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the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixty-second session

SUMMARY RECORD OF THE 1570th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 March 2003, at 3 p.m.

Chairman: Mr. DIACONU

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The meeting was called to order at 3.10 p.m.

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

Fifth periodic report of Slovenia (CERD/C/398/Add.1 and CERD/C/352/Add.1; CERD/C/304/Add.105; HRI/CORE/1/Add.35)

1. At the invitation of the Chairman, the members of the delegation of Slovenia took places at the Committee table.
2. Mr. GOSNAR (Slovenia), introducing his country's fifth periodic report (CERD/C/398/Add.1), said that it had been structured in accordance with the questions raised and recommendations made in the Committee's concluding observations (CERD/C/304/Add.105) on Slovenia's fourth periodic report (CERD/C/352/Add.1). Reviewing recent developments, he said that in August 2001, Slovenia had recognized the Committee's competence under article 14 to receive and consider communications from individuals and groups of individuals claiming to be the victims of violations of the human rights set forth in the Convention. The Ministry of Foreign Affairs had subsequently informed the public of all remedies available locally and under the Convention. Slovenia also intended to submit the amendment to article 8, paragraph 6, for ratification.
3. Slovenia had noted the concern which the Committee had expressed in paragraph 7 of the concluding observations regarding the status of the Convention in domestic legislation. The report discussed the status in national law of all ratified international instruments and gave examples of case-law in which the Convention had been directly invoked in the domestic courts.
4. In response to the Committee's recommendations, the authorities had taken many measures to train civil servants and public officials in matters relating to racial discrimination issues. The Convention was included in the curricula of several graduate and post-graduate schools and programmes for civil servants, as well as training programmes for law enforcement officials and members of the armed forces.
5. Slovenia had worked to promote the integration of minorities and vulnerable groups at all levels of society. Legislation amending the Citizenship Act had created a broader legal basis and a simplified procedure for granting citizenship to persons from the republics of the former Yugoslavia, temporary refugees, stateless persons and other eligible foreigners. Concerning the recommendation in paragraph 11 of the concluding observations that Slovenia should review its policy on the protection of refugees, he said that the authorities had made every effort to deal with the remaining 2,150 pending cases of temporary refugees; by the end of 2002, 1,839 of those persons had submitted applications for permanent residence, of which 1,661 had been approved. In 2001, the National Assembly had adopted the Media Act, which introduced sanctions for inciting racial discrimination and intolerance via the media. In 2002, the Government had adopted a resolution on migration policy, which included measures to prohibit acts of discrimination, xenophobia and racism against immigrants. Article 6 of the Employment Act, which had entered into force in 2003, prohibited discrimination on ethnic or racial grounds in hiring and at the workplace and made violations a punishable offence.

6. Slovenia had started initiatives to promote the political participation of Roma at local, national and international level. The 2002 Act amending the Local Government Act listed 20 municipalities which were required to guarantee the right of the Roma community to have one representative on municipal councils as from the local elections of 2002. In the local elections of November 2002, Roma municipal councillors had been elected in 14 municipalities. The Government had recently passed legislation and taken other measures to raise awareness of cultural diversity and human rights and protect the cultural identity of minorities. Slovenia had also intensified its cooperation with non-governmental organizations (NGOs). For example, it had financed an NGO initiative which had led to the publication in December 2002 of a number of human rights documents, including the Convention.

7. Mr. HERNDL (Country Rapporteur) congratulated the delegation on the fifth periodic report, which had been submitted on time and corresponded exactly to what the Committee had requested, because it focused on the concerns and recommendations contained in the Committee's concluding observations on Slovenia's fourth periodic report from 2001. The report had paid particular attention to the comments and recommendations contained in paragraphs 7 to 11 of the concluding observations, and the delegation had just provided additional information on those subjects. He was pleased to note that, following up the recommendations in paragraphs 12, 13 and 14 of the concluding observations, Slovenia had made the declaration under article 14; the amendment to article 8, paragraph 6, of the Convention was in the process of being submitted to the Parliament, and the Government had given instructions to make Slovenia's report and the Committee's concluding observations available to the public.

