



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

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Summary record of the 2115th meeting

Held at the Palais Wilson, Geneva, on Thursday, 25 August 2011, at 10 a.m.

Chairperson: Mr. Calí Tzay (Vice-Chairman)

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The meeting was called to order at 10.05 a.m.

**Consideration of reports, comments and information submitted by States parties
under article 9 of the Convention (continued)**

*Fifteenth to twentieth periodic reports of Malta (continued) (CERD/C/MLT/15-20;
CERD/C/MLT/Q/15-20)*

1. *At the invitation of the Chairperson, the delegation of Malta took places at the Committee table.*
2. **Mr. St. John** (Malta), responding to questions raised at the previous meeting, said that irregular migrants could be held in detention for up to 18 months. However, migrants who applied for asylum could only be held for up to 12 months and, in practice, were usually released within 6 months if their applications were successful. The law stipulated that all irregular migrants were subject to detention. However, that requirement was waived for the most vulnerable migrants, including minors, who were subject to a restriction of liberty only until they had passed an obligatory medical examination. The authorities endeavoured to ascertain a person's true age if it was unclear if he or she was a minor. The Agency for the Welfare of Asylum Seekers had piloted courses for migrants, including language courses, at both closed and open detention centres, and planned to expand the number of courses taught.
3. Malta could accommodate only a limited number of migrants and efforts were made to resettle migrants elsewhere in the European Union and in the United States of America. The vast majority of irregular migrants applied for asylum; application rates had sometimes exceeded 90 per cent in recent years. Moreover, asylum was granted in over 50 per cent of cases. Free legal aid was available for migrants who wished to appeal a decision by the authorities to reject asylum applications. Such appeals were heard by the Immigration Appeals Board. The Board had recently been expanded to enable it to hear applications in two chambers simultaneously.
4. Malta had, in recent years, refurbished several detention centres in the country, although logistical difficulties had been encountered when renovating certain centres because of the high numbers of detainees who were held there. Despite a sharp increase in the number of irregular migrants in detention, detainees were no longer held in tent accommodation.
5. A series of amendments had been made to the Refugees Act and subsidiary legislation in order to incorporate the concepts of subsidiary protection and subsequent application, as set forth in European Union directives on asylum, into domestic laws; under Malta's amended legislation, persons whose asylum applications had been rejected, even at appeal, could reapply if they obtained evidence pertinent to the case that could not have been obtained when the original application had been submitted.
6. The Office of the Refugee Commissioner, in collaboration with the European Union, provided assistance to irregular migrants who wished to apply for asylum; migrants learned about the asylum process and their rights as asylum-seekers, were offered relevant advice, and were helped to submit applications for asylum.
7. In hearings to consider asylum applications, Malta sought to provide interpreters of the same gender as the persons appearing before the court. Unfortunately, there was sometimes only a single interpreter in the country who was able to interpret from and into certain languages, and interpreters of the appropriate gender could not always be provided, particularly at short notice.
8. Malta had taken note of the recommendations of the Pasquale report, including the establishment of an administration to oversee its detention centres. Furthermore, the media

has been granted access to those centres since the detention centre riots of 2005. When sent to control disturbances at detention centres, Maltese law enforcement authorities made every effort to defuse the situation and restore order peacefully. Malta would continue to work to improve conditions both at closed and open centres.

9. **Ms. Sant** (Malta), also responding to questions raised at the previous meeting, acknowledged that there had been few prosecutions for racial discrimination in the country, despite the fact that Malta had strengthened its national legislation to combat all forms of discrimination. However, to prosecute a party for racial discrimination, a complaint in that regard must first be filed by the injured party, who must then specifically request that the case be brought to court. However, Maltese society was a tolerant one, and parties frequently chose to resolve disputes informally, without resorting to the courts. The very few prosecutions for racial discrimination that had been brought should be seen in that context and should, moreover, be regarded as evidence of Maltese society's inherent spirit of tolerance of ethnic and cultural diversity.

10. Maltese law set forth the minimum and maximum sentence that could be imposed for a specific offence. A sentence was handed down, primarily, to act as a deterrent to others who might otherwise perpetrate similar offences. Suspended sentences and conditional discharges were the measures most frequently adopted by the courts. Together with awareness-raising campaigns in the media, such measures appeared to have been effective deterrents, and there had been no significant rise in the number of prosecutions for racial discrimination. Naturally that situation would be monitored and more severe penalties imposed for a particular offence if a stronger deterrent were deemed necessary.

