

International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Forty-eighth session

SUMMARY RECORD OF THE 1154th MEETING

Held at the Palais des Nations, Geneva, on Thursday, 14 March 1996, at 10 a.m.

Chairman: Mr. BANTON

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ANY OTHER BUSINESS

The meeting was called to order at 10 a.m.

PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING AND URGENT PROCEDURES (agenda item 5) (<u>continued</u>)

1. <u>The CHAIRMAN</u> proposed that the Committee should notify the Government of Burundi that it intended to consider the case of Burundi in August 1996 under agenda item 5, that it should remind the Government that the latter had not replied to the request for information that had been sent to it in March 1994 and that it should inform the Government of the resolution that it had adopted in March 1995.

2. <u>It was so decided</u>.

3. <u>The CHAIRMAN</u> reminded the Committee that it had decided to consider the case of Liberia at its next session.

4. <u>Mr. WOLFRUM</u>, referring to Rwanda, said that he would be transmitting the information he had been able to obtain from the Secretariat and directly in Kigali to the members of the Committee wishing to participate in the Working Group on Rwanda.

5. <u>Mr. CHIGOVERA</u> and <u>Mr. DIACONU</u> said that they agreed to participate in that Working Group while <u>Mr. van BOVEN</u> and <u>Mr. YUTZIS</u> said that, although they were interested, they would defer their decision until a later date.

6. <u>Mr. O'FLAHERTY</u> (Secretary of the Committee), referring to Guatemala, reminded the Committee that it had decided to consider the supplementary information provided by that country before adopting a decision.

7. <u>The CHAIRMAN</u> said that the Committee had thereby concluded its consideration of agenda item 5.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 6) (<u>continued</u>)

Draft concluding observations of the Committee concerning the United Kingdom of Great Britain and Northern Ireland (Rev.1) (document distributed in English only during the meeting) (continued)

8. <u>The CHAIRMAN</u> reminded the Committee that it had already adopted all the draft concluding observations concerning the United Kingdom with the exception of paragraph 12, which had been left pending. He therefore invited the members of the Committee to return to that paragraph.

Paragraph 12

9. <u>Mr. van BOVEN</u> proposed the following wording for paragraph 12: "A special concern is expressed over the issue of religious discrimination in connection with anti-Muslim sentiments. Such discrimination may be closely related to questions of race and ethnicity, but no legislation is in place to deal effectively with this issue".

10. <u>The CHAIRMAN</u>, speaking as a member of the Committee, pointed out that the meaning of the last word of the paragraph was too broad. The United Kingdom had legislation (the Public Order Act) to combat anti-Muslim activities, for example, which threatened public order. What was lacking was legislation against discrimination in the field of economic, social and cultural rights.

11. <u>Mr. van BOVEN</u> proposed that the words "this issue" should be replaced by the words "this type of discrimination".

12. <u>Mr. DIACONU</u> said it should be clearly specified that the reference was to discrimination against Muslims, and not merely to anti-Muslim sentiments. He therefore proposed that the second sentence of the paragraph should begin with the words "Discrimination against Muslims ...".

13. <u>Paragraph 12, as orally amended by Mr. van Boven and Mr. Diaconu, was</u> adopted.

<u>Draft concluding observations of the Committee concerning Finland</u> (Rev.1) (document distributed in English only during the meeting) (<u>continued</u>)

14. <u>The CHAIRMAN</u> invited the members of the Committee to return to paragraph 12, which had been left pending, before continuing its consideration of the paragraphs of the draft that had not yet been discussed.

Paragraph 12

15. <u>Mr. YUTZIS</u> proposed that paragraph 12 should be amended to read: "Concern is also expressed over the Saami people's participation in the Saami Parliament in their mother tongues".

16. Paragraph 12, as orally amended, was adopted.

Paragraph 25

17. <u>The CHAIRMAN</u> proposed the following new text for paragraph 25: "The Committee recommends that the State party do everything within its powers to enable Saami children to pursue their studies at primary and secondary levels in their mother tongues".

