



**International Convention on
the Elimination
of all forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-ninth session

SUMMARY RECORD OF THE 1470th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 1 August 2001, at 3 p.m.

Chairman: Mr. SHERIFIS

CONTENTS

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

Eleventh to fourteenth periodic reports of Trinidad and Tobago (continued)

Deferral of consideration of the periodic reports of Barbados

THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION; WORLD
CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND
RELATED INTOLERANCE (continued)

Practical organization of the third world Conference against Racism and participation by the
Committee in its work

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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 (continued)

Eleventh to fourteenth periodic reports of Trinidad and Tobago (CERD/C/382/Add.1;
HRI/CORE/1/Add.110)

1. At the invitation of the Chairman, Ms. Sirjusingh, Miss Richards, Ms. Plocica and Miss Boodhoo took places at the Committee table.
2. Ms. SIRJUSINGH (Trinidad and Tobago) explained that the delay in submission of her country's previous periodic reports had been due to the fact that no administrative structure had been put in place to meet that obligation. Accordingly, in 1998, the Government had established a Human Rights Unit in the Ministry of the Attorney General and Legal Affairs, to prepare the reports that Trinidad and Tobago was required to submit to the United Nations treaty monitoring bodies. The Human Rights Unit was supported by an inter-ministerial committee composed of representatives of each ministry, which assisted it in compiling accurate, up-to-date and comprehensive information. The inter-ministerial committee had not been fully operational at the time when the report under consideration was being prepared, but the report had nevertheless been prepared in accordance with the guidelines provided by the Committee on the Elimination of Racial Discrimination. Additionally, those responsible for drafting the report had attended a human rights reporting workshop held in Turin by the International Training Centre of the International Labour Organization (ILO) and the United Nations Development Programme (UNDP). Her country was a pluralistic society and a proud example of racial harmony, 40.3 per cent of the population describing themselves as East Indian, 39.6 per cent as African and 18.6 per cent as of mixed origin. The results of the most recent census, held in 2000, were not yet available.
3. While not immune to racial incidents, Trinidad and Tobago did not experience inter-ethnic conflicts, as the Government upheld the principle of equality in the enjoyment of all human rights. It had put in place the necessary legal framework to protect individuals against violations of their rights based on race or ethnicity, and to ensure equal opportunities for all.
4. The provisions of international human rights instruments could not be invoked by individuals in the courts unless expressly incorporated into domestic legislation; the rights of individuals were guaranteed by the Constitution, which also recognized the right of all persons to seek redress in the event of a violation of one of their rights.
5. In order to improve the implementation of the Convention, the Government had adopted appropriate domestic legislation and taken other administrative initiatives. A new Equal Opportunity Act prohibited discrimination against any person on the grounds of gender, race, ethnicity, origin, religion, marital status or disability, in the fields of employment, education, the provision of goods and services and the provision of accommodation. Any person alleging that he or she had been a victim of discrimination could lodge a complaint with the Equal Opportunity Commission, which, following an investigation, would try to resolve the matter by conciliation. If conciliation proved impossible, the Commission was required, with the consent of the person lodging the complaint, to initiate proceedings before an Equal Opportunity Tribunal. The Equal Opportunity Act protected persons against any discriminatory act committed by another person or group of persons, and the Government had taken steps to raise public awareness of that new legislation.
6. Other legislation had been adopted to prevent discrimination in various fields, such as leisure, religious practices, public holidays, legal aid, applications to a court on behalf of third parties, freedom of information, accountability and transparency in government and public life, protection of women, cohabitational relationships, protection of children and free secondary education.

7. With regard to the concluding observations adopted by the Committee following consideration of the tenth periodic report, she explained that the large number of Catholic schools could be attributed to the historical development of education in Trinidad and Tobago. The Catholic Church had played a key role in the development of education, by establishing many of the early schools. It was not until the 1930s and 1940s that the Hindu and Muslim communities had begun to establish primary schools. After independence, they had set up some secondary schools, which were later to receive government assistance. Two additional Hindu secondary schools were due to open in the very near future.

