UNITED NATIONS

CERD

International Convention on the Elimination of all Forms of Racial Discrimination

Distr.
GENERAL

CERD/C/SR.1578/Add.1
25 March 2003

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixty-second session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 1578th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 19 March 2003, at 3 p.m.

Chairman: Mr. DIACONU

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* The summary record of the first part (closed) of the meeting appears as document CERD/C/SR.1578

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The public part of the meeting was called to order at 5.10 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued)

Draft concluding observations concerning the second to tenth periodic reports of Uganda (continued) (CERD/C/62/CO/15)

1. The CHAIRMAN invited the Committee to complete its discussion and adoption of the concluding observations for Uganda, as paragraph 15 had been left in abeyance.

2. Mr. SICILIANOS said that the adoption of the paragraph had been delayed so that the Committee could consult the United Nations Security Council resolutions to which it referred. Resolution 1332 (2000) called for the withdrawal of Ugandan and Rwandan forces and all other foreign forces from the territory of the Democratic Republic of the Congo. It also reiterated the Security Council's call on all parties, including Uganda, to take immediate steps to prevent human rights abuses. It made no explicit mention of violations of human rights on racial grounds.

3. Mr. VALENCIA RODRIGUEZ (Country Rapporteur) said that according to the documentation that he had consulted from Amnesty International and one other NGO, the Ugandan military in the Democratic Republic of the Congo had intervened in a tribal conflict, assisting the Hema ethnic group in a conflict with the Lendus.

4. United Nations Security Council resolution 1304 (2000) called for the withdrawal of foreign forces, listed a series of incidents involving Ugandan and Rwandan forces in the Democratic Republic of the Congo, condemned all massacres and atrocities and called for an international investigation to take place. It also expressed the view that reparations should be paid. Both resolution 1304 (2000) and resolution 1332 (2000) stated that there had been acts of violence and massacres. While most of the forces had since been withdrawn, there was still a presence in the territory of the Democratic Republic of the Congo in the border area, and there had more recently been reports that children had been taken hostage or sexually abused.

5. He suggested that the word "deep" should be removed and that the word "allegations" should not be preceded by the definite article.

6. Paragraph 15, as amended was adopted.

7. The draft concluding observations concerning the second to tenth periodic reports of Uganda, as amended, were adopted.

Draft concluding observations concerning the fourteenth to sixteenth periodic reports of Morocco (continued) (Future CERD/C/62/CO/8)

8. The CHAIRMAN invited the Committee to continue its consideration of the draft concluding observations concerning the fourteenth to sixteenth periodic reports of Morocco.

Paragraph 15

9. Mr. SICILIANOS said that, in the English version, the word "given" should be replaced by the word "first", as had been suggested by Mr. Thornberry.

10. Mr. AMIR said that, since there were no rules prohibiting the entering of Amazigh first names in the civil register, the word "administrative" should not be used. The document should be adopted subject to the amendments proposed by Mr. Thornberry.

11. The CHAIRMAN said that the term "administrative practice" was not limited to rules.

12. Paragraph 15, as amended, was adopted.

Paragraph 13

13. Mr. AMIR, returning to paragraph 13 discussed earlier, said that, as suggested by Mr. de Gouttes, the paragraph should be replaced by paragraph 10 of the Committee's concluding observations on Tunisia (CERD/C/62/CO/14).

14. The CHAIRMAN expressed agreement.

Paragraph 16

15. Paragraph 16 was adopted.

Paragraph 17

16. Mr. THIAM said that the French version was cumbersome and should be amended to read: "*Le Comité recommande également l'usage de la langue amazigh dans les programmes des médias publics*". The English version should remain unchanged.

17. The CHAIRMAN said that the original text called for "more programmes", suggesting that some programmes already existed.

18. Mr. SICILIANOS said that the idea was to encourage the Government to include more Amazigh programmes since not enough programmes were being broadcast. He believed that the paragraph reflected the situation.

19. Mr. de GOUTTES suggested that, in the French text, the words "*d'avantage d'émissions dans la langue amazigh puissent figurer*" should be replaced by "*des émissions plus nombreuses en langue amazigh figurent*". The change did not affect the English version.

20. Paragraph 17, as amended, was adopted.

Paragraph 18

21. Mr. KJAERUM and Mr. THIAM believed that "some members of the Committee" should be replaced by "the Committee".

22. The CHAIRMAN said that, in the past, the problem had always been avoided by saying "members of the Committee" rather than "some members of the Committee".

23. Mr. KJAERUM said that, since no one had denied the resurgence of anti-Semitic acts and remarks and since the phenomena had been acknowledged in the country's report, he did not believe that there would be objections to saying that "the Committee" expressed concern. He insisted that, unless someone objected, the words "the Committee" should be used.

24. Mr. de GOUTTES said that he would also prefer to use the words "the Committee". However, if consensus could not be reached, the words "*quelques membres du Comité*"(some members of the Committee) should be replaced by "*des inquiétudes sont exprimées*" (concern was expressed).

