

International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventy-first session

SUMMARY RECORD OF THE 1820th MEETING

Held at the Palais Wilson, Geneva, on Tuesday, 31 July 2007, at 10 a.m.

Chairperson: Mr. de GOUTTES

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued)

<u>Seventeenth and eighteenth periodic reports of Costa Rica</u> (continued) (CERD/C/CRI/18; HRI/CORE/CRI/2006)

- 1. At the invitation of the Chairperson, the members of the delegation of Costa Rica resumed their places at the Committee table.
- 2. <u>Mr. GUILLERMET FERNÁNDEZ</u> (Costa Rica) said that the questions raised by members at the previous meeting had highlighted the situation of a number of vulnerable groups which were not receiving sufficient support at present. His Government's principal aim was to improve the living conditions of indigenous people, Afro-Costa Ricans and especially women, who were vulnerable to exploitation and domestic violence.
- 3. Members had asked whether, in the 2000 census, foreigners had been invited to assign themselves to a particular ethnic or indigenous group. No such question had been asked the 2000 census was the first one in which respondents had been asked to which culture they belonged, such as Costa Rican, Afro-Costa Rican, Black, etc. The issue was still a delicate one. During the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 31 August-7 September 2001), many Afro-Costa Ricans had been found to prefer the designation "Black", although it was considered derogatory in many countries.
- 4. Replying to a question from the Country Rapporteur about developments in the situation of racial discrimination since Costa Rica had ratified the Convention 40 years before, he said that the process of preparing and submitting reports to the Committee and reporting the Committee's conclusions back to authorities and organizations at the national level had had a positive impact on the situation.
- 5. Members had asked about the situation of indigenous groups which had entered Costa Rica from Panama and other countries. Most of the groups in question lived in Talamanca canton, Limón province, a remote and mountainous area with no access by road and poor health and education infrastructure. Indigenous people had taken refuge in the area to avoid the colonial regime, and they now moved freely back and forth between Costa Rica and Panama. A bilateral meeting on their situation had taken place between the two countries the previous week.
- 6. Ms. THOMPSON (Costa Rica), recalling that many members had questioned the compatibility of article 373 of the Criminal Code with article 4 of the Convention, said that the penalties laid down in the Criminal Code were indeed less strict than international standards demanded, but that other penalties under Costa Rican legislation could also be applied to racial discrimination. The penalties were likely to be increased in the new version of the Criminal Code, currently under consideration by the Legislative Assembly. Her delegation would convey the Committee's concerns to the legislators. Members had asked why the executive branch had

not taken the initiative to amend the Criminal Code: in fact, legislative activity had been paralysed by a long-running debate about Costa Rica's ratification of the Central America Free Trade Agreement (CAFTA), which was due to be put to a referendum in October 2007.

- 7. One member had asked why the Convention was not applied directly in Costa Rican courts since, under the Constitution, international treaties took precedence over national laws. However, the status of criminal issues was not so clear-cut, since article 1 of the Criminal Code stated that an act could not be penalized as a crime unless it was defined as such in the Criminal Code, and that the penalty imposed should likewise not exceed that laid down in the Code. The Convention would therefore need to be incorporated into domestic law before it could be applied directly.
- 8. <u>Mr. GUILLERMET FERNÁNDEZ</u> (Costa Rica) said that many of the decisions of the Constitutional Court, particularly in matters of <u>amparo</u>, took the Convention and the Committee's decisions into account. The decisions in question were listed in the delegation's country presentation in response to the Committee's questions.
- 9. As members had remarked, indigenous women were doubly vulnerable, particularly in border areas and in respect of labour issues. The Office of the Ombudsman and the National Commission on Indigenous Affairs (CONAI) had undertaken to promote greater equality of rights for that group.
- 10. Members had asked whether the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplemented the United Nations Convention against Transnational Organized Crime, was to be incorporated into national law. The definition of the offence of trafficking in persons in the new law on migration was flawed: the law was due to be revised to bring it into line with Costa Rica's international commitments.
- 11. The high infant mortality rate among indigenous groups was not necessarily due to discrimination, but rather to the inaccessibility and poor socio-economic situation of the areas where they lived. The President had recently declared that all Costa Ricans should be ashamed of the conditions in which some of their fellow citizens lived. The Government had decided that a budget surplus of US\$ 15 million should be spent on social investment in health and education. The national health plan for indigenous peoples aimed to bring health services into the community, with small basic health teams providing medical care, prevention services, immunization, family planning and services to combat alcohol abuse and domestic violence in a way compatible with traditional indigenous medical practices. The national health plan also adopted a gender-sensitive approach. More information was provided in his delegation's replies to the Committee's questions.
- 12. <u>Mr. LINDGREN ALVES</u> asked whether <u>mestizos</u> (mixed-race) people were considered a distinct group in Costa Rica.
- 13. Mr. VALENCIA RODRIGUEZ asked whether the Permanent Forum for the Migrant and Refugee Population (paragraphs 139-145 of the report) was able to influence government policies and programmes. He also asked for more information about the "Black Parliament" referred to in paragraph 452. Had that assembly led to any improvement in the situation of the Black population in Costa Rica?

