



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

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Summary record of the 2014th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 3 August 2010, at 3 p.m.

Chairperson: Mr. Kemal

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The meeting was called to order at 3.05 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (agenda item 4) *(continued)*

Fourteenth and fifteenth periodic reports of El Salvador (CERD/C/SLV/14-15; CERD/C/SLV/Q/14-15)

1. *At the invitation of the Chairperson, the delegation of El Salvador took places at the Committee table.*
2. **Mr. Avelar** (El Salvador), describing the most recent steps El Salvador had taken to fulfil its obligations under the Convention, particularly with regard to indigenous peoples, said that the policy of previous Governments had initially been to deny the existence of indigenous peoples, then to acknowledge that they existed, but were “invisible” because so many people were of mixed race, and, lastly, to acknowledge that, while the country had a number of indigenous peoples, it was difficult to count them, since they did not define themselves as such. As a result of that policy, the existence of racial discrimination in El Salvador had been denied, indigenous peoples had not been legally acknowledged, no public policies had been drawn up to promote and protect their rights, and there was no corresponding legislative framework for action.
3. He recalled that in January and February 1932, an uprising of indigenous peoples in the western part of El Salvador, mainly in the towns of La Libertad, Sonsonate, Izalco, Juayua, Nahuizalco, Ahuachapán and Tacuba, had resulted in 32,000 deaths. The survivors had had no choice but to acquire a new identity, change their way of life, and the way they dressed and expressed themselves, in order to be able to live in safety. In 1983 there had been another massacre of indigenous peoples in the canton of Las Hojas, and other serious acts of violence had occurred in El Salvador between January 1980 and July 1991.
4. Under a ruling handed down on 26 September 2000 by the Constitutional Chamber of the Supreme Court, criminal judges could declare that the Amnesty Act of 1993 did not apply to specific cases involving human rights violations during armed conflict. In its decision of 12 December 2000, a San Salvador district judge had ruled that the 1993 Amnesty Act could not be applied in the case of the murder of Jesuit priests.
5. In El Salvador, indigenous peoples did not have the external cultural characteristics seen in other peoples and cultures: they were “invisible” in the sense that the factors that identified them as a specific people were, for example, their world view, traditions, customs and traditional knowledge. Their historical presence, the way land was used and granted, and bilingual education, were the basic components of a new setting in which indigenous peoples were recognized.
6. El Salvador had three indigenous groups: the Nahuatl/Pipil, the Lenca and the Kakawira or Cacaopera, who lived in the departments of Sonsonate, Ahuachapán, La Paz and Morazán. The Government acknowledged that El Salvador was a multicultural nation, that at least two of its peoples spoke a language other than Spanish, and that indigenous populations had their own cultural, historical and ethnic heritage, which meant that they should be legally recognized. The Salvadorian Government also believed that indigenous peoples should be consulted, to enable the State to implement public policies to promote their economic, social and cultural development.
7. In order to act on the commitment made by El Salvador to provide moral reparation to indigenous peoples when it had signed the United Nations Declaration on the Rights of Indigenous Peoples on 28 July 2010, the Secretariat for Social Integration had signed an agreement with the National Register of Natural Persons, the Corporation of Municipalities of the Republic of El Salvador and the Attorney General’s Office, whereby all indigenous

persons who had been forced to change their identity as a result of the 1932 repression were allowed to resume their indigenous family names and first names.

8. The previous Governments' policy of not acknowledging — and of neglecting — indigenous peoples, had therefore come to an end. The State was determined to take practical steps to grant moral reparation and, resources permitting, material reparation, to indigenous peoples. The ratification by El Salvador of the United Nations Declaration on the Rights of Indigenous Peoples clearly showed the country's determination to recognize the rights of those peoples. The Government had entered into consultations with a view to acceding to the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169).

9. He acknowledged that indicators showing the demographic composition of the population of El Salvador were insufficiently reliable. The profile drawn up in 2003 by the multisectoral technical committee for indigenous peoples, with the help of the World Bank, showed that, at that time, indigenous peoples accounted for between 10 and 12 per cent of the population. That contrasted with the results of the 2007 census, according to which indigenous peoples formed 0.23 per cent of the total population. The Salvadorian authorities were planning to carry out a new population census in 2012, which would enable disaggregated data on indigenous persons to be compiled. The Secretariat for Social Integration had given experts from the United Nations Population Fund (UNFPA) three months to draw up questions for the census, in cooperation with the indigenous peoples' organizations.

