



Ms. Laura-Maria Crăciunean-Tatu

Chair, Committee on Economic, Social and Cultural Rights
Office of the United Nations High Commissioner for Human Rights (OHCHR)
8-14 Avenue de la Paix CH-1211 Geneva (Switzerland)

**OPD Report on Barriers to Employment, Education, Housing, Social
Protection, and Cultural and Digital Access for Persons with Disabilities in
The Republic of Chile**

Submitted by AccessibilityAtlas

an organization of young persons advancing disability rights throughout the world

for the

**78th Session of the Committee on Economic, Social and Cultural Rights
08-26 September 2025**

Submitted 9 August 2025

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Introduction

AccessibilityAtlas presents this report to the United Nations Committee on Economic, Social and Cultural Rights ahead of the 78th session for the review of the Republic of Chile. AccessibilityAtlas is a global non-profit organization based in the United States, committed to creating a world where persons of all abilities can fully participate in their communities.

AccessibilityAtlas collaborates with civil society, international mechanisms, institutions of higher education, and local governments to catalyze change around the thematic issues of accessibility in civic life, education, employment, housing, and the right to information for persons with disabilities worldwide. We actively engage with the United Nations human rights mechanisms in Geneva and beyond to address accessibility gaps and advocate for systemic solutions grounded in the lived experiences of persons with disabilities.

Our reporting process involves comprehensive research on nation-states under review by the Committee on Economic, Social and Cultural Rights (CESCR), dialogue with civil society and individuals with disabilities in those countries, and collaborative drafting of reports to highlight successes, challenges, and gaps in disability rights.

This petition focuses on five main issues as they relate to persons with disabilities in Chile: (1) recognition of disability rights and meaningful participation in national human rights planning; (2) persistent discrimination and exclusion in education, housing, and public life; (3) barriers to inclusive employment and enforcement of labor inclusion mandates; (4) inadequacy and inaccessibility of disability-related social protection; and (5) persistent gaps in access to technology, culture, and the benefits of scientific progress.

Rights Recognition and Social Inclusion

Disability Inclusion in National Planning

Chile's First National Human Rights Plan (2018–2021) recognized persons with disabilities (PWDs) as a priority group and formed a plan to promote equality for marginalized groups. The Plan included a dedicated goal on disability rights and contained over 600 concrete actions across 47 government agencies.¹ PWDs make up 17.6% of Chile's population, yet remain underrepresented.²

The plan's rollout has fallen behind its original goals, with government reports pointing to slow progress on many parts, mostly because agencies lack cooperation and funding. The Ministry of Justice notes that by the end of 2019, only 16.8% of actions had been completed.³ Also, despite PWDs being listed as a vulnerable group, the plan barely includes any clear steps or goals for them, leaving many to miss out on the help the plan was supposed to give.⁴ Civil society has noted that PWDs and their organizations were not involved enough in tracking implementation. As a result, PWDs have seen few true improvements, resulting in a gap between policy and real-world results.

The government of Chile has made notable efforts to support PWDs. One of the most significant achievements over the last decade was the Chilean government's partnership with SENADIS, the Ministry of Health, and the national statistics office to implement the National Disability Survey in 2015 using the WHO–World Bank Model Disability Survey, covering real-life experiences and barriers faced by PWDs. Afterwards, the results were used in major national initiatives, such as the 2017 National Mental Health Action Plan, the Law on Labor Inclusion, and the integration of disability questions into the National Health Survey to improve policy with input from PWDs.⁵ In more recent years, the establishment of a Sub-Secretariat of Human Rights and, under Law No. 20.885, the mandating for the creation of the National HR Plan addressing international recommendations have been major developments.⁶ Additionally, the 2018–2021 PNDH did include some disability-related actions. For example, to combat the

¹ *Government of Chile:*

<https://www.derechoshumanos.gob.cl>

² *SENADIS:*

https://www.senadis.gob.cl/pag/414/1284/ii_estudio_nacional_de_discapacidad

³ *Ministry of Justice Report:*

http://www.dipres.cl/597/articles-217987_doc_pdf.pdf

⁴ *International Disability Alliance:*

https://www.internationaldisabilityalliance.org/sites/default/files/submission_on_behalf_of_the_stakeholder_group_of_persons_with_disabilities_2019.docx