8. The Ministry of Education was unable to provide information on the ethnic origin of the student population of Trinidad and Tobago. The Government had agreed to pay 50 per cent of the tuition fees of all students in tertiary education, in an effort to increase the percentage of the population with tertiary level education.

9. The Government had taken new legislative initiatives to further enhance Trinidad and Tobago's compliance with the Convention: it had increased the powers of the Ombudsman, embarked on consideration of an Occupational Safety and Health Bill, and appointed a commission of inquiry to investigate the independence and effectiveness of the judiciary.

10. Since the preparation of the report currently under consideration, Trinidad and Tobago had acceded to further international human rights instruments such as the Hague Convention on the Civil Aspects of International Child Abduction, the 1951 Convention relating to the Status of Refugees, and the 1967 Protocol relating to the Status of Refugees. In addition, it was considering the possibility of making a declaration under article 14 of the Convention; a decision on that matter was expected to be taken before the end of 2001.

11. The indigenous Amerindian population of the country had been decimated during the process of colonization. There were now only about 500 persons of Amerindian descent, living in the north-east of Trinidad, none of them of pure Amerindian extraction. The Santa Rosa Carib Community was officially acknowledged as representing the indigenous Amerindians, and in that capacity received an annual subsidy from the State.

12. The recruitment of police officers was not based on race; currently, 60 per cent of the police force were of African origin, and 40 per cent of Indian origin, the latter percentage having increased since 1992.

13. The Government sought to ensure that the periodic reports of Trinidad and Tobago were widely disseminated. Copies of the report under review had been distributed to schools and were available, upon request, from the Human Rights Division. The Government was seeking to consult more closely than hitherto with human rights non-governmental organizations (NGOs), which would be consulted during preparation of the next periodic report.

14. In closing, she reaffirmed the Government's will to meet its obligations under the Convention, inter alia, by adopting legislation enabling the provisions of international human rights instruments to which Trinidad and Tobago was a party to be implemented.

15. Mr. PILLAI (Country Rapporteur) said that the State party, which had a population of 1.2 million people, was multi-ethnic and recognized the contribution that a pluralistic society could make to national development. That approach augured well for communal harmony and the prevention of racial discrimination. The report cited a number of constitutional provisions and parliamentary acts that protected and promoted human rights and freedoms (para. 4). Under the Constitution, all citizens could apply for remedy if one of their rights was violated. Moreover, through the institution of the Ombudsman, citizens could lodge complaints against administrative acts or decisions of government agencies (para. 10).

16. On the implementation of article 2 of the Convention, the report gave details of an Equal Opportunities Bill (paras. 14-22), which sought to prohibit discrimination and promote equality of opportunity irrespective of sex, colour, race, origin or religion. The Bill provided for the setting up of an Equal Opportunity Commission and an Equal Opportunity Tribunal; the latter institution would process complaints that had not been resolved through the Commission's conciliation procedure. The Committee would appreciate further information on the present state of the Bill, and looked forward to hearing about its impact on the promotion of racial equality. He also noted with interest that the Bill would prohibit behaviour in public that offended, insulted, humiliated or intimidated another person or group on grounds of race, origin or religion. He would be interested to learn more about the operation of that provision, and whether it covered the behaviour of public functionaries. He would also like to know what penal sanctions were provided for in the Bill.

17. He asked for clarification of the meaning of paragraph 24 of the report, which appeared to suggest that the Government considered it unnecessary to review, with a view to amending or nullifying, any laws and regulations which had the effect of creating or perpetuating racial discrimination. He also asked whether, in the past, there had been any instances of a law being found to be inconsistent with the provisions of the Constitution.

18. He noted that the Government was endeavouring to promote interracial understanding through teaching units within the Social Studies curriculum at primary and secondary levels (para. 26). He would welcome more details of the content of that curriculum, and of the training of teachers with regard to interracial understanding. He also asked the delegation to provide the Committee with fuller information on the way in which the provisions of the Convention, the periodic reports of Trinidad and Tobago and the Committee's concluding observations and recommendations concerning those reports were brought to the attention of the public in the context of the communications policy described in paragraphs 27 to 31 of the report.

