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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Forty-first session

PROVISIONAL SUMMARY RECORD OF THE 951st MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 11 August 1992, at 3 p.m.

Chairman: Mr. DIACONU

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under article 9 of the Convention (continued)

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a copy of the record. They should be sent within one week of the date of this
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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Draft concluding observations concerning reports of States parties

Draft concluding observations concerning the seventh, eighth, ninth and tenth periodic reports of Yemen (CERD/C/158/Add.10 and CERD/C/209/Add.2)

1. Mr. BANTON submitted the following draft concluding observations concerning Yemen:

"1. The Committee appreciated the Yemen Arab Republic's desire to enter into a dialogue so soon after the unification of the country.

2. The Committee commended the State's willingness to accept such a large number of refugees from Somalia and Ethiopia. It noted that the report lacked adequate information on the status of the Convention in domestic law and the demographic composition of the population, and that articles 2, 4, 5 (e), 6 and 7 were not yet fully implemented. The Committee noted that Yemen had stated that, since no form of discrimination existed in the country, specific legislation in respect of article 4 was not required. Calling the attention of the State party to the Committee's general recommendation I, the Committee reiterated that this is not a legally defensible interpretation of the obligations that a State assumes on acceding to the Convention."

2. The draft concluding observations concerning the seventh to tenth periodic reports of Yemen were adopted.

3. The CHAIRMAN said that the Committee had thus concluded its consideration of the seventh to tenth periodic reports of Yemen.

Draft concluding observations concerning the ninth and tenth periodic reports of Austria (CERD/C/209/Add.3)

4. Mr. BANTON read out the following draft concluding observations:

"1. The Committee noted that Austria's tenth periodic report was of a brief updating character. A number of questions asked during consideration of the sixth report in 1985 remained unanswered, while the account of the State's obligations under international treaties concerning its ethnic minorities, and of its discharge of those obligations, was too condensed.

2. The Committee found it necessary to recall that, under article 5 (e) (i) of the Convention, everyone in Austria must be guaranteed the right, without distinction as to race, to equality before the law in the enjoyment of the right to work. This guarantee must cover the private as well as the State sector. The Committee was disturbed to learn that, according to a Gallup poll conducted in 1991, significant numbers of Austrians did not recognize the equal rights of Jews in

economic life. Since such attitudes can be exploited by racist organizations, the Committee sought information about preventive and educational countermeasures.

3. The Committee noted that no case of racial discrimination had yet been taken to the Mediation Service or been decided by an Austrian court. Since the absence of complaints might stem in part from victims' ignorance of, or lack of confidence in, the available remedies, the underlying circumstances might be investigated empirically. The Committee expressed appreciation of the extensive oral replies to questions but indicated that the next periodic report should be of a comprehensive character."

5. Mr. ABOUL-NASR, referring to the third sentence of paragraph 2 of the text just read out, said he was surprised that reference was made to the conclusions of an unofficial body such as the Gallup Institute; as to the term "significant numbers", that did not in fact mean very much. While he did not wish to enlarge on the political aspects of the question, he found such a form of words unacceptable. The statement that the Committee had been "disturbed" to learn of the findings of a poll was incorrect; it was true that one member of the Committee had expressed concern, but he (Mr. Aboul-Nasr) was not disturbed at the results of a mere opinion poll on the rights of Jews in economic activity in Austria. Until very recently, the Chancellor of Austria himself had been Jewish. In view of the political connotations of the two last sentences of paragraph 2, he proposed that they should be deleted; the Committee could then either mention the point in the report or simply state in its conclusions that the question had been raised.

6. Paragraph 3 was also unsatisfactory as drafted. By expressing surprise at the absence of complaints, the Committee was giving the impression that it expected some. It was certainly going too far to speak of the "ignorance" of persons living in Austria; what then was to be said about inhabitants of the third world? Why could Austria not be given the benefit of the doubt in the matter, as had been done in the case of all other countries which had no complaints of the kind to report?

7. Mr. LECHUGA HEVIA shared Mr. Aboul-Nasr's doubts regarding the Gallup survey. The results of a poll carried out by an institution totally unrelated to the Committee should be treated with caution.