⁵ *Ministry of Social Development / Servicio Nacional de la Discapacidad (SENADIS):*

https://www.senadis.gob.cl/pag/355/1197/ii_estudio_nacional_de_discapacidad

⁶ *Government of Chile:*

<https://qaplanderechoshumanos.asimov.cl/#:~:text=Ley%20N%C2%B0%2020>

absence of updates on official disability prevalence data since 2015, commitments were formed to improve accessibility in public services and data collection on PWDs.⁷

Despite legal attempts, the amount of legislation referring to disability rights in the PNDH is still a large concern. While the 2018–2021 PNDH did include over 600 commitments across 15 different areas, civil society groups reported that less than 20 specifically addressed disability issues, and those that did were mainly created around accessibility rather than inclusion or empowerment.⁸ Showing that despite attempts to meet ICESCR commitments, PWDs were largely left out.

It is essential to ensure disability rights are not only recognized in name but also put into action throughout all topics of human rights policy. According to a 2023 report from Fundación Miradas Compartidas, 70% of PWDs in Chile fall into the lowest three income quintiles, a reflection of long-term exclusion.⁹ Strengthening this accountability and participation for PWDs is not a legal obligation but rather a vital step toward social and economic equity.

We urge the Committee to ask: **What will Chile do to fully include persons with disabilities in shaping and carrying out national human rights plans?**

We urge the Committee to recommend that Chile (1) establish an independent cross-sector oversight body for national human rights planning that includes persons with disabilities and their organizations as full decision makers in all stages from design to evaluation; and (2) require clear disability-focused targets and dedicated funding across all areas of future human rights plans, with annual public reporting by disability status to ensure real accountability and inclusion.

Persistent Discrimination and Social Exclusion

Despite anti-discrimination laws, persons with disabilities (PWDs) in Chile continue to struggle with participating in their economic, social, and cultural rights, especially in accessing education, employment, and healthcare. For example, over half, 50.8%, of Chileans with disabilities have not completed secondary education, compared to 29.6% of non-disabled persons.¹⁰

⁷ Disability: IN:

<https://disabilityin.org/country/chile/#:~:text=According%20to%20a%20statement%20in,for%20full%20guardianship%20of%20them>

⁸ Instituto Nacional de Derechos Humanos, 2020:

<https://bibliotecadigital.indh.cl/handle/123456789/1775>

⁹ Miradas Compartidas, 2023:

<https://miradascompartidas.cl/2023/10/16/reporte-situacion-discapacidad-chile/>

¹⁰ INDH: Diario Usach:

<https://www.diariousach.cl/informe-anual-del-indh-senala-que-ley-zamudio-tiene-exito-limitado-en#:~:text=Respecto%20a%20las%20personas%20con,de%20las%20personas%20sin%20discapacidad%E2%80%9D>

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Under Law 20.422 (2010) on social inclusion and Law 20.609 (2012) (“Ley Zamudio”) on anti-discrimination, PWDs are formally protected.¹¹ In practice, enforcement is weak, as only about 70 discrimination cases are brought annually under the anti-discrimination law, despite disability being among the top three reported grounds.¹²

According to statistics from the 2022 CASEN survey, 19.6% of households containing a person with a disability reside in homes with poor living standards, as opposed to only 13.7% of households that do not have an individual with a disability.¹³ The situation is only worse in informal settlements, where rough roads, missing ramps, and uneven ground make it hard for people with disabilities to live safely and independently. Chile is home to more than 660 informal settlements sheltering around 116,000 individuals, yet few are suited to include individuals with disabilities.¹⁴ Despite state initiatives such as Decree 50 of 2016 requiring accessibility in new public and housing developments, and the DS49 subsidy program, which provides additional points for families with a disabled member, the accessible housing supply is low. In the period between 2018 and 2022, only around 2,000 families benefited from the special disability housing subsidy.¹⁵ When housing isn’t accessible, people with disabilities face higher risks of dependency or even homelessness, undermining their right to adequate housing and self autonomy.

