



Alternative Report to the Committee on the Elimination of Racial Discrimination (CERD) regarding the Republic of Cuba

117o Session -CERD

2026

EU-Cuba Network for Democracy

Avenue de la Corniche, 16

1310 La Hulpe

Phone : +32 493 96 49 79

Email : diplomacy@cubanetwork.eu

Website : www.Cubanetwork.eu

1. Presentation of the Submitting Coalition

The **EU-Cuba Network for Democracy** is a Brussels-based coalition of diverse European organizations established in 2022. The Network is dedicated to the promotion of democratic values and racial equity in the Republic of Cuba through the lens of international human rights law. In the absence of a free and safe environment for domestic independent monitors, European civil society oversight serves as a critical strategic mechanism for ensuring the State Party adheres to its international treaty obligations.

This report utilizes the rigorous legal documentation and field monitoring provided by on-the-ground organizations, primarily **Cubalex**, to provide the Committee with an independent technical analysis of Cuba's racial landscape. The Network's mission is to translate these technical insights into actionable policy recommendations, ensuring that the State's programmatic claims are subjected to the scrutiny of verifiable data.

Authorization: The EU-Cuba Network for Democracy formally authorizes the Committee on the Elimination of Racial Discrimination (CERD) to publish this report on its official website and to utilize its findings as a technical input for the examination of the State Party's combined 22nd–26th reports.

2. Methodological Framework and Objectives

Under Article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Committee requires a substantive evaluation that goes beyond the formalistic legal descriptions provided by State Parties. This alternative report focuses on the persistent gap between Cuba's constitutional anti-discrimination rhetoric and the structural reality of its racialized populations.

The analytical framework of this report is built upon two core pillars:

1. **Integrity of Ethnic-Racial Data:** Evaluating the State's failure to implement the 2018 CERD recommendations regarding census methodology.
2. **Implementation of the National Program (PNRDR):** Assessing the transparency and effectiveness of the *National Program against Racism and Racial Discrimination*.

Crucially, this report adopts an **intersectional lens**, recognizing that racial discrimination in Cuba cannot be understood without analyzing the convergence of skin color, gender, and territory. By grounding our analysis in official repositories (ONEI), legislative records, and the internal inconsistencies within State-reported data, we aim to demonstrate how statistical invisibility and "biologist" narratives function as tools of structural racism.

3. Evaluation of Ethnic-Racial Data Collection and Census Methodology

The strategic necessity of disaggregated data is a prerequisite for the State Party to fulfill its obligations under **Article 2(1)(c)** of the Convention, which mandates a continuous review of governmental policies to ensure they do not perpetuate racial discrimination. The State's chronic failure to provide updated, reliable data renders evidence-based policy-making impossible.

Chronology of Statistical Evasion (2018–2025)

Despite having the technical capacity—including the establishment of a National Census Coordination Commission chaired by **Prime Minister Manuel Marrero Cruz** and the receipt of 1,100 Samsung Galaxy tablets from the UNFPA in October 2021—the State has systematically postponed the National Population and Housing Census.

- **2018:** CERD issues final observations recommending a participatory revision of census methodology.
- **September 2021:** Commission formed; 37,000 enumerators announced to utilize mobile data capture.
- **2022:** The initial target year for the census is missed.
- **May 2023:** ONEI postpones the census to 2025, citing economic crises and the pandemic.
- **2024:** The State reports a "drastic" population drop to an effective population of **9,748,532**, a significant discrepancy from the **9,354,454** reported in the State's formal report to CERD.
- **March 2025:** ONEI confirms the census remains in a "preparation phase."

This pattern of postponement indicates that the delay is political and managerial rather than technological. The absence of a census prevents the measurement of racialized gaps in housing, employment, and health, thereby violating the State's duty to provide a base for affirmative action.

Critique of the "Mulato" Category and "Colorism"

The State persists in using the category "**Mulato**" within its "White, Black, Mulato" skin-color triad. This methodology is fundamentally flawed:

- **Colonial Hierarchies:** The term "mulato" reproduces casting logics from the colonial era, reinforcing a symbolic "whitening" process.
- **Colorism:** As theorized by Alice Walker, "colorism" involves prejudicial treatment based solely on skin shade. By focusing on phenotypic gradations under the "Color Cubano" narrative, the State dilutes the collective identity of Afro-descendants, treating them as phenotypic variations rather than **subjects of rights**.
- **Statistical Invisibility:** This narrative treats the nation as a singular "ethnos-nación," which discourages the recognition of Afro-descendants as a collective group requiring specific protections under Articles 2 and 5 of the ICERD.

4. Institutional Architecture: The National Program (PNRDR) and "Color Cubano"

Transparency and legal certainty are the cornerstones of treaty compliance. The *National Program against Racism and Racial Discrimination (PNRDR)*, while structurally ambitious, suffers from a severe deficit in public accountability.