11. Over the previous two years, there had been a significant increase in prosecutions of migrants attempting to leave the country with forged documents. Suspended sentences had apparently not deterred persons from perpetrating such offences, and the judiciary had been advised to impose stiffer sentences, including prison terms, for crimes involving forgery.

12. The police carried out their own internal inquiry into any complaints of inappropriate police conduct, of which several had been investigated in recent years. Such cases were frequently settled informally.

13. Legal aid was provided to defendants and victims at appeal if they met certain requirements. An asylum-seeker whose original application had been rejected was only eligible for legal aid if he or she appealed that decision on a point of law, not a point of fact. That did not constitute a form of discrimination; restrictions were also placed on appeals made by the Office of the Attorney General. Furthermore, for serious offences, which carried sentences of up to life imprisonment, that Office could only lodge an appeal if it believed the penalty imposed to be manifestly excessive.

14. Bigamy was outlawed in Malta. Foreigners who had contracted multiple marriages abroad were permitted to remain in the country, but were prohibited from marrying in Malta unless their previous marriages were first terminated.

15. Although there were few recorded incidents of racial discrimination in Malta, it was possible that some cases went unreported. Moreover, there had been a marked increase in the number of offences, including offences related to racial discrimination, that had been perpetrated in areas where large numbers of migrants congregated for leisure activities. Those offences often occurred when migrants clashed with other migrants; incidents involving violent altercations between migrants and local Maltese were rare. There had been a significant increase in serious offences perpetrated by migrants, including grievous bodily harm and drug trafficking offences.

16. Bail was mandatory after a certain period of time unless a bill of indictment was issued. Bail was granted if defendants met certain requirements, which were the same for

both Maltese and foreign nationals: it was granted or refused based on the actions of the accused and the seriousness of the offence with which he or she was charged. However, many prosecutions of migrants were for trafficking large quantities of drugs, which carried a prison term of 15 years or more. In such cases, bail was rarely approved.

17. There had been a number of prosecutions related to disturbances at football matches, as well as to corruption and bribery in sport. However, there had been no prosecutions of football players or fans for racial discrimination.

18. The media in Malta were regulated by the Seditious Propaganda (Prohibition) Ordinance and the Press Act. The former regulated materials that could be prohibited from entering the country, inter alia, on the grounds that they would encourage racial discrimination. Legislation to regulate the media was deliberately vague so that the courts could, among other things, combat racial discrimination effectively. There was a free press in Malta and a number of independent and political party-affiliated newspapers. All newspapers were prohibited from publishing articles that called for racial discrimination or incited racial hatred. A candidate for public office had, moreover, been successfully prosecuted for incitement to racial discrimination. That incident had served to raise public awareness of the issue and had strengthened racial tolerance.

19. Malta had enacted legislation that provided for the victims of offences, including persons who had been subjected to racial or gender discrimination, to be repatriated free of charge to their countries of origin. However, no requests for such repatriation had, to date, been received by the authorities.

20. **Ms. Attard** (Malta) said that the Government had made the principle of equality a national priority and was seeking to introduce it into all policy and legislation. It had adopted a holistic approach to identifying and combating discriminatory practices, at the same time seeking to increase resources and focusing on vulnerable groups such as unaccompanied minors.

21. An action plan to combat racial discrimination, in accordance with the 2009 Durban Review Conference, had been outlined by the National Commission for the Promotion of Equality (NCPE) as part of its “Strengthening Equality beyond Legislation” project. The plan had to be fluid in order to be able to adapt to emerging trends and permeate national structures at all levels.

22. Refugees had the same rights as Maltese citizens to apply for social housing or rental subsidies, provided they fulfilled certain conditions regarding residency and income. Cases in which persons were denied the possibility to rent private accommodation due to their race or ethnic origin were investigated by the NCPE and could result in a fine and/or imprisonment.

23. The Department of Industrial and Employment Relations laid down minimum requirements to combat discrimination in relation to employment, including racial discrimination. It had the power to investigate complaints, and included an industrial tribunal empowered to grant compensation to victims.

24. The services of the Employment and Training Corporation were available to persons from different racial and ethnic backgrounds. The Corporation also addressed abusive employment practices and had successfully detected a number of instances in which persons from diverse racial backgrounds were being exploited.