18. <u>Paragraph 25, as amended, was adopted</u>.

Paragraphs 26 and 27

19. Paragraphs 26 and 27 were adopted.

Paragraph 28

20. <u>Mr. CHIGOVERA</u> proposed that, in the light of a comment made by Mr. Garvalov, the words "before making any policies" should be replaced by the words "when considering policies".

21. <u>Paragraph 28, as orally amended, was adopted</u>.

Paragraph 29

22. <u>Mr. SHERIFIS</u>, supported by <u>Mr. de GOUTTES</u>, said that he would prefer the wording of that paragraph to be closer to that of the Convention, particularly that of article 5 (f) and article 1, paragraph 3.

23. <u>The CHAIRMAN</u> therefore proposed the following new wording: "The Committee recommends that appropriate action be taken to ensure that access to places of services and entertainment is not denied on grounds of ethnic or national origin contrary to article 5 (f) of the Convention".

24. Paragraph 29, as amended, was adopted.

Paragraph 30

25. <u>Mr. van BOVEN</u> suggested that the reference to summary records should be deleted. In fact, he thought that it would be asking too much of the State party to oblige it also to disseminate the summary records of the Committee's work.

26. <u>Mr. SHERIFIS</u> said that he shared Mr. van Boven's opinion. He would also prefer to say that the State party should ensure the wide, rather than the active, dissemination of the text of the Convention.

27. <u>Mr. YUTZIS</u> said that he was not opposed to that amendment. He had referred to "active dissemination", because he had the impression that the text of the Convention was being disseminated fairly passively in Finland.

28. <u>Paragraph 30, with the amendments proposed by Mr. van Boven and</u> Mr. Sherifis, was adopted.

Paragraph 31

29. <u>Mr. SHERIFIS</u> proposed that the following phrase should be added at the end of the paragraph: "and also address all the points made in the concluding observations".

30. <u>The CHAIRMAN</u>, speaking as a member of the Committee, said that it would be better to say "points" rather than "all the points".

31. <u>Mr. RECHETOV</u> said that the State party should respond to the concerns expressed in the concluding observations rather than dealing with the points raised.

32. <u>Mr. YUTZIS</u> said that he would like the word "aspect" to be used.

33. <u>Mr. SHERIFIS</u> pointed out that, in its concluding observations, the Committee had raised points that were not necessarily concerns. They might simply be requests for information.

34. <u>The CHAIRMAN</u> said that, in order to reconcile viewpoints, the following wording might be used: "matters raised in the concluding observations".

35. It was so decided.

36. Paragraph 31, as orally amended, was adopted.

37. The draft concluding observations concerning Finland, as a whole, as orally amended, were adopted.

<u>Draft concluding observations of the Committee concerning Madagascar</u> (document distributed in English only during the meeting)

38. <u>Mr. de GOUTTES</u> expressed surprise that those draft concluding observations, which he had prepared in French, had been submitted in English only. It would be better if a draft was always submitted in the original language in which it had been written. He wished to make two oral amendments to the text. The second and third sentences of paragraph 6 should read: "This part should describe the existing penal legislation implementing article 4 of the Convention, as well as the remedies available to the victims of acts of racial or ethnic discrimination, in accordance with article 6 of the Convention, by providing examples of complaints and judicial statistics. The role and achievements of the Mediator, as far as protection against racial discrimination is concerned, should also be spelled out".

39. The last sentence of paragraph 6 should also be supplemented in such a way as to read: "The measures adopted in the field of education and awareness-raising to counter racial or ethnic discrimination, to promote tolerance and to make the principles of the Convention better known should also be described".

