



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

Distr.
GENERAL

CERD/C/SR.1860
4 March 2008

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventy-second session

SUMMARY RECORD OF THE 1860th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 27 February 2008, at 10 a.m.

Chairperson: Ms. DAH

CONTENTS

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

Tenth to fourteenth periodic reports of Nicaragua (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.20 a.m.

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

Tenth to fourteenth periodic reports of Nicaragua (continued) (CERD/C/NIC/14)

1. At the invitation of the Chairperson, the members of the delegation of Nicaragua resumed their places at the Committee table.
2. Ms. MARTÍN GALLEGOS (Nicaragua) reiterated the commitment of the Government of National Reconciliation and Unity and to the elimination of poverty and the promotion of social and economic rights, which had been somewhat neglected under the previous Government, with its emphasis on neo-liberal economics. Her Government would work to meet the needs of the poor in rural areas and the Atlantic region and to correct imbalances in development between the Pacific and Atlantic regions. The challenges of development would be met by promoting full participation of the population in developing the country's natural resources and strengthening such basic industries as tourism and fishing. Every effort would likewise be made to encourage the private sector to become partners in economic growth.
3. In response to the question of how Nicaraguans saw themselves, she stressed that they saw themselves as a multi-ethnic and multicultural society proud of its roots and diversity. In a spirit of integration, solidarity, and reconciliation they would work to eliminate discrimination and build a prosperous nation. She did not share the Country Rapporteur's concerns about the link between high levels of poverty and unemployment and the risk of increased crime, violence and drug-trafficking. On the contrary, Nicaragua had one of the lowest crime rates in Central America; there was, for example, no problem with the violent youth gangs or maras that plagued some other countries.
4. Turning to question 9 of the list of issues on the current status of the Refugee Bill, she said that the text had been transmitted to the Parliamentary Secretariat on 4 February 2008 for inclusion on the agenda of the National Assembly. The bill enshrined principles such as solidarity with refugees and the need to find a lasting solution for refugees. It took into account the Cartagena Declaration on Refugees and international instruments relating to the situation of refugees and human rights, and guaranteed a refugee procedure that respected the rights of refugees and ensured non-discrimination, non-refoulement and family reunification. She noted that every effort was being made to regularize the situation of the 1,300 Salvadoran refugees residing illegally in Nicaragua.
5. As to question 10 on the 2004 amendments to the Migration Trafficking Control Act, she said that the Act had been amended to allow a migrant who married or was in a conjugal-type relationship with a Nicaraguan citizen to apply to be regularized. The couple must have been in a relationship for at least two years and three witnesses from their place of residence must testify to that fact. Also as a result of the reform of 2004, illegal migrants were no longer subject to criminal proceedings or imprisonment. Illegal migrants detained by the police were housed at the National Migrant Reception Centre operated by the Directorate-General for Migration and Aliens (DGME). Once their status and return ticket were confirmed by their consulate or

embassy they were deported. Following notification the consulate had 48 hours to begin the repatriation process; if the migrant had the means to pay for his own return ticket he could be deported within the following 48 hours. If the migrant's country of origin had no diplomatic representation in Nicaragua, the DGME would deport him within 30 days. Migrants remained in the Centre until such time as they were deported.

6. With regard to the bilateral agreement on migrants with Costa Rica mentioned in question 11 of the list of issues, she said that the DGME, the Ministry of Labour, the Ministry of Foreign Affairs, the Spanish Agency for International Cooperation and the International Organization for Migration had been working on a project to control the movement of migrants between Nicaragua and Costa Rica with a view to protecting their rights in Costa Rica. The project's objectives were to: regulate flows of migrant workers from Nicaragua to Costa Rica; facilitate their employment; improve the psychosocial situation of migrants and their families; and promote their integration into society.