Chile joined the CRPD in 2008 and created SENADIS to lead inclusion. Alongside Law 20.609, which provides a judicial remedy for discrimination, and other reforms that have been proposed to strengthen it, such as higher fines and victim compensation,¹⁶ the Chilean government has made progress and taken initiatives to address these issues. In 2022, Chile carried out a National Disability and Dependency Survey to update statistics and guide policies,¹⁷ and initiatives like the National Human Rights Plan 2018–2021, which identified people with disabilities as a priority group.

¹¹ Biblioteca del Congreso Nacional de Chile:

<https://www.bcn.cl/leychile/visualiza?idNorma=1010903>

¹² Fundación Iguales:

<https://guclablog.wordpress.com/2019/07/20/on-birthdays-and-discrimination/#:~:text=and%20my%20colleague%20Jorge%20Lucero%2C.and%20why%20hasn't%20it%20changed>

¹³ Universidad Andrés Bello – IPP UNAB:

https://ipp.unab.cl/wp-content/uploads/2023/11/20231110_IPP-UNAB_Informe-Panorama-de-la-discapacidad-en-Chile_Casen-2022.pdf

¹⁴ OHCHR:

<https://www.ohchr.org/sites/default/files/documents/issues/housing/guidelines/disabilities/2023-07-26/guidelines-disability-housing-es.pdf>

¹⁵ MINVU report through Teletón:

<https://www.teleton.cl/normativa-vivienda-accesible-en-chile-guia-informativa-para-familias/>

¹⁶ Servicio Nacional de la Discapacidad / Chilean Senate:

<https://www.senadis.gob.cl/>

¹⁷ Government of Chile:

<https://www.desarrollosocialyfamilia.gob.cl/noticias/mas-de-2-millones-700-mil-personas-adultas-tienen-discapacidad-en-chile-segun-el-tercer-estudio-naci#:~:text=El%20Estudio%20arroj%C3%B3%20que%C2%A0e%20l.tiene%20discapacidad%20severa>

Despite legal reforms, Chile continues to struggle with key obstacles to inclusion and equal rights for people with disabilities. The Civil Code still allows full custody and uses outdated terms seen as derogatory, such as “demented,” strengthening harmful stereotypes.¹⁸ Law 20.609 only adds difficulty to attempting to stop the issue by mandating that the person with a disability prove they were discriminated against with strong evidence. Even when discrimination is proven, the law does not guarantee noteworthy compensation for the harm experienced. As a result, many PWDs are discouraged from filing complaints or seeking justice.¹⁹ Chile also lacks an anti-discrimination body, causing the enforcement of existing inclusion mandates to be weak and leaving many violations of disability rights unaddressed.

Discrimination worsens education, employment, and poverty outcomes for PWDs. Instead of developing inclusion, this exclusion only violates the principles of dignity and equality listed in the ICESCR and CRPD.

We urge the Committee to ask: **What will Chile do to tackle systemic disability discrimination and ensure equal access to education, housing, and jobs?**

We urge the Committee to recommend that Chile: establish an independent body to investigate and penalize disability discrimination, as current enforcement remains weak and inaccessible for many victims; launch a national accessible housing initiative with clear monitoring, especially in informal and underserved areas where existing infrastructure often fails to meet basic standards; and revise the Civil Code to remove discriminatory language and fully recognize the legal capacity of persons with disabilities, in line with Article 12 of the CRPD.

Economic Exclusion and Income Insecurity

Employment Barriers and Labor Market Exclusion

Currently, persons with disabilities (PWDs) face high unemployment and inactivity rates. A study by the Institute of Public Policy UNAB found that only around 28.7% of working-age PWDs are employed, compared to the 60.3% of persons without disabilities.²⁰ This reflects hiring bias, inaccessibility, and poor support. Many people with disabilities who do have jobs work informally or in low-wage positions with no protections or benefits,²¹ only worsening for women with disabilities.²²

¹⁸ *Human Rights Watch*, 2022:

<https://www.hrw.org/news/2022/03/25/chile-disability-rights-reform-urgently-needed>

¹⁹ *Fundación Iguales*:

<https://iguales.cl/ley-antidiscriminacion-un-camino-incierto-para-quienes-sufren-discriminacion/>