25. Mr. AMIR said that "resurgence of anti-Semitic acts" implied that the Government was not in control of the situation. Yet the country had a wide range of laws and rules designed to protect both the Moroccan and the non-Moroccan Jewish community. According to the Moroccan delegation, the media reported isolated acts by fundamentalist movements. Such movements targeted various groups, not just Semitic currents.

26. Mr. SHAHI wished to know what kind of anti-Semitic remarks had been made and said that criticism of Israel was often perceived as anti-Semitism. The Committee had to be clear as to the meaning of the term "anti-Semitic". Did it refer to Judaism or the State of Israel?

27. Mr. THIAM, referring to the French text, said that the word "*résurgence*" (resurgence) was too strong and should be replaced by "*survivance*" (persistence). No State which had received the Jewish community on its territory could claim to have completely eliminated anti-Semitic acts.

28. Mr. de GOUTTES said that the second part of the sentence could read: "*des inquiétudes sont exprimées sur les informations faisant état de la survivance d'actes d'antisémitisme commis par des extrémistes*" (concern was expressed at reports of the persistence of anti-Semitic acts committed by extremists).

29. Mr. AMIR, referring to the French version, said that using the word "*survivance*" would imply that the phenomenon had already existed. However, everyone was aware of Morocco's positive role with regard to the reception and integration of the Jewish community. He believed that the term "resurgence" was acceptable as long as the paragraph referred to "members of the Committee" and not "the Committee".

30. The CHAIRMAN said that he would prefer to retain the word "resurgence".

31. Mr. THIAM wished to know what was meant exactly by that word. It seemed to refer to a phenomenon which had been defeated and had reappeared. That, in turn, implied that the State was not in control. On the other hand, the word "*survivance*" implied that the phenomenon had existed, that its influence had diminished, but that it nevertheless continued. The Jewish community lived in harmony with other populations in the country. There was no country in which two communities coexisted without occasional discriminatory manifestations.

32. The CHAIRMAN suggested that both words should be removed and that the second part of the paragraph should read: "concern was expressed at reports on anti-Semitic acts committed by extremist groups".

33. Mr. KJAERUM did not believe that the acts were being committed by extremist groups. The paragraph referred to "remarks reportedly made by certain religious leaders". That stressed the importance of the problem.

34. Mr. YUTZIS believed that the word "resurgence" should be removed. There was no clear boundary between material and verbal acts. An anti-Semitic remark, especially one made in public, was an act. However, since it was not a physical attack, it was a verbal act.

35. The CHAIRMAN said that the Committee was going too far by placing religious leaders next to extremist groups. Normally religious leaders did not belong to extremist groups.

36. Mr. THORNBERRY said that the words "and hate speech" should be inserted after the words "anti-Semitic acts".

37. Paragraph 18, as amended, was adopted.

Paragraph 19

38. Paragraph 19 was adopted.

Paragraph 20

39. The CHAIRMAN suggested that the paragraph be removed. He wondered whether the Committee suspected that the implementation of the two bills would be contrary to the Convention and to international law in general. The Committee could wait for the State to implement the laws before giving it instructions on how to do so.

40. Mr. SICILIANOS said that the Committee was aware of the problems related to that type of legislation and had adopted a declaration in that regard. The second sentence could be removed. Instead, the Committee could draw the attention of States parties to the relevant declaration.

41. The CHAIRMAN and Mr. de GOUTTES agreed with Mr. Sicilianos' suggestion.

42. Mr. RESHETOV said that the reference to "international law in general" should be replaced by a reference to the declaration on terrorism, mentioned by Mr. Sicilianos.

43. Mr. AMIR said that the country's report revealed that the provisions of the Convention were integrated into its domestic law. He did not believe that it was appropriate to remind the State of something it had officially declared.

44. The CHAIRMAN suggested that the words "draws the attention of the State party to the statement of the Committee adopted on …" should be added to the end of the first sentence. The second sentence should be deleted.

45. Mr. SICILIANOS asked whether the paragraph referred to bills or to laws which had already been adopted.

46. Mr. AMIR said that the laws had not yet been adopted and that the country's Parliament was dealing with them.

47. The CHAIRMAN said that, in the first line, the word "notes" should be followed by the words "the submission to the State party's House of Representatives". The sentence should conclude with the words "and draws its attention to the statement of the Committee adopted on …".

48. Ms. JANUARY-BARDILL asked what the words "irregular situation" referred to.

49. Mr. SICILIANOS said that the official name of one of the bills was "*Projet de loi relatif à l'entrée et au séjour des étrangers au Royaume du Maroc, à l'émigration et l'immigration irrégulières*" (Bill on the entry and residence of foreigners in the Kingdom of Morocco, irregular emigration and irregular immigration).

50. The CHAIRMAN said that the official names would have to be kept.

51. Paragraph 20, as amended, was adopted.

Paragraph 21

52. Paragraph 21 was adopted.

Paragraph 22

53. Mr. de GOUTTES said that, in the French version, the words "*le moment où ils*" should be replaced by "*qu'ils*". The English version would remain unchanged.

54. Paragraph 22, as amended, was adopted.

Paragraph 23

55. Paragraph 23 was adopted.

The meeting rose at 6.05 p.m.