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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fortieth session

SUMMARY RECORD OF THE 919th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 August 1991, at 10 a.m.

Chairman: Mr. SHAHI

later: Mr. VIDAS
Mr. SHAHI
Mr. VIDAS

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The meeting was called to order at 10.10 a.m.

ORGANIZATION OF WORK (continued)*

1. The CHAIRMAN informed the members of the Committee that the Bureau had received a request by the Government of the Ukrainian Soviet Socialist Republic for postponement of consideration of its eleventh report, which, having been submitted very shortly after the consideration of the tenth report by the Committee at its spring session, did not contain the replies to the questions asked by the members of the Committee. The Ukrainian Government would therefore like to complete it. Considering the request justified, the Bureau recommended that the Committee should accept it. If there was no objection, he would take it that the Committee accepted the request of the Ukrainian Soviet Socialist Republic.

It was so decided.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 3) (continued)

Ninth to eleventh periodic reports of Bulgaria (CERD/C/197/Add.4)
(concluded)

At the invitation of the Chairman, Mr. Dichev, Mr. Koulishev, Mr. Dobrev, Mr. Sotirov and Mr. Kobarelov (Bulgaria) took places at the Committee table.

2. Mr. DICHEV (Bulgaria) thanked the members of the Committee for the attention they had paid to the Bulgarian report, to the oral statements of the Bulgarian delegation and to the situation in the country. He expressed his appreciation of the understanding that the Committee had shown of the efforts being made by his Government and society to restore human rights and fundamental freedoms. He recognized that there were a number of discrepancies between the written and oral statements, the report having been drafted just before the new Government had come to power at the beginning of 1991.

3. Any statement in the report asserting that there was no racial discrimination in Bulgaria or that implementation of the Convention posed no problems should be considered null and void. His delegation officially retracted paragraph 12 of the report (CERD/C/197/Add.4), because it did not reflect the truth. The Bulgarian delegation had been instructed to submit to the Chairman of the Committee and to the United Nations Secretariat written texts of the statements that

Mr. Koulishhev and he himself had made to the Committee in order to supplement the Bulgarian report. Lastly, he noted that, during an official visit to Bulgaria in June 1991, the Under-Secretary-General for Human Rights had signed a cooperation agreement with the Government of Bulgaria in the field of human rights, pursuant to which all international human rights instruments, as well as the booklet entitled "ABC Teaching human rights", would be published as soon as possible in Bulgarian so as to

* Resumed from the 915th meeting.

acquaint the Bulgarian people with its rights and obligations. The Bulgarian authorities had also agreed with the Under-Secretary-General that a seminar would be held in Bulgaria later in the current year for law enforcement officers, members of the judiciary and members of the diplomatic staff of the Bulgarian Ministry of Foreign Affairs to consider practical measures relating to human rights.

4. In conclusion, he once again thanked the Committee for assisting the Bulgarian people in its quest for democracy and in its efforts to combat racial discrimination.

5. The CHAIRMAN thanked Mr. Dichev for his statement. The Bulgarian delegation had greatly enhanced the dialogue between Bulgaria and the Committee, and the spirit in which it had replied to the Committee's observations augured well for future collaboration in the fight against racial discrimination in Bulgaria.

6. Mr. KOULISHEV (Bulgaria) said he wished, first of all, to express his gratitude to Mr. de Gouttes, the country rapporteur, whose clear, objective and in-depth analysis of the Bulgarian report had served as a basis for the discussion, and to all the members of the Committee for the comments they had made and the questions they had asked concerning the report. His delegation fully understood and appreciated the critical observations made, which showed that the Committee had confidence in Bulgaria's determination to improve its implementation of the provisions of the Convention and in its ability to achieve that end. Some of the questions asked required precise answers, which would be provided in the next periodic report.