8. Paragraph 7 of the concluding observations had reflected the concern of a number of members of the Committee about the status of the Convention in Slovenia's domestic law. He concluded from the information provided in paragraphs 9 and 10 of the fifth periodic report that the Convention did in fact take precedence over domestic law.

9. Turning to the Government's response to the concerns raised in paragraph 8 of the concluding observations about differentiated protection measures for different minority groups, he noted that minorities from other republics of the former Yugoslavia also benefited from such measures, because they had a special cultural, linguistic and political status that was based on bilateral agreements, as referred to in paragraph 25, and that the Roma community and its members were also eligible for positive discrimination measures (para. 23). He would like to know how the census distinguished between the following minorities: Serbs, Croats, Macedonians and persons from the former Yugoslavia.

10. He noted the Government's response to the concern raised in paragraph 9 of the concluding observations, and it seemed that article 4 was being properly implemented. Paragraphs 13 and 14 of the fifth periodic report discussed legal measures of relevance to article 4 (a). The Societies Act, to which reference was made in footnote 3 on page 15, ensured compliance with article 4 (b). As that legislation had been in force since 1998, he wondered why the Committee had not been informed of its existence during consideration of Slovenia's fourth periodic report. Slovenia was also in compliance with article 4 (c), the Government having explained its efforts to make the public authorities aware of the need to combat racial discrimination.

11. He took note of the measures described in paragraphs 31 to 33, which had been taken in response to the recommendation in paragraph 10 of the concluding observations and was pleased to learn that, following up the recommendation in paragraph 11 of the concluding observations to review its policy on temporary protection of refugees, the Government was considering possibilities for integrating such persons (paras. 45 and 46). The next report should provide further details on the concrete action taken in that regard.

12. Two issues had still not been fully clarified. The first had to do with citizenship. In paragraph 5 of its concluding observations, the Committee welcomed the appropriate measures taken by the State party authorities to resolve the issue of citizenship of former citizens of the Socialist Federal Republic of Yugoslavia following the proclamation of the independence of Slovenia. At the time, Mr. Aboul-Nasr, with considerable foresight, had asked whether the issue had been settled, and the Committee had answered in the affirmative. Unfortunately, the issue had not been settled after all. As explained in paragraph 134 of the fourth periodic report, all persons who had already held citizenship of the Republic of Slovenia and the Socialist Federal Republic of Yugoslavia had automatically de jure acquired citizenship of the Republic of Slovenia after the independence of Slovenia, in accordance with regulations governing the acquisition of citizenship. That dual, cumulative requirement seemed to have a discriminatory element. He sought clarification from the delegation on the matter. In August 2000, the head of the Slovenian delegation had said that citizenship had been offered to 171,000 persons, although he had also spoken of a total of 240,000 persons in Slovenia from the other former Yugoslav republics (summary record CERD/C/SR.1406, para. 4), and there had been reports of the so-called illegal “erasure” of approximately 130,000 citizens. The figures were not precise, but in any case large numbers of persons had lost their citizenship or had not been granted the permanent residence required for obtaining citizenship, and as many as 130,000 persons living in Slovenia could not apply for citizenship. He asked the delegation to provide more information on that question, which Slovenia had also discussed with the European Union during negotiations on accession. He was aware that the Government had taken measures to alleviate the problem by setting new time limits and allowing nationals to apply again, but for many the time limits had been too short.

13. The other problem which had also been regarded by the Committee as settled had to do with the situation of the Roma. Slovenia had a sizeable Roma minority, which was larger than the Italian and Hungarian minorities. On the surface, the situation of indigenous Roma seemed to be satisfactory, and a number of legal measures had been enacted in their favour. Did non-indigenous Roma also benefit from those measures? What were the criteria for distinguishing between Slovenian Roma and non-Slovenian Roma? He sought further information on action taken for the benefit of the Roma community. The Committee had received reports of large-scale discrimination against Roma. What legal measures had been introduced to ensure that their rights were protected?