8. Mr. BANTON pointed out that the Gallup Institute had the highest possible reputation internationally and it was for that reason that it had been cited; 15 per cent of the persons questioned in the poll had considered that the acquisition of capital and land by Jews should be limited by law - in other words, they had wanted the legislature to violate the provisions of the Convention. Such a figure was statistically and morally significant, because that kind of attitude could be exploited by racist organizations. The purpose of the proposed text was to induce the Austrian Government to recognize that that type of situation called for preventive measures, such as those the Committee had very recently declared were needed, notably with regard to the former Yugoslavia.

9. Where paragraph 3 was concerned, he pointed out that ignorance was regarded as only one of a number of possible explanations of the phenomenon; what was involved was not a statement of fact, but merely a supposition. The wording reflected the long discussion that had taken place with the representative of Austria on effective implementation of article 6 of the Convention, an account of which would be given in the report.

10. Mr. ABOUL-NASR said he had no objection to those questions being raised in the report. What he could not agree to was the statement that the Committee had been disturbed by them. Why should Austria specifically be condemned on the strength of a mere opinion poll? In fact, the phenomenon of anti-Semitism and racism was to be found throughout Europe - notably in France, where racist political parties were gaining ground in the elections, and in the United Kingdom. The Committee might draw attention to that disturbing phenomenon but, in so doing, should condemn it wherever it was on the increase, and not only in Austria. Moreover, an opinion poll on anti-Semitism concerned not only Jews, but also Arabs - a fact of which the experts of so renowned a body as the Gallup Institute were certainly aware. For that reason, the Committee should take a broader approach, saying that it was disturbed to note the situation in countries where elections - and not mere opinion polls - revealed a rise in anti-Semitism affecting not only Jews, but also Arabs, who constituted the majority of Semites.

11. Mr. de GOUTTES felt that it would be possible to find a compromise solution to take account of the points made by Mr. Aboul-Nasr. With regard to discrimination against Jews, perhaps the scope of the paragraph in question could be broadened by referring to the need to guarantee equal treatment for all categories of persons - ethnic minorities, refugees, Jews - liable to suffer discrimination. The absence of complaints referred to by the representative of Austria was a problem the Committee was already familiar with; normally, it would not merely take note of the problem, but would ask questions about it. In the present instance, it should tell the State party it was puzzled and ask about the reasons for the absence of complaints.

12. Mr. WOLFRUM said that all States, and in the current instance European States, should be aware of anti-Semitic or xenophobic tendencies emerging on their territory and should take the necessary preventive measures. That point should be made in the Committee's concluding observations, perhaps setting the problem in a broader context as suggested by Mr. de Gouttes. Mr. Aboul-Nasr had rightly pointed out that elections carried more weight than mere opinion polls; as had recently been seen, for example in Germany, such polls could give an inaccurate picture of the true situation. The Committee might simply refer to the recent trends emerging in Europe and ask what preventive measures were being taken in Austria in that connection.

13. With regard to paragraph 3 of the text, it was true that the use of the term "victims" implied that victims in fact existed; it was also true that absence of complaints did not necessarily imply absence of violations. A form of words needed to be found which would avoid any mention of victims, but would nevertheless raise the question.

14. Mr. GARVALOV said he recalled that in the course of the discussion the representative of Austria had stated that he himself was somewhat concerned

about the anti-Semitism in his country, though without being able to quote figures. Mr. Aboul-Nasr had rightly pointed out that the term "anti-Semitism" concerned Arabs as well as Jews. He (Mr. Garvalov) had drawn attention in the course of the discussion to the absence of complaints of racial discrimination in Austria, and had suggested that that phenomenon could be explained either by the victims' ignorance of available remedies, or by the existence of a perfect society - a highly unlikely eventuality in any part of the world.

15. He would therefore prefer the content of paragraphs 2 and 3 of the text to be retained, but with the wording improved.

16. Mr. van BOVEN agreed with Mr. Aboul-Nasr that it would be more appropriate to include the reference to the Gallup poll in the report. He himself had drawn attention to concern about anti-Semitism and xenophobia on the basis of conclusions published by the European Parliament; the Conference on Security and Cooperation in Europe had also recently referred to that threat.

17. It was quite true that Arabs were also Semites and that the term "anti-Semitism" should not necessarily be interpreted as relating to Jews, although in the context of European history it undoubtedly did have such a connotation. That Austria was singled out in that context, whereas the same disquieting trends were present in a number of European countries, was simply due to the fact that it was Austria's report that was under discussion. However, a less selective impression might be given by adding a phrase such as "as elsewhere in Europe".