19. With regard to the implementation of article 4, he noted from paragraph 42 of the report that no penal statutes specifically targeted the dissemination of ideas based upon racial superiority or hatred, and the incitement of racial hatred. In that regard, he reminded the delegation that in its concluding observations on the tenth periodic report of the State party, the Committee had expressed concern over the failure to adopt legislative, administrative and other measures implementing article 4 of the Convention, and in particular its paragraph (b), and had also recommended that appropriate consideration should be given by the State party to the effective implementation of that provision in national legislation. Was the delegation able to provide the Committee with information on any action taken to follow up that earlier recommendation?

20. As to article 5, the report enumerated the legal provisions protecting the rights referred to in that article. He asked how those provisions were applied in practice and, in particular, whether any attempt had been made to gauge the extent of the enjoyment of various rights by different segments of the population. In the sphere of employment, had the imbalance between the public and private sectors referred to in 1994, during consideration of the previous report, been corrected? Was the delegation able to inform the Committee of the results of the comparative survey of recruitment practices in the two sectors which had been scheduled to be carried out in 1994? Could it specify whether the breakdown of occupations by ethnic group and gender appearing in paragraph 75 of the report was the consequence of follow-up to that survey?

21. Paragraph 83 dealt with equal remuneration for men and women for work of equal value in the public sector. What was the situation in the private sector? Did the absence of complaints regarding discrimination in employment, referred to in paragraph 84 of the report, reflect reality, or simply a lack of awareness of their rights on the part of the working population?

22. It would be useful for the Committee to know the comparative situations regarding housing in urban and rural areas, which to some extent reflected a racial divide. What had been the impact of the work of the Sugar Industry Labour Welfare Committee in addressing the housing needs of

low-income workers? He also asked how the Socially Displaced Persons Bill, 1999, referred to in paragraph 106, had been implemented, and, in particular, whether there had been any racial dimension to its implementation.

23. He asked whether there had been any instances of infringement of the Education Act prohibiting discrimination in public education (para. 108). What was the situation with regard to private schools? It might also be useful to rectify the lack of statistics on the student population disaggregated by ethnic background, referred to in paragraph 111. The report gave the impression that the UNESCO Associated Schools Project launched in 1953 had been abandoned, then reactivated in 1989. Had the project and its impact on race relations in the State party been evaluated?

24. Following reports in the media of discrimination in nightclubs, the Government had amended the legislation to provide for more severe penalties. To what extent had those new provisions been enforced?

25. With regard to the implementation of article 6, it had been reported that remedies against acts of racial discrimination were provided through judicial review leading to payment of monetary compensation. It would be helpful to know whether the perpetrators of racially motivated crime, including members of the police, were prosecuted and appropriately punished. In that regard, he suggested that the Police Complaints Authority should be given clear instructions to investigate complaints and to refer them to the higher authorities. The delegation would recall that, during its consideration of the previous periodic report, the Committee had asked whether the law provided for remedy procedures that were less protracted and less costly than the normal procedure. He would welcome any information that could be provided on that point.

26. Turning to the implementation of article 7, he said that, with regard to the national policy to promote equality between men and women, the Committee would welcome further details on the racial aspect of discrimination against women. He accordingly drew the delegation's attention to two questions raised during the consideration of the tenth periodic report of Trinidad and Tobago, when members of the Committee had asked for information on the fate of the Carib Indians, and on any measures taken to help them, particularly in the economic and educational fields. They had also asked whether the authorities intended to make the declaration pursuant to article 14 of the Convention and to establish a national institution to facilitate the implementation of the Convention in accordance with the Committee's General Recommendation XVII and the recommendations of the Commission on Human Rights. The delegation had already partially responded to those questions by announcing that the Government had been studying the possibility of making the declaration provided for under article 14, and had provided further details concerning the Carib community. With regard to the establishment of an institutional mechanism, he had noted the work undertaken to establish an Equal Opportunity Commission and a Human Rights Unit. In his view, however, those measures were not in themselves sufficient to cope with the problem of racism and racial discrimination, particularly as the Ombudsman's jurisdiction was limited to receiving complaints concerning public bodies. It would be better to create an institution with a broad mandate covering all the dimensions of human rights protection, including the fight against racial discrimination.