25. The Equal Treatment in Employment Regulations recognized and punished different types of racial discrimination in such respects as access to work, recruitment and promotion criteria, remuneration and trade union membership. In keeping with the relevant European Union directive, the Regulations also placed the burden of proof on the alleged perpetrator of the discriminatory treatment.

26. Employment rates for women in Malta remained low, although they had increased over the previous decade in the wake of a number of legislative initiatives. Steps were being taken to improve the situation further through labour market policies that also included vulnerable groups, and a Government commitment to positive discrimination.

27. Migrant children, whether of regular or irregular status, were taught both Maltese and English and received equal treatment with Maltese children up to the compulsory education age of 16. Although migrants from outside the European Union did not have the automatic right to access higher education, the Ministry of Education could grant equality of treatment for humanitarian reasons. Immigrants from many Asian and African nations had taken advantage of that possibility.

28. A national curriculum for primary education, based on strengthening democracy and respecting diversity, was in the process of being drafted. The Government was proposing that it include Malta's obligations under international human rights treaties, and she welcomed the Committee's suggestion that the International Convention on the Elimination of All Forms of Racial Discrimination should also be incorporated.

29. Mindful of the importance of diversity for enhancing culture in society, Malta had officially launched its cultural policy in July 2011. Schools made extensive strategic efforts to enhance intercultural dialogue with a view to taking full advantage of the opportunities provided by multiculturalism in society.

30. The NCPE provided a grass-roots service to investigate complaints of racial discrimination. It empowered individuals and entities to overcome discriminatory practices, and had the advantage of being free of charge and less formal than court proceedings. A number of cases had not reached the courts because the NCPE could not pursue a case without the victim's express consent.

31. The NCPE also had a wider remit to provide training and awareness-raising to various stakeholders in civil society, and worked with the media and the Broadcasting Authority to raise awareness regarding hate speech. The police could also take direct action if they received relevant reports alerting them to instances of hate speech.

32. Another task of the NCPE was to ensure access to social security benefits. The social security system provided a variety of non-contributory benefits, applying different means tests depending on the type of benefit being requested.

33. The NCPE did not have the broad mandate of a national human rights institution, because Malta already had a number of more area-specific human rights bodies. Nonetheless it did conform with a number of the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles). The Government was studying the possibility of creating a national human rights institution in accordance with those Principles.

34. The Parliamentary Ombudsman had the authority to investigate complaints of discrimination in government, but not in the private sector.

35. The Government preferred to incorporate the relevant provisions of the Convention into domestic law by making them part of the Criminal Code, the Civil Code and the Code of Organization and Civil Procedure, rather than importing the Convention in its entirety as a separate piece of legislation which, it was feared, would not be sufficiently comprehensive.

36. In Malta, Parliamentary Acts were primary law, while legal notices and regulations were subsidiary law. Both were discussed in Parliament and had the same force before the courts. The Equal Treatment of Persons Order was an exception in that it had been issued by the Prime Minister for the purpose of enacting various laws related to Maltese accession

to the European Union. It was not, therefore, a subsidiary law and would have been legislated as a primary law but for the exceptional circumstances.

37. The Voluntary Organizations Act of 2007 included provision for a Commissioner for Voluntary Organizations and a Council for the Voluntary Sector to enhance and regulate voluntary organizations, developing their cooperation with one another and with the Government.

38. **Mr. de Gouttes** noted that a low number of complaints and prosecutions for racist offences was not necessarily a positive indicator. Having improved legislation in that field, the authorities needed to focus efforts on providing better legal information to the victims of racist offences, and on raising awareness among police and justice officials.

39. The Committee was concerned about the possible negative effects on foreign minors of being held in a detention centre. It was important not to separate children from their parents, but he wondered if consideration had been given to other possibilities such as providing separate facilities for families, or electronic tagging bracelets.

40. **Mr. Camilleri** (Malta) said the authorities were conscious of the importance of providing greater information and were working actively in that direction.

41. **Mr. St. John** (Malta) explained that vulnerable migrants including children were not subject to lengthy detention. Migrants were held in detention centres until they obtained medical clearance, after which they were placed in open centres. The open centres, which were intended for migrants who had no alternative accommodation, provided separate facilities for families and children.

42. People were free to leave the open centres when they chose, but the fact that Malta was small and offered few opportunities for integration meant that people tended to stay on and the population of the centres was increasing. Malta did not currently make use of electronic tagging bracelets.

