



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

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## Committee on the Elimination of Racial Discrimination

### Eighty-seventh session

3–28 August 2015

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted  
by States parties under article 9 of the Convention**

## List of themes in relation to the combined nineteenth to twenty-second periodic reports of Costa Rica (CERD/C/CRI/19-22)

### Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

#### 1. Statistics on the demographic make-up of the Costa Rican population

Further information on the results of the 2011 census and disaggregated data on persons who self-identify as being indigenous or of African descent (CERD/C/CRI/19-22, paras. 23 to 40).

#### 2. The legal, institutional and public policy framework for combating racial discrimination (arts. 2, 4, 6 and 7)

(a) Further information on the measures taken to align national legislation with article 4 of the Convention (CERD/C/CRI/19-22, paras. 59 to 62);

(b) Information on the specific changes made to public policies for combating structural racial discrimination as a result of the 2011 census, including information on the participation of Afro-descendant and indigenous persons in the country's decision-making bodies (CERD/C/CRI/19-22, paras. 23 to 40);

(c) Information on the specific measures established in the national policy for a society free from racism, racial discrimination and xenophobia. Information on resources allocated for the policy's implementation, the State bodies that are applying the policy and the impact it has had (CERD/C/CRI/19-22, paras. 13 to 19);



(d) Information on the participation of civil society, and, in particular, of representatives of the migrant, Afro-descendant and indigenous populations, in the activities of the Inter-Agency Commission for the Monitoring and Implementation of International Human Rights Obligations (CERD/C/CRI/19-22, paras. 8 to 11);

(e) Information on investigations into offences of racial discrimination, the number of cases brought and convictions served, and the compensation obtained by victims. Information on the State party's response to xenophobic and racist attacks on Afro-descendant deputies;

(f) Further information on action taken to monitor communication media and social networks for racially discriminatory content;

(g) Information on measures adopted to provide protection for human rights defenders, particularly human rights defenders of indigenous or African descent.

### **3. Situation of indigenous and Afro-descendant peoples (arts. 1 to 7)**

(a) Information on progress towards the adoption of the Autonomous Development of Indigenous Peoples Bill and on steps taken to ensure the participation of indigenous peoples in the adoption process (CERD/C/CRI/19-22, para. 41);

(b) Information on actions and measures planned as part of the International Decade for People of African Descent (2015–2024). Information on prospective measures to ensure that public institutions have institutional policies for the Afro-descendant population, including affirmative action measures (CERD/C/CRI/19-22, para. 21);

(c) Further information on actions taken to implement the recommendations made by the Special Rapporteur on the rights of indigenous peoples in connection with the El Diquís hydroelectric project, including those related to the effective participation and consultation of indigenous peoples (CERD/C/CRI/19-22, paras. 42 to 50);

(d) Information on progress towards the restitution of indigenous land and statistical data on land titles granted to persons of indigenous and African descent. Information on private ownership titles granted in indigenous territories for property built using family housing allowances. Information on the rules applicable in this context (CERD/C/CRI/19-22, paras. 44 to 47, 79 and 288 to 300);

(e) Information on consultations of indigenous peoples conducted in Costa Rica in accordance with the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169), including consultations on educational issues (e.g. on Executive Decree No. 37801-MEP concerning the indigenous education subsystem), cultural issues (e.g. on the General Culture Act), health issues (in relation to the National Health Policy and Plan) and development issues. Information on the participation of indigenous and Afro-descendant peoples in the formulation of these measures (CERD/C/CRI/19-22, paras. 42, 92 et seq. and 161);

(f) Information on the participation of indigenous peoples in the National Health Commission for Indigenous Peoples (CERD/C/CRI/19-22, para. 97);

(g) Information on the agreements reached in the discussion forum and the measures taken to implement them (CERD/C/CRI/19-22, paras. 45 to 47, 294 and 295);

(h) Information on measures taken to revise the terminology used in textbooks that contain images, references, names or opinions which depict indigenous or Afro-descendant peoples in a stereotypical or denigrating manner (CERD/C/CRI/19-22, paras. 152 to 162);

- (i) Information on measures and policies adopted to guarantee full access to justice for indigenous peoples and on the status of the indigenous justice system.
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