7. Responding to the comments by Mr. de Gouttes, Mr. Vidas and Mr. Ferrero Costa on the general presentation of the report, he acknowledged that it was mainly based on legal texts and not sufficiently on the facts. The collection of the information required had met with difficulties, and it might be useful to have an exchange of views on that subject with the United Nations advisory services. He also recognized that the comments on the excessively categorical tone of certain statements maintaining that there was no discrimination in Bulgaria were well-founded. The past continued to weigh heavily on the report, parts of which had been drafted at the beginning of the previous year.

8. As for the lack of detailed information on the economic situation of Bulgaria, to which Mr. de Gouttes had referred, he stated that the country was currently going through a very

serious economic crisis, which was not without consequences for the implementation of the provisions of the Convention. Output had fallen by 17 to 22 per cent, the foreign debt had reached \$11 billion, and 250,000 persons were unemployed, a figure that was expected to grow to 400,000 by the end of the year. Although its participation in the United Nations sanctions against Iraq had cost it nearly \$2 billion, Bulgaria had continued to support the relevant United Nations resolutions unreservedly. With respect to the measures adopted for the transition to a market economy, Bulgaria had completed the first stage, financial reform, and was currently embarking upon the reform of economic structures, for which it would have to mobilize all its economic and human resources, but which could not be achieved without the assistance of the international financial organizations and the developed countries. In recent months, the Bulgarian Parliament had adopted much economic reform legislation, including laws on land ownership, cooperatives, the national bank and foreign investment. A privatization bill was being drafted.

9. As for social measures, the Government was collaborating with the trade unions in the framework of a tripartite commission in order to improve the situation. Compensatory measures were to be adopted to assist the poorest segments of the population, the standard of living having fallen perceptibly in recent months.

10. In reply to Mr. de Gouttes' question about Bulgaria's demographic composition, he stated that the last census, carried out in 1975, had shown that there were about 630,000 Turks, 183,000 Gypsies, 14-15,000 Armenians, 9,000 Russians, 6,000 Tartars, 4,500 Greeks and 11,000 persons of other ethnic groups in Bulgaria, out of a total population of 8,700,000, and that 8,300,000 persons spoke Bulgarian, 400,000 spoke Turkish, 1,100 spoke Romany and about 6,000 spoke other languages.

11. As for the right to express one's ethnic affiliation, he recalled that article 28 of the Constitution prohibited forced assimilation and that the first paragraph of article 54 proclaimed the right to develop one's culture in conformity with one's ethnic affiliation, a right that was legally recognized and guaranteed.

12. Concerning Mr. Wolfrum's question as to the way in which the forthcoming census would be carried out, with particular reference to the questions on ethnic, linguistic and religious affiliation, he said that the forms had been prepared in consultation with the United Nations. The respondents alone would determine their ethnic group, mother tongue and religion. Under the heading "Ethnic group", the respondents could choose from among a dozen groups and, if the group to which they belonged was not mentioned, they should enter its name. The same applied to the questions on mother tongue and religion. Bulgaria would continue to cooperate with the United Nations until the results of the census were established.

13. Turning to the question asked by Mr. de Gouttes about mixed marriages, he said he had no statistical data available and it would be necessary to await the results of the census. Mixed marriages were very frequent among the Armenians and Jews, those two communities being fully integrated into Bulgarian society, whereas they were rarer among the Turks and Gypsies,

the latter group living somewhat on the fringe of society, despite the efforts made by the State. The category of nomadic Gypsies had entirely disappeared, and the problem of housing the Gypsies had been resolved.

14. With regard to the emigration of Bulgarian citizens to Turkey, he said that, of the 360,000 Bulgarians who had emigrated there between May and September 1989, 160,000 had returned to Bulgaria. Since that mass exodus, the movement had continued in both directions: for every three Bulgarians who left for Turkey, one returned to Bulgaria. All Bulgarian citizens were free to emigrate: an exit visa was no longer necessary. On the other hand, Turkey posed certain conditions for entering its territory, the more so since immigration was causing it economic and social problems. Bulgarian citizens were also free to return to Bulgaria; their return was facilitated by the fact that, under the amended nationality law, they could have dual nationality, and most of them had retained Bulgarian nationality. The mass emigration that had taken place in 1989 had not been triggered solely by repression; it had also had economic causes.