10. The Secretariat for Social Integration would submit, in the medium term, draft legislation aimed at incorporating the definition of racial discrimination given in the Convention into national legislation.

11. El Salvador had made the declaration under article 14 of the Convention, recognizing the competence of the Committee to receive and consider communications from individuals or groups of individuals claiming to be victims of a violation of any of the rights set forth in the Convention. In so doing, the State of El Salvador had confirmed its new approach to human rights. The country had also shown transparency by recognizing the competence of other United Nations treaty bodies to receive individual communications, and a frank, open dialogue had been established with United Nations human rights bodies and the human rights bodies of the Inter-American system. In September 2009, El Salvador had ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and had started the procedure for withdrawing its reservations to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

12. The Government of El Salvador was adopting an entirely new approach to respect for human rights, not least by acknowledging that members of indigenous populations had rights and that the paternalistic attitude of previous Governments must end.

13. Similarly, a climate of openness, honesty and transparency towards civil society organizations representing indigenous persons had been established. As proof of that, the Government had invited all organizations that wished to submit alternative reports to the Committee to do so, via the delegation of El Salvador. The Committee for the protection of natural resources of Nahuizalco and the Salvadorian National Indigenous Coordinating Council had each sent a report to the Committee.

14. The institution for the protection of human rights — the Office of the Procurator for the Defence of Human Rights — contributed to strengthening democracy in El Salvador, and had been given an increased budget. The Office had a broad mandate and was tasked, in particular, with investigating alleged human rights violations. Not only did the Office

have to respect human rights, it also had to guarantee those rights, prevent, investigate and punish violations and ensure that all victims of human rights violations obtained reparation.

15. The first national congress of indigenous peoples would be held on 12 October 2010. Its agenda would be drawn up in cooperation with indigenous organizations and adopted by consensus. In order to ensure that indigenous peoples fully enjoyed the right to civil identity, the pilot project for registering birth certificates had been introduced in six municipalities. One of the project's aims was to give the communities concerned access to land and to other facilities that enabled them to preserve their customs, traditions and lifestyles. Another aim was to provide indigenous persons with a birth certificate or identity card, thus enabling them to be acknowledged as having legal personality.

16. He acknowledged that his country had not really managed to implement the recommendations made by the Committee on 4 April 2006, following its consideration of the previous periodic report of El Salvador, but said that efforts were under way to that end. The national authorities were trying to draw up public policies that took account of the priorities established by indigenous peoples. The establishment of the Secretariat for Social Integration was part of that process; the Secretariat was tasked with creating conditions conducive to families' well-being and protection, and to the elimination of different forms of discrimination, while fostering social integration and improved civic skills among women, children, young persons, persons with disabilities and indigenous peoples. One of the Secretariat's main responsibilities was to ensure that public policies focused on human rights in order to eliminate all forms of intolerance towards individuals and social groups, and to encourage, if necessary, the adoption of remedial policies.

17. The Government had invited the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to visit El Salvador during the first half of 2011, in order to examine the situation of Salvadorian indigenous peoples.

18. The Social Investment Fund for Local Development was carrying out a project to strengthen local authorities, in order to promote decentralization and regional development. As part of the project, the effects of decentralization and regional development on poor population groups and indigenous persons were measured, for each municipality. The steps that needed to be taken to ensure that the indigenous population benefited from development in general, and to repair the damage caused by local social infrastructure projects, would be defined in the Plan for Indigenous Peoples. In that regard, it was planned to hold preliminary open consultations with the indigenous communities that had suffered damage as a result of the project to strengthen local authorities.

19. Concerning the granting of land to indigenous peoples, he explained that the Ministry of Agriculture and Livestock did not take ethnic origin into account. The main requirements laid down by the Salvadorian institute of agrarian reform, when it came to allocating land, was that applicants should not already own land and should be farm workers. The Government intended to pursue public policies in cooperation with indigenous organizations, to ensure that indigenous persons benefited from the transfer of land and agricultural inputs.