- 14. Mr. YUTZIS asked about the status of Bill No. 15399 on the restoration of human dignity to indigenous peoples, referred to in paragraph 100 of the report. It appeared that its adoption had been delayed. He also wondered why the Bill referred to the "restoration" of human dignity: surely dignity was an innate human quality which could not be given or taken away?
- 15. Mr. KJAERUM highlighted the seriousness of trafficking in persons, which constituted modern-day slavery and was on the increase. It was important to have a global focus on the issue, as provided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Costa Rica's new Migration and Aliens Act would presumably include the criminalization of trafficking in women. While that was a crucial step, the Protocol also required States parties to take a range of other measures on trafficking, covering difficult issues such as the fate of victims. He asked whether any steps had been taken in that regard and whether a particular body had been mandated to work on an action plan. He further asked whether any initiatives existed to address the situation of Nicaraguan women, many of whom were domestic employees and were in a vulnerable position.
- 16. Mr ABOUL-NASR, observing that Costa Rica had played a major role in drawing up the Convention and in its follow-up and noting that, in general, Costa Rica could be proud of its achievements in the area of human rights, requested clarification as to which groups in Costa Rica were considered to be vulnerable, how many refugees there were in the country, in absolute and relative terms, and what exactly was meant by marriages "by proxy" in the eighteenth periodic report.
- 17. <u>The CHAIRPERSON</u>, speaking in his personal capacity, asked whether the Criminal Code contained any other sections giving effect to the provisions of article 4 of the Convention. In relation to article 4 (a) of the Convention, he asked whether legal problems arose in imposing penalties for expressing or spreading ideas based on racial hatred because of laws on freedom of expression or freedom of the press, and what provisions were already in place under which the expression or spread of ideas based on racial hatred could be punished.
- 18. Mr. GUILLERMET FERNÁNDEZ said that Mr. Yutzis was perfectly right with regard to the issue of human dignity. However, the Libertarian Party in Costa Rica had decided that indigenous people had been deprived of their dignity by being treated collectively rather than individually and being denied access to their property, and had therefore proposed that the Indigenous Act be repealed. The previously shelved Autonomous Development of Indigenous Peoples Bill was therefore being reconsidered.
- 19. With regard to trafficking, he affirmed that the new Migration and Aliens Act did criminalize trafficking in all cases. The general direction taken on trafficking would depend on the Ministry of the Interior. Research had shown that Costa Rica was both a transit and a destination country for trafficking. No official action plan existed but a prevention campaign had been established to warn people of the dangers of trafficking cartels, with information displayed in airports, banks and other locations where it could be seen by potential victims. Preventing trafficking was also a matter of national security. A boat carrying more than 70 Chinese nationals, all victims of trafficking, had recently been intercepted. The people concerned would be deported.

