



Convention on the Rights of Persons with Disabilities

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Summary record of the 458th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 27 March 2019, at 10 a.m.

Chair: Mr. Basharu

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by parties to the Convention under article 35

(continued)

Initial report of Cuba (continued) (CRPD/C/CUB/1; CRPD/C/CUB/Q/1 and CRPD/C/CUB/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of Cuba took places at the Committee table.*

Articles 11–20

2. **Mr. Reyes Rodríguez** (Cuba) said that Cuba was a middle-income developing country that had been subjected to an embargo by the United States of America and was unable to obtain funds from the World Bank, primarily on account of the hostile policy of the United States Government.

3. However, Cuba possessed impressive human capital and the political will to share its limited resources, and demonstrated solidarity with persons in need not only within but also outside the country. For instance, hundreds of Cuban physicians had provided services in remote areas of Ghana and in the three West African countries that had been affected by the outbreak of the Ebola virus. Persons with disabilities clearly deserved strong support to ensure that their dignity was fully recognized and respected.

4. Cuba had been the last country in Latin America to gain its independence from Spain. The United States had never accepted the desire of the Cuban people for sovereignty. The first Cuban Constitution had been amended to permit military interventions by the United States. When Cuba had achieved genuine independence in 1959, the United States had begun to pursue a warmongering policy. It had supported armed groups during the terrorist Bay of Pigs invasion with a view to achieving regime change. When that attempt had failed, United States President Ronald Reagan had invoked human rights to justify the embargo on Cuba. For many years the United States had brought political pressure to bear on States members of the United Nations Commission on Human Rights with a view to promoting unfair resolutions aimed at isolating Cuba. In addition, Cuba had been expelled, with the complicity of Latin American Governments, from the Organization of American States.

5. Many so-called human rights defenders who sought to bring down the democratically elected Cuban Government were on the payroll of the United States Government. Human Rights Watch, unfortunately, belonged to that group. It received funds to develop anti-Cuban projects and generated false information to discredit the authorities. The organization should therefore declare itself as a foreign agent representing the interests of a foreign Government. At the same time, allegations that genuine human rights defenders were subjected to any form of persecution or harassment or to arbitrary detention in Cuba were categorically untrue.

6. Ever since the overthrow of the military dictatorship in the 1950s, Cuban authorities had never resorted to extrajudicial killings, torture or ill-treatment, particularly in relation to persons with disabilities. When his right leg had been amputated below the knee following an accident, he had received a prosthetic leg and rehabilitation treatment free of charge. During the severe economic crisis in the 1990s, when virtually no petrol had been available in Cuba, the Cuban Association of Persons with Motor and Physical Disabilities (ACLIFIM) had provided persons with disabilities with 30 litres of petrol each month to enable them to travel to work.

7. **Ms. Ballesteros López** (Cuba), speaking as the President of the Cuban Association of Persons with Motor and Physical Disabilities (ACLIFIM), said that the three non-governmental organizations (NGOs) of persons with disabilities in Cuba were non-profit organizations with legal status that operated throughout the territory. They had been recognized under the Associations Act (No. 54) and were registered with the Ministry of Justice. Their mission consisted in defending the rights of persons with disabilities and establishing general and specific objectives relating to inclusion and the effective exercise

of their rights. The NGOs were entitled to lobby the State with respect to diverse needs and to request financial support, for instance for the acquisition of assistive devices for persons with disabilities.

8. The three organizations had developed a national strategy that clearly defined their objectives and programmes of action. It included action to protect the rights of women and young people with disabilities. Criteria were developed to assess the impact of each programme and to formulate plans for the future. The effectiveness of the national plan was assessed each month by more than 1,886 grass-roots organizations in the 16 provinces and 168 municipalities. An annual assessment of compliance with each criterion and indicator led to the development of short-, medium- and long-term plans to improve performance. The findings were submitted to the National Council to Support Persons with Disabilities with a view to securing support.

9. The NGOs raised and managed their own funds in the form of national and international donations and subsidies. They participated in the adoption of policy decisions and the elaboration of programmes designed to guarantee that persons with disabilities had access to the physical, social, economic and cultural environment and to health, education, information and communications. The State allocated resources to support the organizations' activities, while fully respecting their non-governmental status.

