investment, the economy of Bermuda was currently close to the \$1 billion level; the Territory had a sound economic infrastructure, and valuable training had been provided to the local population. The issue of racial discrimination had not arisen.

Information relating to the Falkland Islands had been received too late for inclusion in the report. Legislation regarding racial discrimination in the Falkland Islands did not exist but all persons in the Falkland Islands were equal under the law. The new draft Constitution, which would be promulgated later in 1985, contained a section relating to the protection of human rights. Mr. Yutzis had raised the issue of the Argentine war dead. The policy of the United Kingdom on that issue continued to be that it was ready to facilitate the repatriation of the remains of the war dead or visits by bona fide next-of-kin

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(Mr. Goddard, United Kingdom)

under the auspices of the International Committee of the Red Cross. A message to that effect had been conveyed to the Government of Argentina in August 1983, and the United Kingdom was still awaiting a reply. The offer had been repeated by Mr. John Cheke, an elected member of the Falkland Islands Committee, on 30 October 1984. In reply to a further point raised by Mr. Yutzis, he said that he had no information regarding foreign nationals in the Falkland Islands. The question of the Falkland Islands was, however, essentially unrelated to the purposes of the Committee on the Elimination of Racial Discrimination.

In regard to the application of the Convention within the United Kingdom itself, questions had been raised regarding ethnic minority recruitment in the police, regarding racially discriminatory behaviour by the police and regarding police training. The report had shown that the number of ethnic minority police officers had virtually doubled over a short period of years. That was a good beginning but provided no reason for complacency. On the issue of alleged racially discriminatory behaviour by the police, the Policy Studies Institute, on the initiative of the police themselves, had done considerable research into the behaviour of the London police. That research had shown that, while there were racially discriminatory attitudes within the police force and while such attitudes were occasionally expressed in words, mainly between members of the force itself, such attitudes had not affected the behaviour of the police except on rare occasions. Against that background, the United Kingdom Government had decided to introduce the specific offence of racially discriminatory behaviour mentioned in the report. Emphasis was also being placed on the training of the police with a view to influencing their attitudes as well as their behaviour. The Committee might also be interested to learn that consultation between the police and the local communities which they served was now required by law.

On the question of ethnic minority recruitment in services other than the police, the Government has announced in January 1985 that it would carry out ethnic monitoring of the entire civil service by mid-1988. That step had been taken because the Government believed that, without ethnic monitoring, no employer could be sure that racial discrimination was not occurring within his employee force; the Government also wished to set a firm example to other employers. The first results related to a survey carried out in two areas, namely, north-west England and the Avon district, where civil servants had been invited to participate on a voluntary

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basis in an ethnic monitoring exercise. The operation was not a pilot project in so far as responses would be retained permanently in personnel records. It was a matter of satisfaction that 77 per cent had responded positively and had completed the monitoring forms. Of the total, 0.9 per cent had identified themselves as belonging to an ethnic minority; that was well below the 4 per cent of the population represented by ethnic groups, and the Government was accordingly determined to take steps to improve the percentage share of ethnic minorities in the civil service. In that connection, the monitoring exercise was being extended to cover recruitment to the civil service in the two areas mentioned, but the results of that operation were not yet available.

Members of the Committee had sought assurances that the staff of the Immigration Service would also receive training on the issue of racial discrimination. Such training had been started within the past six months. A study was also under way on how the Prisons Department could carry out such training with a view to avoiding racially discriminatory behaviour.

In response to questions on the issue of education, reference had been made in paragraph 81 of the report (CERD/C/118/Add.7) to the work done by the Committee of Inquiry into the Education of Children from Ethnic Minority Groups. The Committee had published its report the previous day, when the Secretary of State for Education had informed the House of Commons that the Government had accepted the Committee's finding that many pupils from ethnic minorities had been achieving below their potential, had recognized the concern felt on the issue and would take action to remedy the situation. In that connection, the Government was determined to improve the performance not only of ethnic minority children, but also of white children from the majority of the population. It also proposed to remove obstacles to advancement, notably by promoting the teaching of English as a second language. Moreover, it wanted the schools to preserve and transmit national values in a way which would ensure respect for the United Kingdom's ethnic diversity and promote tolerance and racial harmony. Whether or not a school contained ethnic minority pupils, its ethos and curriculum should promote understanding and respect among all its pupils for the different ethnic groups who currently contributed to national life. The Government also proposed to undertake programmes of ethnic monitoring for both pupils and teachers. It would then be possible to assess the achievements

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of children belonging to different ethnic groups and to determine how much progress had been made in increasing the number of well-qualified teachers from ethnic minorities.

A question had been raised regarding the numbers of ethnic minority individuals represented not only in the police, but in the country's main institutions. No comprehensive data was available but, from his own observations, he could say that the number of local government councillors from ethnic minorities was increasing rapidly; candidates from ethnic minorities had been adopted by all the major political parties as candidates for membership of the House of Commons although none had been elected. The Government would strive to increase the number of members of ethnic groups appointed to committees under its charge, but such appointments must nevertheless be based on merit and fair competition with other ethnic groups.