²⁰ *Institute of Public Policy UNAB*:

https://ipp.unab.cl/wp-content/uploads/2023/11/20231110_IPP-UNAB_Informe-Panorama-de-la-discapacidad-en-Chile_Casen-2022.pdf#:~:text=La%20tasa%20de%20participaci%C3%B3n%20de,comparar%20con%202017%2C%20buscando%20mostrar

²¹ *International Labour Organization*:

https://www.ilo.org/sites/default/files/2024-08/WP124_web.pdf?utm_

²² *Taylor and Francis*:

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In 2018, Chile implemented the Law on Labor Inclusion (Law No. 21.015), which requires public agencies and private companies with 100 or more employees to retain at least 1% of their workforce with PWDs. The law also bans pay discrimination and mandates workplace accommodations.²³ Chile has also formed agencies like SENCE (National Training Service) and SENADIS to launch training and job placement programs tailored for PWDs, providing vocational training and incentives for employers to hire people with disabilities.²⁴ Together, by 2023, over 120,000 employment contracts for PWDs had been created.²⁵

Although beneficial, only about 45% of the 120,000 jobs remain active, presenting poor maintenance.²⁶ Even though the law requires it, many employers still fall short. A 2021 study found that over half of large private companies didn't meet the 1% hiring quota. Public agencies also struggle with enforcement, partly due to weak oversight and low penalties, which overall reduces the law's effectiveness.²⁷ In addition, workplaces also often lack physical accessibility, with many missing ramps or adaptive equipment for PWDs. When we don't address these issues, such as informal labor, the goal of an inclusive labor force still fails, leaving more and more people without benefits, pensions, or a job.

We urge the Committee to ask: **What will Chile do to better enforce inclusive employment laws and expand access to stable jobs for persons with disabilities?**

We urge the Committee to recommend that Chile: strengthen enforcement of its 1% (soon 2%) disability hiring quota by applying real penalties and conducting regular audits across sectors; and expand targeted job training and placement programs, especially for women and youth with disabilities, linking them directly to employment and follow-up support to improve long-term inclusion.

Inadequate Social Protection and Disability Pensions

Persons with disabilities (PWDs) in Chile face serious problems with social security coverage. While Chile offers a tiered disability pension system, including benefits for those employed and unemployed, many PWDs continue to be excluded due to employment gaps or strict eligibility requirements, leaving them in poverty.

<https://www.tandfonline.com/doi/full/10.1080/09581596.2016.1275524>

²³ Ministry of Labor:

https://www.senadis.gob.cl/pag/421/1694/ley_de_inclusion_laboral?utm_source

²⁴ Servicio Nacional de Capacitación y Empleo:

<https://sence.gob.cl/personas/discapacidad>

²⁵ Fundación ConTrabajo:

<https://fundacioncontrabajo.cl/blog/cultura-inclusiva/cinco-anos-ley21015-cifras-cumplimiento/#:~:text=Contratos%20vigentes%20de%20personas%20con,disapacidad>

²⁶ Fundación ConTrabajo:

<https://fundacioncontrabajo.cl/blog/cultura-inclusiva/cinco-anos-ley21015-cifras-cumplimiento/#:~:text=Contratos%20vigentes%20de%20personas%20con,disapacidad>

²⁷ IPP - UNAB:

https://ipp.unab.cl/wp-content/uploads/2023/11/20231110_IPP-UNAB_Informe-Panorama-de-la-discapacidad-en-Chile_Casen-2022.pdf#:~:text=debidamente%20a%20las%20personas%20con,de%20incumplimiento%20tambi%C3%A9n%20son%20altas

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Currently, around 70% of PWDs belong to the poorest 60% of Chile's population,²⁸ and many don't receive any disability pension or social protection. This is led by low benefit amounts for over 600,000 people who receive Chile's non-contributory disability pensions.²⁹ As of 2025, the PBSI (non-contributory disability pension) provides CLP ~\$224,000 per month.³⁰ While this amount is adjusted annually for inflation, it still falls short of covering basic living costs, let alone disability-related needs.