18. Mr. ABOUL-NASR reiterated that he had no objection to such problems being raised, but felt that their proper place was in the report. The suggestions just made were acceptable, provided that the intent was not to condemn a single country for what was a general phenomenon, nor to single out discrimination against Jews when many other categories of persons were victims of discrimination.

19. Mr. BANTON proposed that, as a compromise solution, the third sentence and the beginning of the fourth sentence of paragraph 2 should be amended to read:

"The Committee was disturbed to learn that in Austria, as in other parts of Europe, there are signs of increasing racism, xenophobia and readiness to ignore the rights of members of ethnic minorities. Since hostile attitudes can be exploited ...".

The second sentence of paragraph 3 should be replaced by the following:

"As when other countries had reported an absence of such cases, the Committee cautioned against inferring that this absence proves that there is no discrimination."

20. Mr. YUTZIS said that he was at a loss to understand why the Committee was deleting the reference to the problem of hostility to Jews, a problem which it had explicitly recognized as relating particularly to Austria.

21. Mr. ABOUL-NASR endorsed the compromise text proposed by Mr. Banton.
22. Mr. de GOUTTES suggested that, to meet the point made by Mr. Yutzis, the word "anti-Semitism" should be added after "racism, xenophobia" in the new wording of paragraph 2 proposed by Mr. Banton.
23. Mr. GARVALOV said he could not accept that xenophobia should be limited to Europe. He proposed the following wording: "The Committee was disturbed to learn that in Austria, too, there were signs of ...".
24. Mr. BANTON proposed that, in order to avoid using the ambiguous term "anti-Semitism", the words "including Jews" should be added to the proposed new paragraph 2, after the words "to ignore the rights of members of ethnic minorities".
25. Mr. WOLFRUM suggested that the word "minorities" should be replaced by "groups".
26. Mr. GARVALOV reiterated that he could not agree that the phenomenon should be limited to Europe.
27. Mr. AHMADU felt that it would be more appropriate to say "as in other parts of Europe".
28. Mr. SHAHI considered that the Committee should accept the text proposed by Mr. Banton, as amended by Mr. de Gouttes.
29. Mr. RECHETOV proposed that the phrase "as in other countries" or "as in other States" should be inserted in the new paragraph 2 proposed by Mr. Banton. As he saw it, it was not appropriate to condemn Europe in particular; there was currently a general increase in xenophobia throughout the world. He could agree to the addition of the word "anti-Semitism" because it reflected the true situation in Austria, as in other countries. However, he found it regrettable that observations in the initial text had been weakened.
30. Mr. WOLFRUM considered it inappropriate to make reference to the results of an opinion poll as had been done in Mr. Banton's initial text; the Committee should base itself on more solid evidence. As had already been pointed out, a former Austrian Chancellor had been Jewish. He supported the new text read out by Mr. Banton.
31. Mr. ABOUL-NASR said he could not agree with the accusations made by Mr. Yutzis regarding anti-Semitism in Austria. It would be discriminatory to single out Austria in that connection.
32. Mr. de GOUTTES suggested that, in order to avoid any misunderstanding, the text should refer to "anti-Jewish tendencies" rather than to "anti-Semitism".
33. Mr. ABOUL-NASR said he could not endorse that wording either.