- 20. A key issue for Costa Rica was lack of resources, which limited what measures were feasible and how fast action could be taken. However, every effort was being made to utilize available resources in a constructive manner.
- 21. Among the initiatives taken by the Black Parliament (paragraphs 452 et seq. of the report) to increase the visibility of the Black population had been the institution of 31 August as International Black Day.
- 22. Turning to the subject of <u>mestizos</u>, he said that the inclusion in the 2000 census of a question on ethnic affiliation (paragraph 49 of the report) represented a significant cultural departure for both census-takers and respondents. Many people had objected to the question on the grounds that all people were equal and there was no need to draw distinctions along racial lines. Many census-takers had not actually asked the question but had supplied their own answers based on observation of respondents' physical characteristics, thereby defeating the object of asking to what culture a person felt they belonged. The category of <u>mestizo</u> might have been omitted from the question because of perceived prejudice. Many respondents had not wished to be identified as Afro-Costa Rican or indigenous in case it led to discrimination. Such were the challenges of building an intercultural and multicultural society.
- 23. The Permanent Forum for the Migrant and Refugee Population played a fundamental role and had served as the forum for discussion of the new Migration and Aliens Act, allowing consultation between civil society and government institutions.
- 24. He acknowledged that domestic employees from Nicaragua were a vulnerable group in Costa Rica, but drew attention to the fact that the quarterly increases in the minimum wage in the private and domestic employment sectors had been greater than in any other. He added that such workers formed part of a very well organized and empowered community, which enjoyed access to the Ministry of Labour and Social Security and had its own associations, such as the Association of Domestic Workers (Astrodomes), which had presented an alternative report to the Committee in 2002.
- 25. Ms. THOMPSON (Costa Rica) said that vulnerability in Costa Rica, as in most other countries, depended on socio-economic conditions. Although the rights to education and health care were provided for in law in Costa Rica, the geography of the country made access to services difficult for some groups, a situation exacerbated by climatic conditions such as seasonal rains and flooding. Sections of the White population were affected as well as Afro-Costa Ricans and indigenous peoples, indicating that vulnerability was not solely a racially based problem.
- 26. Costa Rica, which traditionally had a very open refugee policy with a constitutional right to asylum, had some 13,000 refugees, second only to Ecuador within Latin America. Of those, around 10,000 originated from Colombia. The immigration authorities received some 130 applications every day. Abuses of the right to asylum, such as the granting of refugee status to people who did not fulfil all the requirements, had given rise to problems concerning the perception of Colombian refugees in recent years, and efforts were being made to improve the system and apply regulations consistently.

- 27. Attempts were also being made to regulate marriages "by proxy", which were marriages of convenience entered into for the purpose of obtaining residence in Costa Rica, for example. Administrative systems for checking that marriages were genuine did not operate as effectively in Costa Rica as in developed countries and needed to be improved.
- 28. Mr. GUILLERMET FERNÁNDEZ (Costa Rica) added that nothing could be done to deport people who came to Costa Rica having married a Costa Rican by proxy because, although such marriages often involved paying a Costa Rican to marry an immigrant, they were conducted by lawyers and were marriages in the eyes of the law, even if no relationship existed between the parties in practice.
- 29. Ms. THOMPSON (Costa Rica) said that Costa Rica's legislation contained various provisions with a wide scope and interpretation which could equally be applied to actions constituting an offence under article 373 of the Criminal Code. Article 33 of the Constitution established equality before the law and prohibited discrimination contrary to human dignity, while article 273 of the Criminal Code lay down penalties for public incitement and disrupting the public peace, which could be applied in cases of racial discrimination. Such provisions embodied the spirit, if not the letter, of article 4 of the Convention, although the penalties established were not as stipulated in the Convention.
- 30. The National Commission on Indigenous Affairs (CONAI), established in 1973, had originally included representatives of various government institutions, but was now a State body made up exclusively of representatives of indigenous peoples. Each indigenous territory had an indigenous development association, which acted as the local authority and legal representative for its territory and appointed a representative to serve on the Commission. Current legislation guaranteed equal participation for all indigenous development associations and therefore all indigenous territories, but problems of representativity had arisen because not all associations chose to appoint representatives to the Commission, leaving it somewhat dysfunctional. The root of the problems was unclear but could be related to lack of recognition of the Commission.
- 31. The Commission's role was to improve the situation of indigenous peoples, to coordinate with public institutions carrying out works in and providing services to indigenous communities, to ensure respect for the rights of indigenous minorities, and to act as a link with the Inter-American Indigenous Institute and other international bodies. Nevertheless, the Constitutional Chamber had recognized that its coordinating and monitoring role could not be a substitute for the will of indigenous groups. However, there seemed to be interest in improving the functioning of the Commission and its representativity in practice, and the attitude of the current administration was supportive.
- 32. Mr. GUILLERMET FERNÁNDEZ (Costa Rica) said that article 374 of the Criminal Code provided for punishments of between 10 and 15 years' deprivation of liberty for offences including involvement in networks connected with trafficking in women and children, drugs and weapons, extortion, or terrorism and offences against human rights treaties to which Costa Rica was party. On the issue of self-determination he said that, since the beginning of the work of the United Nations Sub-Commission on the Promotion and Protection of Human Rights, Costa Rica had been involved in the Working Group on Indigenous Populations, including in the drafting of the Declaration on the Rights of Indigenous Peoples, and had been a co-sponsor of the resolution on the adoption of the Declaration in the United Nations Human Rights Council. Costa Rica was

