



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

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## Committee on the Elimination of Racial Discrimination

### Eighty-eighth session

23 November-11 December 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 sixteenth to twenty-third periodic reports of the Holy See (CERD/C/VAT/16-23)

### 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. Data on the ethnic make-up of the population and socioeconomic indicators

Information on the race and ethnicity of persons in positions of high responsibility in the Holy See and among the clergy and religious orders.

#### 2. The Convention in domestic law, institutional and policy framework for its implementation (arts. 1, 2 and 4)

(a) Information on whether the relevant normative framework of the Holy See (see CERD/C/VAT/16-23, para. 30) prohibits racial discrimination in accordance with article 1 of the Convention;

(b) Information on cases of direct applicability of the Convention, and cases in which the Convention has taken precedence over the law of the Holy See (see CAT/C/VAT/CO/1, para. 7);

(c) Information on the mechanisms in place to monitor any occurrence of racial discrimination by members of the clergy or other persons in positions of responsibility;



(d) Information on the Special Office within the Governorate of the Vatican City State to oversee the implementation of international agreements to which the Holy See is a party (see CAT/C/VAT/CO/1, para. 6);

(e) Information on any legislation, programmes and policies to prevent, prohibit and eradicate all practices of racial segregation and apartheid by members of the clergy;

(f) Information on any legislation, programmes and policies providing for the proscription of dissemination, by members of the clergy, of ideas of racial superiority and of organized activity likely to incite persons to racial violence;

(g) Information on any legislation explicitly guaranteeing the equality of everyone before the law (see CERD/C/VAT/16-23, paras. 59-61);

(h) Clarifications on the position of the Holy See not to make a declaration recognizing the competence of the Committee to receive and consider communications (see CERD/C/VAT/16-23, para. 43).

**3. The justice system and combating racial discrimination (arts. 5 and 6)**

(a) Information on any cases of racial discrimination by lay persons within the Vatican City State, or by members of the clergy, and how these have been addressed;

(b) Information on the measures in place for victims of racial discrimination by lay persons within the Vatican City State, or by members of the clergy, to file a complaint and obtain remedies (see CERD/C/VAT/16-23, para. 63));

(c) Information on the confidentiality of penal canon law proceedings and on the sanctions applied according to penal canon law for crimes under the Convention (see CERD/C/VAT/16-23, para. 30).

**4. Situation of non-citizens, particularly migrants, refugees and asylum seekers (arts. 5, 6 and 7)**

(a) Information on the number of asylum applications within the Vatican City State and on the number of persons extradited from the Vatican City State;

(b) Information on the integration of and non-discrimination against non-citizens, particularly migrants, and the measures taken to promote their socioeconomic and cultural rights within the Vatican City State.

**5. Discrimination against minorities**

(a) Information regarding reports of caste-based discrimination by the Catholic church in India, by inter alia accepting the building of a wall on a Catholic cemetery to separate Dalits who have converted to Christianity, and regarding the unequal representation of converted Dalits in church structures;

(b) Updated information on the implementation of guidelines for parishes in the United Kingdom of Great Britain and Northern Ireland asking parishes to review their practices, following reported cases of difficulties experienced by ethnic minority priests regarding access to positions of responsibility in the United Kingdom, and reported cases of discrimination experienced by churchgoers belonging to an ethnic minority, including the refusal of baptism;

(c) Information on reports of indirect discrimination against Muslims and other groups in the employment policy of Catholic Church-affiliated employers in Germany.

**6. Training, education and other measures to combat prejudice and intolerance (art. 7)**

(a) Information on any measures taken, including regular training, to inform members of the clergy, congregations, religious orders and public officials, including the Swiss Guards and gendarmes, about the human rights obligations of the Holy See under the Convention;

(b) Information on the promotion of the principles of the Convention by the media, i.e. Vatican Radio and *L'Osservatore Romano* (see CERD/C/VAT/16-23, para. 47), and through pastoral teachings;

(c) Information on any training on the Convention for teachers in Catholic schools and clerics in seminaries, and information on measures to avoid racial stereotypes in textbooks used in Catholic schools.

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