40. <u>Mr. GARVALOV</u> said that that was the second time during the session that reference had been made to racial or ethnic discrimination. However, article 1, paragraph 1, of the Convention contained a definition of racial discrimination for the purposes of the implementation of the Convention. He therefore proposed that the members should either confine themselves to the expression "racial discrimination" or make it clear each time that they were referring to racial discrimination as defined in article 1, paragraph 1, of the Convention.

41. <u>The CHAIRMAN</u> pointed out that that additional adjective was addressed to a wider public because the Committee's concluding observations were intended for publication.

42. <u>Mr. RECHETOV</u> said that, unlike Mr. Garvalov, he thought it would be better to retain the words "racial" and "ethnic" because the public at large, being relatively unaware of what was meant by "racial discrimination" as defined in the Convention, might argue that racial discrimination did not exist in view of the fact that there was only a single race in the country.

43. <u>Mr. van BOVEN</u> said that he wanted to propose a slight amendment to paragraph 4 and paragraph 5 of the draft concluding observations. When the Committee requested an "updated" report, that gave the impression that the State party had already submitted a full report, which was not the case. The word "updated" should therefore be deleted. The draft concluding observations should also contain a paragraph stating that the Committee would like the Government to ratify the amendment to article 8, paragraph 6, of the Convention.

44. <u>Mr. de GOUTTES</u> said that he agreed with the two amendments proposed by Mr. van Boven. He had deliberately not mentioned article 14 because that would have been premature in view of Madagascar's current situation.

45. <u>Mr. SHERIFIS</u> proposed that the second sentence of paragraph 3 should be amended in such a way as to say that the general impoverishment of the country and the dysfunctioning of social services and social security were helping to intensify existing tensions between some population groups. He would also like it to be specified in the penultimate sentence of paragraph 6 on the measures taken by the Government to alleviate the effects of the economic crisis on the most disadvantaged groups of the population that the groups in question were the most disadvantaged "ethnic" groups.

46. <u>The CHAIRMAN</u> proposed that the words "social security" in the third line of paragraph 3 should be followed by the words "and the related tensions".

47. <u>Mr. YUTZIS</u> said it should be indicated in that paragraph that the Committee's anxiety about the problems mentioned was the result of their effects on the population as a whole and, in particular, on the most disadvantaged minority groups.

48. <u>Mr. DIACONU</u> suggested that the heading of part B should mention not only the principal subjects of concern, but also problems in implementing the Convention.

49. <u>Mr. de GOUTTES</u> said that he took note of that suggestion. He proposed that the first sentence of paragraph 3 could be made more explicit by rewording the second sentence in the following way: "The general impoverishment of the country, the dysfunctioning of social services and social security and the existence of tensions between some population groups, which might give rise to problems of racial or ethnic discrimination, are a matter of anxiety for the Committee". The suggestions that had been made to him would be taken into account when the text of the concluding observations was finalized.

50. <u>The draft concluding observations concerning Madagascar, as a whole, were</u> adopted, subject to the amendments to be made to them.

<u>Draft concluding observations of the Committee concerning Spain</u> (document distributed in English only during the meeting)

51. <u>The CHAIRMAN</u> invited the Committee to consider and adopt those draft concluding observations, paragraph by paragraph.

Paragraph 1

52. <u>Mr. van BOVEN</u> noted that, since the basic document was not systematically mentioned in all the cases under consideration, the symbol under which it was published should be deleted.

53. <u>Paragraph 1, as amended, was adopted</u>.

Paragraph 2

54. <u>The CHAIRMAN</u> proposed that the word "performance" in the fifth line should be replaced by the word "fulfilment".

55. <u>Paragraph 2, as amended, was adopted</u>.

Paragraph 3

56. <u>The CHAIRMAN</u> said that the word "undertaken" in the last line could be deleted.

57. Paragraph 3, as amended, was adopted.

Paragraphs 4, 5, 6, 7 and 8

58. <u>Mr. CHIGOVERA</u> proposed that, in each of those paragraphs, the words "by the Committee" should be deleted after the word "welcomed".