also committed to indigenous issues at the inter-American level and in the Organization of American States. The Autonomous Development of Indigenous Peoples Bill recognized the full autonomy of indigenous peoples to administer their territory, fully exercise their right to property ownership, establish development plans and take decisions that they considered appropriate in the context of their customs and traditions, in accordance with the Universal Declaration of Human Rights and International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, subject to the sovereignty of Costa Rica and without undermining its treaty obligations.

- 33. Although there was no reason to incite migration from indigenous territories, there was a problem of asymmetry between the development levels in different areas of the country. The Government intended to rectify those imbalances through its national development plan. Indigenous people had strong ties with their land and even those living in the remotest areas did not wish to leave their territory, but rather wanted to improve their standard of living. Statistics showed that poor education and malnutrition were a particular problem in indigenous communities, and the Government had therefore introduced a plan to reduce infant mortality and improve maternal and perinatal health. The lack of education in indigenous communities was a result of problems related to infrastructure and curricula, which were being addressed through the national development plan, a copy of which would be forwarded to the Committee in due course.
- Ms. THOMPSON (Costa Rica) said that lack of education was due to a nationwide 34. educational infrastructure problem that was not restricted to indigenous and Afro-Costa Rican communities. Efforts were therefore being made to increase funding for education in order to improve the infrastructure. On the issue of indigenous education, the University of Costa Rica had programmes in its anthropology and philology faculties for the preservation of indigenous languages. The Ministry of Education had received US\$ 30 million in the form of a loan from the World Bank, which would be used to fund a project to improve the curriculum and infrastructure for education in indigenous and Afro-Costa Rican communities, with the aim of meeting the educational needs of indigenous peoples and persons of African descent. One of the aims of the Department of Indigenous Education established under the aegis of the Ministry of Education was to reduce school dropout rates, particularly at the primary and secondary levels, by 10 per cent in indigenous communities, by providing support for scholarships and programmes through the Inter-Agency Institute for Social Assistance and a scholarship fund. The project's achievements included the establishment of education centres, the broadcasting of secondary education programmes on television and the provision of bilingual teaching by indigenous teachers. Private companies had provided technological support to indigenous schools, such as satellite networks, in order to increase access to education.
- 35. Regarding incentives to improve health and education coverage, efforts were being made to supervise adolescents living in poverty and to grant them the necessary financial support to be able to participate in education and apprenticeships. The programme was selective, and included humanitarian assistance for people living in situations of risk, vulnerability and social exclusion. It was an inter-agency initiative, established by the President, based on three main elements: conditioned humanitarian transfers; improved education for adolescents living in poverty; and encouragement of savings for advanced students to continue their education or enter productive employment. The majority of adolescents involved in the programme were from indigenous and Afro-Costa Rican communities.