15. Replying to a question asked by Mrs. Sadiq Ali on the participation of Turks in the 1990 elections, he said that the Turks had voted in large numbers in what were the country's first free and democratic elections. There were approximately 20 Turkish deputies, representing the Movement of Rights and Liberties. The right to vote, enjoyed by all Bulgarian citizens, was not subject to any discrimination.

16. Replying to a question asked by Mr. de Gouttes and expanded upon by Mr. Ferrero Costa concerning the prosecution of human rights violations and measures adopted to redress grievances, he said that redress could be obtained administratively rather than through the courts. It was not certain that proceedings would be instituted against the former head of State and some of his collaborators for attempting forced assimilation since another action against him for financial malpractices had to be suspended because of his state of health. The legal basis for such proceedings had been discussed in Parliament and some deputies, particularly those representing the Movement of Rights and Liberties, had taken the view that proceedings could be instituted on the basis of a charge of genocide. It was very doubtful, however, whether such an accusation could be upheld against the authors of the attempt at forced assimilation. It would be possible to invoke some provisions of the Criminal Code, such as article 162 on incitement to racial hatred, but the punishment provided for in such a case was minimal. Needless to say, it had also been proposed to adopt new legislation to try the authors of the attempt at forced assimilation and other acts of repression committed over the past three or four years, but a person could be convicted only on the basis of the laws that were in force when the offence was committed. A whole range of measures had been adopted to restore fundamental rights and the attempts at forced assimilation had been condemned by the Government, the Parliament and the political parties. All prohibitions relating to ethnic groups and religion had been repealed and a number of amnesties had been proclaimed.

17. As for the property of the Turks returning to Bulgaria, the decree adopted by the Council of Ministers on 1 August 1991 provided that property belonging to the State could be repurchased by its former owners at the price it had been worth at the time, while property

presented to the State was to be restored to its former owners. If the property no longer belonged to the State, its former owners were entitled to receive identical property or compensation for its value. All those problems would be settled by special commissions, whose decisions could be reviewed by the courts. The decree did not, however, exclude direct restitution by court order.

18. As for the possible abolition of the death penalty, Parliament had decided, after a long discussion on the question, to postpone a decision until it considered the new criminal code. In any event, it would appear that public opinion was not currently in favour of abolishing capital punishment. It should also be mentioned in that connection that, in November 1989, it had been decided to postpone sine die the execution of persons sentenced to death.

19. Acts of racial discrimination and, consequently, the denial of a person's rights because of his ethnic affiliation or a refusal to employ him for the same reason were considered to be offences punishable under the Criminal Code, and the rare forms of racial discrimination that had not been included as offences under the existing Criminal Code would be so defined under the new code, to be adopted shortly.

20. There were undoubtedly tensions between the Gypsy community and the general population; for example, in one quarter of the city of Plovdiv, non-Gypsy inhabitants had been forced by the Gypsy community to move away. The problems encountered by that community were primarily of a social nature, and a disquieting increase in the crime level among Gypsies had been observed. It was to be hoped that the efforts being made would enable those problems to be gradually resolved, but the task would not be a simple one.

21. As for the Declaration on the National Issue, adopted by the National Assembly on 15 January 1990, it did not, unlike legislation and decrees, have the force of law but it had had an important political impact, as events had shown. Adopted by the Parliament because of the dissatisfaction with the decision to restore their names to persons who had been forced to change them in the 1980s, the Declaration had resulted in a lowering of tension.

22. The fact that no complaints of racial discrimination have been submitted to the courts was probably due to a lack of confidence by the general public in the legal system.

23. Freedom of movement was henceforth recognized in the Constitution. The formalities for obtaining a passport had been simplified considerably to the extent that the problem facing Bulgarians was not that of leaving the country or returning to it but of obtaining entry visas for the countries to which they wished to travel.