10. Persons with intellectual and psychosocial disabilities could play an active part in the organizations' activities. Her own organization, ACLIFIM, had 2,541 members with intellectual disabilities, including 1,322 women, as well as 315 children and 45 adults with Down syndrome. The NGOs shared their experience and lessons learned with local communities, and worked closely with governmental agencies to inform them of existing needs and requirements.

11. Thanks to the organizations' action, there had been a major increase in the participation of women with disabilities in all areas of social life. High priority was given to programmes to support decision-making by women with disabilities on where and with whom they lived and on their sexual and reproductive health rights. Three national education and training centres focused on enabling persons with disabilities to live an independent life, drawing their attention in particular to the constitutional guarantees of equal rights and opportunities for men and women. ACLIFIM had 1,702 members who lived outside a family environment owing to chronic illnesses and who were provided with continuous support, primarily by women involved in the organization's programmes.

12. A national programme for women with disabilities was implemented jointly by the three NGOs and the Federation of Cuban Women. Its primary objective was to achieve the inclusion and the economic and social empowerment of women with disabilities. According to ACLIFIM data, 4,273 of its 33,286 female members were currently employed in regular workplaces, 241 had been placed in specialized workshops pending their transfer to regular workplaces, 69 were domestic workers and 511 were self-employed. Furthermore, 8,699 women were university graduates, 2,789 women with severe disabilities received social security benefits, and 1,912 women were heads of household. In addition, 536 women athletes participated in the national and international Paralympics movements.

13. A training and awareness-raising programme to combat prejudice against women with disabilities was combined with action to support sex education, information concerning gender-related issues and measures to eliminate all forms of violence. No regulatory restrictions impeded the economic independence of women with disabilities. The country's legislation guaranteed their right to decent work and prohibited discrimination in terms of wages and benefits. Women with disabilities who were employed received support for their children and families, as well as guidance concerning the rights enshrined in the Charter of the United Nations, the Convention and the Cuban Constitution.

14. **Mr. Soler López** (Cuba) said that in 2018 the Attorney General's Office had received 129 complaints concerning the neglect or abandonment of persons with disabilities and violations of their rights. It had concluded that 33 per cent of the complaints were well founded and had ordered the offenders to provide compensation for the harm caused. New means of access to justice established in 2017 had enabled some 2,500 persons with

disabilities to file complaints through social media platforms or the website of the Attorney General's Office or by telephone.

15. The Code of Criminal Procedure and the Criminal Code had been amended to provide reasonable accommodation for persons with disabilities who were suspected of having committed an offence. Lawyers, as well as sign language interpreters where necessary, were appointed free of charge to assist such suspects. Training was provided for judicial and law enforcement officials in line with article 13 (2) of the Convention, and 37 prosecutors, judges and lawyers with disabilities were currently practising their professions in Cuba.

16. A commission composed of prosecutors, judges, representatives of the Ministry of the Interior and public health officials conducted an annual assessment of the conditions of persons with disabilities in places of detention. Consideration was given as to whether, taking into account the seriousness of the offence committed and the outcome of a medical examination, the detainee should be maintained in the prison system. In accordance with the Convention, persons with disabilities who remained in the system were provided with social and educational support for their reintegration into society, bearing in mind the duration of their sentence. Measures were also taken to guarantee optimum hygienic conditions.

17. The Attorney General's Office conducted regular inspections of places of detention to ensure that all regulations governing safety and medical care were respected. Notwithstanding the economic embargo, the authorities took vigorous action to ensure that the requisite conditions in such facilities were maintained and that specialized medical staff were available to attend to the needs of citizens deprived of their liberty. Persons with psychosocial disabilities could be declared dangerous by a court under an exceptional procedure in cases of extreme violence. Such declarations were based on a prior assessment by the competent forensic medical board, which specified the period for which such persons should be detained in specialized hospitals.