27. Mr. de GOUTTES welcomed the fact that the delegation of Trinidad and Tobago consisted entirely of women, and commended it on the quality of its periodic report. He proposed to highlight the positive aspects, to point to some inadequacies, and to request additional information on certain matters.

28. Among other positive aspects, he welcomed the fact that the fourteenth periodic report contained a number of statistical data that had not appeared in the previous report, including data on the population disaggregated by ethnic origin and religion (para. 12). However, those statistics dated back to the 1990 census. Were no more recent statistics available? He also mentioned the statistical

tables for occupations by ethnic group and gender for 1998 and for unemployment for the period 1994-1998 (paras. 75 and 77), and for literacy rates by ethnic background and religion (para. 111), which enabled the most vulnerable groups among persons of African and Indian origin to be identified.

29. He also welcomed the adoption of Acts Nos. 13, 14 and 15 of 1997, dealing respectively with liquor licences, registration of clubs, and theatres and dance halls, following incidents involving racial discrimination in 1996 reported in the mass media, and providing for sanctions such as cancellation of a licence and closure of the premises in the event of discrimination. Could the delegation indicate how many such sanctions had been imposed? Did those Acts also provide for criminal penalties?

30. He also welcomed the submission to parliament of the Equal Opportunities (No. 2) Bill, No. 39, of 1999, which would give effect to the provisions of article 2, paragraph 1, of the Convention, by prohibiting discrimination and promoting equality of opportunity for all persons irrespective of their sex, colour, race and origin (para. 14). He also welcomed the new national cultural policy drawn up in 1998 by the Culture Division of the Ministry of Culture and Gender Affairs, which was based on the principles of cultural pluralism, unity in diversity and encouragement to respect the lifestyles and cultures of the various ethnic communities. Could the delegation provide more information on the implementation of that policy?

31. As to the inadequacies of the report, they related to the implementation of articles 4 and 6 of the Convention. He had read in paragraph 23 of the report that racial discrimination was not a real problem in Trinidad and Tobago and that, to the best of the Government's knowledge, no instances of it had arisen. The Committee could not be satisfied with that assertion, for no country was exempt from acts of racism. In the case of Trinidad and Tobago, such an attitude could have serious consequences, as there were no penal statutes specifically targeting the dissemination of ideas based upon racial superiority or hatred and the incitement of racial hatred (para. 42). Moreover, only section 3 of the Sedition Act punished the promotion of feelings of hostility to or contempt for any class of inhabitants on the grounds of race, colour or religion. He reminded the delegation that the Committee had already ruled on that subject in 1995, deeming the Act to be insufficient in the light of the requirements of article 4, paragraphs (a) and (b), of the Convention. He regretted the fact that no legislation had been drafted or implemented in Trinidad and Tobago declaring racial organizations illegal or forbidden (para. 47). Even if, as the Government asserted, no organizations of that type existed in the State party, criminal legislation was necessary, if only for preventive purposes, to prohibit and punish the acts of racism covered by article 4 of the Convention. The Committee considered that the law must affirm social values that were not to be violated, including the protection of individuals against racist acts. Consequently, he invited the delegation of Trinidad and Tobago to refer to the Committee's General Recommendation VII, which stressed the mandatory requirements of article 4, and to its General Recommendation XV, which affirmed the compatibility of the prohibition of the dissemination of ideas based upon racial superiority or hatred with the right to freedom of opinion and expression (HRI/GEN/1/Rev.4).