20. With regard to indigenous persons' access to health services, the Ministry of Health was implementing two projects: the first concerned access to health services by marginalized urban and rural communities, under the programme to control tuberculosis; the second, a programme to extend health services, which targeted indigenous communities as a vulnerable group. Most undetected cases of tuberculosis were found in communities that had little access to health services, either because the services were geographically inaccessible or because the communities consisted of vulnerable population groups. It was difficult to eradicate tuberculosis because over 50 per cent of cases had been reported in 10 per cent of municipalities. In order to prevent the disease from spreading, the Government

had decided to establish an index showing vulnerability to tuberculosis, which had made it possible to target 26 priority municipalities in which tuberculosis was accompanied by high rates of HIV, morbidity and poverty. A distinct strategy for dealing with poor areas on the urban fringe had been drawn up, which was expected to benefit more than 1,050,000 people, or some 42.2 per cent of the target population.

21. Unlike its predecessors, the current Government considered health to be a basic human right and a public good, which is why it had made it a priority to develop health services in rural and urban zones where the population was particularly vulnerable. The new national health system, aimed at ensuring universal access to primary health care, included a health-care plan that provided for community health-care teams for families, and specialized teams, the aim being to meet 95 per cent of the population's medical needs. The new plan, which had been introduced in early July 2010, would be implemented first in the poorest and most marginalized municipalities. In 2010 the programme for mutually supportive rural communities would be implemented in 8 departments, in some 74 municipalities, 53 of which were extremely poor, and would benefit 643,800 persons.

22. The participatory process that had been introduced would continue with the establishment of a national forum on health, which would formulate proposals and help take essential decisions for building the new national health system. The forum would first be implemented in the departments of San Miguel, Sonsonate, Chalatenango and in the San Salvador metropolitan zone, then in other departments in El Salvador.

23. With regard to the recommendation made by the Committee in its concluding observations in respect of the ninth to thirteenth periodic reports of El Salvador (CERD/C/SLV/CO/13), in which the Salvadorian authorities had been invited to envisage the possibility of exemption for indigenous peoples from payment of legal fees (para. 16), the delegation of El Salvador pointed out that, in line with article 181 of the Constitution, administration of justice was free of charge. In accordance with that provision, the Office of the Procurator for the Defence of Human Rights ensured that suspects and accused persons were provided with the services of a court-designated lawyer. Furthermore, some 22 district judges working in municipalities with a high concentration of indigenous persons had said they had received no complaints of racial discrimination, when asked by the Supreme Court of Justice.

24. The population as a whole experienced problems with the justice system, partly because of El Salvador's high crime rate (nine murders a day), overloaded courts being unable to process their cases in good time. As a result, prisons were overcrowded; the national prison system, which was designed to accommodate just 8,110 prisoners, had counted 21,056 inmates in June 2009. That situation had been caused in part by the application of a hard-line policy in 2003 and 2004, known as the "Plan Mano Dura", which was aimed in particular at punishing criminal gangs and combating delinquency by gangs of youths.

25. In that context, guaranteeing the right of indigenous persons to justice meant that many of their specific ethnic, cultural and linguistic characteristics had to be taken into account. In some cases, the traditional justice system used by those minorities was considered the best way to settle a dispute, just as a dispute could be settled by any recognized public or indigenous authority.

26. Services provided by the Attorney General's Office included a mediation centre for the amicable settlement of disputes, with the participation of the parties involved. The service was free and accessible to the public, and was competent in various areas, including family and employment law. However, the justice system had not been given the necessary resources to be able to take account of the specific cultural realities of indigenous peoples.

According to the registers of the Supreme Court, there had never been any request by parties to court proceedings for the services of an indigenous languages interpreter.

27. While no cases of racial discrimination had been reported in the education system, the current Government was trying, via the Ministry of Education, to increase awareness of human rights issues in schools and to promote tolerance. In the same way, the aim of the social plan for education 2009–2014 was to build an egalitarian and tolerant society, which respected the rights of all individuals, particularly members of vulnerable groups, and to integrate marginalized persons into the education system.

28. In 2010 the Ministry of Education had signed an agreement with Don Bosco University concerning a plan to revitalize the Nahuatl-Pipil language, under which teachers would be given specialized training in intercultural bilingual education. The project was to be carried out with the pupils and teachers of schools in the departments of Sonsonate, La Paz, Ahuachapán and San Salvador. Under the project, it was planned to give Nahuatl lessons to teachers, to ask national indigenous figures to share their cultural heritage with teachers, and to establish centres for the promotion of indigenous culture.

29. The Lenca and Kakawira languages had for decades been considered by specialists to be extinct and their revitalization had so far not been considered a priority. However, the Secretariat for Culture was trying to revive them by setting up thematic centres dedicated to the culture of those two indigenous peoples. In addition, textbooks for learning the languages had been written, and were to be disseminated in the municipalities of Cacaopera and Guatajiagua.