- 36. Mr. PILLAI asked how the State party intended to proceed in the situation of stalemate that had been reached on the subject of land holding in indigenous territory by non-indigenous peoples, since the Government had requested the deferral of the orders of the Constitutional Chamber on that issue. Turning to paragraph 433 of the State party report, he asked what the purpose of the payment by the National Forestry Fund to indigenous peoples was, and how indigenous people were able to make a living in forestry, particularly when large proportions of indigenous territory were under the ownership of non-indigenous people.
- 37. Mr. LINDGREN ALVES said that, while the Committee called for statistics to be disaggregated by racial group, racial categorization and models to combat discrimination could not be imported wholesale from the United States of America or Europe into Latin America, since the racial composition of the population in Latin American countries was different to that in North America or Europe. Latin American ethnic groups were often of mixed race, and should be included specifically in data collection. The imposition of a foreign system of categorization in Latin American countries could result in dangerous divisions.
- 38. Mr. AMIR asked what sort of education was being given to indigenous peoples, what the curriculum consisted of, whether education was provided on indigenous territory, and whether indigenous people had equal access to universities and education institutions that granted nationally recognized qualifications. He wondered whether education for indigenous peoples enabled them to integrate fully into the economic life of the nation, and he wished to know whether they had access to adequate information on their rights and the efforts being made at the international level to protect them.
- 39. <u>Mr. EWOMSAN</u> asked what measures were being taken to bring the Code of Criminal Procedure into line with the Convention.
- 40. <u>Mr. KJAERUM</u> asked whether the Autonomous Development of Indigenous Peoples Bill contained any provisions to alter the functions or status of CONAI.
- 41. Mr. KEMAL welcomed the information on financial incentives provided for adolescents living in poverty to improve school attendance, but wished to know whether there was a system of incentives in place for medical and education staff to work in areas affected by poverty. He asked whether doctors working in areas of extreme poverty remained resident in those areas, or simply conducted periodic visits, and also whether teachers were granted extra compensation to work in underprivileged areas.
- 42. Mr. THORNBERRY asked whether there was a concept of inherent right to land for indigenous peoples as part of their self-determination recognized by the State, or whether land rights and territory were granted by the State. Turning to paragraph 277 of the State party report, he asked whether the systems of land holding were community based, or whether land titles were individual, and how that related to the increasing concentration of indigenous land in the hands of non-indigenous individuals.
- 43. Mr. YUTZIS said that there was room for further improvement in the way population censuses were conducted in Costa Rica. No official studies seemed to exist on the

Afro-Costa Rican community, the country's largest ethnic minority, especially on the situation of Afro-Costa Rican women. He wondered whether the Government intended to analyse their situation with a view to framing policies to eliminate discrimination in their regard.

- 44. Mr. GUILLERMET FERNÁNDEZ (Costa Rica) said that anyone on Costa Rican territory, permanently or temporarily, was entitled to free health care. The best hospitals and clinics were located in the cities, whereas in rural communities, especially in remote parts of the country, primary care was provided by basic comprehensive health-care teams. He was not aware of any incentives offered to medical staff to work for those teams, nor was he aware that they suffered a shortage of qualified staff, with the possible exception of specialists such as anaesthetists. One problem facing the health service in Costa Rica as a whole was that many specialists, trained free of charge at the country's excellent medical schools, moved to the United States of America and other richer countries, lured by better wages.
- 45. Turning to the issue of education, he said that members of the indigenous communities, and <u>mestizos</u>, were being trained to teach in their own communities. Their incentive was that they could remain in their home communities and transmit their own culture to younger generations. He could not inform the Committee of any other incentives offered to teachers who volunteered to work in remote rural areas.
- 46. He admitted that, by cooperating with the Colombian Government to determine whether any Colombian refugees living in Costa Rica had obtained refugee status under false pretences, the Minister of Public Security had violated the principle of confidentiality that refugees should enjoy. The cooperation had, however, been in the interest of Costa Rican national security and all would be done to avoid a repetition, since Costa Rica was determined to comply with international refugee law. Abuse of asylum was widespread in Costa Rica and officials were often bribed to grant asylum status. At one point as many as 200 refugees were being granted asylum status every day in Costa Rica. In June 2007, five Colombians claiming refugee status had been deported to Colombia as they had apparently been plotting to assassinate the Minister of Public Security and the President's brother.
- 47. <u>Ms. THOMPSON</u> (Costa Rica) added that newly qualified doctors and nurses could be obliged to work anywhere in the country, including remote, rural districts, for one or two years.
- 48. The school curriculum was the same throughout Costa Rica but, in the indigenous communities, pupils were also taught about their community's culture and history. Legal matters were not on the school curriculum anywhere in the country. Although the Government aimed to give all Costa Rican children a proper education and equal access to university, the quality of education was undeniably inferior in all rural areas, not only among indigenous communities. Nonetheless members of the indigenous community had benefited from good schools and had attended university in Costa Rica and in other countries.
- 49. Costa Rican legislation on land tenure stipulated that indigenous land was inalienably reserved for indigenous people. Consequently, it was illegal for anyone other than a member of the indigenous community to buy, rent, lease or otherwise acquire land reserved for indigenous people. In practice, however, indigenous land was often inaccessible and difficult to protect. As a