59. Paragraphs 4, 5, 6, 7 and 8, as amended, were adopted.

<u>Paragraph 9</u>

60. <u>Mr. WOLFRUM</u> said that he would prefer the words "despite the noteworthy measures recently taken by the authorities" to be deleted, since that idea had already been expressed elsewhere.

61. <u>Paragraph 9, as amended by Mr. Wolfrum and subject to slight amendments,</u> was adopted.

Paragraphs 10, 11 and 12

62. Paragraphs 10, 11 and 12 were adopted.

Paragraph 13

63. <u>Mr. CHIGOVERA</u> said that the text of the second sentence, after the words "could be registered", should be amended to read: "and, if so, whether they could be dissolved on the sole ground that they spread racist ideas and, if secret, what the attitude of the authorities towards them is".

64. The paragraph could end with the following sentence: "It is doubtful whether Spain fully implements article 4 (b) of the Convention."

65. <u>Paragraph 13, as amended, was adopted</u>.

Paragraph 14

66. <u>Paragraph 14 was adopted</u>.

Paragraph 15

67. <u>Mr. CHIGOVERA</u> said it had been proposed that the first two lines should be amended to read: "It is also noted that the lack of information on the implementation of article 5 of the Convention makes it difficult for the Committee ...".

68. <u>The CHAIRMAN</u>, supported by <u>Mr. YUTZIS</u>, proposed, as suggested by the Secretary, that the word "real" at the end of the second line of the paragraph should be replaced by the word "actual".

69. <u>Paragraph 15, as amended, was adopted</u>.

70. <u>Mr. CHIGOVERA</u> said that, as had been suggested, a new paragraph should be added after paragraph 15, to read: "Doubts were expressed whether the victims of racial discrimination have effective remedies at their disposal for seeking just and adequate reparation or satisfaction from competent tribunals".

71. The new paragraph proposed by Mr. Chigovera was adopted.

Paragraph 16

72. <u>Mr. SHERIFIS</u> pointed out that the Committee had discussed the interpretation of article 1, paragraph 3, of the Convention that morning. The shortcoming of the paragraph under consideration was that it distinguished between nationals and non-nationals rather than between persons of different nationalities. Reciprocity implied the usual exchange of courtesies between States that were on very good terms. The entire paragraph was questionable.

73. <u>Mr. DIACONU</u>, supported by <u>Mr. WOLFRUM</u>, said that the Committee dealt with the situation of foreigners only when it suspected that there was discrimination against them because of their ethnic origin or their race. The regulations that a State applied to foreigners did not come within the Committee's terms of reference. Paragraph 16 should therefore be reworded or deleted.

74. The CHAIRMAN proposed that paragraph 16 should be deleted.

75. <u>Paragraph 16 was deleted</u>.

Paragraph 17

76. <u>Mr. CHIGOVERA</u> said that it would be better to consider paragraph 17 in conjunction with paragraph 22.

Paragraph 18

77. <u>Mr. SHERIFIS</u> proposed that the word "make" at the end of the first line should be replaced by the word "adopt".

78. <u>Paragraph 18, as amended, was adopted</u>.

Paragraph 19

79. <u>Mr. DIACONU</u>, supported by <u>Mr. SHERIFIS</u>, noted that the paragraph once again raised the question of the enjoyment by foreigners, on an equal footing with nationals, of the right to housing, education, work and protection in case of unemployment. Since no State granted foreigners the same rights as its nationals, either the reference to foreigners should be deleted or the words "by foreigners" should be clarified through the addition of the words "established in Spain, without distinction as to race or ethnic origin".

80. <u>Mr. YUTZIS</u> said that he was also in favour of deleting any reference to foreigners. Given the fact that the Spanish Government was also already paying special attention to the Gypsies, he proposed that the beginning of the second sentence should be amended to read: "In that regard, the Committee recommends, in particular, that the Government should give greater attention to the members of the Gypsy community ...".