The government of Chile has taken steps forward in the past to further support PWDs. For example, the 2008 pension reform was a huge step forward as it introduced the Solidarity Pillar to extend non-contributory pensions to vulnerable groups.³¹ Additionally, the 2018 Labor Inclusion Law (Law 21.015), as mentioned earlier, mandates companies with over 100 workers to hire at least 1% staff with disabilities, aiming to increase formal labor participation and future pension contributions.³² In 2025, the Chilean government passed a pension reform (Law 21.735), which raised the Universal Guaranteed Pension (PGU) to CLP 250,000/month and introduced a contributory plan for future retirees, including PWDs.³³ However, because the increases for PGU primarily affect older pensioners, working-age PWDs without formal contributions still face issues.

Although considerable reforms have been made, benefit adequacy remains a problem for many PWDs. Disability pensions continue to fall short of a living wage and fail to meet the cost of living or cover disability-related expenses. The Invalidity Pension offers up to 70% of past wages but excludes many informal workers or those with abnormal and part-time employment due to strict regulations. Only around 29% of working-age PWDs are employed, meaning most cannot contribute to pension systems at all and rely on minimal support or family.³⁴ This low rate of labor force inclusion significantly limits long-term pension security for PWDs.

Many can't get benefits because the medical approval process (COMPIN) is slow and confusing, and few even know how to apply. This shortage of reliable social protection forces PWDs

²⁸Ministry of Social Development, 2015:

<https://academia.edu/34654436>

²⁹World Bank:

https://documents1.worldbank.org/curated/en/819691468217447536/txt/592190SR0FINAL101public10BOX358365B.txt?utm_source=chatgpt.com

³⁰Government of Chile:

<https://previsionsocial.gob.cl>

³¹ILO Social Protection:

<https://www.social-protection.org>

³²La Tercera:

<https://www.latercera.com/nacional/noticia/la-paradoja-la-discapacidad-chile-mas-mujeres-esta-condicion-los-hombres-las-duplican-insercion-laboral/688667/>

³³Bloomberg News:

<https://finance.yahoo.com/news/chile-congress-gives-final-backing-225152805.html>

³⁴Institute of Public Policy UNAB:

https://ipp.unab.cl/wp-content/uploads/2023/11/20231110_IPP-UNAB_Informe-Panorama-de-la-discapacidad-en-Chile_Casen-2022.pdf#:~:text=La%20tasa%20de%20participaci%C3%B3n%20de,comparar%20con%202017%2C%20buscando%20mostrar

deeper into poverty. As payments of near minimum wage continue, Chile violates its obligations under ICESCR Article 9, and PWDs' dependency on others increases, nearly erasing their independence.

We urge the Committee to ask: **What will Chile do to expand disability pension access and ensure benefits support a dignified, inclusive life?**

Chile has reformed its pension system, but benefits are still too low, and many people with disabilities face tough barriers just to qualify. We urge the Committee to recommend that Chile: (1) simplify and quicken the COMPIN certification process to avoid delays and unfair denials; (2) set a minimum pension that covers basic and disability-related costs; and (3) build a long-term plan to help more people with disabilities access formal jobs and qualify for contributory pensions.

Access to Technology, Culture, and Scientific Progress

Persons with disabilities (PWDs) still struggle to access the benefits of scientific progress, cultural life, and digital technology in Chile. Even though Chile retains high internet coverage across the nation, PWDs still experience a digital divide mainly caused by accessibility, cost, and skill barriers. For example, only 53% of Chileans with disabilities use online job portals, indicating lower digital engagement.³⁵ PWDs face limits as museums, libraries, and educational programs often lack sign language interpretation, Braille materials, or physical accessibility.

In recent years, Chile has seen rapid expansion of internet infrastructure, with over 95% of households having network coverage, but large usage differences persist among vulnerable groups, including PWDs.³⁶ A portion of PWDs, over 13%, still have no internet at home, and nearly 40% report difficulty using digital devices without assistive adaptations.³⁷ When online content is not provided in accessible formats like captioning and screen-reader compatibility, access to scientific information is hindered.