18. Major efforts were made to ensure that persons with disabilities in Cuba lived in a healthy environment conducive to the development of their self-esteem and the preservation of their dignity and autonomy. Promoting the advancement of persons with disabilities and ensuring that they made use of the country's specialized support centres were among the essential components of those efforts.

19. In the period under review, nearly 4,400 proceedings to deprive persons of their legal capacity had been instituted. There had also been slightly more than 2,500 guardianship proceedings and 104 for the termination of guardianship. Under Instruction No. 244 of the Governing Council of the People's Supreme Court, substitute decision-making had been replaced with the supported exercise of legal capacity.

20. Persons with disabilities had an equal right to own or inherit property, control their own financial affairs, have access to bank loans and not be arbitrarily deprived of their property. They also had the right to marry and to form families as they saw fit. Anyone who wished to adopt a child needed to be in full possession of his or her civil and political rights. There were public institutions for the care of children who had been abandoned or had been placed in State care for other reasons. No child with a disability was separated from his or her family, although some such children were placed in educational institutions with the consent of their parents or guardians. Care homes for children without families were designed to ensure that children felt at home in them.

21. **Ms. Triana Mederos** (Cuba) said that the rights of persons with disabilities were a topic included in all teacher training programmes. Persons with disabilities could study to become teachers; a disability was no obstacle in that regard.

22. **Mr. Quintanilla Román** (Cuba) said that combating violence against women and girls with disabilities was a government priority. Efforts to prevent violence had been so successful that building shelters for such women and girls had been deemed unnecessary; if the situation changed, however, the authorities would be willing to consider additional measures of protection such as the construction of shelters specifically for women and girls with disabilities.

23. There was no arbitrary detention of human rights defenders in Cuba, let alone defenders of the human rights of persons with disabilities. Defenders of the rights of persons with disabilities operated freely; three such defenders, in fact, were members of the delegation engaging in dialogue with the Committee. It was regrettable that persons who were acting as paid agents of a foreign Power in a bid to overturn the constitutional and legal order freely chosen by the people of Cuba had been portrayed as human rights defenders.

24. Freedom of movement in Cuba was total. Nothing prevented a Cuban from travelling where he or she liked. In 2018, Cuban nationals had made more than half a million trips abroad, or 20 per cent more than in 2017. The three organizations of and for persons with disabilities, which represented the majority of the country's persons with disabilities, enjoyed the full recognition and support of the State. The State did not refuse to allow the establishment of such organizations.

25. **The Chair** said that the delegation of Cuba should view the Committee as a partner and make an effort to answer the questions that had been posed by Committee members.

26. **Mr. Quintanilla Román** (Cuba) said that persons with psychosocial disabilities were declared a danger to society only after other options had been exhausted. The Government, prompted by a recommendation made by the Committee on the Rights of the Child, had begun raising awareness of the undesirability of corporal punishment. Consideration would be given to issues relating to corporal punishment as part of the process of amending the Family Code.

27. The thoroughness and inclusiveness with which the civil defence authorities had developed and carried out disaster risk reduction plans had helped ensure that the extreme weather events that Cuba had experienced in recent years had caused very few deaths. Shelters were accessible to persons with disabilities. Such persons also had access to the medical services and psychological support made available in the event of natural or other disasters. Public officials had been given training with a view to improving communication with deaf persons and thus ensuring that information on evacuation and other risk-mitigation plans was fully accessible. Cuban disaster risk reduction plans were in line with the Sendai Framework for Disaster Risk Reduction 2015–2030. More than 3,000 persons with disabilities and their families in the eastern Cuban municipalities of Santiago de Cuba, Guantánamo and Baracoa had benefited from the “Well-Prepared Cities” project 2015–2017, a risk-reduction project that had been developed with input from persons with disabilities and their representative organizations.

28. **Mr. Fernández Seco** (Cuba) said that there had been no recurrence of incidents such as the one nine years earlier in which patients in a psychiatric hospital had died. The persons responsible for the deaths had received prison sentences of up to 15 years. Those punishments, together with the steps that had been taken to prevent other such incidents, were a form of redress for the victims' families. The measures that had been taken to improve conditions in the country's psychiatric hospitals had included making audits and inspections more robust, making rooms more comfortable, offering comprehensive medical care, reviewing policies for the training and assignment of health workers, authorizing hospitals to serve as teaching centres, refining deinstitutionalization processes and putting in place a response plan for winter storm and other climate-related events.

