

International Convention on the Elimination of all Forms of Racial Discrimination

Distr. GENERAL

CERD/C/SR.1463 28 March 2001

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-eighth session

SUMMARY RECORD OF THE 1463rd MEETING

Held at the Palais Wilson, Geneva, on Thursday, 22 March 2001, at 3 p.m.

Chairman: Mr. RECHETOV

(Vice-Chairman)

later: Mr. SHERIFIS (Chairman)

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The meeting was called to order at 3.15 p.m.

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

Review of the implementation of the Convention in States parties whose reports are excessively overdue (continued)

Gambia (continued) (CERD/C/58/Misc.28)

- 1. <u>Mr. de GOUTTES</u> (Country Rapporteur) introduced the draft concluding observations on the Gambia (CERD/C/58/Misc.28), which contained the standard text used under the review procedure.
- 2. The draft concluding observations on the Gambia were adopted.

Sierra Leone (continued) (CERD/C/58/Misc.27)

- 3. Mr. DIACONU (Country Rapporteur) said that, as in the case of the Gambia, the draft concluding observations on Sierra Leone (CERD/C/58/Misc.27) contained the standard text. It did not discuss the situation in the country, but explained how the Committee had proceeded in the absence of a country report or any official information from the State party. The Committee avoided taking a position on the situation in a country which had not submitted a report.
- 4. The draft concluding observations on Sierra Leone were adopted.
- 5. Mr. ABOUL-NASR, speaking on the review procedure in general, said that initially the Committee had decided that in such cases, it would consider the situation in a given country in depth on the basis of information which the Country Rapporteur collected. That exerted pressure on State parties which did not cooperate. But apparently the Committee had discontinued that practice, because in the case of both the Gambia and Sierra Leone it had merely adopted three paragraphs which said absolutely nothing. He thought it was unfortunate that the Committee had dropped the possibility of considering the situation in States which failed to cooperate.
- 6. <u>The CHAIRMAN</u> said that Mr. Aboul-Nasr was right, insofar as for many countries the Committee's procedure was not producing the desired result. But in the case of Jamaica, for example, the Committee had eventually obtained a report from the State party.
- 7. Mr. de GOUTTES said that Mr. Aboul-Nasr had raised an interesting question. It was true that for the Gambia, and above all for Sierra Leone, the Committee's brief consideration of the situation as presented by the country rapporteurs on the basis of all information available, in particular information from other United Nations bodies, had not been reflected in the two documents. That was perhaps unfortunate. For the Gambia, the situation did not appear to justify taking early warning measures or initiating urgent action procedures, whereas for Sierra Leone, the Committee had been on the verge of such a decision. He also regretted that the document on Sierra Leone had been so colourless and brief and had not reflected the situation in the country, containing only the standard text employed in such cases.

- 8. Mr. DIACONU said that any attempt to change the procedure would run into the difficulty that under article 9 of the Convention the Committee could make general recommendations based on the examination of the reports and information received from States parties. He was not certain that the Convention allowed the Committee to base its recommendations on anything but such reports and information. Perhaps the Committee could do so if a State failed to send information, but to his knowledge in the past it had never made any substantive recommendation to a country without a report or at least an oral presentation by a delegation. The Committee might do so in the future, but it should then agree to proceed in the same way for all countries and similar situations. That was a risk and it might be worth taking, but the Committee should be aware of what it was doing.
- 9. <u>The CHAIRMAN</u> said that Mr. Diaconu seemed to be suggesting that the Committee might consider amending the Convention.
- 10. Mr. de GOUTTES said that for the Gambia, he had wanted to insert more in the document than was usually included, but unfortunately the Committee had not accepted additional information. Even if it confined itself to the standard text, the Committee could still add the following phrase at the end of the first sentence of paragraph 1: "and other available information" ("et d'autres informations disponibles"). That would be consistent with the Committee's decision that when States were excessively late in submitting their reports, the Committee could consider their situation on the basis of previous reports and other available information. The Committee said as much when it told States that were excessively late in reporting that it would consider their situation without the report. Accordingly, that would reflect more closely the Committee's actual practice. It had considered the current situation on the basis of previous reports, as well as information from the Secretariat, in particular from other treaty-monitoring bodies.
- 11. <u>The CHAIRMAN</u> thought that even a reference to "other available information" might give the impression that the Committee was derogating from the Convention.
- 12. Mr. ABOUL-NASR said that the Committee's procedure had been his idea. At the time, he had brought up the same point as that made by Mr. de Gouttes, namely that the Committee should consider the latest report available together with other information received. The Chairman had rightly said that it might be too much to refer to other sources. But when delegations presented their country reports, the Committee confronted them with information received. Why not do the same with the review procedure? After all, that would put pressure on States. He supported the proposal by Mr. de Gouttes, which deserved careful consideration at a later stage.
- 13. <u>The CHAIRMAN</u> agreed that the Committee used information not only from other United Nations bodies, but also from NGOs, the media etc. But at the current stage, the Committee could do no more than to say that the matter deserved consideration.