7. As a result of the agreement, the migrant workers unit within the DGME had been strengthened; officials from the two countries' Ministries of Labour had exchanged visits and Nicaraguan Ministry officials had visited Costa Rican enterprises; Costa Rican civil organizations working with migrants had been consulted on how to promote the social integration of migrants; the Ministry of Labour call centre had been updated and would be linked to the Ministry of Foreign Affairs and to the DGME; the migrant worker office in the Department of León had been modernized and a new migrant worker office had been opened in the Department of Rivas with personnel from the DGME, the Ministry of Labour and the Costa Rican consulate; and a survey on migration had been undertaken in León. Efforts had likewise begun to implement the mechanism envisaged in the agreement aimed at documenting migrant workers going to Costa Rica for the November-April farming season. As a result 1,731 workers had been documented in 2007 and it was hoped that, thanks to capacity-building for and information-sharing with agricultural enterprises in Costa Rica, that number would be doubled in 2008. The DGME, in consultation with the Ministry of Labour, was authorized to process requests for workers.

8. Turning to question 16 on ratification of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, she said that, in keeping with her Government's commitment to the ratification of any international instruments needed to protect the rights of the Nicaraguan people, it was currently considering ratification of that Convention. The Ministry of Labour had submitted information on the Convention to the Presidential Secretariat for Public Policy. Her Government must first, however, review any international instrument's compatibility with or effect on the Constitution and other relevant national legislation. In that context, the Government supported the Declaration on the Rights of Indigenous Peoples and would work in cooperation with the Human Rights Council to ensure full implementation of its provisions, many of which were already reflected in national legislation. The competent authorities for the implementation of the Declaration would be the Unit for Monitoring International Conventions and the inter-agency committee on human rights.

9. With regard to question 1 on the status of the International Convention on the Elimination of All Forms of Racial Discrimination in domestic law, she said that, unlike several other international human rights instruments, the Convention was not specifically mentioned in

article 46 of the Constitution dealing with human rights and its provisions were not therefore enshrined in the Constitution. In accordance with article 138 of the Constitution, once ratified, the Convention had acquired the status of ordinary law within Nicaragua's domestic legislation.

10. In response to question 2 on article 14 and a declaration on individual communications, she said that as part of its commitment to the elimination of racial discrimination and with reference to article 14 (2) of the Convention, in 1996 Nicaragua had established the Office of the Human Rights Ombudsman (PDDH), which in turn had set up the Offices of the Special Procurators for the indigenous peoples and ethnic communities of the Atlantic coast. Those bodies were integral parts of the national juridical system and could receive and adjudicate human rights complaints. At the regional level Nicaragua was a party to the American Convention on Human Rights and recognized the competence of the Inter-American Court of Human Rights. Given Nicaragua's relative lack of resources, her Government was wary of assuming new and possibly costly obligations that were not justified by the level of need for them.

11. Turning to question 4 on the establishment of a Special Ombudsman's Office for the Indigenous Peoples of the Pacific, and Central and Northern Nicaragua, she said that, with a view to ensuring the effective protection of the human rights of the indigenous peoples and other inhabitants, in 2007 the PDDH had requested budgetary resources for such an office. On 11 February 2008, the PDDH had been informed by the Ministry of the Treasury and Public Expenditure that it could proceed with preparations for the establishment of that office.

12. On question 5, she said that articles 427 and 428 of Act No. 641 containing the Criminal Code, approved by the National Assembly on 13 November 2007, contained a broad definition of discrimination based on the principle of equality in the eyes of the law and non-discrimination as established in article 27 of the Constitution and in compliance with article 1 of the Convention. They did not affect special regulations adopted in order to ensure adequate development of indigenous groups, persons of African origin and other groups. Racial discrimination was considered to be a cross-cutting offence: article 36 of the Criminal Code classified discrimination as an aggravating circumstance and article 315 classified discrimination, servitude and exploitation as violations of labour laws.

13. Referring to question 17, she said that the system of customary justice was based on article 5 of the Constitution, which recognized the existence of indigenous peoples on the Caribbean coast and their own forms of social organization and administration of their local affairs, a concept that was supported by article 18 of the Autonomy Statute. Their own special cultural characteristics were expressed through the Wihta or community judges, a body covered in article 40 of the regulations pertaining to the Autonomy Statute. As to rural legal facilitators, she recalled the description of their role given in paragraphs 93-101 of the periodic report. There were currently 627 facilitators, 20 per cent of whom were women, in 68 municipalities throughout the country, and especially the poorest areas (over 45 per cent of the country). Facilitators provided mediation in cases relating to land ownership, the environment and minor offences and supported the democratization of sectoral reforms. They had developed a strategy of equality of authority in relations between men and women, which was helping victims, mainly women, to overcome their fears and to report offences. Facilitators supported and strengthened customary justice through their work with Wihtas in the Northern and Southern Autonomous Atlantic Regions, especially among the Miskito and Mayagna ethnic groups.