The Publicity Deficit and Legal Insecurity

The 2019 Council of Ministers Agreement that approved the PNRDR has **never been published in the *Gaceta Oficial***. A systematic review reveals that the only formal legal reference to this cornerstone policy is a **secondary mention** within a January 2025 Protocol of the Supreme Court (TSP). This lack of publication violates the principle of publicity and prevents independent civil society from scrutinizing the program's legal mandates or demanding its enforcement.

Indicator and Programmatic Inconsistency

Official documentation regarding the PNRDR is characterized by a lack of coherence:

1. **Subprogram Variance:** Official "Memories" of the program alternately cite **9 or 11** subprograms.
2. **Indicator Discrepancy:** While the State report to CERD claims **70 indicators**, a 2024 version from the Institute of Information and Social Communication claims the program has "no indicators of its own" or lists only **62**. This volatility suggests the program is a moving target, adjusted arbitrarily without public oversight or verifiable baseline data.

Deconstructing the "Etnos-Nación" and "Biologist" Narrative

The "Color Cubano" Social Observatory promotes a biologist framework that utilizes "genetic ancestry" studies to argue for a single, mestizo national identity. This ideology is harmful for two reasons:

- **Objects vs. Subjects:** It treats Black Cubans as "**objects of investigation**" (providing genetic samples) rather than "**subjects of rights**" (demanding justice for historical and structural grievances).
- **Denial of Multi-ethnicity:** By explicitly stating Cuba is not multi-ethnic, the State creates a conceptual barrier that minimizes the need for targeted affirmative action and denies the existence of racialized structural gaps.

This framework directly contributes to the **sub-registration of complaints**. The State utilizes the low number of formal racial discrimination complaints to deny the existence of racism, whereas this low volume actually reflects a profound lack of trust in a judiciary that operates within a narrative of "already achieved" racial equality.

5. Suggested Interrogatories for the State Party

To resolve technical ambiguities in the State's combined 22nd–26th reports, we propose the following interrogatories:

Group A: Census and Disaggregation

1. **Budgetary Execution:** Provide a detailed breakdown of the budget allocated for the census between 2021 and 2025 and the specific reasons for the failure to meet the revised 2025 projection.
2. **Inclusivity and Migration:** How does the State ensure the inclusion of non-citizens and migrants in its statistics, as required by General Recommendation No. 30?
3. **Georeferencing and Privacy:** In light of the March 2025 ONEI update, provide the safeguards implemented to ensure that **GPS and georeferencing** technologies are not used for the over-policing of racialized neighborhoods.
4. **Microdata:** Will the State commit to the publication of **anonymized microdata** to allow the international scientific community to independently verify demographic findings?

Group B: PNRDR Implementation

1. **Legal Publicity:** Provide the specific legal fascicle of the 2019 Council of Ministers Agreement or explain why it has been withheld from the *Gaceta Oficial*.
2. **Higher Education Metrics:** Provide specific impact indicators for the university "additional entry" path for the years **2021–2024**, including the number of beneficiaries disaggregated by skin color, gender, and province.
3. **Audit of Complaints:** What independent audit mechanisms have been established to identify the causes of "sub-registration" in racial discrimination complaints before the Ministry of the Interior and the Prosecutor's Office?
4. **Territorial Execution:** Publish the specific municipal and provincial plans for the PNRDR that the State claims have been in execution since 2019.

6. Strategic Recommendations to the CERD

Based on the evidence of "Partial Compliance" and the lack of methodological rigor, we urge the Committee to recommend that the State Party:

- **Standardize Identity Records:** Formally adopt the "**Afro-descendant**" category in all administrative and census records, replacing colonial and colorist terms like "mulato" to align with regional and international standards.
- **Ensure Legal Certainty:** Immediately publish the full text of the PNRDR and its associated subprograms and indicators in the *Gaceta Oficial*.
- **Establish Independent Audits:** Create an independent mechanism, inclusive of autonomous civil society, to audit racial discrimination complaints and address the systemic lack of trust in the judicial system (Article 6).
- **Protect Civic Space:** Guarantee the right of independent Afro-Cuban organizations and human rights defenders to participate in the formulation and evaluation of the PNRDR without fear of reprisal or administrative exclusion.

- **Transparent Data Dissemination:** Ensure the publication of a clear calendar for the dissemination of **anonymized microdata** and detailed methodological sheets for all demographic surveys.

Final Summary: Current compliance with the ICERD is characterized by institutional opaqueness and the use of "biologist" narratives that invisibilize structural inequality. Urgent reform is required to move from the ideology of "Color Cubano" to a reality of racial justice and verifiable transparency.