The meeting was suspended at 3.40 p.m. and resumed at 4 p.m.

THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION; THIRD WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE (agenda item 11) (continued) (A/CONF.189/WG.1/3)

14. Mr. Sherifis took the Chair.

- 15. Mr. SINGH (Executive Coordinator, World Conference against Racism), reporting on preparations for the World Conference against Racism, recalled that the week before, he had spoken with the Chairman together with the High Commissioner for Human Rights, who in her capacity as Secretary-General of the Conference had provided him with a broad update on the preparation of the draft declaration and programme of action of the World Conference (A/CONF.189/WG.1/3) and had stressed the Committee's important role in that context.
- Since then, there had been a meeting of the Bureau of the Preparatory Committee the previous Monday, which had discussed what documentation was to be presented at the meeting of the Informal Working Group (7-11 May) and at the second session of the Preparatory Committee (21 May-1 June). The Bureau had approved the suggestion made at the previous meeting of the Informal Working Group that a compilation should be prepared, grouping together the Secretariat draft and the draft outcomes of the four regional meetings (Strasbourg, Santiago, Dakar and Tehran). That would enable member States and others participating in the discussions to see where recommendations should be inserted, whether under the broad themes of the Conference or under topics related to those themes which had not come up in the Secretariat draft. The Bureau had agreed that the Secretariat should prepare a text based on a conceptual approach that tied together all the topics covered by the Secretariat draft and the four regional documents under the five themes of the Conference. Once the compilation was ready, it would be submitted to the Informal Working Group for consideration and circulated by 12 April for comment. Given the time constraints, the text would be available at the meeting of the Informal Working Group of 7 to 11 May, in English only. By the time the second session of the Preparatory Committee began, it should be possible to have the relevant documents in all six languages. Any additions to the basic compilation could then be compared with the actual translations of the five documents available in all six languages.
- 17. It had also been agreed to prepare a list of contents or index which grouped together all the topics under the five broad Conference themes agreed on at the first session of the Preparatory Committee. Once finalized by the Secretariat, the text should be made available informally to the regional coordinators and the chairperson of the Bureau for possible changes, after which it would be distributed in the Bureau. Based on the Bureau's reaction, the five documents would be combined, using the Secretariat document and the four regional outcomes and taking into account amendments and changes to the first few paragraphs of the declaration, and it would then be made available for consideration by the Informal Working Group. That was where matters stood with regard to the compilation.
- 18. He had received the Committee's proposals concerning the draft declaration and programme of action, and he intended to pass them on to the Informal Working Group so that they could be taken into account during the compilation's review. As he understood it, the

Committee also planned to meet with the regional coordinators, who would play a crucial role in deciding on how the draft declaration and programme of action should go forward; the Committee might wish to draw their attention to its proposals.