32. With regard to the implementation of article 7, he asked what measures had been taken to publicize the Convention among members of the administration and the public. What initiatives had the authorities taken to cooperate more closely with human rights NGOs and associations to combat racial and ethnic discrimination? Were those associations and organizations consulted during preparation of the periodic reports? Lastly, reiterating the question that had been asked in March 1995 during consideration of the previous report, he asked the delegation to inform the Committee whether the Government planned to make the declaration provided for under article 14 of the Convention. That declaration would be particularly timely in 2001, the year in which the third World Conference against Racism was to be held.

33. Mr. FALL asked how the Ombudsman, whose functions were referred to in paragraph 10 of the report, followed up complaints he had received concerning acts with a bearing on implementation of the Convention.

34. During consideration of the previous report, the Committee had been concerned at the information provided regarding the composition of the population. He wished to know what exactly was covered by the categories "Other" and "Not stated" in the table to be found in paragraph 12 showing the population disaggregated by ethnic origin and religion. In particular, he wanted to know whether the Caribs and Amerindians figured in one of those two categories or came under the heading "Mixed".

35. With regard to unemployment, to which the table in paragraph 77 referred, he asked whether the unemployment rate for the African ethnic group had changed since the submission of the previous report. He also asked for further information concerning the "Other ethnic groups" category, the unemployment rate for which was zero from 1996 to 1998, whereas it had stood at 12.5 per cent in 1994.

36. With regard to the implementation of article 4, the Committee had already noted, during its consideration of the previous report, that the provisions of paragraph (b) of that article were still not reflected in the State party's legislation. He urged the Government to bear in mind the need to take account of article 4 in its entirety, rather than selectively.

37. Paragraph 142 of the report, concerning the dissemination of the content of the Convention, showed that the mass media had not yet disseminated its purposes and principles but that they had used various means to educate the population in the elimination of racial discrimination and to promote tolerance. He would welcome further details concerning the nature of the means employed.

38. Mr. VALENCIA RODRÍGUEZ said he was grateful for the information provided in the tables about the composition of the population; it revealed the existence of large ethnic and national groups, a situation that lent all the more significance to an explicit constitutional commitment reaffirming the obligation to respect human rights without discrimination. That being so, the fact that no measures had been taken to review governmental policies to amend or nullify any laws that had the effect of creating or perpetuating racial discrimination (para. 24) was surely not a good thing. The Government should conduct the review prescribed in article 2 (c) of the Convention and, in particular, promulgate laws that would enable Trinidad and Tobago to meet the obligations incumbent on it under the Convention. He welcomed the fact that under section 5 of the Constitution, any law that was discriminatory was null and void and that the provisions of the Constitution were enshrined in other laws, some of which were mentioned in paragraph 4 of the report. It would be useful for the Committee to know the precise areas in which those laws penalized discrimination. It would also be useful to know whether the Ombudsman was authorized to inquire into cases of racial discrimination and, if he had done so, in which cases he had intervened and what measures he had taken.

39. Regarding the implementation of article 2 of the Convention, dealt with in paragraphs 14 to 22 of the report, he asked what had become of the Equal Opportunities Bill, which sought to prohibit discrimination and promote equality of opportunity irrespective of race or origin, the adoption of which would fill a gap in the country's legislation.

40. As to the implementation of article 4 of the Convention, he noted that Trinidad and Tobago had only the Sedition Act (para. 43), which dealt only very indirectly with the obligation deriving from article 4 (a). Moreover, the Government admitted that it had no legislation enabling it to declare racial organizations illegal or forbidden (para. 47) in accordance with article 4 (b). Notwithstanding the presumed absence of racial discrimination in Trinidad and Tobago, the Government should comply strictly with the provisions of article 4 and review the need to promulgate the prescribed legislation with a view not only to punishing existing acts or practices but also to preventing them.

41. Turning to the implementation of article 5 of the Convention, he asked whether the rights recognized by law, notably those set forth in sections 4 and 5 of the Constitution, applied to all inhabitants of the country without exception. He then continued by commenting on some of the other points dealt with in the report.