81. Paragraph 19, as amended, was adopted.

Paragraph 19 bis

82. <u>Mr. de GOUTTES</u> suggested the adoption of paragraph 19 <u>bis</u> to be worded, as he had already proposed fairly often, in the following way: "The Committee recommends that the next report should contain detailed information on complaints and convictions in connection with acts of racial discrimination". That addition was fully compatible with the content of the new paragraph that the Committee had adopted after paragraph 15.

83. Paragraph 19 bis was adopted.

Paragraph 20

84. <u>Paragraph 20 was adopted</u>.

Paragraph 21

85. <u>Mr. WOLFRUM</u>, supported by <u>Mr. DIACONU</u> and <u>Mr. SHERIFIS</u>, proposed that paragraph 21 should be deleted since paragraph 16 on the same question had already been deleted.

86. <u>Paragraph 21 was deleted</u>.

Paragraphs 17 and 22

87. Mr. CHIGOVERA proposed the deletion of paragraphs 17 and 21, which read:

"17. Concern is also expressed that the word '<u>gitanada</u>' is still included in the Royal Academy Dictionary, although its definition was considered to violate the right to dignity of the person, honour and personal image by the Defender of the People (Ombudsman).

22. The Committee, following the advice of the Defender of the People, recommends that the word '<u>gitanada</u>' be deleted from the Royal Academy Dictionary, or that its definition be given a sense with no pejorative connotation."

88. He strongly doubted that the Committee was competent to revise language dictionaries published in the States parties.

89. <u>Mr. WOLFRUM</u> said that the words "<u>gitanada</u>" and "<u>gitano</u>" were offensive to the community to which they referred, as was, for example, the word "Eskimo" to the Inuits. In practice the word "Gypsy" should be replaced by the word "Rom", just as the word "Saami" had been substituted for the word "Lapp". The substance of paragraphs 17 and 22 should therefore not be amended.

90. <u>Mr. SHERIFIS</u> said that he fully shared the viewpoint expressed by Mr. Chigovera and thought that the Committee should not engage in a debate on the words of a language with which it was not familiar. He personally had been unaware of the existence of the word "Inuit", but that did not prevent him from having the greatest respect for the Eskimos. He also pointed out that the word "Gypsy" was used extensively in the report of Hungary and was in no way offensive. At all events, the Committee could not prevent someone from using an existing word in an offensive manner.

91. <u>Mr. YUTZIS</u> said that the disturbing aspect was not so much that some words that were offensive to a particular ethnic or religious community appeared in a dictionary, but that those words were used and that the authors of those dictionaries had not taken the necessary precautions to prevent those words from being legitimized. That concern should therefore be reflected, in one way or another, in the Committee's concluding observations.

92. <u>Mr. VALENCIA RODRIGUEZ</u> said that it was not up to the Committee to decide whether a particular word should appear in a dictionary. However, it could request that the dictionary in question should indicate that a particular word was pejorative or offensive to a particular community.

93. <u>Mr. GARVALOV</u> said that, if the Committee took that approach, it would also have to examine other dictionaries such as Webster's or the Oxford dictionary.

94. <u>The CHAIRMAN</u> said that expressions such as "to jew" and "to welsh" could be found in English dictionaries, which did, however, specify that those expressions were obsolete or pejorative. Consequently, he proposed that paragraph 22 should be deleted and that paragraph 17 should be amended to read: "Concern is also expressed over reports that the entry on the word '<u>gitanada</u>' in the Royal Academy Dictionary does not adequately indicate its pejorative connotation".

95. <u>Mr. YUTZIS</u> proposed an addition to the effect that the Defender of the People had also expressed his concern at that shortcoming.

96. <u>Mr. SHERIFIS</u>, supported by <u>Mr. CHIGOVERA</u>, said that there was no need to retain paragraph 17, even as amended, since the summary record of the meeting would reflect the viewpoint of those in favour of retaining that paragraph and would be brought to the attention of the State party.