result of unlawful land sales, large areas of the land that legally belonged to the indigenous communities had long been owned and occupied by non-indigenous individuals. The State had never, however, expropriated indigenous lands. The Government was doing its best, despite the complexity of the situation and the lack of resources, to ensure that the law was respected. The Constitutional Chamber ruling in favour of the Rey Curré, Térraba and Boruca communities concerning the delimitation of their lands and instructing the State to recover land occupied or lost through illegal sales or leasing had not been acted upon for financial and administrative reasons.

- Mr. GUILLERMET FERNÁNDEZ (Costa Rica) said that, if the Legislative Assembly 50. approved the draft legislation on the autonomous development of indigenous peoples, the national system of institutions relating to indigenous affairs would be overhauled and the status of CONAI, in particular, would change. The draft legislation recognized the multicultural and multi-ethnic nature of Costa Rican society and comprehensively implemented ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. Following consultations with the indigenous communities, it had been decided to set up a new council on indigenous affairs, to be financed partly by a levy on oil and gas. All members of the indigenous community aged 15 or over would take part in elections to the council. Special funds would be created to assist the indigenous communities and to help needy families, for example through school feeding. The legislation would fully respect the indigenous peoples' traditions and customs while reaffirming their collective and individual rights to their lands. Under the legislation, the State bank would be able to offer the indigenous communities loans, using their collectively owned land as guarantees. Any indigenous lands occupied by non-indigenous people would be restored to their rightful owners, without compensation. The Constitutional Chamber ruling referred to by Ms. Thompson would be automatically implemented once the legislation was passed.
- 51. The National Forestry Fund had been set up to preserve Costa Rica's forests. It paid for the environmental services of all forested land, including that belonging to indigenous peoples, in return for a pledge not to cut down trees.
- 52. Since 2005, thanks to the creation of the office of special attorney for indigenous affairs, it had become easier for members of the ethnic minorities to make official complaints about acts of racial discrimination. The special attorney cooperated closely with CONAI, and attempts were being made to improve the service provided. Furthermore, the indigenous communities had been involved in drafting official guidelines for resolving conflicts.
- 53. Finding suitably qualified court interpreters with sufficient knowledge of indigenous languages had proved a challenge to the authorities, but guidelines had been drawn up, in conjunction with CONAI. In future, court interpreters and experts would need a university degree and have to prove advanced knowledge of the languages in question.
- 54. An official study had been carried out on the issue of access to justice by members of vulnerable groups, including indigenous peoples. It had found that account should be taken of indigenous cultures, customs and traditions, and alternative approaches to settling legal problems. The Government intended to study all recommendations, including the Committee's

concluding observations, together with the annual reports produced by the Ombudsman's Office and the Ministry of Foreign Affairs, when framing a legislative and political framework to address the issue. It would also consider conducting comparative studies of the situation in other countries.

- 55. He appealed to the Committee to include in its concluding observations specific recommendations on improving access to the courts by members of minority ethnic groups. Moreover, it would be extremely useful for the State party if the Committee gave its opinion on how, in general, its legislation on racial discrimination could best be brought into line with article 4 of the Convention, and how, in particular, its national mechanisms and statistical services could be improved.
- 56. Mr. AVTONOMOV (Country Rapporteur) said that the Committee acknowledged that the difficult economic and social situation facing Costa Rica had affected in particular the indigenous peoples, Afro-Costa Ricans and other vulnerable groups in the country. It seemed that racial discrimination in Costa Rica mostly resulted from that situation and not from deliberate government policy. Nevertheless, States parties were obliged under the Convention to overcome any economic and social problems and aim to eliminate racial discrimination to the best of their ability. It was not the Committee's mandate to judge countries or make theoretical proposals, but to offer them constructive, practical recommendations. The concluding observations would, therefore, be a collective document, reflecting the opinions of the Committee as a whole, not of its individual members. The Committee would try to take into account the helpful suggestions made by the delegation.

The meeting rose at 1.05 p.m.