- 19. The High Commissioner had always felt that the Convention and the Committee should be the central pillars of a future international programme to fight racism, racial discrimination, xenophobia and related intolerance, and he was certain that the groups involved in the negotiating process agreed. Any suggestions which the Committee might make on how its role could be enhanced at institutional level in the follow-up to the Conference would be welcome.
- 20. <u>The CHAIRMAN</u> confirmed that the Committee had sent its proposed amendments to all the regional coordinators and had held exchanges of views with most regional groups. He asked for further clarification on how work on the compilation would proceed.
- 21. Mr. SINGH (Executive Coordinator, World Conference against Racism) said that there would first be a list of contents to draw together under the five major themes all the topics included in the Secretariat draft as well as additional topics contained in the four regional outcomes. Then, the Secretariat draft and all additional drafts available would be tied together. In other words, if there were four additional outcomes from the four regional meetings, they would be put together with the original Secretariat draft. If there were topics which had not been covered in the Secretariat draft, they would be incorporated in such a way that it would always be possible to see how many recommendations and suggestions were available either from the Secretariat document or any of the four regional texts. The intention was to circulate the text to the Informal Working Group as an additional document so that it could be borne in mind as an additional text that was available for changes or amendments. The four regional texts were not being touched; they would simply be ordered in such a fashion that they could be cross-referenced and the relevant recommendations easily spotted.
- 22. Mr. DIACONU said he understood that the Committee's proposed amendments to the draft declaration and programme of action, which underlined the crucial role of the Convention and the Committee, would not be included in the initial compilation but would be introduced by members of the regional groups at the meeting of the Informal Working Group in May 2001. He feared that other issues would take precedence on that occasion. The Committee members attending the meeting and the second session of the Preparatory Committee would have to work in the meantime with the regional groups to ensure that the substance of the proposed amendments was reflected in the documents proposed to the Conference.
- 23. Mr. SINGH (Executive Coordinator, World Conference against Racism) said that the decision on the content of the compilation had been taken by the inter-sessional open-ended working group. However, the Committee's proposed amendments would be brought to the attention of the participants in the next meeting of the Informal Working Group by the members of the regional groups. The representatives of the Committee attending the meeting would also have an opportunity to do so.
- 24. Mr. de GOUTTES said he was disappointed to hear that the Committee's document suggesting amendments to the draft declaration and programme of action was not to be included in the compilation. He firmly hoped that they would be taken into account. He inquired about

the composition of the Informal Working Group and about the status of the members representing the Committee on the Elimination of Racial Discrimination at the World Conference itself.

- 25. Mr. SINGH (Executive Coordinator, World Conference against Racism) said that the Informal Working Group was open-ended. All member States could and usually did participate. He trusted that the Committee, through its contacts with representatives of the regional groups, would be in a position to bring its document to the attention of both the Group and the second session of the Preparatory Committee. The Committee members attending the World Conference would be able to make comments and suggestions regarding Conference documents for appropriate action by the member States.
- 26. Mr. SHAHI said that, judging by his experience of intergovernmental meetings such as the World Conference on Human Rights in 1993 and the Asian Preparatory Meeting for the World Conference against Racism in Tehran, the real work was done in a drafting committee, from which expert members of treaty bodies were excluded. They were allowed to address the plenary but their statements seemed to have little influence on the final outcome. Mr. Sherifis had addressed the Tehran meeting and he himself had made a brief statement after the adoption of the Tehran Declaration and Plan of Action. But a great deal more could have been achieved if they had been allowed to contribute to the proceedings of the drafting committee. He feared that the same obstacle would arise at the forthcoming meetings of the Informal Working Group and the Preparatory Committee and perhaps even at the World Conference itself. The Committee members would have to rely on States parties to make the points to which they attached importance.
- 27. Mr. SINGH (Executive Coordinator, World Conference against Racism) said that the regional meetings had not all adopted the same approach. At the Latin American Preparatory Meeting in Santiago, for example, all participants had been admitted to the meetings of the drafting groups and allowed to make suggestions. At the African Preparatory Meeting in Dakar, the drafting committee had been open only to member States but other participants, including representatives of NGOs and experts, had been admitted for one hour to make comments. He felt sure that the Committee would be able to ensure that its proposed amendments were formally brought to the attention of the Informal Working Group by member States and placed on record.
- 28. Mr. YUTZIS said he was aware of the heated debate to which the working document prepared by the Conference Secretariat had given rise at the recent meeting of the inter-sessional open-ended working group. The Committee would be interested to learn to what extent its recommendations had been taken into account when the document was drafted.
- 29. Mr. HUSBANDS (Secretariat of the World Conference against Racism) said that the document had been prepared under the direction of the High Commissioner and the Deputy High Commissioner for Human Rights. The basic aim had been to develop building blocks for a consensus. Inputs had been received from all members of the Conference Secretariat team but the policy adopted at the highest levels of the Organization had been to rely primarily on the outcomes of the regional meetings and expert seminars, which members of the Committee had attended.