43. **Ms. Sant** (Malta) said that the statistics made available to the Committee related to prosecutions for racist offences, not to complaints. Under Maltese law if a complaint of racial discrimination was made, but the complainant subsequently chose not to proceed, the police could not prosecute *ex officio*.

44. Attention should be given to the reasons why some persons complaining of racial discrimination chose not to seek prosecution. They needed to be assured that, in prosecuting such offences, their rights would be fully protected.

45. **Mr. Avtonomov** said it was possible that the position of refugees in Malta had worsened following recent events in North Africa. It was important that the Committee be kept informed about their situation.

46. He requested further information about the criteria used to determine Maltese citizenship. According to the periodic report, the Minister responsible for matters relating to Maltese citizenship had the power to deprive certain individuals of their citizenship, and that decision was not subject to review by the courts.

47. **Mr. Camilleri** (Malta) said that the refugee situation was currently a key issue. He had actually been involved in a discussion of arrangements to bring refugees from Tripoli to Malta that very morning. The Maltese authorities would be pleased to monitor developments jointly with the Committee.

48. **Ms. Sant** (Malta) said that she wished to seek further advice on the procedures for obtaining Maltese citizenship. The requested information would be sent to the Committee in due course.

49. **Mr. Murillo Martínez** welcomed the adoption of amendments to the Refugees Act to bring it into line with relevant European Union directives. He wished to hear more about the impact on society of the recent influx of immigrants. The international community, particularly neighbouring countries, should clearly assume some measure of responsibility for addressing the problem.

50. **Mr. Camilleri** (Malta) said that action must clearly be taken to ensure that the amended refugee legislation was fully implemented in practice. Malta had been occupied until recent times by a whole series of different nations and peoples. Its language, culture and way of living reflected those disparate influences and Maltese society was traditionally open and tolerant. People were very much aware of the influx of immigrants and were willing to help, notwithstanding the impact of the new arrivals in social and economic terms. Of course, there were extremists in all societies, but Maltese non-governmental organizations (NGOs) and the general public had demonstrated a positive attitude. However, the country's European partners had a duty to share the burden.

51. **Mr. Lindgren Alves** welcomed the State party's educational initiatives aimed at promoting tolerance and acceptance of diversity.

52. He noted that Malta had hosted the first regional conference for the Mediterranean of the United Nations Alliance of Civilizations in 2010.

53. **Mr. Diaconu** said that article 4 of the Convention required States parties to prosecute acts of racial discrimination under criminal law. He wondered why prosecutors were unable to take action *ex officio* when an offence was brought to their attention by individuals, the media or any other source. Was the agreement of the complainant required to continue an investigation even in cases of serious violations of human rights or grievous bodily harm based on racial grounds? He mentioned in particular the offences defined under article 82A, B, C and D, article 83B, article 139A and article 222A of the Criminal Code. He assumed that no such restrictions were applicable to prosecutors in the case of war crimes, genocide or crimes against humanity.

54. **Ms. Sant** (Malta) said that title VIII of the Criminal Code provided for the prosecution of crimes against the person. Some of the crimes could only be prosecuted in response to a complaint by the aggrieved party. The investigative police took steps to ascertain whether the complaint was serious and to rule out the possibility of a vexatious or frivolous complaint. On completing the preliminary inquiry, the police requested the complainant's permission to proceed with the investigation. If permission was denied, they were unable to proceed. She agreed that it was a stumbling block. However, title VIII also provided for exceptions and in such cases the police could proceed *ex officio* even if the complainant attempted to retract the complaint. The same applied to cases in which the complainant was not an aggrieved party.

55. Crimes involving grievous bodily harm or attempted murder occasionally stemmed from some form of racial conflict between individuals that could not be characterized as racial discrimination. The police would seek to ascertain the cause of the conflict and if the victim invoked racial discrimination, that allegation would be incorporated in the charge sheet. If the prescribed penalty exceeded six months, the Attorney General's Office would become involved and its role would supersede the complaint of the injured party.

56. The legislation prohibiting racial discrimination was more detailed than that prohibiting other forms of discrimination, such as on grounds of gender or creed, and there were also more complaints and prosecutions on racial grounds.

57. **Ms. Crickley** commended the State party on its recent initiatives in the area of education. She joined other Committee members in recommending that human rights

education should be included in school curricula and that the subject of diversity and intercultural dialogue should be highlighted.

