

the root cause of the deficiencies in the system is the neglect of the judicial system by successive governments; the reform process under way should restore public confidence in the administration of justice but the process must ensure that independence and impartiality are not sacrificed for short-term political gains; the mechanisms for the appointments, promotions, and discipline of magistrates must not only be independent but must be seen to be so; any mechanism to supervise the judiciary should be independent and seen to be so and; to meet this requirement, the composition of these mechanisms should have a majority of magistrates appointed or elected among themselves; and, judicial accountability should not lead to an erosion of judicial independence.

**Racism and racial discrimination, Special Rapporteur on:** (E/CN.4/1998/79, paras. 53, 54–56)

The report recalls that during 1996 and 1997 the Special Rapporteur (SR) transmitted to the government allegations concerning the expulsion of undocumented aliens from Belgium to Côte d'Ivoire through the intermediary of a private firm, Budd, based in France.

The government replied to the concerns in November 1997 and stated that: the Aliens Section of the Belgian Ministry of the Interior had used Budd's services 350 times between 1994 and October 1996; the Section had not used this firm after that date on the basis that monitoring procedures should be better organized; private airline companies continue, on their own responsibility, to use Budd's services in discharging their responsibilities as carriers in respect of clandestine passengers; the task entrusted to Budd by the Aliens Section did not involve subcontracting deportations since expulsion decisions were taken by the authorities, and specifically by the gendarmerie; the firm's functions were confined to providing administrative assistance in obtaining identity and travel documents or paying the stopover costs of the persons concerned in the Abidjan transit area; the persons concerned were invariably expelled to their country of origin and were not abandoned; persons unable to proceed from Abidjan to the country of which they are nationals are taken back by Belgium; and, pending continuation of their journey they remain in the transit area at Abidjan airport under the supervision of the Côte d'Ivoire authorities and are not entrusted to the Budd firm.

The SR expressed concern about the practice and noted that a response from the Ivoirian government had not been received at the time the report was prepared.

**Sale of children, child prostitution, child pornography, Special Rapporteur on the:** (E/CN.4/1998/101, paras. 53, 104)

The section of the report on the protection of children against harmful influences through the media recalls that since the early 1990s, children in Europe have, in principle, been protected against exposure to gratuitous violence on television by the European Convention on Transfrontier Television and the Television without Frontiers Directive issued by the European Union. The

report refers to new developments in the media and the paedophile murders in Belgium, which revealed the use of the Internet to disseminate child pornography, noting that these developments have increased political pressure to take additional measures to protect minors against abuse and exposure to media content which could be considered harmful to their development. On the subject of education as a catalyst the report notes that the Belgian National Committee for UNICEF has encouraged the Ministry of Education to promote awareness-raising on sexual exploitation and abuse in schools through school curricula and education programmes. The National Committee has also formed a working group with relevant partners to focus on the development of prevention activities. In the Belgian French community, a public campaign was directed at raising awareness on the abuse and sexual exploitation of children. A training centre initiative for missing and exploited children has also been planned.

**Toxic wastes and products, Special Rapporteur:** (E/CN.4/1998/10, paras. 12, 43–44)

The report cites information indicating that, in October 1996, the Lebanese factory Saltex imported two containers of mixed plastic wastes, some of which were contaminated with chemicals, while declaring the shipment as plastic bags. The two containers arrived in Beirut from Belgium and were confiscated by the Lebanese authorities.

The government informed the Special Rapporteur that the authorities had conducted an investigation and found that the waste belonged to the "orange category" which requires notification prior to exportation. The waste producer did not provide the notification and made a commitment to take back the containers. The government noted that a procès verbal had been initiated against the exporter and the amount of the fine to be levied against the exporter was being determined.



## CANADA

**Date of admission to UN:** 9 November 1945.

### TREATIES: RATIFICATIONS AND RESERVATIONS

**Land and People:** Canada has submitted a core document (HRI/CORE/1/Add.91) for use by the treaty bodies. The report prepared by the government contains demographic and statistical data and information on the general political structure and the general legal framework for the protection of human rights. The legislative, executive and judicial branches of government share responsibility for the protection of human rights. The primary role of the judicial branch of government in the human rights area is providing redress to individuals for violations of their human rights. More generally, as an inte-