14. Mr. VALENCIA RODRIGUEZ said that it was noteworthy that the international instruments ratified by Slovenia had been incorporated in national law and were applied directly. It should also be noted that the Slovenian Constitution required domestic legislation to conform

to the generally accepted principles of international law and international treaties ratified by the country. The treaties therefore took precedence over domestic legislation. While the Constitution guaranteed equal human rights and freedoms to all, however, a provision should be added expressly prohibiting racial discrimination.

15. While, in principle, Slovenia met the basic requirements of article 4 of the Convention, as demonstrated by articles 141 and 300 of the Criminal Code and article 15 of the Societies Act, more precise provisions should be formulated and included in those instruments. It was unclear whether, in cases of racial discrimination, claims for damages or compensation were independent of criminal proceedings, or whether criminal court judges could also award damages or compensation.

16. The human rights exercised by members of the ethnic Italian and Hungarian communities and the Roma community should include the right to be treated without discrimination. Given the situation of the Roma, it was reasonable to grant them special rights, especially since that concurred with the provisions of article 2, paragraph 2, of the Convention. The Committee's General Recommendation XXVII on discrimination against Roma should also be borne in mind. He asked whether the other minority communities enjoyed the same rights as the Roma. If not, which did they not share? According to the fifth periodic report (para. 25), classes in their respective native languages and cultures were provided for children of Croatian, Macedonian and Albanian nationality in accordance with international treaties and bilateral agreements. What arrangements existed for children of other minorities who were not protected by such agreements?

17. He commended the Government of Slovenia for the measures it had adopted in keeping with the Committee's concluding observations concerning the country's fourth periodic report. It was an eloquent testimony to the fact that when the Committee was able to rely upon the willing cooperation of a State party, its efforts were not in vain. As to the Government's six-point plan for implementing those concluding observations, he requested that the Committee be kept informed of the progress made.

18. He observed that a certain prejudice and mistrust had existed among Slovenians with regard to non-Slovenians in the wake of the political turmoil in neighbouring countries during the decade following Slovenia's independence. Thanks to the Government's efforts, that had given way to a climate of understanding and cooperation. The media played an undeniably important role in helping to foster tolerance. The selected examples contained in the Appendix, many of which referred to the Roma, were much appreciated by the Committee, as they illustrated how the Convention was being implemented in the country. Particularly noteworthy was the Supreme Court ruling, which established that freedom of expression was not absolute, but was limited to the extent that it infringed the rights of others.

19. Mr. de GOUTTES said that the fifth periodic report did not follow the usual format, but was nevertheless an effective update, as it responded to the recommendations made by the Committee in its concluding observations concerning the country's fourth periodic report. Indeed, the report noted that Slovenia had made the optional declaration under article 14 of the Convention; it provided information on the implementation of the Convention in domestic legislation; it described the protection afforded the rights of members of national, ethnic,

religious and linguistic minorities; and addressed the issue of the human rights instruction given to civil servants, as well as efforts to raise the public's awareness of human rights. Also in response to the Committee's previous concluding observations, the Government had amended its legislation, which complied in principle with the provisions of article 4 of the Convention. However, the examples of cases included in the periodic report contained no mention of criminal sentences, whether imprisonment or fines, pronounced for perpetrators of racist acts. The delegation should provide such examples in its next periodic report.

20. He wondered what effect had been given to a proposal made by the Government Office for Immigration and Refugees and submitted to the Government concerning the granting of permanent residence permits to persons who had been given temporary asylum in Slovenia. Paragraph 47 of the periodic report referred to the fact that intolerance towards the Roma had grown between 1992 and 1998, even though intolerance towards other groups had subsided during that period. How was the current situation? Had any steps been taken to combat intolerance towards the Roma?