42. He asked the delegation to explain what was meant by “prohibited class” in the Immigration Act and what criteria were used to define it (para. 56). Paragraph 58 mentioned three laws on marriage relating to different ethnic groups and respecting their cultural diversity. The Government should nevertheless seek to unify the legislation so as to prevent differences connected with ethnic or national origins. With regard to the table on unemployment in paragraph 77, he wondered why the unemployment rate was higher among African and mixed groups. Paragraph 83 mentioned equal pay and conditions of work for men and women in the public sector. The situation in the private sector should also be described. Regarding the right to housing dealt with in paragraphs 90, 93 and 94 of the report, it would be helpful if the Government were to study the situation of ethnic groups, who were frequently marginalized, and it would be useful to know what measures had been taken to help them obtain decent accommodation. Regarding the right to health, it would also be useful to verify the way in which the principle of equity (para. 102) was applied in practice to provide more resources for those who most needed them. As to the right to education, further information was required on the way in which the provision of the Education Act prohibiting discrimination in admission to public schools was applied and the results that had been obtained.

43. With regard to the implementation of article 6 of the Convention, he felt there was a contradiction in paragraph 121 of the report where the existence of purely racially motivated criminal offences was on the one hand denied but mention was nevertheless made of complaints of racial discrimination and a case of manslaughter in which racial remarks had been made by the accused to the victim. It would be interesting to have further details on that case and, in particular, to hear what sentence had been pronounced.

44. Regarding the implementation of article 7 of the Convention, he welcomed the information in paragraphs 27 to 31 and in paragraphs 128 ff. On the other hand, given the fact that the purposes and principles of the Convention had not been disseminated (para. 142), he urged the Government to make up for that omission by indicating the remedies provided for in the Convention for victims of discrimination and to publish the fourteenth periodic report of Trinidad and Tobago and the Committee’s comments on it.

45. Mr. THORNBERRY said he was surprised that in Trinidad and Tobago, a common law country, it was not possible to bring up in court international human rights instruments that had not yet been incorporated in domestic law. He wondered what factors had given rise to that situation.

46. Referring to section 3 of the Sedition Act, according to which seditious intention was a criminal offence, he asked the delegation whether the law of Trinidad and Tobago distinguished between intentional and de facto discrimination, given the fact that common law jurisdictions generally made a distinction between direct and indirect discrimination.

47. Like Mr. Fall, he would like to know to what extent the Amerindians had been taken into account in the 1990 census. He welcomed the fact that the Government of Trinidad and Tobago was now planning to recognize the competence of the Committee to receive and consider communications from individuals under article 14 of the Convention.

48. Mr. YUTZIS said that in general the report gave the impression that there were few if any problems connected with racial discrimination or xenophobia in Trinidad and Tobago; yet the need to create an Equal Opportunity Commission that would seek to eliminate discrimination and to promote equal opportunity and good relations among persons of different status bore witness to the existence of some problems in that area.

49. He noted that in the Spanish version the table showing the breakdown of population by sex and ethnic origin (1990 census) in paragraph 12 did not mention ethnic groups of African origin. Was that an error? He also pointed out that the figures for men and women in the table showing the breakdown of population by sex and religion (1990 census) were almost identical for all religions, although in general more women than men tended to state their religious affiliation.

50. In the table showing occupations by ethnic groups and gender for 1998, on the other hand, African women constituted the largest group in the “service workers and shop sales workers” category, as well as the “technicians and specialists” category, which was a very encouraging indication of the status of women in that group. However, there was also a large number of African women in the “elementary occupations” category, where they were exceeded only by men of Indian origin. Could the delegation provide further information in that regard, in particular on the elementary occupations concerned?

51. He also asked for further information concerning the table on unemployment rates by ethnicity for the period 1994-1998, notably the composition of the “not stated” category, whose unemployment rates varied between 0 and 50 per cent. He wondered why the unemployment rates for women had dropped significantly between 1994 and 1998, as shown in the table on unemployment rates by gender (para. 78).

52. Finally, he regretted that there was no legislation providing for the right to work or the freedom of choice of employment, which was contrary to article 5 of the Convention. He asked the delegation to explain what was meant by the second sentence in paragraph 74, which stated that workers traditionally had the freedom of career choice.