Information on the social and economic conditions of ethnic minorities was only available for housing and health, and such information would be provided. He would try to obtain more comprehensive information for inclusion in the next report.

On the issue of local authorities and race, information was available in paragraphs 23 and 24 of the report as well as in its annex D. The report of the Conference referred to in paragraph 24 would be included in the next report.

A question had been raised as to whether section 5A of the Public Order Act applied to incitement of hatred against an individual belonging to a racial group as well as hatred against the racial group itself. While the words of the statute did not specifically proscribe such behaviour against an individual, it would be an offence in so far as it would constitute a breach of the peace, although not under section 5A. In reply to another question as to whether the section would apply to incitement of hatred against groups outside the United Kingdom, he was of the opinion that it would do so in so far as the behaviour took place within the jurisdiction of the courts of the United Kingdom.

On the subject of Northern Ireland, he understood the concern regarding the scope of the Race Relations Act and appreciated the fact that members had demonstrated their awareness that the problems there were mainly of a political and religious nature. He could well understand the argument that there would be advantages for Northern Ireland in having an act which stated that there should be no discrimination, even if his Government did not believe that such discrimination

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(Mr. Goddard, United Kingdom)

existed at the moment. However, article 2 (d) of the Convention required States parties to act by all appropriate means "including legislation as required by circumstances". It could be argued that the circumstances did not require legislation. He would report the Committee's continuing concern on the matter to his Government.

A number of questions had been raised as to the adequacy of the Race Relations Act and whether the procedures available to the Commission for Racial Equality were sufficient to its task. The Commission was required to review the working of the Act. Such a review had been under way for approximately the past 18 months. The Commission had published a consultation document; it had elicited many comments, which it was examining. He understood that within the next few months it would submit formal proposals to the Home Secretary for amendments to the Race Relations Act.

He noted the request for information about the practical effects of exceptions to the Race Relations Act. He would ask his Government to provide a factual account concerning those exceptions in the next report.

As to immigration rules, the tests applied with regard to a husband or fiancée were merely intended to satisfy the requirement that the primary purpose of marriage was not immigration to the United Kingdom. They were applied in an interview at the point of entry and presented no obstacle to a genuine marriage.

In response to Mr. Oberq, he said that from time to time there had been special programmes for the reception of particular groups of refugees, most recently for some 1,800 Vietnamese refugees and earlier for a smaller number from Latin America. Such special programmes involved stays at reception centres, intensive training in the English language, the teaching of skills in some cases, and assistance in finding housing. Those groups continued to receive assistance from the Government through special assistance to refugee organizations.

Regarding the composition, status and citizenship of the 2.2 million members of ethnic minorities in the United Kingdom, he said that they were mainly from India, Pakistan, Bangladesh and the West Indies. British nationality was a matter of individual choice and did not affect rights, even voting rights, if the people concerned were legally settled in the United Kingdom. He could give no precise figures, but the majority of them were British citizens. He undertook to have the available figures included in the next report.



(Mr. Goddard, United Kingdom)

Concerning the attitude of the Department responsible for government spending, the Treasury, paragraph 20 of the report (CERD/C/118/Add.7) gave figures for spending under the Urban Programme for the relief of racial disadvantage and to help ethnic minority projects in particular. Under section 11 of the Local Government Act, 1966, there was a programme of government grants to meet the salary costs of local authority employees whose task was to meet the special needs of ethnic minority groups. In 1979 £39 million had been spent on such grants; in 1985-1986 that amount was expected to increase to £85 million. Those figures illustrated his Government's concern, in a period of cut-backs, that ethnic minorities should not suffer.

There appeared to be little doubt among members of the Committee about the adequacy of British law with regard to racial discrimination. The problems faced were of a very practical nature and required very practical solutions in areas such as education, housing and health care. He accepted Mr. Oberq's point that there should be no dichotomy between problems and their solutions, if such solutions were to be of use.

In conclusion, he said that he had been encouraged by the Committee's understanding and by its appreciation of the constructive dialogue between the United Kingdom and the Committee in the past. His Government was determined that that relationship should continue with a view to achieving the practical implementation of the Convention in the United Kingdom for the benefit of all ethnic groups.

Mr. YUTZIS said that on the subject of the dependent Territories, the United Kingdom report merely stated in the case of St. Helena that there had been no change in legislation or practice. However, a report issued in February 1985 by the Special Committee on decolonization referred to an article in The Times of London that mentioned a complaint by the inhabitants of St. Helena that they had been deprived by nationality acts of their United Kingdom citizenship and of their right of abode in the United Kingdom, rights which were enjoyed by the inhabitants of the Malvinas. He hoped that in the next report a different view of the real situation would be presented.

It would be useful to have a reply on a subsequent occasion to his questions relating to passports, which had not been answered.

Mr. KARASIMEONOV said that he was astonished at the United Kingdom representative's interpretation of article 3 of the Convention. He wondered whether it could thus be assumed that there had been a shift in the United Kingdom Government's attitude towards that article.

Mr. GODDARD (United Kingdom) said that the British Nationality Act had not altered the right of vote of any person. If the article referred to by Mr. Yutzis implied that, then it was mistaken.

The meeting rose at 6.45 p.m.