29. Cuba had 19 psychiatric hospitals with a total of just under 5,000 beds. Patients were admitted to those hospitals, whose occupancy rate was 84.3 per cent, on medical grounds. There was a policy of reducing the number of long-stay beds in such hospitals and introducing assisted deinstitutionalization. There were approximately 1,200 psychiatrists in Cuba, including 345 child psychiatrists. Seven psychiatric hospitals had forensic psychiatry departments.

30. No medical procedures or experiments, including sterilization, could be performed without the patient's informed consent. Complaints in that regard could be submitted to the Ministry of Health or other institutions. Electroconvulsive therapy was offered only in specifically authorized hospital facilities and only in specific circumstances. Its use was declining and was not allowed in the case of children.

31. In 2018, all but 86 births in Cuba had taken place in medical facilities. All maternity hospitals had civil registry offices, and births were registered before the mother and child were discharged.

32. **Mr. Reyes Rodríguez** (Cuba) said that the suggestion that some births were not registered in Cuba in an attempt to make its infant mortality rates appear lower than they were was malicious. All births were registered.

33. **Ms. Machín Reyes** (Cuba) said that Cuba cooperated with such international NGOs as Humanity & Inclusion and CBM. The latter organization, in particular, had been cooperating with the Cuban authorities for more than twenty years. One project for which CBM had provided financial support, launched in 2014, had focused on the inclusion of persons with disabilities in the labour market. Had it not been for the strict embargo imposed on the country, the project could perhaps have been carried out without the assistance provided by CBM.

34. Cuba had a range of mechanisms to help persons with disabilities live independently. Older adults with disabilities who lived alone could benefit from personal assistance, for example. Mothers of children with disabilities who were not institutionalized were entitled to special benefits. The time they spent caring for such children counted towards the total time in employment that had to be accumulated in order to qualify for a pension. The parents or grandparents of children with disabilities were entitled to unpaid leave of up to three years. Those and other support mechanisms, such as community-based rehabilitation, the provision of reasonable accommodation by employers and grants to cover the cost of transport for medical care or other critical needs, were provided to persons with disabilities upon request; such measures were not imposed.

35. **Mr. Pedroso Cuesta** (Cuba) said that Cuba welcomed the opportunity to discuss its initial report with the Committee and to cooperate with the latter on efforts to improve the lives of persons with disabilities in Cuba. Nonetheless, the questions posed by Committee members suggested that short shrift had been given to the extensive participation of Cuban NGOs in the process of monitoring the implementation of the Convention. The delegation of Cuba included representatives of the major Cuban organizations of and for persons with disabilities. Their participation in the process, and that of others, had been in part the result of an appeal by the United Nations to have NGOs represented in government delegations.

36. Some questions also seemed to reflect Committee members' unfamiliarity with Cuba. Members should consider consulting national NGOs and the materials they produced. Their familiarity with the situation on the ground was unsurpassed.

37. The country's Human Development Index value was high. That could not have been the case if Cuba had not made efforts to promote the rights of persons with disabilities. Children in Cuba were in school or other institutions, not on the streets. Cubans were proud of what they had achieved despite living under a crushing embargo, the effects of which could not be understood by anyone who had not lived in Cuba.

38. **The Chair** said that the Committee wished only to interact with the delegation of the State party with a view to understanding the challenges that Cuba faced.

Articles 21–33

39. **Ms. Fefoame** said that she wished to know what measures were being taken to grant official recognition to Cuban Sign Language and Braille and to ensure that information in accessible formats was disseminated to meet the needs of persons with different types of disability at no extra cost to those persons. She wondered what was being done to eliminate all restrictions on the right of persons with disabilities, particularly intellectual or psychosocial disabilities, to marry and to found a family on the basis of free and full consent of the intending spouses. The Committee wished to know what measures were in place to ensure access to information on family planning and education for persons with different types of disability, what forms of reasonable accommodation were made to ensure access to quality education for persons with disabilities and whether deaf persons studying at the tertiary level received the support that they required. Lastly, she asked how many support teachers were employed in mainstream schools.