- 30. Mr. YUTZIS said that the Committee should really have been treated as a core contributor of input to the Conference and not as just one among many purveyors of suggestions at meetings or seminars. The Committee had prepared a document containing concrete and extremely useful proposals. Had any of its content been taken into account?
- Mr. SINGH (Executive Coordinator, World Conference against Racism) said he had the impression that the Committee's views had been reflected in the document containing the draft declaration and programme of action document by virtue of the participation of some members in the regional meetings. For example, the preamble emphasized "the fundamental importance of universal adherence to, and faithful implementation of, the International Convention on the Elimination of All Forms of Racial Discrimination as the principal international instrument to eliminate racism, racial discrimination, xenophobia and related intolerance". Paragraph 93 urged "States that have not yet done so to consider ratifying or acceding to the international human rights instruments which condemn and combat racism, racial discrimination, xenophobia and related intolerance and, in particular, to ratify or accede to the International Convention on the Elimination of All Forms of Racial Discrimination, as soon as possible, with a view to achieving universal ratification of the Convention by the year 2005". Paragraph 106 invited "the United Nations Secretary-General and the High Commissioner for Human Rights to submit to the General Assembly at its forthcoming session an action plan to increase resources for the activities of the Committee on the Elimination of Racial Discrimination". Paragraph 108 provided for the involvement of the Committee in the follow-up mechanism.
- 32. <u>The CHAIRMAN</u> inquired whether it would be possible for the Informal Working Group to break up into smaller groups meeting in parallel to discuss the five different themes of the Conference.
- 33. Mr. SINGH (Executive Coordinator, World Conference against Racism) said that it was highly unlikely, for although meeting rooms might well be available and the different groups involved might wish to make their own arrangements, owing to the financial constraints on the Conference Secretariat only minimum interpretation services would be guaranteed for one of the five meeting days in question, thereby ruling out the possibility of holding meetings with interpretation in parallel.
- 34. <u>The CHAIRMAN</u> asked who would defray the costs for the participation of two Committee members in the Informal Working Group.
- 35. Mr. SINGH (Executive Coordinator, World Conference against Racism) said that while the expenses of two Committee members would be covered by the regular budget to participate in the Preparatory Committee, so far no such provision had been made for the Informal Working Group.
- 36. <u>The CHAIRMAN</u> said he therefore assumed that, despite Mr. Singh's recommendations regarding the Committee's possible role in the Informal Working Group, its members would not be able to attend the meeting.

- 37. Mr. de GOUTTES sought confirmation that six members would be invited to represent the Committee at the World Conference, and that other Committee members would be able to attend the Conference on their own behalf.
- 38. Mr. SINGH (Executive Coordinator, World Conference against Racism) confirmed that the travel and participation costs for six Committee members would be covered by the Conference Secretariat. The latter was also looking into the possibility of providing subsistence allowance for the other Committee members who would be making their own way to Durban.
- 39. <u>The CHAIRMAN</u> said that before the closure of the current session the Committee would communicate the names of the Committee members in question to the Conference Secretariat. He thanked the Executive Coordinator and members of the Conference Secretariat for the clarifications they had provided and looked forward to cooperating with them in future.
- 40. Mr. GAHAM (Chief, Services Support Branch) said that in his capacity as Chief of the Services Support Branch he was working closely with the Executive Coordinator to ensure that the important role of the treaty bodies, and in particular the Committee, was duly taken into account at the World Conference. In liaison with the Conference Secretariat he would endeavour to satisfy all the Committee's requirements regarding the Conference, ensuring also that their recommendations were duly taken into account in the draft declaration and programme of action. In response to a query by Mr. Aboul-Nasr, he confirmed that the Committee's fifty-ninth session would be held from 30 July to 17 August, as requested, and in reply to a question by the Chairman, he confirmed that the session could be held at the Palais des Nations.
- 41. Mr. ABOUL-NASR asked how the Chairman intended to keep in contact with the other Committee members who would be taking part in the World Conference during the run-up to the event, so that they in turn could liaise with State party delegations at national and regional levels. He would also welcome information on the outcome of the meetings held that day with representatives of the different regional groups.
- 42. The CHAIRMAN said that, as agreed during the second week of the session, information on the Committee's proposed amendments to the declaration and plan of action had been dispatched to all regional groups. Meetings had also been organized that day with representatives of the Western European and Eastern European regional groups, in which he had participated with Mr. de Gouttes and Mr. Rechetov, as well as a meeting with the Coordinator of the Asian regional group (the Ambassador of India), which he had attended with Mr. Valencia Rodriguez and Mr. Pillai. Invitations had also been extended to the African and Latin-American regional groups to arrange meetings with the Committee.
- 43. Mr. de GOUTTES said that the Chairman had opened the meeting with representatives of the Western European regional group by outlining the Committee's amendments to the draft declaration and programme of action, focusing in particular on the substantive amendments to section I entitled "Measures at the national level", on its recommendations to States parties to ratify the Convention, to make the declaration under article 14 and to withdraw reservations, and