34. Mr. FERRERO COSTA suggested that if continuing disagreements on Mr. Banton's new proposal meant that the debate would be unduly prolonged, the Committee would have to consider putting the text to the vote.
35. Mr. LECHUGA HEVIA said that before proceeding to a vote the Committee should be provided with a written text.
36. Mr. SHAHI said he too had some misgivings about the last amendment proposed by Mr. de Gouttes. Although he understood the concern of Mr. Yutzis to reflect certain aspects of the actual situation in Austria, he believed that the Committee should weigh its words. He could endorse the last proposal by Mr. Banton and the first amendment proposed by Mr. de Gouttes.
37. Mr. RECHETOV reminded members that the Committee could not accept that a State party should confine itself to declaring that racial discrimination did not exist on its territory. Where anti-Semitism was concerned, the situation should be depicted accurately and truthfully. Mr. Aboul-Nasr might have his own point of view, but he should not ignore the situation that actually existed in a particular country.
38. Mr. SONG Shuhua pointed out that anti-Semitism was unknown in Asia. He would prefer to retain the last text proposed by Mr. Banton, with the first amendment suggested by Mr. de Gouttes.
39. Mr. SHAHI agreed that racism existed in all countries, but unlike Mr. Rechetov, he did not think the same was true of anti-Semitism. In his view, therefore, it was unwise to refer to "other countries".
40. Mr. AHMADU pointed out that there was broad agreement on Mr. Banton's amendments and that Mr. Yutzis, despite his earlier comments, was not opposed to that text.
41. Mr. de GOUTTES said that one difficulty had in fact already been resolved by Mr. Banton's last proposal. There remained one other difficulty which could likewise be resolved, and he suggested that a reference to Europe be inserted in the proposal: "The Committee was disturbed to learn that in Austria, as in other European countries, there are signs of increasing racism ...".
42. The CHAIRMAN suggested that, in order to arrive at a consensus, the Committee should adopt the draft concluding observations as reworded by Mr. Banton, with the amendment proposed by Mr. de Gouttes.
43. It was so decided.
44. Mr. ABOUL-NASR pointed out that in the concluding observations a number of accusations had been made against Austria; the Committee would need to have that country's comments so that they could be annexed to the report.
45. The CHAIRMAN said he doubted whether the Committee could request Governments to submit comments on its concluding observations at short notice. He noted that consideration of the ninth and tenth periodic reports of Austria had thus been concluded.

Draft concluding observations concerning the tenth and eleventh periodic reports of Costa Rica (CERD/C/197/Add.8)

46. Mr. de GOUTTES read out the following draft concluding observations concerning the tenth and eleventh periodic reports of Costa Rica:

"The Committee appreciated the continued willingness to maintain dialogue shown by the Government of Costa Rica, which had submitted its tenth and eleventh periodic reports in 1991 and had sent a delegation to introduce them at the current session. After noting the positive aspects of those reports and the position occupied by Costa Rica in the field of human rights, the Committee observed that the presentation of the eleventh report did not conform to the general and consolidated guidelines regarding the form and content of reports.

Deficiencies were apparent in the general part, which should have been devoted to the general background against which the Convention was being implemented, but which did not concentrate sufficiently on matters of specific interest to the Committee.

There were more serious deficiencies in the analytical part, which should have dealt with the implementation of each article of the Convention:

There were too few practical examples or relevant statistics, particularly on cases of complaints, prosecutions and convictions for acts of racial discrimination;

The main deficiencies lay in the presentation of the actual situation of the ethnic minorities, especially Indians and blacks, the social indicators of the non-integration of those population groups, the difficulties and discrimination to which they were exposed (right to land, health, freedom of movement, education, etc.), the damage caused to the environment of the Indians, and the obstacles they might encounter in claiming compensation for such damage.

The members of the Committee laid special emphasis on the last-mentioned omissions. In particular, a number of them drew attention to the problem of the status of the Indian 'reservations' and the concomitant risk of social exclusion.

In conclusion, while welcoming the additional explanations given by the Costa Rican delegation in its oral presentation, the Committee requested the Government of Costa Rica to provide precise information on all those points in its twelfth report, the presentation of which should conform to the Committee's general guidelines."

47. Mr. ABOUL-NASR said he would have preferred the concluding observations to be shorter. He proposed that: the words "conform to" in the sixth line of the first paragraph should be replaced by "follow"; the words "more serious" in the first line of the third paragraph should be deleted; the word

"Indians" should be replaced by "indigenous peoples"; and the wording should be harmonized by using either "the Committee" or "the members of the Committee" throughout.

48. Mr. WOLFRUM proposed that the first sentence of the first paragraph should be deleted in order to bring the text into line with the Committee's concluding observations concerning the reports of other countries. He further proposed that in the penultimate paragraph the words "The members of the Committee" and "a number of them" should be replaced by "the Committee".

49. Mr. van BOVEN considered the draft submitted to be satisfactory and endorsed the various amendments proposed. He nevertheless felt that the concluding observations might be somewhat overcritical of the country concerned by comparison with others. That again raised the question how the concluding observations were to be brought into line; the Committee might indicate in its report that in future it would try to define certain criteria with a view to achieving more consistency in that regard.

50. Mr. FERRERO COSTA supported Mr. Wolfrum's proposal that the first paragraph should be shortened. The word "deficiencies" used later in the text seemed to him too strong in the case of the report of Costa Rica.

51. The CHAIRMAN observed that the word "insuffisances" used in the French version did not have such strong connotations.