40. **Ms. Utami** said that she wished to know whether any programmes had been established that provided for free sexual and reproductive health services, including services targeting women and girls with disabilities. It would be interesting to know what was meant by the term “genetic support” (*acompañamiento genético*), which appeared in the State party’s replies to the list of issues (CRPD/C/CUB/Q/1/Add.1, para. 105), and what measures were being taken to ensure that a rights-based approach to disability was taken in health-care policies and services. She wondered what was being done to promote the right of persons with disabilities to form and join organizations that lobbied for their interests at all levels.

41. **Ms. Kim Mi Yeon** said that she would welcome information on social policies aimed at supporting persons with disabilities, particularly those related to the family and parenthood. She asked whether parents with disabilities were provided with information on the care and upbringing of children, responsible parenthood and relationships and, if so, what form that information took. The Committee would also be grateful for information on the Government’s plans to update the Family Code in the light of the right of persons with disabilities to marry and found a family.

42. **Mr. Alsaif** said that he would welcome information on any measures taken to prevent children with disabilities from being separated from their families and placed in institutions. It would be interesting to know whether support, including in the form of assistive devices, was provided to families that included a member with a disability. The Committee would be interested to hear about national plans, developed in collaboration with persons with disabilities, relating to the implementation of the 2030 Agenda for Sustainable Development. Lastly, he would welcome information on any independent focal points or mechanisms established in line with the Paris Principles to monitor the implementation of the Convention.

43. **Mr. Ishikawa** said that he wished to know whether web accessibility standards had been made legally binding and, if so, whether those standards applied to administrative services in the areas of transport, education, media, health care and other areas. It would be interesting to learn whether the Government, in considering whether to ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, had sought the views of such persons and, if so, what accessibility needs they had identified. Lastly, he asked whether persons with disabilities, including intellectual or psychosocial disabilities, were able to establish State-recognized associations that took part in monitoring and consultation processes.

44. **Ms. Kayess**, addressing the question of the numbers of men and women with disabilities in the State party, said that she would welcome an explanation of the large discrepancy between the figures cited in the State party’s opening statement and the figures registered by the health services and cited in the replies to the list of issues (CRPD/C/CUB/Q/1/Add.1, para. 6). In particular, it would be interesting to learn why relatively few women with disabilities had been registered by the health services. She would like to know whether individuals were required to have a particular status in order to be recognized as a person with a disability, whether non-recognized persons had access to services and support intended for persons with disabilities and, if not, what impact that situation had on the living conditions of such persons, particularly women and girls with disabilities. The Committee would welcome information on the nature of the “psychoeducational centres” mentioned in the replies to the list of issues (CRPD/C/CUB/Q/1/Add.1, para. 35). How did such centres relate to the right of children with disabilities to enjoy an inclusive education in a mainstream school?

45. **Mr. Lovász** said that he would welcome information on the services provided to ensure that students with disabilities had access to higher education and on whether the list of available services, including technical devices, was regularly updated. It would be interesting to learn how the Government and its agencies measured the needs of children and whether children were provided with tools to support their learning. The Committee would be grateful for data, broken down by disability and gender, on the provision of devices and tools. As the Convention provided for a rights-based approach to disability, he wished to know whether persons with disabilities were entitled to any special financial or in-kind support to compensate for the costs of disability.

46. **Ms. Gabrilli** said that she wished to know how the State party managed to maintain the quality and integrity of its rehabilitation services when it was unable to import assistive technologies and rehabilitation equipment. She wondered what measures the State party had adopted to guarantee the social dimension of rehabilitation and enhance the equality and inclusion of persons with disabilities.

47. **Mr. Rebrov** said that he wished to know whether deaf athletes from Cuba were able to participate in the Deaflympics, what measures were taken to enable children with disabilities to participate in sports and how the State party ensured access to cultural and sports facilities for persons with disabilities.

