



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 100th session, considered the follow-up report submitted by the Government of Costa Rica, pursuant to Article 9 (1) of the Convention, and Rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 14, 16 and 24 of the Concluding Observations (CERD/C/CRI/CO/19-22), adopted following the consideration of the State party's combined 19th to 22nd periodic reports, at its 87th session, held in August 2015.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its combined 23rd and 24th periodic reports, which submission is overdue since 4 January 2018.

Paragraph 14 of the Concluding Observations

The Committee welcomes the information provided by the State party on the adoption of various laws since its last review by the Committee, including the amendment to article 1 of the Constitution establishing the multiethnic and multicultural character of Costa Rica. The Committee takes note that the Legislative Assembly's Special Committee on Human Rights is currently working on the bill on the prevention, elimination and punishment of racism and all forms of discrimination (No. 19288), as well as on two new bills on: a) the assessment of the human rights situation of persons of African descent (No. 119299) and b) the assessment of the human rights situation of indigenous peoples in Costa Rica (No. 19364).

Her Excellency Ms. Elayne Whyte Gómez
Permanent Representative of the Republic of Costa Rica
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The Committee regrets, however, that no information was provided on the status or adoption of bills on the autonomous development of the indigenous peoples (file No. 14352), the amendment of article 380 of the Criminal Code (file No. 19062), and affirmative action for persons of African descent (file No. 19628), which have been pending before the Legislative Assembly for more than 10 years. The Committee considers the response to this recommendation partially satisfactory and further recommends that the State party intensify its efforts to create a proper legal framework for combating racial discrimination, including by expeditiously adopting the bills aiming at strengthening the protection of the rights of indigenous peoples and persons of African descent. It requests the State party to include updated information on this issue in its next periodic report.

Paragraph 16 of the Concluding Observations

The Committee welcomes the information provided by the State party on the activities carried out to raise awareness of the cultural practices of indigenous peoples and persons of African descent and their contribution to Costa Rican history and culture. However, the Committee notes that the information provided by the State party does not indicate to what extent the activities described have been integrated in the national education system in order to strengthen the awareness and knowledge about all cultures in the State party. In addition, the Committee takes note of a process of review and analysis of the reading lists proposed for students in the first, second and third cycles of basic education. In this regard, the Committee welcomes the information that the book *Cocorí* has been removed from the mandatory curriculum in primary school. The Committee considers the response to this recommendation partially satisfactory and requests the State party to provide further information, in its next periodic report, on the impact of the activities described in paragraphs 13 and 17 of its follow-up report, as well as on changes introduced to the national education system aimed at promoting awareness and knowledge of the culture, identity, history and traditions of indigenous peoples and persons of African descent. The Committee also requests the State party to provide information on the outcome of the review process of the reading lists proposed to students, as well as updated information, including concrete examples, on the use of the book *Cocorí* as a tool against discrimination in the third cycle of basic education.

Paragraph 24 of the Concluding Observations

The Committee welcomes the adoption of the General Mechanism for Consultation with indigenous peoples, as well as the participatory process carried out for the elaboration of this mechanism. It regrets, however, the lack of information on the situation of indigenous peoples affected by El Diquís hydroelectric project. The Committee considers the response to this recommendation partially satisfactory and requests the State party to provide information, in its next periodic report, on the measures taken to ensure the effective implementation of the General Mechanism for Consultation with indigenous peoples, including the establishment of the Indigenous Consultation Technical Unit. It also requires the State party to provide, in its next periodic report, updated information on the situation of indigenous peoples affected by El Diquís hydroelectric project.



Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Costa Rica, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nouredine Amir".

Nouredine Amir
Chair

Committee on the Elimination of Racial Discrimination