on its proposals relating to early warning procedures. The representative of Switzerland had announced that his Government was considering making the declaration under article 14. The representative of Turkey - a country not party to the Convention - said that the Committee's proposals for universal ratification of the Convention on the one hand and the withdrawal of reservations entered on the other hand were contradictory. He suggested that in order to encourage more States parties to ratify the Convention, the Committee should not be so strict about reservations. In reply, it had been pointed out that reservations were acceptable so long as they did not run counter to the aim and spirit of the Convention, but that it was standard procedure for the Committee when examining a State party's report to ask questions about existing reservations. In response to a query by the representative of Italy about a possible overlap between the complaints procedures under the European Convention on Human Rights and that available under article 14 of the Convention, he had explained that the two procedures were complementary.

- 44. Mr. RECHETOV, referring to the concerns expressed by the representative of Turkey, said that a remark by the representative of Germany had highlighted the need for the Committee to consider the possible repercussions of its proposals and recommendations to the World Conference. Encouraging universal ratification of the Convention on the one hand and recommending that States parties withdraw their reservations on the other did in fact pose a problem. It should therefore be made clear that the reservations in question were those which were not in conformity with international law, and that it was not the Committee's intent to prohibit the entering of reservations in general. Outside the meeting, he had assured the representative of Turkey that the entering of reservations would in no way hinder Turkey's accession to the Convention and that what was important was to take steps towards the ratification of the instrument.
- 45. In response to a question by the representative of Germany as to how the Committee dealt with those States parties that had already entered reservations to the Convention, it had been pointed out that the procedure for deciding whether reservations were compatible with the Convention was not really very effective and so the Committee's overall strategy was to pursue a dialogue with the States parties concerned, in the hope of persuading them to withdraw their reservations at some time in the future. The meeting with the representatives of the Western European group had been especially interesting, since it had been well attended, unlike that of the Eastern European group, where only three States parties had been represented. Committee members had expressed regret that despite the increasing number of States parties submitting reports to the Committee, so far very few individual communications had been received, highlighting the need to step up efforts to publicize the complaints procedures available under the Convention in the States parties in question.
- 46. Mr. de GOUTTES said that the Ambassador who had chaired the meeting with the Eastern European group had wondered whether the Committee would not be swamped if it were obliged to tackle the inevitably larger number of individual communications. He therefore stressed the importance for the Committee of maintaining its petitions team on a permanent basis.

- Mr. PILLAI said that the Committee members from the Asian region had met not with 47. the entire Asian group but with its Coordinator, the Indian Ambassador. The Chairman had reviewed with the Ambassador the Committee's recommendations for inclusion in the draft declaration and programme of action. Emphasis had also been placed on the Committee's wish to ensure true universalization with regard to ratification of the Convention: in other words, countries were asked to ratify it and to ensure that reservations to its various articles were kept to a minimum. The Ambassador had also agreed on the need for the centrality of the Convention and the Committee to be given recognition. She had sought the Committee's advice on two issues which might be given prominence at the World Conference: compensation to victims, and the Palestinian question. She had asked whether the Committee had reflected on the former, and whether it had previously made recommendations on the latter. If so, she would be grateful if the Committee would share its information with her group. She had particularly requested copies of the document containing the Committee's initial proposals to the Conference, as well as the version of the draft declaration and programme of action in which its proposed amendments had been inserted in italics, so that the group could peruse them at its forthcoming meeting. He had suggested to the Ambassador that the Asian group might wish to consider the ethnic dimension of migration and trafficking, a highly significant topic for Asia, in its proposals to the Preparatory Committee.
- 48. <u>The CHAIRMAN</u> announced that the Committee's Asian members had selected Mr. Shahi as representative at the World Conference. He also hoped that the Coordinators of the Latin-American and the African and/or the Arab groups would be able to meet with Mr. Aboul-Nasr, Mr. Yutzis and himself before the close of the session. If so, he would report the outcome to the Committee.
- 49. Mr. VALENCIA RODRIGUEZ said that, in response to the request from the Coordinator of the Asian group, he had prepared a draft text on compensation for victims of racial discrimination for members' consideration. The draft, which might serve as a basis for participants in the inter-sessional meeting and more particularly the World Conference read: "The World Conference encourages States to promulgate and apply measures in order to compensate populations or minority groups for the discrimination they have suffered or are still suffering on grounds of race or ethnic or national origin. To monitor the promulgation and application of these measures, a team of five personalities of high moral standing and acknowledged impartiality is hereby established. In the performance of its functions, the team would cooperate closely with the Committee on the Elimination of Racial Discrimination." He would submit the text in writing to the Secretariat.
- 50. <u>The CHAIRMAN</u> requested the Secretariat to ensure that all Committee members received a copy of Mr. Valencia Rodriguez's proposal in the event that they might wish to propose amendments.
- 51. Mr. RECHETOV said it was unclear whether the monitoring group referred to in Mr. Valencia Rodriguez's proposal would be concerned exclusively with compensation for victims of racial discrimination and whether it would be totally separate from the one that had been proposed for monitoring implementation of the programme of action of the World Conference.