24. Concerning access to public service, to which reference was made in paragraph 49 of the report (CERD/C/197/Add.4), the word "conviction" in the second line of the paragraph should be replaced by the words "criminal record".

25. In respect of the right to housing (para. 73), he said that the allocation of housing was based solely on economic and social criteria. The right of access to any place or service intended

for use by the general public could be exercised at all times. As they had a legal status, human rights associations could initiate the proceeding referred to in paragraph 80.

26. In his view, most of the cultural events held between 1984 and 1989 had, by and large, been free of any propaganda element.

27. To Mr. Wolfrum's question whether political parties could be formed on an ethnic or religious basis, he replied that the Constitution and the Political Parties Law expressly prohibited the creation of such parties.

That, incidentally, posed a problem for Bulgaria which, when it came to ratifying the European Convention on Human Rights, would probably enter a reservation on article 14.

28. The vast majority of the political parties took the view that parties established on an ethnic or religious basis were working, in one form or another, for separatism. Needless to say, the prohibition did not prevent a given ethnic or religious group from being represented in Parliament or in local government. Members of those groups could be included in the political parties' lists or could establish, in accordance with electoral law, organizations that were entitled to put forward candidates for election to defend de facto the groups' interests as evidenced by the Movement of Rights and Liberties, which represented the Turkish community and constituted the third largest parliamentary group. It should, however, be pointed out that the new electoral legislation currently being drafted would be based on proportional representation, and would make it difficult for organizations to put forward candidates.

29. However that might be, independent candidates could stand for Parliament if they collected at least 2,000 signatures. In that way, the various ethnic and religious groups could be represented in Parliament.

30. In reply to a question by Mr. Wolfrum and Mr. Reshetov, he said that the fact that the principles of the unity and indivisibility of the nation and the State had been included several times in the Constitution certainly did not mean that the State intended to assimilate the various ethnic groups. It was recognized that the Bulgarian nation was made up of very different components, and it would be for the Parliament and the judiciary, including the Constitutional Court, to define further that concept of national unity.

31. Mr. Vidas had asked whether Bulgarian legislation recognized the existence of minorities, and the answer was that the word "minority" was not used for the ethnic and religious groups concerned because the term "minority" had never been the subject of a generally accepted definition in international law. The absence of such a definition did not, however, prevent the provisions of international instruments, in particular those of article 27 of the International Covenant on Civil and Political Rights, from being implemented, inasmuch as it was not a question of terminology. In the case of Bulgaria, incidentally, it was quite appropriate to speak of ethnic, religious or linguistic minority groups. All in all, Bulgaria was deeply convinced that it was possible to find a satisfactory solution to the question of the political, economic, civil and cultural rights of all citizens, regardless of their ethnic, linguistic or religious affiliation, by

treating them all on an equal footing without discrimination.

32. He informed Mr. Vidas that the reference in paragraph 16 of the report to racial groups concerned primarily the Gypsies and that the organization made up of Macedonians in the district of Blagoevgrad had not been registered as a political party because it pursued separatist objectives, which parties were prohibited from doing by the Constitution and the electoral law. However, that organization was free to continue its activities and to have contacts with foreign diplomats, though it should be pointed out that it had aroused the dissatisfaction of the majority of the population in the district of Blagoevgrad.

33. As to the question whether organizations existed in Bulgaria whose purpose was to eliminate barriers between races and to discourage anything which tended to strengthen racial discrimination, as set out in article 2, paragraph 1 (e), of the Convention, such organizations were needed wherever there were many ethnic, racial, linguistic or religious minorities but they unfortunately did not exist in his country.

34. Mr. Banton and some other members of the Committee had asked whether the Committee's report would be brought to the attention of human rights organizations in Bulgaria, and he assured them that it would. In that connection, he hoped that the Bulgarian Ministry of Foreign Affairs or the Human Rights Commission of the National Assembly would organize a debate on that point.