52. Mr. de GOUTTES fully supported all the proposed amendments, which toned down somewhat a text that had initially been fairly hard-hitting. He read out the text again, with the amendments proposed, and a few minor drafting changes of his own. The term "deficiencies" was now replaced by "omissions", which was perhaps a more neutral expression.

53. The draft concluding observations concerning the tenth and eleventh periodic reports of Costa Rica, as orally amended, were adopted.

54. The CHAIRMAN said the Committee had thus concluded its consideration of the tenth and eleventh periodic reports of Costa Rica.

Draft concluding observations concerning the fifth and sixth periodic reports of Bangladesh (CERD/C/192/Add.3)

55. Mr. YUTZIS (Country Rapporteur) proposed the following text:

"1. While recognizing the economic difficulties of Bangladesh, the Committee requested better demographic data in order to understand the position of ethnic minorities.

2. The Committee deeply deplored the persistent and grave violations of the human rights of the ethnic minorities in the Chittagong Hill Tracts at the hands of the military and paramilitary forces. In failing to protect those rights, the Government was not fulfilling its obligations under the Convention. Since the State representative was not in a position to respond to questions at the August meeting, the Committee looked forward to receiving further information."

56. The text was a short one, which took into account consultations he had held with several members of the Committee and which, in his view, represented the minimum that could be asked of the State party. However, to reflect certain comments made by members of the Committee, he proposed that the following new paragraph should be inserted between paragraphs 1 and 2:

"The Committee welcomed the strengthening of democracy in Bangladesh, which could benefit the ethnic minorities."

57. Mr. ABOUL-NASR said that, although the text was short, it still contained elements he had objected to. Regarding paragraph 2, which would become new paragraph 3, he pointed out that if the paragraph proposed was inserted, the Committee would have to await a reply from the Government before formulating a final opinion. Failure to do so would amount to accusing the Government without giving it the opportunity to defend itself. For the moment, therefore, he suggested that all the accusations contained in the paragraph should be deleted.

58. Mr. AHMADU proposed that Bangladesh's economic and political difficulties should be referred to in paragraph 1 of the text. If the information on the ethnic minorities in the Chittagong Hill Tracts had not been provided by the Government, he agreed that the text of paragraph 2 should be amended so as to inform the Government that the Committee had received information from other sources.

59. Mr. SONG Shuhua noted that the concluding observations proposed were generally critical of the report of Bangladesh. It would, in his view, be advisable to add something positive to paragraph 2, for otherwise the Bangladesh Government might take a poor view of the Committee's observations, which could have repercussions on the continuation of dialogue between the Committee and the Government.

60. Mr. WOLFRUM reminded members that the representative of Bangladesh had not replied to the questions put to him and that as a result the Committee was not able to make a judgement. As currently drafted, paragraph 2 implied that the facts had been established, and he was accordingly unable to endorse it. In addition, he considered that the words "persistent and grave violations" referred to very specific crimes and should be deleted as being inappropriate in the context.

61. Mr. de GOUTTES stressed that all members of the Committee were concerned about the situation of the ethnic minorities in the Chittagong Hill Tracts and ought to tell the Government so in their concluding observations. With a view to finding a form of words which could be adopted by consensus, he proposed that in paragraph 2 the words "deeply deplored" should be replaced by "expressed its concern at allegations of ... and requested explanations on the matter".

62. Mr. ABOUL-NASR proposed that the first sentence of paragraph 2 should be amended to read: "The Committee expressed grave concern at reports of violations of the human rights of the ethnic minorities in the Chittagong Hill Tracts". He further proposed that the second sentence of the paragraph should be deleted and the last sentence left unchanged.

63. Mr. van BOVEN suggested that in paragraph 2 of the text the Committee should add a sentence on forced population transfers, expressing its hope that the Government would take the necessary steps to prevent such transfers in future.

64. The CHAIRMAN suggested that in the first sentence of paragraph 2 of the text, after the words "violations of the human rights of the ethnic minorities", the following words should be added: "notably the forced population transfers in the Chittagong Hill Tracts".

65. Mr. van BOVEN pointed out that it was not only the Chittagong Hill Tracts that were concerned. He proposed that a comma be added at the end of the first sentence proposed by Mr. Aboul-Nasr and that the phrase "including the forced population transfers" be added.