21. In its previous concluding observations, the Committee had noted that Slovenia did not grant minorities, such as Croats, Serbs, Bosnians and Roma, the same degree of protection as Italian and Hungarian minorities. It had therefore recommended that the Government should ensure that persons or groups of persons belonging to other minority groups should not be subject to discrimination. Could the delegation comment on the follow-up given to that recommendation?

22. Mr. KJAERUM said he understood that the status of temporary refugees had been changed. Could the delegation furnish details regarding work permits for refugees? He would also appreciate knowing which rights Slovenian citizens possessed that refugees did not. Referring to paragraph 26 of the fifth periodic report, he wondered what was meant by the term "method of gradual implementation". How did that method apply to the Roma in practical terms? If, as stated in paragraph 27, the attitude of the press had become more positive towards the Roma, what factors were responsible for such a change in attitude?

23. According to the Helsinki Monitor of Slovenia, to bring to court the cases of some 130,000 former permanent residents of Slovenia, who had been illegally erased from the register of permanent residents due to their non-Slovene or mixed ethnic origin, would not be desirable, as there was a tremendous backlog of cases in the court system. Was the Government considering any other more rapid procedures for handling those cases?

24. He wondered whether the Government had any intention of formulating a national plan of action for dealing with racism, as had been suggested in the Durban Declaration and Programme of Action. Or, more generally, did it intend to establish a national human rights plan of action as was suggested in the Vienna Declaration and Programme of Action of 1993?

25. Mr. RESHETOV said that the economic and social situation in Slovenia was better than in some of the other post-Yugoslavia republics; his comments would therefore be limited to the principles and implementation of the Convention. The generally recognized principles of international law that were recognized by the Slovenian Constitution (para. 9) included many sectoral principles of a jus cogens nature relating to human rights, and to non-discrimination in

particular. Based on information he had received, he acknowledged that there had been no gross and systematic violations of human rights. However, that did not imply that the situation in Slovenia was perfect or that no questions would be raised with the delegation.

26. The fifth periodic report provided a frank description of the changing attitude of tolerance shown by Slovenians towards non-Slovenians in the decade following independence. That was unusual; most countries were hesitant to include such revealing information, even if it concerned the past. He particularly appreciated the report's exemplary presentation of specific court cases; they were unusually substantive; the links to legislation were clear; and they dealt with representative issues. Some even contained recommendations for possible amendments to current legislation. One such case concerned the political participation of the Roma community at local level, where the Constitutional Court had decided that the relevant legislation would have to be amended to provide a more precise definition of the criteria for such participation. While it was reasonable for criteria based on the size of the Roma population to be used, he questioned the validity of criteria relating to its level of organization, as that required a subjective determination.

27. Another court case cited in the report concerned the issue of discrimination against non-Slovenian citizens of Slovenia. It was an important issue, since non-Slovenian citizens made up a large share of the population in Slovenia and, according to reports from NGOs in the field, there had been many instances of discrimination. It also raised the question of what was meant by Slovenian nationality and touched upon a subject of interest to the Committee: the influence of descent on the ability of ethnic groups to exercise their rights. Indeed, NGOs had reported that not all wounds had healed after the collapse of the former Yugoslavia. Many of the ethnic groups who had been forced to leave Slovenia still had apartments there. They should be compensated for the property they had been forced to leave behind. Some persons, moreover, had not been able to collect the pensions to which they were entitled, due to their change of residence. Lastly there was the question of the reunification of divided families. He wondered if the delegation could comment on how those issues were being dealt with.