14. As to question 13, reform of the Electoral Act was currently under way but was a complex process; it would take time to make all the necessary legislative and structural adjustments and to conduct the necessary consultations and examinations of implications. An inter-institutional working group on the matter, composed of representatives of the National Assembly, the Supreme Electoral Council, the Office of the Attorney-General and the Ministry of Foreign Affairs, had been established and was currently preparing a programme of work for 2008. Preliminary drafts of the reformed Electoral Act and Amparo Act had been prepared.

15. In response to a question on reports of alleged human rights violations by the National Police, she said that her delegation was not aware of the existence of specific cases which the Committee might have encountered. The police had internal procedures and a code of conduct to eliminate practices that violated citizens' rights, and cases in which such practices had been confirmed had been duly addressed and those responsible sanctioned by the competent authorities. The Government and human rights institutions conducted information campaigns and courses to prevent and combat racial discrimination.

16. Turning to question 21 of the list of issues, she said that her delegation recognized that there was insufficient access to specialized services in the Northern and Southern Autonomous Atlantic Regions, mainly as a result of a shortage of doctors and medical teams, the difficult transport situation and the lack of health infrastructure. In order to overcome those problems, the health services were being organized so as to optimize available resources, and it was planned that in 2008 the Ministry of Health would allocate the entire public investment programme to addressing issues concerning infrastructure and medical and non-medical staff in those regions. Activities under that programme included the creation of 20 health-care posts.

17. As to question 22, the Ministry of Health had established a policy for reviving popular and traditional medicine and other forms of non-Western medicine, which involved incorporating traditional and natural medicine into the Ministry's health services and training medical and nursing staff in alternative treatments. Meetings had been held with advisers from the National Assembly's Health Commission in order to promote approval of the Traditional Medicines and Therapies Bill, and amendments had been made to the bill to ensure that it complemented existing services. Workshops were planned for March and April 2008 with experts in the field to review the bill, which would then be submitted to the National Assembly in May 2008.

18. On question 18, she said that in 2008 her Government had set up a department which was currently working under the 2003-2013 Regional Autonomous Education System plan to develop the autonomous regions' power to determine education activities at all levels. In the Southern Autonomous Atlantic Region, the system was being implemented in 30 schools in 4 municipalities. In all schools in communities where Spanish was not spoken, lessons were given in the community's language, with intercultural bilingual education provided in Miskito, Ulwa, Creole and Garifuna. Major progress had been made in translating the curriculum into the various languages and in preparing teaching materials, which had been used on a pilot basis in 2007 in the first and second grades of primary education and would be used in the third grade in 2008. Texts for fifth and sixth grades and for multigrade classes had been prepared but not tested. There had, however, been a number of difficulties with the project, especially financial, in areas such as strengthening capacities, hiring the staff necessary for appropriate functioning of the programmes and reproducing texts.

19. Referring to question 20, she said that the Ministry of Education had prepared material for students and teachers in Miskito and Mayagna on basic work skills, which had been integrated into the adult education system.

20. As to question 19, she said that the National Commission on Access and Coverage had been set up in 2007 with the aim of realizing the right to education for all children and young people in Nicaragua. At the end of 2007 it had begun the process of identifying demand in the various departments, municipalities and territories, including the two autonomous regions. However, assessment of the Caribbean coast had not yet been completed owing to severe weather conditions, and would be finished in 2008.

21. Turning to question 24, she said that, in addition to the Office of the Human Rights Ombudsman, the amparo procedure was a general mechanism which could be used; there was a single procedure for all types of violation. Articles 187-190 of the Constitution covered the remedies of amparo and habeas corpus and the action of unconstitutionality, which were regulated by the Amparo Act. Article 164 of the Constitution stipulated that among the exclusive powers of the Supreme Court of Justice was hearing and resolving cases concerning an action of unconstitutionality. In the case of the remedy of amparo, the Supreme Court was again responsible for resolving the case, but it was initially heard by a lower court, the civil chamber of the court of appeal.