66. Mr. AHMADU considered that the words "August meeting" in the last sentence of paragraph 2 of the text were too vague. It should be made clear which meeting was meant.

67. The CHAIRMAN suggested that the words "August meeting" should be deleted. If there was no objection, he would take it that the Committee adopted the draft concluding observations as amended, thus concluding its consideration of the fifth and sixth periodic reports of Bangladesh.

68. It was so decided.

69. Mr. YUTZIS said he regretted that the concluding observations just adopted by consensus did not reflect the full extent of the suffering endured by the population of the Chittagong Hill Tracts.

Draft concluding observations concerning the ninth and tenth periodic reports of Chile (CERD/C/196/Add.1)

70. Mr. FERRERO COSTA read out the draft concluding observations drawn up jointly by Mrs. Sadiq Ali and himself, incorporating subsequent amendments.

"1. The Committee welcomed the tenth periodic report presented by the democratic Government of Chile and appreciated the frankness with which the Government acknowledged the history of discrimination against the indigenous peoples.

2. While taking note of the measures the Government of Chile is trying to adopt in this regard, the Committee requested that more information should be given in the next periodic report, following the guidelines of the Committee. The Committee also noted that, although the changes in Chilean society had been negotiated in an orderly and successful fashion, the transition to democracy had nevertheless raised problems. The Constitution was amended after a plebiscite in 1989 and Chile was now pursuing the task of constitutional reform. A bill was now before Parliament to amend the administration of justice, including the Supreme Court, although difficulties were envisaged.

3. The Committee reiterated the importance of implementing article 4 of the Convention and pointed out that the Penal Code and Code of Criminal Procedure also needed modification.

4. The Committee welcomed the evidence of an enhanced desire in Chile to fulfil its obligations under the Convention, and noted with satisfaction that the Government of Chile would be considering the possibility of a declaration under article 14."

71. Mr. ABOUL-NASR said he was opposed to the term used to describe the Chilean Government in the first sentence of the text. In his view, the present tense should be used when speaking of the transition to democracy since that process had not yet been completed. And he found the phrase "is trying" in paragraph 2 of the text inadequate, because it implied that there might be obstacles which would prevent the Chilean Government from adopting measures to combat discrimination against the indigenous peoples.

72. He reserved the right to return to questions of substance concerning the draft concluding observations when a printed text had been circulated.

73. Mr. WOLFRUM said he had reservations about the last sentence of paragraph 2 of the text: he wondered whether the problems referred to, but not defined, were in fact within the Committee's competence. He also wondered whether it was really necessary to state that the Constitution had been amended following a plebiscite. The text did not take sufficient account of the question of the indigenous peoples, a question which had been central to the debate on the report of Chile, or of the new measures envisaged for improving the situation of those peoples.

74. Mr. LAMPTEY agreed with Mr. Aboul-Nasr that the term "democratic Government" ought not to be used. He also felt that the text read more like a government statement than the concluding observations of the Committee. The references to the Constitution and to the bill before Parliament were simply items of information such as a State might have provided. If the Committee welcomed the amendments to the Constitution and the bill before Parliament, it should say so clearly or else delete the two sentences in question. Generally speaking, he thought the text should be simplified.

75. Mr. de GOUTTES suggested that, in paragraph 2 of the text, the phrase "transition to democracy" should be replaced by "those changes" in order to avoid any possible misinterpretation.

76. Mr. FERRERO COSTA, by way of clarification, explained that in using the term "democratic Government of Chile" he had merely intended to highlight the fact that after many years under a dictatorial regime, Chile was returning to democracy. Paragraph 2 had been added to take into account (a) the fact that the Government of Chile had frankly admitted the existence of discrimination in the country with regard to the indigenous peoples, and (b) the Committee's desire to have further details on what measures the Government was planning to take in order to remedy that situation. He had no objection to deletion of the references to the Constitution and the bill before Parliament, or to making the text shorter.

77. Mr. AHMADU said the fact that the acts of discrimination against the indigenous peoples had been frankly admitted and that Chile now had a new democratically elected Government did not, in his view, constitute sufficient reason for the Committee not to take a firm stand in its concluding observations. The human rights situation was, in fact, still causing many problems in Chile.

78. The CHAIRMAN said the Committee would resume consideration of its concluding observations concerning the ninth and tenth periodic reports of Chile at the next meeting. He hoped that a new text taking account of members' comments would be distributed.

The meeting rose at 6.10 p.m.