28. Mr. THORNBERRY, noting the use in the periodic report of terms such as "ethnic minority" and "indigenous", asked what constituted a national minority in Slovenia. Did the term "indigenous" in some way refer to international instruments protecting indigenous rights, or was it defined otherwise in domestic legislation? He supported the idea that the equality principle did not disallow special treatment of minorities such as the Roma community; indeed, that principle in some cases required special treatment in order to ensure a situation of de facto equality as opposed to mere equality in law. On the other hand, the principle of non-discrimination required that no unjustified privileges should be accorded to specific groups, but that was far from applicable in the case of the Roma in Slovenia. The State party considered that the same criteria of ethnic community protection did not apply to the Roma community as to others. Was that because of a qualitatively different policy, or simply a reflection of the fact that ensuring equality for the Roma community would be slower and more difficult to achieve?

29. Many of the legal cases described in the report related to planning regulations and the rights of the Roma community, an issue that had been raised often in the European Court of Human Rights, for example for communities in Britain. In the Committee's view, respect for tradition must be an integral part of the exercise of planning regulations. He was encouraged by

the position of the Human Rights Ombudsman to the effect that aesthetic questions and the prohibition of camping did not constitute sufficient grounds for a decision on forced resettlement. Ostensibly neutral planning laws could have a disparate impact on particular groups, and could amount to discrimination in effect.

30. Mr. LINDGREN ALVES commended the State party for the regularity with which it had submitted its reports and for the quality of the fifth periodic report, which mentioned a large number of laws and practices that were consistent with the Convention. In particular, the effort to disseminate information on human rights to police officers through the distribution to each of a manual on the subject was a praiseworthy step. In light of the fact that the Roma were generally nomadic and dispersed, what did the Government mean when it referred to the Roma community? The report mentioned efforts to integrate the Roma into society at large in a number of fields. How could the State party encourage integration without assimilation, as the latter would eliminate the cultural and traditional way of life of the Roma people? Had the Government's efforts to integrate the Roma led them to adopt a more sedentary lifestyle?

31. According to the Helsinki Monitor of Slovenia, the Government was using the provisions of article 1 of the Convention to justify a policy of discrimination between citizens and persons who had been refused citizenship. What happened to people who had held Yugoslav citizenship before Slovenia had gained independence, but who had not obtained Slovenian citizenship? Were they expelled, and if so, to what country? Considering the fact that such people shared the same citizenship with Slovenes prior to the disintegration of Yugoslavia, was that not a form of "ethnic cleansing"?

32. Mr. TANG Chengyuan expressed concern at reports from the Helsinki Monitor of Slovenia that unregistered non-citizens of various nationalities represented a significant portion - about 7 per cent - of the population of Slovenia. Lack of registration clearly increased the vulnerability of those people to discrimination. How did the Government prevent discrimination in such circumstances, and did it have any long-term plans to deal with the presence of so many unregistered inhabitants? Some 2,650 Bosnians had received temporary asylum in the country, but did not have the right to work, and were therefore left dependent on support from the State. What long-term plans did the Government have for them, as some would surely wish to stay in Slovenia at the end of their period of asylum? Had they been granted permanent residency?

33. Mr. YUTZIS, noting that according to the report the State party pursued a strategy of gradual implementation to establish equality of the Roma community, said that it would be useful if the Government provided statistics and further information on the improvement of the situation of the Roma with regard to housing, education and in other specific domains. The steps taken by the State party to make human rights in general and the Convention in particular better known among personnel in the Ministries of the Interior, Defence and Justice were of great interest.

34. Had the Government considered working with any NGOs when drafting its report? Were there publications in Slovenian on human rights instruments, including the Convention, and were they distributed through educational establishments and other institutions? Had the Government published the Committee's concluding observations in Slovenian? The report stated that by the end of 2001 a new status would be given to Bosnians living in Slovenia under the terms of

temporary asylum. What was their current status? According to the report, the treatment of Roma people in the media had become more positive, but intolerance of the Roma had remained high throughout the 1990s. What impact had the media had on perceptions of such minorities? Lastly, an NGO had reported that the State did not issue drivers' licences to residents who were not Slovenian citizens. What was the State's policy in that regard?