22. In response to question 25, she said that her Government had taken a series of measures as part of its efforts to eliminate racial discrimination, which constituted a long-term and difficult challenge. Those included: increasing the participation of persons of African and indigenous descent in governance and policymaking; establishing the inter-agency committee on human rights, which was responsible for promoting human rights and was composed of State officials and representatives of civil society; and defining in the Criminal Code six new punishable offences, including discrimination, promotion of discrimination and apartheid. The enforcement of those norms would ensure that the topic was constantly being addressed in government institutions, civil-society organizations and the media. The National Assembly had designated 21 March as Elimination of Racial Discrimination Day, and an initiative had been launched by various civil-society organizations to draft a code of ethics for the print media that would promote respect for the identity and culture of persons of African and indigenous descent.

23. On question 26, she said that great strides had been made in promoting human rights in Nicaragua over the past decade, including efforts ranging from the enactment of legislation to the organization of sensitization campaigns for government officials and the general public in order to promote a culture of awareness and observance of human rights at all levels of society.

24. Pursuant to the Act for the Promotion of Human Rights and Education in the Constitution, human rights and the Constitution were compulsory subjects of instruction at the primary and secondary-school levels. Article 4 of the Act required military and law enforcement academies to provide instruction in the Constitution and human rights through programmes and materials prepared in coordination with the Ministry of Education. Article 5 charged the Ministry of Education with responsibility for developing teaching materials on the subjects of the Constitution and human rights, which were to be taught as part of preschool, primary, secondary

and vocational education curricula. The Act also stipulated that, in the autonomous regions, the programmes should be translated also into the languages of the local communities. Steps were currently being taken to translate the Act for the Promotion, Protection and Defence of Human Rights in relation to HIV/AIDS into Miskito, Mayagna and English.

25. As to action that would be taken to disseminate the current periodic report and the Committee's concluding observations, she said they would be published on the web page of the Ministry of Foreign Affairs, which was accessible to the public. The Ministry planned to issue press releases and the various topics would be discussed and publicized gradually through the activities of the inter-agency committee on human rights. The representatives of State institutions and civil-society organizations would follow up the Committee's recommendations in their respective fields, which would facilitate the collection of information to be presented in the next periodic report.

26. With regard to the definitions and concepts used in Nicaragua, the terms grupos indígenas and pueblos indígenas were used interchangeably to refer to the original groups who had observed their traditions prior to the arrival of the Europeans in 1492. The indigenous peoples include the Miskito, the Mayagna-Sumu and the Rama. The term "ethnic communities" referred to persons of African descent, who included the Creoles and Garifunas. The term "mestizo" was applied to the vast majority of the population; and mestizos could not therefore be included among the indigenous peoples because they accounted for nearly the entire population.

27. The principal functions of the recently established Atlantic Coast Council, which was attached to the Office of the President, were, inter alia, to promote and organize communication and cooperation between the Government, the regional authorities and the indigenous community leaders in the Atlantic coast region; to organize government activities for strengthening regional institutions and promoting development in the autonomous region and indigenous communities of the Atlantic coast; and to coordinate the activities of the institutions of the Executive involved in the process of organization of property and demarcation of indigenous land under Act No. 445.

28. The sentences that could be imposed for offences relating to racial discrimination were laid down in the Criminal Code, copies of which had been transmitted to the secretariat and were available for Committee members to consult. Cases in which the Convention had been invoked included those relating to the Mayagna, Awas Tingni, and Rama peoples and to the Bluefields community.

29. Mr. LAHIRI said that the Nicaraguan people had suffered greatly over the past few decades, inter alia through external intervention, in a conflict that had had its roots in the cold war. That was unfortunate because the Sandinista Government had had a very progressive outlook, as exemplified by its approach to pluralism and diversity.

30. Nicaragua's promotion of the ideology of mestizaje or miscegenation should not be allowed to become an instrument of exclusion. Despite the fact that Nicaragua did not consider itself to have serious racial problems, there were several indicators, such as maternal mortality, unemployment and poverty, that pointed to de facto discrimination against the indigenous and

Afro-Nicaraguan population. It was commendable that Nicaragua was taking steps to address those problems through its forward-looking Constitution and domestic legislation. The crux of the matter was the need for more rigorous and proactive implementation of the law, increased public awareness, special measures and the transmission of information to the affected populations concerning their rights and remedies. The success of such action would result in an improvement in the social and economic welfare of the affected populations. He commended the efforts being made by the Nicaraguan Government to tackle the remaining vestiges of the problem and to foster reconciliation and unity.