97. <u>The CHAIRMAN</u> proposed that, in view of the incompatibility of the viewpoints expressed, the Committee should vote on the proposal for the deletion of paragraphs 17 and 22.

98. The proposal was adopted by 6 votes to 3.

99. Paragraphs 17 and 22 were deleted.

Paragraphs 23 and 24

100. Paragraphs 23 and 24 were adopted.

101. <u>The draft concluding observations concerning Spain, as a whole, as amended, were adopted</u>.

102. <u>Mr. van BOVEN</u> said that some paragraphs of the Committee's draft concluding observations concerning Spain had made him think about the situation of foreigners. In that connection, he pointed out that, according to the Committee's general recommendation XI on non-citizens, "article 1, paragraph 2, of the Convention must not be interpreted to detract in any way from the rights and freedoms recognized and enunciated in other instruments ...". The Committee should not take an overly legalistic approach to the interpretation of article 1 of the Convention because, in many countries, undocumented foreigners, including children, were deprived of the most basic rights, such as the right to education and the right to medical care. Those foreigners were also the victims of increasing racism.

103. The Committee should therefore give careful thought, with the help of the Sub-Commission if possible, to that question. The chairpersons of the treaty-monitoring bodies could also study that problem.

104. <u>Mr. SHERIFIS</u> proposed that the Committee should include that question in the agenda of its next session and request one of its members to prepare a working paper to facilitate the discussions, the results of which could be communicated by the Chairman of the Committee to the meeting of chairpersons of the treaty-monitoring bodies. The Committee might also adopt a decision or a new general recommendation on that question.

105. <u>Mr. WOLFRUM</u> said that he fully shared the views expressed by Mr. van Boven and Mr. Sherifis and proposed that Mr. van Boven should be assigned to prepare the working paper in question. In that regard, he pointed out that the wording of article 1 of the Convention did not totally exclude foreigners from the scope of the Committee's competence and that article 5 also referred to foreigners.

106. <u>Mr. RECHETOV</u>, endorsing the comments of the preceding speakers on the question of foreigners, noted that the concept of "foreigner" was becoming less dogmatic. In fact, in some countries, a foreigner who had resided in the country for more than two years had the right to participate in municipal elections, for example. The principle of dual nationality was widely accepted in the present day and age. In his opinion, the Committee should cooperate with other treaty-monitoring bodies on the important question of foreigners.

107. <u>Mr. VALENCIA RODRIGUEZ</u> said that he fully shared the viewpoint expressed by the preceding speakers and recalled that the Convention prohibited all forms of discrimination based on national origin.

108. Mr. de GOUTTES thanked Mr. van Boven for raising the crucial question of foreigners, particularly those in an irregular situation. It was important that the Committee should focus not on discrimination between certain categories of foreigners, but, rather, on the treatment that should be accorded to foreign persons in an irregular situation. That problem had serious repercussions in many countries and there were differences of views between the administration and the courts. Those questions would be considered in France in the near future by the National Advisory Commission on Human Rights. He also drew attention to the Committee's general recommendation XI (42) on non-citizens, which did provide some clarifications on the subject, but might need to be supplemented. He supported the proposal made by Mr. Sherifis and thought that the Committee should consider the possibility of exchanges of views with Mr. Glélé-Ahanhanzo, the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance, in order to consider that question in depth.

109. <u>Mr. GARVALOV</u> said that the States parties that had submitted a report to the Committee had always clearly explained the practices that were followed in their country. With a few exceptions, they did not comply with general recommendation XI (42) on the question of foreigners. Some delegations explained that their country applied specific laws in that regard and others said that, in the case of foreigners, their country paid more attention to economic, social and cultural rights than to civil and political rights. He did not think that the Committee could influence States parties. He therefore suggested that that question should be considered jointly with all the treaty-monitoring bodies.