35. Mr. AMIR commended the State party for having provided educational services to approximately 10,000 temporary refugees between 1992 and 1999, which was in keeping with the provisions of article 7 of the Convention. What was meant by the reference in the report to "broad international currents"? Had any cooperation agreements been concluded between Slovenia and its neighbours in respect of freedom of movement or visa requirements? What legal procedures applied to foreign nationals living in Slovenia, in particular if they were arrested? Had there been any arrests of suspected terrorists in Slovenia? If so, what kind of criminal procedures were applicable?

36. Mr. PILLAI asked whether the provisions of article 300 of the Criminal Code were sufficient to cover all cases of human rights violations or racial discrimination. The report stated that violations of fundamental rights were isolated and their number relatively low throughout Slovenian territory, but according to the Helsinki Monitor of Slovenia, there was a backlog of over 1 million court cases dating as far back as 11 years, which was enormous for a country of under 2 million people. The delegation should clarify whether that information was accurate and how it reflected on the public's access to redress of grievances. According to the same NGO, complaints against the police in administrative procedures could not be taken to court. What remedies were available in such cases? Lastly, the State party often referred to cases handled by the Office of the Human Rights Ombudsman, and the recommendations that Office made. How were such recommendations handled by the Government, and what was their legal status?

37. The delegation of Slovenia withdrew.

ORGANIZATIONAL AND OTHER MATTERS (item 2) (continued)

38. The CHAIRMAN invited the Committee to consider document CERD/C/62/Misc.14/Rev.1 dealing with organizational matters. He suggested that the first section, entitled "General debate", should remain unchanged.

39. It was so decided.

40. The CHAIRMAN asked Committee members for comments on section two of the document.

41. Mr. VALENCIA RODRIGUEZ said that the words "and national human rights institutions" should be added to the end of the subtitle. In the second line of paragraph (a), the word "time" should be preceded by the word "meeting".

42. Mr. RESHETOV wondered whether there was any need to retain paragraph (f) as it did not contain any new information and might provoke unnecessary reactions. He asked for clarification of the term “accredited national human rights institutions”. He noted that a number of organizations did not have the resources to send representatives to Geneva. Would only organizations which did have the necessary funds be invited to participate in the Committee’s proceedings?

43. Mr. VALENCIA RODRIGUEZ commented that Mr. Aboul-Nasr had insisted that paragraph (f) should be included in the document.

44. Mr. SICILIANOS fully endorsed Mr. Valencia Rodriguez’s suggestions with regard to the subtitle and paragraph (a). He also agreed with Mr. Reshetov that paragraph (f) should be deleted, since it might create a problem. It was well-established practice that NGOs and national human rights institutions did not take the floor during the Committee’s consideration of country reports, so there was no need to draw attention to the fact.

45. He pointed out that the term “accredited human rights institutions” was often used in the United Nations system and it was appropriate to distinguish between them and NGOs. The United Nations accredited a number of national institutions, which existed in some 55 countries and were independent of Governments. Institutions were accredited only after the national coordinating committee had verified their compliance with the Paris Principles.

46. The CHAIRMAN said that thematic debates had always taken place in informal meetings. Some NGOs had asked him why they were not allowed to take the floor when the Committee discussed country reports. It might be useful to keep paragraph (f) in order to clarify the matter once and for all. However, even the absence of such a provision could not be construed as a change in the Committee’s methods of work.

47. Mr. KJAERUM endorsed Mr. Reshetov’s suggestion to delete paragraph (f). At the very least, the words “national human rights institutions” should be deleted. Such institutions were allowed to take the floor when they were a part of an official delegation. He also endorsed the explanation given by Mr. Sicilianos.

48. Mr. RESHETOV said that paragraph (d) could be used to prevent NGOs from submitting information to the Committee while country reports were being discussed. He suggested that a list of influential NGOs, at least for some countries, should be compiled. The organizations which submitted shadow reports should take note of the existence of such NGOs, accord interest to civil society in certain countries, and perhaps even inform NGOs of forthcoming country reports. The Committee should also inform NGOs in that regard, as sometimes Governments could not be relied on. That could be the Committee’s new method of working with NGOs.