31. Mr. AVTONOMOV commended the efforts made by the Nicaraguan Government in the past year following its election to power. He requested additional information on the case involving threats to judges and the steps that had been taken to protect their safety. The delegation should comment on the number of judges in the autonomous regions who were natives of those regions and spoke the local languages. He asked how many court interpreters were available to ensure that members of ethnic communities and indigenous populations were able to follow their cases in their mother tongue.

32. Mr. LINDGREN ALVES asked what was the difference between the Creole and Garifuna ethnic groups. In its next periodic report, the State party should include a description of the overall Nicaraguan population broken down into various categories, and not only information on indigenous peoples. The ethnic characteristics of the population, including those resulting from a mixing of cultures, were of particular importance in relation to the Convention.

33. Mr. de GOUTTES, Country Rapporteur, asked whether there were provisions in the new Criminal Code that prohibited and punished the establishment of racist organizations or associations that disseminated racist ideas. He wished to know whether strategies to combat stereotyping in the media included a code of ethics for journalists and other media workers. It was unclear why the ICERD had not been included among the human rights treaties granted constitutional status.

34. Mr. PETER reiterated his earlier question concerning the State's compliance with the judgement of the Inter-American Court of Human Rights concerning the Awas Tingni community. The delegation should explain what was meant by a fine - for trafficking in human beings, for instance - that was expressed in terms of days. He requested clarification of a statement made by the delegation to the effect that the future of Nicaragua lay with people of mixed race. That did not tally with its description of Nicaragua as a multi-ethnic, multicultural country of equal opportunity, since it singled out a particular segment of the population and excluded all others.

35. Mr. MURILLO MARTÍNEZ welcomed the decision of the Nicaraguan Government to declare 21 March National Elimination of Racial Discrimination Day, and commended its efforts to sign an agreement with the two largest Nicaraguan newspapers for the adoption of a code of ethics for the media. He asked whether measures taken to remedy the disparities affecting the populations of the Atlantic Coast had included affirmative-action programmes. He wished to know to what extent persons of African descent had participated in the preparation of the current periodic report and whether the Government had organized a participatory process in preparation

for the Durban Review Conference that included representatives of civil society. Nicaragua had a very dynamic civil society and it was important for it to be included in such processes. The prevailing notion for many years in Latin American countries had been that they were countries of mestizos; that notion, professed even by the inhabitants of those countries themselves, tended to overlook, rather than to value, the racial and cultural diversity of Nicaragua's population.

36. Mr. ABOUL-NASR said that he was surprised at the level of immigration into Nicaragua, given that it could not be considered to be a rich country. In the case of illegal immigration into Nicaragua, the immigrants had to be handed over to their embassies in order to be repatriated. He wished to know who paid for their repatriation if their country of origin did not have an embassy to represent them in Nicaragua.

37. Mr. THORNBERRY said that, on the whole, he was not concerned so much with the State's formal philosophy, regardless of whether it described itself as "mestizo" or "multicultural"; he was more concerned with the living reality underlying such philosophies and their impact on particular groups. The world was full of fine philosophical conceits and, in many parts of the world, a less elevating reality. Always in the forefront of the Committee's work were the victims of discrimination, the oppressed, the disadvantaged and those who suffered indignities. The first question that the Committee always asked was who were the victims of racial discrimination and what was their situation. Information offered to the Committee by victims of racial discrimination must be evaluated according to the same critical standards as other information, but it should nevertheless be respected. Ideologies could conceal, as well as reveal, and could give a false impression. Virtually all the Committee's concluding observations were an attempt to look at the reality on the ground, and they should be based on a realistic appreciation of the situation, which the Committee always hoped would be shared by the State.

38. Ms. MARTÍN GALLEGOS (Nicaragua) emphasized her Government's policy of unity in diversity, which implied absolute respect for all national cultures and the same rights for each culture.