58. According to a study undertaken by the European Union Agency for Fundamental Rights in Malta in 2009, 66 per cent of Africans interviewed felt that they had been discriminated against. Although that was not such an unusual finding in European Union countries, it indicated that, apart from the legal issue of the possible suspension of prosecutions in Malta, there was a need to promote awareness of and confidence in the law and legal institutions among people in marginal situations. She asked whether any measures were being taken in that regard.

59. Malta was currently implementing the European Union Stockholm Programme concerning integration policies. Noting that the new Agency for the Welfare of Asylum Seekers did not include integration issues in its terms of reference, she asked whether Malta intended to elaborate an overall integration policy.

60. What steps were being taken by the Commissioner for Voluntary Organizations to encourage people from minority communities to become directly involved in the voluntary sector?

61. **Mr. St. John** (Malta) said that one of the main functions of the Agency for the Welfare of Asylum Seekers was to run open centres and to deliver integration-oriented programmes. For instance, it organized vocational training and language courses to prepare asylum-seekers for resettlement or a long-term stay in Malta.

62. **Ms. Attard** (Malta) said that the main aims of the Voluntary Organizations Act were to regulate and finance the voluntary sector. All NGOs were to be registered so that they could receive State funds and other types of assistance. A number of NGOs worked with asylum-seekers and non-citizens, for instance the Jesuit Refugee Service, SOS Malta and the Paulo Freire Institute. Some of them were involved in awareness-raising and training courses in Maltese schools. Emphasis was placed on volunteering in the education system. To mark the European Year of Volunteering, steps were being taken by various ministries, the Commissioner for Voluntary Organizations and the Council for the Voluntary Sector to increase the involvement of both nationals and non-nationals in NGOs.

63. **Mr. Camilleri** (Malta) said that the Government and NGOs in Malta had traditionally been closely involved in educational and cultural activities. He added that a significant number of NGOs were church-related.

64. **Mr. Peter** noted the importance of means tests in the area of legal aid and asked for examples of the types of tests used in the area of social security.

65. He had raised the issue of the church and its influence on education at the previous meeting. In particular, he wished to know whether article 2 of the Constitution, which stated that Roman Catholicism was the religion of Malta, had been amended.

66. He had also enquired about chapters 2 and 4 of the Constitution, which were entitled "Declaration of principles" and "Fundamental rights and freedoms of the individual" respectively. He understood that the rights and freedoms set out under chapter 4 were binding and that chapter 2 reflected the Government's plans and goals. However, he wondered why rights such as the right to work and the right to primary education were contained in chapter 2 rather than chapter 4.

67. Many constitutions contained a statement such as: "All human beings are born free and equal". However, article 33 of the Constitution on the right to life omitted any mention of equality. Moreover, as currently worded, it seemed to imply that a person could be deprived of his or her life in accordance with the law.

68. The delegation had stated in the section of its replies concerning the NCPE that the Government was studying the possibility of creating a national human rights institution that complied with the Paris Principles. In paragraph 5 of the annex to the report, the Parliamentary Ombudsman stated that he had repeatedly submitted that the time was ripe for his Office to be designated as a national human rights institution so that it would be empowered to consider complaints concerning racial discrimination in the private sector. He asked how soon the Government proposed to take action on that request.

69. **Ms. Attard** (Malta) said that, while Roman Catholicism formed part of the religious education curriculum taught in all schools, pupils had the right to opt out of religious education. The Catholic Church had a long history of providing education of high quality in Malta, on a par with that of the State. There were non-citizens in State, Catholic and private schools throughout the country. The State took its obligation to provide education very seriously, providing free education for all up to tertiary level and distributing grants to encourage continued participation in education.

70. The Government was considering the designation of the Office of the Parliamentary Ombudsman as the national human rights institution as one of several options. There were strong institutions in areas such as gender and disability which also had to be taken into account.

71. People with disabilities whose income was not at least equivalent to the national minimum wage were entitled to a disability allowance. There were differences in the means tests carried out depending on the type of allowance being claimed. In many cases, benefits to which people were entitled were not counted as part of their income.

72. **Ms. Sant** (Malta) said that a detailed reply to Mr. Peter's question concerning chapters 2 and 4 of the Constitution would be included in the next periodic report.

73. **Mr. Ewomsan** commended the State party for its culture of tolerance and its efforts to deal with the migratory flow it was experiencing. He asked whether the authorities attempted to contact the Governments of the countries of origin of migrants who arrived illegally in Malta.