110. <u>Mr. DIACONU</u> said that the International Covenant on Economic, Social and Cultural Rights contained a provision (art. 2, para. 3) similar to that of article 1, paragraph 2, of the Convention. It would be interesting to know how the Committee on Economic, Social and Cultural Rights dealt with that question during its consideration of the periodic reports of States parties. He also supported the idea of consultations between the chairpersons of the treaty-monitoring bodies. Furthermore, he thought that the Committee should be more systematic in requesting States parties to provide information on their legislation and practices concerning foreigners.

111. <u>Mr. van BOVEN</u> said that other treaty-monitoring bodies, particularly the Committee on Economic, Social and Cultural Rights, usually devoted one day per session to a question that was giving rise to specific concerns and the Committee might also consider doing the same in future. He was also in favour of the idea of considering the question of foreigners in consultation with other treaty-monitoring bodies, but, since that was a highly complicated question that necessitated the prior gathering of very extensive information, he did not think that such a meeting could be held before the March 1997 session. However, he was willing to prepare a paper on that question, but only in a few months' time owing to his professional commitments.

112. <u>The CHAIRMAN</u> said he took it that the members of the Committee were in unanimous agreement on the question of foreigners that had been raised by Mr. van Boven.

113. <u>Mr. YUTZIS</u> said that he was greatly concerned about the situation of the Gypsies in Spain. He was of the opinion that, from the cultural standpoint, the dictionary was not an impartial instrument, since it represented a certain perception of reality and a certain ideology, and he quoted several examples in support of that opinion. He called on the members of the Committee to pay more attention to article 7 of the Convention at forthcoming sessions in order to take better account of the erosion of the economic, social and cultural rights of minorities, particularly in the media.

114. <u>Mr. WOLFRUM</u> said that he shared Mr. Yutzis' opinion. In future, the Committee should show greater interest in the implementation of article 7 of the Convention by States parties.

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 9, PARAGRAPH 1, OF THE CONVENTION (agenda item 9) (<u>continued</u>)

115. <u>The CHAIRMAN</u> proposed that Mr. Yutzis, Mr. Ahmadu and Mr. Valencia Rodríguez should consult the Secretariat with a view to drafting concluding observations concerning Guinea, Zambia and Côte d'Ivoire on the basis of the model adopted for the concluding observations concerning Sierra Leone and contained in the Committee's annual report (A/50/18).

116. It was so decided.

ANY OTHER BUSINESS

117. <u>The CHAIRMAN</u> said that he was submitting to the Committee, for its consideration, a draft declaration (CERD/48/Misc.14) which he had prepared for the press conference in connection with the Second United Nations Conference on Human Settlements (HABITAT II). If there were no objections, he would take it that the Committee adopted that draft.

118. It was so decided.

119. <u>The CHAIRMAN</u> invited Mr. Garvalov to continue the statement he had begun the previous day on the Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination.

120. <u>Mr. GARVALOV</u> said that the States parties to the Convention had met for less than two hours in New York on 16 January 1996. That meeting had formed the subject of a summary record (CERD/SP/SR.25), which, contrary to past practice, did not contain a heading "Any other business" reflecting the different concerns of States parties. He was quite discouraged by the absence of results from that meeting and proposed that the Committee should consider establishing direct contacts with the States parties and should give some thought to how it could do so. 121. <u>The CHAIRMAN</u>, speaking as a member of the Committee, said he had the impression that the permanent missions in New York rarely sent highly competent persons to those meetings.

122. <u>Mr. VALENCIA RODRIGUEZ</u> said that he had attended the last Meeting of States Parties as an observer and could confirm that that was true. He also understood that those meetings were devoted solely to the election of the members of the Committee. He particularly regretted their ineffectiveness as many meetings held in conjunction with the General Assembly had had to be cancelled owing to the shortage of budgetary resources.

The meeting rose at 1 p.m.