30. The census of the school population carried out in 2009 had shown that 141 schools had indigenous pupils. Some 119 of those schools were located in municipalities with indigenous populations, and of 48,000 children registered at school, nearly 22,500 were indigenous.

31. Indigenous peoples had unrestricted access to the sacred sites of their community. Their organizations could send a letter to the National Directorate of Cultural Heritage, and receive written authorization for free access to the site concerned.

32. **Mr. Avtonomov** (Rapporteur for El Salvador) said that while he welcomed the submission of the periodic report of El Salvador, which was only slightly late, the report had not been prepared in line with the reporting guidelines (CERD/C/2007/1). In particular, the report contained no information on the follow-up given by the State party to the recommendations made by the Committee in its concluding observations on the previous report of El Salvador (CERD/C/SLV/CO/13). He had been pleased to note, however, that the delegation's oral report, which had been structured in line with the list of themes (CERD/C/SLV/Q/14-15), had made it possible to fill in some of those gaps.

33. He noted that the periodic report contained a lot of information taken from the previous report, and a mass of detail about legislation in force, but no information on how that legislation was implemented in practice, which meant that the Committee was unable to ascertain how the Convention was actually implemented in the State party. In addition, he noted that no information had been provided on the application of article 1 of the Convention, despite the fact that in its previous concluding observations, the Committee had recommended that the State party should incorporate in its domestic legislation a definition of racial discrimination which included all the elements set out in article 1 of the Convention (CERD/C/SLV/CO/13, para. 8). He invited the delegation of El Salvador to provide detailed information on that matter.

34. He had been pleased to note that the State party had ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and that El Salvador had been the first country in Central America to accede to those two instruments. He also welcomed

the adoption in 2009 of the Comprehensive Protection for Children and Adolescents Act and asked whether the Act had already been implemented and whether it contained provisions on discrimination based on race or ethnic origin. He would appreciate more information on the measures taken to preserve indigenous languages other than Nahuatl.

35. According to the periodic report, indigenous peoples accounted for 0.23 per cent of the population, or some 13,310 persons. However, bodies defending the rights of minorities estimated that there were 600,000 indigenous Salvadorans, accounting for some 10 per cent of the population. He therefore invited the delegation of El Salvador to comment on that discrepancy and to give detailed figures showing the breakdown of the population. Recalling that, when the Committee had considered the State party's previous periodic report, the delegation had stated that there were no longer any Maya in El Salvador, he asked whether that was still the case, bearing in mind that various sources had indicated that a small number of persons belonging to that minority still lived in the State party.

36. With regard to the land rights of indigenous persons, he wished to know how articles 11 and 14 of the ILO Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (No. 107), which guaranteed the right of ownership of indigenous minorities over the lands those populations traditionally occupied, were implemented in the State party. He would particularly like to know what follow-up had been given to the complaint lodged in January 2008 with the Office of the Procurator for the Defence of Human Rights by indigenous groups in Panchimalco and Izalco concerning the pollution of river water running through their land, and the sale of their land.

37. He asked to what extent homeless indigenous communities were involved in the public land distribution programme implemented by the institute for management of agrarian affairs. He welcomed the fact that the Government had launched a programme for registering the population, on the basis of birth certificates, since it was important to have accurate data on the number of indigenous persons living in El Salvador.

38. Noting that the first national indigenous congress would be held on 10 October 2010, he invited the State party to report to the Committee on the outcome of the congress. He asked whether the State party planned to ratify the UNESCO Convention against Discrimination in Education, ILO Convention No. 169, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, and other regional instruments that would reinforce implementation of the Convention. He would also welcome details about the possible ratification by the State party of the proposed amendment to article 8 of the Convention, and the position of the Salvadorian Government regarding the declaration under article 14 of the Convention, recognizing the competence of the Committee to consider individual communications from its nationals.

39. **Mr. Thornberry** noted that the incorporation of the Convention on the Prevention and Punishment of the Crime of Genocide into the Salvadorian Criminal Code did not appear to include the Convention's provisions on the forcible transfer of one group's children to another group. He asked whether there was a reason for that, or whether the lack of clarity had arisen owing to a translation error.

40. With regard to article 3 of the Convention, the report indicated that apartheid was a crime in the State party, but made no mention of segregation. He recalled that, under article 3, El Salvador was obliged to condemn not only apartheid but also racial segregation. In that regard, he invited the State party to refer to the Committee's general recommendation No. 19.