35. Turning to the question asked by Mrs. Sadiq Ali and Mr. Banton concerning steps taken in Bulgaria to inform public opinion about the Convention, he said that Mr. Dichev had already answered it in part when he had announced that the Bulgarian Government, in cooperation with the Centre for Human Rights, intended to publish the booklet "Human Rights: A Compilation of International Instruments". Moreover, the International Bill of Human Rights had already gone through two editions, an indication of the interest it had aroused in the Bulgarian public. Lastly, an agreement had been concluded with the United Nations with a view to setting up a United Nations information centre at Sofia.

36. To Mrs. Sadiq Ali's question about the measures adopted by the Bulgarian Government to increase the awareness by judges and the police of the problems of the Turkish ethnic minority, he replied that all the components of Bulgarian society must be treated equitably by the courts and the police, regardless of ethnic or religious affiliation.

37. Responding to a question asked by Mr. Reshetov and Mr. Shahi about the judicial procedure to restore the names of Bulgarian citizens that had been changed by force (para. 84), he said that the earlier procedure, which had proved to be very slow and complex, had been replaced by a very simple administrative formality so that, as of April 1991, 600,000 former names had been restored.

38. Mr. Shahi had asked how international standards were applied in the Bulgarian legal system (para. 7). The answer was that, unlike the former Constitution, the new one provided for

direct application in the domestic legal system of all international agreements that had been ratified and had entered into force, such as the International Convention on the Elimination of All Forms of Racial Discrimination.

39. In conclusion, he said he hoped he had answered the questions asked by the members of the Committee while reserving the possibility for his Government to reply in greater detail to some of those questions in its next periodic report.

Mr. Vidas took the Chair.

40. The CHAIRMAN thanked the Bulgarian delegation for its oral presentation and, on behalf of the Committee, expressed the hope that the comments made during consideration of the eleventh report and the questions asked by the experts would be taken into account by the Bulgarian Government when preparing its next periodic report.

41. Mr. SHERIFIS expressed his appreciation to the Bulgarian delegation for its exemplary dialogue with the members of the Committee. Supplementing the written report, the Bulgarian representatives had provided the experts with precise and complete new information on the implementation of the Convention since the date of the submission of the eleventh periodic report, had replied to the questions asked and criticisms made by the members of the Committee and had even contradicted a number of statements made in the report. He wished to place on record the strong impression made upon him by the candour, sincerity and depth of the dialogue between the members of the Committee and the Bulgarian delegation.

42. On a specific point, he asked whether the new electoral law guaranteed each ethnic group a parliamentary representation proportional to its share of the Bulgarian population.

43. Mr. ABOUL-NASR, having stated how impressed he was by the replies of the Bulgarian delegation, asked whether the members of the Turkish minority who, having left Bulgaria for Turkey, had not had the possibility of retaining Bulgarian citizenship, could recover their nationality when they returned to Bulgaria.

44. Mrs. SADIQ ALI said she had noted that Mr. Koulishev, when speaking of the forthcoming census of the population of Bulgaria, had not mentioned the Macedonians and asked whether they were recognized as constituting an ethnic minority in Bulgaria. With regard to those members of the Turkish minority who had fled Bulgaria, she would like to know how many of the 300,000 who had left the country had been able to return there and whether they had been rehabilitated. In that connection, it was possible that fear and a lack of confidence in the regime had combined with economic factors to force them to leave. Lastly, she asked what effect freedom of expression and association had had on the implementation of article 4 of the Convention.

45. Mr. YUTZIS said he was gratified that the representatives of Bulgaria had given detailed replies to the Committee's questions. He quite understood that the country was in a period of

transition, during which progress had been made towards the implementation of the Convention. He had a personal comment to make on the change of names of Bulgarian citizens belonging to ethnic minorities. That measure seemed to have been adopted without consulting the persons concerned. From the cultural point of view, a name was linked to the identity of the person who bore it; that was even true of objects. He would like to draw the attention of the Bulgarian Government to the impact that such a measure could have on children in particular, whose sense of self-identification could be disturbed by no longer having the same name. In that connection, he cited as an illustration a situation that had occurred in a completely different context: in Argentina, children who had disappeared and had then been found had not wanted to return to their families, because they identified more closely with the persons who had taken care of them in the meantime. He hoped that the Bulgarian Government would bear in mind the sociological and historical context of the measure in question.