53. The CHAIRMAN said that the Committee would continue its examination of the eleventh and fourteenth periodic reports of Trinidad and Tobago at a subsequent meeting.

THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION; WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE (agenda item 10) (continued)

Practical organization of the third World Conference against Racism and participation by the Committee in its work

54. Ms. KLEIN-BIDMON (Office of the United Nations High Commissioner for Human Rights) said that the Preparatory Committee for the World Conference against Racism was currently holding its third and final meeting at the Palais des Nations to finalize the draft Declaration and Programme of Action for the Third Decade to be submitted to the Conference, which was to take place in Durban, South Africa, from 31 August to 7 September 2001. The Preparatory Committee had established two working groups to finalize the wording of the draft Declaration and Programme of Action, respectively. The two texts would be submitted in a single document to the drafting committee for the third World Conference.

55. The World Conference would be officially opened on 31 August 2001 by the Secretary-General of the United Nations and would hold its first plenary meeting on 1 September. Around 15 presentations were planned, some of which would be organized by the Office of the United Nations High Commissioner for Human Rights.

56. Mr. ABOUL-NASR, Mr. SHAHI, Mr. BOSSUYT, Mr. RESHETOV, Mr. PILLAI, Mr. DIACONU, Ms. JANUARY-BARDILL and the CHAIRMAN asked Ms. KLEIN-BIDMON a number of practical questions on their participation in the World Conference and about its organization. Could all Committee members who wished to do so attend? If so, would they be merely observers permitted to speak but not to vote?

57. The experts were also wondering why two working groups had been constituted by the Preparatory Committee to finalize the draft Declaration and Programme of Action and pointed out the risk of inconsistency between two texts drafted by different groups of representatives of States and the likely problems of harmonization.

58. Ms. KLEIN-BIDMON said that the Committee members would be able to take part in the work of the plenary meetings of the World Conference, the drafting committee and the various working groups. The precise role of the Committee members would be determined by the Conference Bureau when it was formed. In the meantime, rule 54 of the provisional Rules of Procedure stated that members of the Committee could participate as observers, without the right to vote, in the deliberations of the plenary meetings of the Conference, its committees and working groups on questions within the scope of their activities.

59. With regard to the two drafting groups, she explained that negotiation of the draft Declaration and Programme of Action had had to be entrusted to two working groups so as to split up the work, which would have been far too burdensome for a single group. The drafts would be harmonized by the chairpersons of the two groups. She then provided the Committee members with the requested information on the practical arrangements for their participation at the World Conference in South Africa.

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

Deferral of consideration of the periodic reports of Barbados

60. The CHAIRMAN informed the Committee that the Office of the United Nations High Commissioner for Human Rights had received a letter from the Permanent Mission of Barbados to the United Nations Office at Geneva requesting a postponement of the review of its eighth to fourteenth periodic reports scheduled for 8 August 2001. The State party explained that it had not been able to meet its obligations under the Convention since 1987 owing to human resource constraints but that it had begun to draft its periodic reports.

61. Mr. DIACONU, supported by Mr. THORNBERRY (Rapporteur for Barbados), said that he had no objection to deferring consideration of the periodic reports of Barbados on condition that the Committee be informed of the date on which the documents would be submitted. The Committee could send a letter to the Permanent Mission of the State party asking it to submit its reports by March 2002 at the latest for consideration at the session in August 2002.

62. Mr. YUTZIS said that the Committee should respect the procedure applicable to States parties whose reports were very late. Even though the request by Barbados was reasonable in view of the arguments it had presented, the Committee should not grant the request unless the State party undertook to submit its reports on a specified date.

63. The CHAIRMAN suggested to the members of the Committee that they instruct the Secretariat to write a letter to the Permanent Mission of Barbados informing it that the Committee had granted its request on the understanding that the periodic reports in question would be submitted to it before March 2002 for consideration at the sixty-first session in August 2002.

64. It was so decided.

The meeting rose at 6 p.m.