41. With regard to article 2 of the Convention, the report of El Salvador made no mention of the special measures recommended by the Convention to ensure that positive

action was taken for certain racial groups. He invited the State party to examine the Committee's general recommendation No. 32 on the meaning and scope of special measures in the Convention, and to provide more information on that subject.

42. With regard to article 4 of the Convention, he said that article 292 of the Criminal Code, cited in the report of El Salvador, did not deal specifically with discrimination against members of indigenous peoples; furthermore, that article solely concerned discrimination by officials and other public agents. He therefore doubted that the provisions of the Convention, including those of article 4, paragraphs (a) and (b), had been completely incorporated into Salvadorian law. In particular, the State party did not appear to have introduced legislation under paragraph (b), which was concerned with organizations and activities that promoted and incited racial discrimination. Although the report stated that there were no such organizations in El Salvador, it was unlikely that there was not a single organization that gave cause for concern, in one way or another, under that paragraph of article 4. He requested further information in that regard.

43. Noting that the State party had given eloquent descriptions of the country's periods of massacres and conflicts, he said he would be interested to know how those episodes of history were described in current textbooks and curricula.

44. He also wished to know whether persons who wanted to resume their former name, and thus regain their true identity, were able to pay the costs involved. Given that it was a basic right, he believed that the State should cover the administrative costs of that procedure.

45. He urged the State party to ratify ILO Convention No. 169, since it reflected a contemporary approach to integration that completely matched the Committee's point of view and was therefore a suitable replacement for ILO Convention No. 107. He welcomed the change in the State party's approach and official philosophy with regard to indigenous peoples, and asked the delegation to comment on the reasons and factors behind that development.

46. **Mr. Calí Tzay** welcomed the radical change of tone adopted by the delegation of El Salvador which, only five years ago, had denied the very existence of racial discrimination in its territory. He noted that the State party report described in great detail all the steps taken by the Government to combat racial discrimination and analysed all available forms of redress.

47. He asked whether the steps taken by the State party to date should be seen as the result of long-term Government policy, or of a Government policy that might change in a few years.

48. Noting that ILO Convention No. 107 was in force in El Salvador but that the State party applied, *de facto*, ILO Convention No. 169, he asked whether the Government envisaged ratifying the latter convention.

49. He asked the delegation to provide the Committee with more detailed information on what the State party understood by "self-determination of indigenous peoples". The report had indicated that certain municipalities planned to introduce prerequisites for the exercise of this self-determination, which was not at all in keeping with the concept of self-determination as defined by international law.

50. Noting that indigenous peoples could obtain legal recognition in the State party as indigenous organizations, via a body attached to the Ministry of the Interior, he said that the status of indigenous peoples should not be reduced to that of an international organization authorized to operate in the country, and asked the State party for clarification of that matter. He also wished to know what the State party understood by "intercultural education".

51. Noting the report's affirmation that statistical records showed no cases or complaints designating members of the police force, civil servants or private individuals as responsible for any violations of the right to security of person, he pointed out that that did not mean that there were no acts of racial discrimination in El Salvador, recalling that it was necessary to create a climate in which victims of racial discrimination were able to bring court proceedings. He also wished to receive more detailed information on indigenous courts, and on how the usage and customs of indigenous peoples were taken into account in proceedings brought before the official courts. Lastly, he asked the delegation to specify what the State party understood by the terms "indigenous population" and "indigenous people", which had been used indiscriminately in the oral presentation to the Committee.

52. **Mr. Lahiri** welcomed the new approach to indigenous issues taken by the new Salvadorian Government, which had led to the acknowledgement of indigenous peoples, the possibility of ratification of ILO Convention No. 169 and other instruments aimed at protecting their rights, and plans for the adoption of a new legal definition of indigenous peoples that was compatible with the wording of the Convention.

53. **Mr. Diaconu**, noting from the report the plans to adopt a municipal order concerning the land rights of indigenous persons in the municipality of Nahuizalco, asked what the situation was in other regions, and why similar legislation was not planned in the rest of the country. He noted that the section of the State party report on article 4 of the Convention did not in fact deal with the provisions of that article; nor had those provisions been incorporated into Salvadorian domestic law, which he encouraged the State party to do.

