



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

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

List of themes to be taken up in connection with the consideration of the combined fourteenth to eighteenth periodic reports of Cuba (CERD/C/CUB/14-18)

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the combined fourteenth to eighteenth periodic reports of Cuba. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. Measures taken to better gauge the existence and extent of racial discrimination (arts. 2 and 4–6)

(a) Consideration of the factual indicators of racial discrimination referred to in the Committee's general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, including:

(i) The number and percentage of persons belonging to racial and ethnic groups who have been victims of aggression or other offences during the period under consideration;

(ii) The absence of complaints, prosecutions and convictions for acts of racial discrimination in the country (CERD/C/CUB/14-18, para. 147);

(iii) Statistical data on the prison population disaggregated by age, sex and ethnic or racial origin (CERD/C/CUB/14-18, para. 104);

(iv) Proportionately higher crime rates attributed to persons belonging to particular racial or ethnic groups;

(v) Racial or ethnic make-up of the police and judiciary.

(b) Availability of and access to complaint mechanisms and remedies for acts of racial discrimination:

- (i) Specific measures that have been adopted or are planned in order to facilitate access to national mechanisms established to deal with complaints of racial discrimination. Information on how people are made aware of these mechanisms and the assistance provided to victims filing complaints;
- (ii) Measures implemented to build the trust of victims in the police and the judicial authorities, ensure that victims with limited means need not fear the cost and complexity of the judicial process, protect victims from social opprobrium and/or reprisals and increase awareness among the police and judicial authorities of racially motivated offences;
- (iii) Information on whether committing offences for racial reasons constitutes an aggravating circumstance under national criminal legislation;
- (iv) Measures taken to ensure respect for the victim's right to obtain just and adequate reparation or satisfaction for any damage suffered as a result of acts of racial discrimination, in accordance with article 6 of the Convention;
- (v) The existence of an independent body to monitor, supervise and assess progress made in combating racial discrimination, identify undetected manifestations of racial discrimination and submit recommendations and proposals for improvement.

2. Efforts to combat racial prejudice and all forms of racial discrimination (arts. 2, 5 and 7)

- (a) Assessment of training programmes for officers of the National Revolutionary Police (CERD/C/CUB/14-18, paras. 407–414) and other public officials responsible for implementing human rights law and, in particular, the provisions of the Convention and the Code of Conduct for Law Enforcement Officials (adopted by the General Assembly in its resolution 34/169 of 17 December 1979);
- (b) Mechanisms for the prevention of discriminatory behaviour by members of the police;
- (c) Examples of specific measures taken in the field of education with a view to combating prejudices that can lead to racial discrimination (CERD/C/CUB/14-18, paras. 332–364);
- (d) Information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level, as well as on related awareness-raising activities carried out during the period under consideration (CERD/C/CUB/14-18, paras. 117–119). Information on activities and initiatives planned for 2011 to mark the International Year of People of African Descent (General Assembly resolution 64/169 of 18 December 2009);
- (e) Information on how census data are used, in particular in post-census studies.

3. The situation of refugees, asylum-seekers and other non-citizens (arts. 2, 5 and 6)

- (a) The number of refugees, asylum-seekers and other non-citizens such as undocumented or stateless immigrants present in the State party's territory (CERD/C/CUB/14-18, para. 2);
- (b) Current legislation on immigration, aliens, asylum and nationality (CERD/C/CUB/14-18, para. 94). Opportunities for the local integration of persons in need of international protection who are present in the State party's territory.