- 52. Mr. RODRIGUEZ VALENCIA said that the matter would require further thought, although, in order to avoid increasing international red tape, the same monitoring mechanism might wish to undertake both functions. However, since compensation, a delicate issue, had not only a social and economic dimension, but also a political one since States might be required to issue political apologies it might be wiser to have two separate monitoring mechanisms.
- 53. Mr. YUTZIS said it might be helpful for the Committee to use as its basis the report commissioned years before by the Commission on Human Rights and prepared by Mr. van Boven, a distinguished former member of the Committee.
- 54. The CHAIRMAN thanked Mr. Yutzis for his suggestion, which might save the Committee some time in preparing a contribution to offer to the Coordinator of the Asian group, who had expressed dismay at waiting until the Committee reconvened in August, only weeks before the World Conference.
- 55. Mr. SHAHI said he welcomed Mr. Valencia Rodriguez's proposal, but was not sure how it fitted in. The draft programme of action drawn up by the Secretariat, to which the Committee had contributed, had contemplated that the implementation and follow-up mechanism would be conducted by five eminent persons, one from each region, to be appointed by the Secretary-General following consultation with all regions, and that the mechanism would function in consultation with the Office of the High Commissioner for Human Rights and the Committee on the Elimination of Racial Discrimination. In one of the recommendations proposed by the African Regional Conference held in Dakar, compensation was demanded for the years of slavery and foreign occupation, a separate idea from compensation for victims of racial discrimination. He wondered how the two could be integrated. Moreover, he was unclear as to whether the same group of five to be set up by the World Conference would assume the additional mandate as well.
- 56. Mr. DIACONU said that he would be glad to look at Mr. van Boven's report. However, it dealt with compensation for damage suffered by individuals rather than the population as a whole, and he understood that the Indian Ambassador's request referred to compensation for large population groups. It would be more appropriate if the Committee submitted to her the pertinent paragraph of its recently adopted concluding observations on the periodic report of Germany, which referred to population groups that had been victims of violence currently described as discrimination.
- 57. Mr. VALENCIA RODRIGUEZ said his proposal was not a formal one, but merely an initial suggestion. The drafts submitted by the regional groups and the Secretariat had referred to compensation for victims and groups of victims who had suffered from discrimination. He had been thinking in terms of rendering such compensation effective. It might take the form of a political apology, which might be more important for a population group, but might also include economic compensation. Whether or not the monitoring should be performed by the same five-person group proposed in the Secretariat document was a matter to be decided by the appropriate bodies. His proposal had been that States parties should be encouraged, within their

own sovereignty, to announce and apply compensation measures for groups that were discriminated against. The monitoring mechanism - whether the same or a separate one - could invite the State to enact and enforce pertinent legislation.

58. Mr. de GOUTTES said that the first sentence of Mr. Valencia Rodriguez's proposed text was appropriate in terms of both the Convention and the World Conference, the aims of which were to combat racial discrimination based on race or ethnic or national origin. However, he needed to think more carefully as to whether the related monitoring should be carried out by a separate mechanism.

The meeting rose at 6.10 p.m.