48. **Mr. Buntan** said that it would be interesting to learn what measures were taken to promote and protect the right of persons with disabilities, including persons with restricted legal capacity, intellectual disabilities or psychosocial disabilities, to participate fully in political and public life, including by voting in elections, holding political office and working in the public sector.

The meeting was suspended at 11.50 a.m. and resumed at 12.10 p.m.

49. **Mr. Marzo Peña** (Cuba), speaking as the President of the National Association of Deaf Persons, said that although Cuban Sign Language was not officially recognized in law, it was recognized as an alternative language for the teaching of deaf children and adolescents. A centre for the teaching of sign language had been established and experts were carrying out research in that field. Researchers, in conjunction with universities and specialist institutions, were laying the groundwork for the future recognition of Cuban Sign Language. The Government and NGOs enjoyed a good working relationship; they were neither too closely related nor too distant from one another. The Government provided funds to enable Cuban athletes to participate in all forms of the Olympic Games, including the Deaflympics.

50. **Mr. Cala Ledesma** (Cuba), speaking as the President of the National Association of Blind and Visually Impaired Persons, said that Braille was taught to blind persons and was used by them at all levels of education and in the workforce. The National Association of Blind and Visually Impaired Persons, in accordance with the policies developed by the World Braille Council and the Latin American Union of the Blind, made efforts to promote the use of Braille in the face of the threat posed to it by the emergence of new information and communication technologies.

51. In accordance with Act No. 14 of 1977 (Copyright Act), a national action plan had been drawn up to promote the production and distribution of texts in accessible formats, including Braille, digital and audio formats. Cuba had participated in subregional workshops on accessible formats organized by the World Intellectual Property Organization. For the last seven years, his Association had distributed free texts in accessible formats through the stand that it managed at the Havana International Book Fair. Texts in accessible formats were also available for borrowing or consultation at the Association's library and at special sections of the José Martí National Library and all public libraries in the country.

52. Although regulations on the accessibility of information had been established, it would be necessary to adopt new legislation in response to the emergence of international standards on the accessibility of information and communication technologies. The Association was working in conjunction with the Ministry of Communications to ensure that digital television programmes would be accessible to persons with visual impairments. Efforts were also being made to ensure the accessibility of online government platforms and e-commerce services.

53. **Ms. Machín Reyes** (Cuba) said that the Government allocated budgetary funds to a social support scheme that provided payments, services and material resources to over 350,000 persons with disabilities. Other forms of support, including home assistance and transport to and from medical facilities, were also provided to persons with disabilities.

54. **Mr. Soler López** (Cuba) said that, under the Family Code, all persons of marriageable age had an equal right to marry, found a family and decide freely and responsibly on the number and spacing of their children. The recommendations arising

from the constructive dialogue with the Committee would be taken into account when the Government reviewed the Family Code.

55. **Mr. Fernández Seco** (Cuba) said that the health system and the education system complemented each other. In that regard, specialists who had been trained in the latter were sometimes employed in the former. Psychoeducational centres enabled children and adolescents to develop the skills they needed in order to become independent and enter the workplace. Only 2 per cent of persons with intellectual disabilities were in health-care institutions. All persons with disabilities had the right to decide on questions relating to family planning and contraception. Persons with disabilities who decided to start a family had access to maternal and child health services and could avail themselves of genetic counselling services if they so wished.

56. **Ms. Triana Mederos** (Cuba) said that almost 12,000 specialist support teachers, including over 1,600 speech therapists, provided support to pupils with disabilities, their families and teachers. Pupils with disabilities were provided with furniture adapted to their needs and a number of other accommodations designed to facilitate their learning.

57. **Mr. Quintanilla Román** (Cuba) said that nobody was prevented from setting up a new organization of persons with disabilities in Cuba. Those who wished to do so had to go through the appropriate legal channels to obtain official recognition, which would entitle the organization to participate fully in public life. In 2016, an outline of the national plan for economic and social development up to 2030 had been approved at the highest level as part of the country's efforts to fulfil the Sustainable Development Goals. The plan included measures to protect persons with disabilities from discrimination and to raise awareness of the need to involve those persons in the country's development. Organizations of persons with disabilities had had the opportunity to participate in the approval process and to give their opinions on the measures set forth in the plan. State institutions and civil society, including the three organizations of persons with disabilities, participated in a working group chaired by the Attorney General's Office to monitor the Government's actions concerning persons with disabilities and their rights.