74. **Mr. St. John** (Malta) said that, as a rule, migrants from East Africa, particularly Eritrea and Somalia, secured international protection. That entitled them to stay in Malta and, over time, they tended to lose contact with their countries of origin. The Government was aware of the importance of strengthening its relations with countries in West Africa and had met with representatives of Ghana and Nigeria with a view to improving the possibility of return for migrants from those States, where appropriate. It was conscious that much remained to be done to increase cooperation on migration and in other areas. It had also been working with the International Organization for Migration in order to provide for voluntary returns. Malta had traditionally maintained links with Egypt, Libya and Tunisia, owing to its geographical location.

75. **Mr. Camilleri** (Malta) added that the Government directed a significant proportion of its overseas development assistance to countries in sub-Saharan Africa; it was currently developing climate change projects targeting that area.

76. **The Chairperson** requested clarification on the problems between migrants that had been referred to and the issue of corruption in football.

77. **Ms. Sant** (Malta) said that the information she had provided had been based on analysis of statistics on prosecutions, which revealed that in many cases involving members of ethnic minorities, both the perpetrator and the victim had been members of the same ethnic minority. It would therefore appear unlikely that racism was an issue in those cases.

78. While many local football teams included players from African countries, to date, none of the prosecutions of clubs, players or spectators had involved racial discrimination against a player.

79. **Mr. Camilleri** (Malta) said that, given that many football players in other countries had been the victims of racist insults, it was noteworthy that that had never happened in Malta, despite the high number of African players. The issue of bribery and corruption in Maltese football had nothing to do with the ethnic composition of the teams.

80. **Mr. Diaconu** recommended that the most serious violations of articles 82, 139 and 222 of the Criminal Code should be prosecuted *ex officio*. It was understandable that offences directed against individuals, such as racial insult, harassment and defamation, required a personal complaint before prosecutions could take place. However, it was quite possible that the publication of a newspaper article denying the Holocaust or denying genocide somewhere in the world would not elicit a complaint from an individual or organization. It would, nevertheless, certainly bring the State party under tremendous pressure from other European countries, which did take action against such offensive material. He urged the State party to introduce the means to deal with such issues and not wait for such pressure to be brought from outside.

81. **Mr. Saidou** (Country Rapporteur) noted that the Parliamentary Ombudsman had significant powers which, if reorganized, could be brought into line with the Paris Principles. While they included the power to bring cases *ex officio*, that was limited to the Government and Government entities. He therefore recommended that those powers should be extended to include the private sphere.

82. **Mr. Camilleri** (Malta) said that extending the powers of the Parliamentary Ombudsman was one of several options before the Government. It needed to ensure that the powers of the strong institutions that had authority over other areas of discrimination were not lost. The Parliamentary Ombudsman had been established specifically to redress problems within the governmental sphere, which was not necessarily related to human rights. It was therefore also necessary not to lose sight of that role when creating an entity with a wider mandate.

83. **Ms. Sant** (Malta) said that the statistics made available to the Committee were based on complaints that had been brought by individuals. In order to prosecute an offence involving the targeting and victimization of an individual, a complaint must be lodged and sustained throughout the judicial process. If the victim withdrew the complaint at any stage, the police could not proceed with the case *ex officio*. It was not necessary for a complaint to be brought in the case of offensive articles published in the press, since they were regulated under the Press Act.

84. **Mr. Avtonomov** requested clarification of who was responsible for appointing the Commissioner for Voluntary Organizations and the Council for the Voluntary Sector, and how the Council was formed.

85. **Ms. Attard** (Malta) said that the Commissioner for Voluntary Organizations was appointed by the Government. The Council for the Voluntary Sector currently included one government representative and the Commissioner. The other members were nominated by voluntary organizations and selected by the Government. The voluntary organizations themselves elected the chairperson of the Council.

86. **Mr. Saidou** commended the State party for its legislative progress and the other measures it had taken to eliminate racial discrimination, particularly in relation to irregular immigrants, refugees and asylum-seekers. The State party received a growing number of immigrants and had been transformed from a country of transit into a host country. Irregular immigration had, in some areas, become a platform for racial discrimination. The

Committee's concluding observations would include recommendations on how to effectively implement the legislative and other measures being taken in the State party to eliminate racial discrimination on the ground. He urged the Government to ensure that the concluding observations were widely disseminated.

87. **Mr. Camilleri** (Malta) thanked the Committee for its constructive, thorough and well-researched questions and comments, which had proved extremely useful to his delegation.

The meeting rose at 12.55 p.m.