46. Mr. KOULISHEV (Bulgaria) said that Mr. Sherifis, Mr. Aboul-Nasr, Mrs. Sadiq Ali and Mr. Yutzis had asked some very interesting questions. Replying first to Mr. Sherifis, he recalled that the electoral law he had mentioned had not yet been adopted; it was under discussion. He had not said that the law in question expressly provided for the candidacy of representatives of ethnic groups; it was rather a de facto situation that it would encourage: if a minority wanted to send a candidate to Parliament, it could vote for him but as an independent and not as a representative of that minority. That situation existed in other countries too. On the other hand, it was not planned to have a minimum number of deputies belonging to ethnic minorities, as was the case in Hungary.

47. He assured Mr. Aboul-Nasr that Bulgarian citizens of Turkish origin who had left their country could return and recover their nationality; as for their property, however, the recently adopted decree stipulated that restitution or compensation presumed Bulgarian nationality and the intention to settle in Bulgaria.

48. Replying to Mrs. Sadiq Ali, he said that the Macedonians had, in fact, been counted in earlier censuses: for example, they had numbered 8,000 in 1965. In the census that was to be carried out in December 1991, each person would be able to indicate his ethnic affiliation if he so desired. As for the factors that had caused the departure of citizens of Turkish origin, he had not stated that they were exclusively economic in nature; he had simply said that that aspect should be taken into account in many cases. The implementation of article 4 of the Convention was guaranteed by Bulgarian criminal law. It should also be stressed that article 44, paragraph 2, of the new Constitution banned organizations whose activities were prejudicial to the sovereignty, territorial integrity and unity of the nation or which incited to racial, national, ethnic or religious hatred; that was an important provision in terms of Bulgaria's compliance with its obligations under article 4.

49. Mr. Yutzis had rightly pointed out the consequences of changing a name. That factor was currently being taken into account in his country.

Mr. Shahi resumed the Chair.

50. The CHAIRMAN thanked the members of the Bulgarian delegation for the quality of their dialogue with the Committee. He hoped that the next report would give the Committee even greater satisfaction. He noted in particular the high level of the Bulgarian delegation, of which not only H.E. Mr. Dichev had been a member but also Mr. Koulishev, Secretary-General of the National Assembly of the Republic of Bulgaria.

Mr. Dichev, Mr. Koulishev, Mr. Dobrev, Mr. Sotirov and Mr. Kobarelov (Bulgaria) withdrew.

Mr. Vidas resumed the Chair.

51. Mr. de GOUTTES suggested a number of conclusions that the Committee might wish to adopt. Firstly, the Committee should express its satisfaction that Bulgaria was advancing along the road to democracy and the rule of law and, in particular, was making progress in the struggle against racial discrimination, after a period of totalitarianism. It should also welcome the fact that the report (CERD/C/197/Add.4) had been introduced by a delegation of very high quality. It should note the difference - indeed the gulf - that existed between the report and the oral presentation of the Bulgarian delegation. The eleventh report of Bulgaria had, in fact, been inadequate and had not even been in keeping with the Committee's guidelines, because it had restricted itself to a list of texts and contained little information on the context of their implementation, the composition of the population, legal recourse, etc., whereas the oral presentation had been sincere and had contributed some important new information. In particular, it had announced that Bulgaria was preparing to make the declaration under article 14 of the Convention and to withdraw the reservations it had entered. Much information had also been provided on changes in domestic law: the new Constitution, the amnesty act, the legislation on the restitution of land, provisions to monitor constitutionality, etc. It had also been announced that a census was to be carried out with the assistance of the United Nations which would collect information on the ethnic, religious, cultural and linguistic breakdown of the population.