49. The CHAIRMAN said that it was important to establish whether institutions were members of a delegation. If not, the Committee had to treat them on an equal footing with NGOs.

50. Mr. de GOUTTES endorsed the comments made by Mr. Sicilianos and Mr. Kjaerum regarding the importance of national human rights institutions, which should not be confused with NGOs. Paragraph (f) or, at least, the words “and national human rights institutions” should be deleted, because national human rights institutions had the right to participate in formal meetings as members of a delegation.

51. The CHAIRMAN said that, according to paragraph (d), it was up to the national human rights institutions to decide how they wished to contribute to the Committee’s meetings. Although the following sentence began with the word “however”, it did not contradict the preceding sentence but gave the institutions an alternative. The paragraph should be re-drafted to make that point clear.

52. Mr. THORNBERRY was in favour of deleting paragraph (f). The word “them” should be replaced by the words “the Committee” in the first sentence of paragraph (d). He wondered whether the prerogatives given to institutions under paragraph (d) were any different from those given to them under paragraph (c).

53. The CHAIRMAN suggested deleting paragraph (d) and adding a reference to the “accredited national human rights institutions” in paragraph (c). He also suggested that the word “time” in the first sentence of paragraph (a) should not be preceded by the word “meeting”, since “meeting time” referred to a “formal meeting”. He wished to have a vote on the issue.

54. Mr. KJAERUM, supported by Mr. LINDGREN ALVES, Mr. VALENCIA RODRIGUEZ and Mr. SICILIANOS, disagreed with the Chairman’s suggestion and proposed retaining the word “meeting” before the word “time” in the first sentence of paragraph (a). If the Committee was not putting time aside for meetings with NGOs, the paragraph, and in particular the second sentence, made no sense. Meetings with NGOs should be formal.

55. Mr. RESHETOV said that a meeting “with interpretation” was a formal meeting. The fact that summary records or other services were not involved did not make a meeting unofficial. As an official meeting, it would be removed from the Committee and included in the United Nations budget. He was not certain whether such a radical change would be in compliance with the Convention on the Elimination of All Forms of Racial Discrimination and agreed with the Chairman that the Committee should vote on the issue.

56. Mr. LINDGREN ALVES stressed the importance of meeting with NGOs and listening to different views.

57. The CHAIRMAN reminded members that the Committee had organized two thematic debates and had held meetings with NGOs.

58. Mr. de GOUTTES expressed the view that an informal meeting could be official in character. An informal meeting was one held during the Committee’s working hours. Meetings that went on outside the Committee’s working hours were unofficial. Meetings with NGOs should take place during working hours and should thus be official but informal. It was important to distinguish between “informal” and “unofficial”.

59. He believed that paragraph (d) should be retained, but the words “in ways deemed appropriate by them” should be deleted from the first sentence.

60. The CHAIRMAN explained that the words “to furnish information to CERD” meant that information would be given to the Committee, as opposed to members of the Committee.

61. Mr. HERNDL said that if the Committee wished to protect the status quo, there was no need to change a well-established practice.

62. The CHAIRMAN stressed the need for shorter, flexible and more general sentences, which would reflect the fact that members of the Committee, as opposed to the Committee, wished to receive information from NGOs.

63. Mr. SICILIANOS said that in other committees, such as the Committee on Economic, Social and Cultural Rights, NGOs could take the floor in formal meetings, with interpretation and summary records. The Committee would not be introducing a major change if it said that, if necessary, it could invite NGOs and human rights institutions to speak on an agenda, which would be set by the Committee.

64. He believed that, in the first sentence of paragraph (d), either the words “in ways deemed appropriate by them” should be removed altogether, or the word “them” should be replaced by the words “the Committee”.

The meeting rose at 6 p.m.