54. Noting that the report indicated that persons from other States of the former Federal Republic of Central America were given preference when it came to being granted Salvadorian citizenship, he asked what was meant by the term "Federal Republic of Central America", since he did not know of any State of that name. In his view, giving preference to one nationality was in contradiction with the Convention's provisions on citizenship, including the preference given to Spaniards and Hispano-Americans in that regard. He asked the State party to consider that question and give its opinion in its following report, indicating what solution it had found to the problem.

55. Recalling the Committee's recommendation that the State party should regularize the situation of migrants from Nicaragua, he noted that the report made no mention of the question, and asked for further information in that regard. Noting that there had been some reports of violence towards human rights defenders in El Salvador, he asked what steps the State party intended to take to protect them. Lastly, he asked for information on the economic, social and political situation of the 7,400 "blacks" who were mentioned in the report, but with no further details given.

56. **Mr. de Gouttes** said that he took it from paragraph 2 of the report that NGOs had not been involved in its preparation. He asked whether El Salvador planned to consult them in future. He noted that the legal provisions mentioned in paragraphs 33 to 39 of the report punished only acts of racial discrimination committed by civil servants, and not by individuals, a shortcoming that might explain, in particular, why there had been no cases of racial discrimination. He wished to know what follow-up had been given to complaints lodged with the Office of the Procurator for the Defence of Human Rights by indigenous organizations and communities on a number of allegedly discriminatory questions on the census questionnaire used in 2007. Lastly, he said that he would welcome more information on the possible forms of indigenous justice.

57. **Mr. Murillo Martínez** said that the open-minded attitude shown by the new Salvadorian authorities did not seem to extend to persons of African descent, who had not been referred to at all in the report or in the delegation's introductory statement. One could

only conclude that they appeared to be invisible in El Salvador. He wished to know whether studies had been carried out, following the 2007 census, on the different ethnic groups making up the Salvadorian population, particularly on how they perceived discrimination, if any. He urged the State party to afford greater recognition to persons of African descent, especially given that in its resolution 64/169, the United Nations General Assembly had proclaimed 2011 as International Year for People of African Descent. Lastly, he asked whether criminal proceedings had been brought for violation of article 292 of the Salvadorian Criminal Code, which dealt with violations of the right to equality.

58. **Mr. Lindgren Alves** invited the delegation of El Salvador to give more detailed information about the ethnic and racial characteristics of the population, and asked in particular for more information on the persons registered during the 2007 census as being of mixed race. With regard to the affirmation that there was no racial discrimination in El Salvador, he noted that the Committee's work to eliminate racial discrimination had increased international awareness of discrimination as a universal problem, from which no country was exempt. He pointed out that the report referred to a considerable body of draft legislation, much of which was of great interest, but that the Committee was more interested in the implementation of legal provisions and their effect on the elimination of racial discrimination.

59. **Mr. Amir** asked for information on how ancient civilizations, particularly the Maya civilization, were taken into account and acknowledged in the State party. He also wished to know more about the participation of indigenous communities and minorities in economic life, and in particular whether they practised a form of traditional economy or were active on the labour market. He also asked whether indigenous persons lived in rural or urban environments, and whether young people had access to secondary and university education. Lastly, he wished to know whether indigenous populations owned official property deeds, which could make their claims to land ownership more legitimate. He also noted that when indigenous populations could not enforce their customary rights to land, their access to modern justice was much more complicated.

60. **Mr. Avelar** (El Salvador) asked indigenous peoples for forgiveness, on behalf of the Republic of El Salvador, for the suffering they had endured and for the long years during which they had had to give up their traditional way of life and their own identity, in order to be tolerated by society. The Salvadorian Government was fully aware of the mistakes that had been made in the past. With regard to the ethnic and racial breakdown of the population, the forms used during the 2007 census had resulted in many errors, which would be corrected during the September 2012 census. El Salvador had received support from the United Nations Population Fund (UNFPA) to carry out the census and draw up the questionnaire in strict cooperation with indigenous peoples. He pointed out that the Salvadorian authorities had completely changed their attitude; they were now ready to listen to Salvadorans, particularly indigenous persons, in order to better understand their demands and take into account their needs. El Salvador had the moral obligation to offer reparation to indigenous peoples. Lastly, the President of the Republic had officially recognized that corruption and organized crime had perverted the State and that it was urgent to remedy that situation. He reaffirmed El Salvador's genuine determination to spare no effort to combat racial discrimination.

The meeting rose at 6 p.m.