52. The dialogue at the current session had been exceptional, but a number of points still remained to be clarified: the absence of information on trials for racism, the persistence of restrictions on access to public service, the situation of the Gypsies and the Macedonians (attention having been excessively focused on the Turks), the ban on the establishment of political parties on an ethnic or separatist basis, etc.

53. In its next report, the Bulgarian Government should provide information on the results of the planned census, on the compensation and redress for the victims of totalitarianism and on complaints and convictions for human rights violations. To ensure that the report was fully consistent with the Committee's guidelines, it would be useful if it could be prepared with the assistance of the advisory services, in accordance with the cooperation agreement concluded in June 1991 between the Bulgarian Government and the Centre for Human Rights.

54. The CHAIRMAN said that, if there were no objections, he would take it that the Committee wished to adopt the conclusions suggested by Mr. de Gouttes.

It was so decided.

55. Mr. GARVALOV said he had some observations to make for the record. Although he had not participated in the discussion on the report of Bulgaria, he was particularly well placed to know what was happening in that country and what the situation was with regard to the implementation of the Convention. Bulgaria was currently in a transition period which, it was to be hoped, would enable it to lay the foundations of democracy. But that could not be done overnight; democracy had first to be built in the minds of people. Part of Bulgarian society was currently placing its trust entirely in the market economy. That was indeed one of the premises of democracy, but there were some countries in which the market economy was flourishing that did not have genuine democracy. It must be recognized that Bulgaria had never really had experienced democracy since it had become an independent State in 1878. Part of the Bulgarian population unfortunately seemed to believe that democracy consisted in imposing views on the rest of the population. In particular, some demands concerning the use of mother tongues could hardly be realized in the existing circumstances; the rights of some might well encroach upon the rights of others (that was particularly true with regard to the use of the Turkish language).

56. In his own view, it was necessary first of all to ensure that all the basic human rights were guaranteed to everyone; that was a difficult but feasible task. On that basis, all the questions still pending would be capable of resolution, including that of racial discrimination.

57. Mr. RESHETOV said he wished to stress that Bulgaria had voted for democracy and that it was implementing a vast programme to achieve that goal. The programme was a complex one and its implementation would inevitably encounter certain delays. It was important to bear in mind the transitional situation in which the country found itself; on the other hand, the Committee must apply the same rules to all States parties. The Committee knew, however, that the situations in various countries did not correspond to their portrayal in the mass media, which tended to see everything in black and white terms. The Committee's task was to ensure that the provisions of the Convention were implemented throughout the world, and in carrying out that task, it must use the methods and means given it by the Convention.

58. Mr. de Gouttes had asked for information on the punishment of human rights violations perpetrated under the previous regime. In his own view, several levels of responsibility must be distinguished: if serious violations were involved, the criminal code existing at the time was applicable; if the violations had the character of, for example, genocide, international law was applicable; general provisions had also been proposed to punish Governments that were guilty as such of human rights violations. However, to impose punishment on parts of the population for human rights violations risked giving rise to retaliatory policies. He reiterated that the standards the Committee applied must be the same for all countries.

59. Mr. YUTZIS said that the Committee should specify how the individual remarks of its members should be incorporated in the conclusions proposed by Mr. de Gouttes, which had been adopted. There was a danger of having several evaluations of the report.

60. Mr. ABOUL-NASR said that the Committee was not required to seek uniform conclusions, inasmuch as its members belonged to different legal systems and cultures.

61. The CHAIRMAN pointed out that Mr. Garvalov had simply asked that his observations be reflected in the summary record, after Mr. de Gouttes' proposals had been adopted by the Committee. That certainly applied to Mr. Reshetov too.

62. Mr. LAMPTEY said that the question as to where the statements made by the members of the Committee, in particular by Mr. Garvalov, should be placed ought to be clarified at the next meeting.

63. The CHAIRMAN said that the question would be taken up again at the next meeting.

The meeting rose at 1 p.m.