39. Ms. MARTÍNEZ FOX (Nicaragua), replying to a question from Mr. Lindgren Alves, said that the Garifuna ethnic group was composed almost exclusively of descendants of slaves who had tried to maintain their traditions and culture. The Creole ethnic group was a more mixed group, composed of indigenous people and descendants of the British community who had settled on the Atlantic coast.

40. Ms. MEDAL GARRIDO (Nicaragua) said that the composition of her delegation was indicative of her Government's efforts to integrate all Nicaraguan society's minorities and ethnic groups into its institutions.

41. In response to the concern about the right of indigenous communities to participate in legal proceedings in their mother tongue, she recalled the provision made in article 17 of the Organic Act on the Judiciary, details of which were provided in paragraph 107 of the periodic report. However, limited resources sometimes made it impossible to provide professional interpreters. In that case, if all parties to a case agreed, a community leader would act as an interpreter for the duration of the case.

42. While legislation promulgated in 2001 had provided for a code of ethics for journalists, no such code had yet been drawn up. The Office of the Human Rights Ombudsman and several NGOs were, however, organizing workshops to raise journalists' awareness of the need to respect human rights in their work, particularly on issues concerning gender, children and indigenous populations.

43. The Criminal Code did not contain a specific provision on organizations that incited racial discrimination. Nonetheless, such organizations could be prosecuted under article 428 of the Code, which referred to the practice of discrimination in general.

44. Mr. CRUZ TORUÑO (Nicaragua), responding to Mr. Peter's question on the penalties established under the Criminal Code, said that the penalties were of a rehabilitative nature and included imprisonment, deprivation of certain rights and fines. "Day fines" were sums of money determined by a particular number of days. The minimum day fine was 10 days and the maximum 1,000 days, depending on the guilty party's financial situation. If a person could not afford to pay a fine, he could perform two hours of community service for each day fine. If he refused, he was imprisoned for one day for each eight days of community service not performed.

45. His Government had established a national commission to implement the Durban Declaration and Programme of Action. Composed of several State institutions and chaired by the Human Rights Ombudsman, it had drawn up a national action plan in consultation with all the relevant institutions and civil society organizations. The current lack of resources to implement the action plan had been alleviated somewhat by technical cooperation and assistance from OHCHR.

46. Ms. MARTÍN GALLEGOS (Nicaragua) said that the Directorate-General for Migration and Aliens was responsible for funding the return journey of illegal immigrants who were sent back to States that had no embassy in Nicaragua. They were returned within 30 days of their arrival.

47. Mr. MURILLO MARTÍNEZ commended the delegation for its multi-ethnic composition. The Committee would appreciate information in the next periodic report on any special or affirmative measures in effect.

48. Mr. PETER remained concerned at reports the Committee had received indicating that the majority of Mestizos believed that lighter skin was superior to darker tones.

49. Mr. de GOUTTES thanked the delegation for its frank responses, particularly concerning the situation of indigenous groups and Afro-Nicaraguans, persistent racist stereotypes, ill-treatment by the police and the lack of health-care provision in some regions. He also commended the NGOs for the quality of the reports they had submitted to the Committee.

50. The Committee's concluding observations within the general framework of the Convention would focus on the fact that Nicaragua, as a multicultural and multi-ethnic State, should establish a comprehensive programme for the advancement of the indigenous and Afro-Nicaraguan communities, and set up a national strategy to combat racism. There was a clear need for a more effective relationship between the State and the indigenous and Afro-Nicaraguan communities.

51. The Committee's specific recommendations would include a further call to ratify ILO Convention No. 169, and to make a declaration under article 14 of the ICERD. Additional information would be requested in the forthcoming report on issues such as the protection of

community land rights, the demarcation of indigenous lands, protection of sacred sites, and the effect on indigenous rights of the granting of mining or forestry licences. Updated details would be sought on the Awas Tingni community, and the representation of the indigenous population in regional and national governments. The recommendations would cover the need to establish new branches of the Office of the Special Procurator for Defence of the Rights of Indigenous Peoples and Ethnic Communities in the central and northern regions. In addition, the Committee would request details on the implementation and precise scope of the 2007 anti-racism legislation.

52. Ms. MARTÍN GALLEGOS (Nicaragua) thanked the Committee for its useful questions and comments, and reaffirmed her Government's commitment to respecting the human rights of all peoples.

The meeting rose at 12.55 p.m.