The Chilean government has taken or plans to improve access in these areas through legislation. In 2010, Chile passed Law No. 20.422 (2010), which mandates equal opportunities and explicitly requires accessibility in information, communications, and public services, laying a legal foundation for accessible websites and media.³⁸ Alongside such, the government, with

³⁵*Fundación Adecco:*

<https://www.20minutos.es/noticia/4324882/0/la-brecha-digital-afecta-a-casi-la-mitad-de-las-personas-con-discapacidad/>

³⁶*Tech Report:*

<https://ts2.tech/chile-internet-boom-96-connected>

³⁷*Fundación Adecco:*

<https://www.20minutos.es/noticia/4324882/0/la-brecha-digital-afecta-a-casi-la-mitad-de-las-personas-con-discapacidad/>

³⁸*Government of Chile - Disability Law:*

<https://www.bcn.cl/leychile/navegar?idNorma=1010903>

international support, founded a National Digital Inclusion Plan to lessen the digital gap, including initiatives to expand affordable broadband and digital literacy training in disadvantaged communities.³⁹ Similar to other issues involving human rights, to check on these plans, SENADIS (National Disability Service) conducts accessibility audits of government websites and promotes accessible format adoption by encouraging Braille, sign language, and captioning in public communications.⁴⁰

Chile has also begun with other cultural initiatives with a designated focus towards offering support for PWDs, such as the first tactile art exhibit for blind persons in 2018, and some national parks and museums introducing accessibility features.⁴¹ Together with other public programs that are being developed to subsidize assistive technologies like screen readers or hearing devices and to train educators in inclusive science education,⁴² Chile has a strong plan to develop and establish support for PWDs in the future. Although infrastructure has been made readily available, PWDs continue to face setbacks in accessing online services. This is led by a lack of oversight, as though regulations are in place, most government websites still do not meet full accessibility standards, making them hard for visually or hearing-impaired users to navigate.⁴³ Along with accessibility, affordability has arisen to be a large issue as many PWDs, who are often low-income, cannot afford necessary devices or internet costs, with nearly 20% facing a financial barrier to existing technologies.⁴⁴

Many museums and cultural sites in Chile still lack basic infrastructure for accessibility. Features such as ramps and elevators, particularly outside major cities, are irregularities. A national accessibility review found that only about 45% of public cultural institutions provide full wheelchair access, while the rest remain partially or fully inaccessible for persons with mobility disabilities.⁴⁵ When access to culture is limited, the already low representation of PWDs in STEM fields and innovation continues to worsen. Additionally, as societal barriers restrict online information, especially in today's digital society, the number of PWDs facing exclusion, limited personal growth, and dependency on others will increase significantly. Bridging these

³⁹*IDB Report:*

<https://publications.iadb.org/es/diagnostico-sobre-las-brechas-de-inclusion-digital-en-chile>

⁴⁰*SENADIS:*

https://senadis.gob.cl/pag/271/Acceso_Informacion_Comunicaciones

⁴¹*Al Jazeera:*

<https://www.aljazeera.com/news/2019/12/visible-chileans-disabilities-unite-rights-191203233517155.html>

⁴²*Education Ministry:*

<https://mineduc.cl/programas-educacion-inclusiva>

⁴³*Digital Rights NGO:*

<https://derechosdigitales.org>

⁴⁴*Fundación Adecco:*

<https://www.20minutos.es/noticia/4324882/0/la-brecha-digital-afecta-a-casi-la-mitad-de-las-personas-con-discapacidad/>

⁴⁵*Cascada Travel:*

<https://www.cascada.travel/blog/let-s-talk-inclusive-travel-in-chile>

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gaps ensures not only dignity and autonomy for PWDs but also a more inclusive future for Chile as a nation.

We urge the Committee to ask: **What steps will Chile take to guarantee digital, cultural, and scientific access for persons with disabilities, especially those blocked by cost or infrastructure gaps?**

Many still face barriers despite legal commitments. We urge the Committee to recommend that Chile: (1) enforce accessibility standards for all public websites and platforms; (2) expand support for assistive tech and internet access for low-income people with disabilities; and (3) require public cultural spaces and events to provide services like captioning, sign language, and audio descriptions.

Conclusion

In Chile, real-life inclusion falls short, especially in jobs, education, housing, social protection, and access to digital and cultural life. Weak enforcement, limited benefits, and poor accessibility show a gap between Chile's promises and what people actually experience. We urge the Committee to call on Chile to adopt clear, well-funded policies that deliver real change and to ensure PWDs have a say in shaping the systems that affect their lives.

This report may be published on the CESCER webpage to the general public. Direct enquiries to admin@accessibilityatlas.org. This report was authored by Henry Ross and Dinu Antonescu.