58. Persons with disabilities had the right to hold elective office; the fact that one member of the People's National Assembly was a person with a disability served as a good example. Such persons also held official positions at the provincial and municipal levels. Only those persons with severe psychosocial disabilities that prevented them from understanding the implications of their actions were not permitted to run for public office, on the grounds of health considerations. The opinions of persons with disabilities had been taken into account during the recent consultation process for the approval of the new Constitution; that demonstrated the active role that they played in the political life of the country.

59. **Mr. Reyes Rodríguez** (Cuba) said that the State went to great lengths to provide persons with disabilities with human and material assistance. Quality medical care was available free of charge to all people in all parts of the country, and persons with disabilities and their families received additional support tailored to their individual needs. Funds had been allocated to train sign language interpreters and provide materials to improve accessibility for persons who were blind or had visual impairments. Nevertheless, the embargo imposed severe restrictions on the material support that could be provided, since it forced the Government to purchase equipment, such as Braille keyboards, at uncompetitive prices from distant markets. The country's three organizations of persons with disabilities, which worked in all areas of the country and represented the vast majority of persons with disabilities in Cuba, had a far greater influence on government policy than a large number of organizations with less focused aims would have had. That did not, however, preclude the establishment of new organizations to defend the interests of other groups, including persons with psychosocial disabilities.

60. The dialogue with the Committee and the resulting recommendations would serve as the basis for meeting both current and future challenges in terms of upholding the rights of persons with disabilities. The new Constitution strengthened the human rights-based approach to disability and ensured that the needs of persons with disabilities would be better taken into account. The Government would continue to enhance accessibility and to

encourage the adoption of reasonable accommodation measures in diverse areas of society, such as justice, health, education, sport and culture. Organizations of persons with disabilities would continue to receive support from the Government to enable them to play a key role in the country's development.

61. **Ms. Gamio Ríos** (Country Rapporteur), thanking the delegation members for their responses, said that the Committee had considered information from a wide range of sources in order to gain an understanding of the situation in Cuba. She was concerned about the fact that the civil society organizations represented on the delegation did not appear to be independent and that the Attorney General's Office was not an independent mechanism capable of holding the Government to account. The Committee's general comment No. 7 (2018) provided invaluable guidance on the importance of ensuring the participation of a variety of organizations of persons with disabilities.

62. The Convention could not be fully implemented in Cuba owing to the fact that it had not been incorporated into national law. A review of the State party's legal framework was necessary to ensure that the rights of all persons with disabilities were upheld both in law and in practice. The introduction of a law on the rights of persons with disabilities, the establishment of a national human rights institution and ratification of the Marrakesh Treaty would assist the State party in implementing and enforcing the Convention. Eliminating the concept of guardianship was essential in order to guarantee the equal treatment of persons with disabilities before the law. All policies, plans and programmes should be developed through a human rights-based, rather than a medical, approach to disability.

63. **Mr. Babu** (Country Rapporteur) said that he wished to thank the delegation for the sincere and constructive dialogue. The Committee recognized the challenges that Cuba and other developing countries across the world faced owing to a lack of resources. That did not mean, however, that such countries were unable to take action to protect the rights of persons with disabilities. The lack of inclusion of such persons often perpetuated stereotypes and negative attitudes regarding their abilities and potential. Appropriate strategies and measures were therefore required in order to overcome those perceptions and alleviate the hardships that persons with disabilities endured in their daily lives. One of the most cost-effective measures was to raise public awareness in order to change the way that disability and persons with disabilities were perceived in society.

64. **Mr. Reyes Rodríguez** (Cuba) said that the Committee should exercise caution when calling into question the independence of other organizations, given that the Committee members themselves had been nominated by the Governments of their respective States.

65. **The Chair**, thanking the delegation for the constructive dialogue, said he hoped that the Committee's recommendations would assist the State party in implementing the Convention.

The meeting rose at 1.05 p.m.