



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

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Item 4 of the provisional agenda

**Consideration of reports submitted by States parties
under article 18 of the Convention on the Elimination
of All Forms of Discrimination against Women**

**Replies of Cuba to the list of issues and questions in relation
to its ninth periodic report***

[Date received: 6 October 2023]

* The present document is being issued without formal editing.



Reply to question 1

1. The National Programme for the Advancement of Women,¹ which serves as the agenda of the Government of Cuba for the development of policies that support women and gender equality in the country, is aimed at strengthening mechanisms and professional capacity for incorporating gender issues in the design and implementation of policies and programmes, as well as in service delivery.
2. The Programme is consistent with the country's National Economic and Social Development Plan 2030.
3. The focus of the country's education and training system has been on the following issues:
 - Carrying out educational and awareness-raising activities to address gender issues in the media
 - Strengthening social work with communities and families
 - Strengthening, inter alia, the participation of men in caregiving activities, shared responsibility, the prevention of various forms of gender-based and domestic violence, and respect for diversity
 - Providing training on new legal provisions, the Convention on the Elimination of All Forms of Discrimination against Women, the Committee's general recommendations and its concluding observations on Cuba of 2013.
4. The most noteworthy outcomes include:
 - The mainstreaming of a gender perspective in the legislative framework, in a cross-cutting manner
 - The strengthening of education and training in using inclusive language in legal regulations in Cuba
 - The inclusion of all segments of society in specialized consultations on draft legislation
 - The consideration of relevant international standards, including the general recommendations of the treaty bodies; the concluding observations in response to the reports of Cuba; and obligations under international instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women
 - The conclusion of a collaboration agreement between the Ministry of Justice and the Federation of Cuban Women on the joint organization and implementation of training for specialists and legal practitioners, and the provision of specialized advice on various topics.
5. In 2022, the Office of the Attorney General, at various levels, carried out 1,709 training activities related to gender equality and the empowerment of women.
6. By June 2023, the Office of the Attorney General will have undertaken 1,501 training activities, including 13 related to the protection of the rights of women in detention.
7. As of the end of July 2023, 179 professionals of the Office of the Attorney General were enrolled in postgraduate training programmes. Of those, 76 per cent were women, of whom 58 per cent held managerial positions.

¹ Adopted by Presidential Decree No. 198/2021.

8. The Office of the Attorney General, together with the National Union of Jurists of Cuba and the country's legal institutions at the provincial and municipal levels, have taken steps to enhance the legal literacy of women, their knowledge of their rights and how to exercise them, linking national legislation to the provisions of the Convention and other international instruments.

9. With the support of the Office of the Attorney General, the Ministry of Justice, the United Nations Population Fund and the country's legal institutions, the National Union of Jurists of Cuba produced a theoretical and practical guide on applying a gender-sensitive approach and preventing violence in the legal sphere.² It has been distributed to legal institutions and to law schools at universities in the country.

Reply to question 2

10. Article 72 of the Constitution of the Republic of Cuba establishes that all people have a right to public health. It is the responsibility of the State to ensure access to free, high-quality care, protection and recovery services, at all levels.

11. The strategies, protocols and public policies implemented to contend with coronavirus disease (COVID-19) prevented setbacks in the protection and promotion of the rights of women in Cuba.

12. The measures included wage protection for working women. For the first month, 100 per cent of salaries was guaranteed; thereafter, 60 per cent of the basic monthly salary was covered. Remote work and telecommuting arrangements were implemented in order to ensure that people could access and remain in employment.

13. A helpline (103) was set up in order to address gender-based violence. In 2022, a total of 6,732 calls were received. The main issues addressed were addiction control (72 per cent), mental health (19 per cent) and violence (9 per cent).

14. During the pandemic, the important role of women in the advancement of science, technology and innovation in the country became evident. For example:

- The science team established to tackle COVID-19 and its innovation committee were coordinated by a woman, with women making up 59 per cent and 67 per cent of their members, respectively.
- Of those coordinating national research projects and clinical trials, 61.8 per cent were women.
- The coordination work for the development of Cuban COVID-19 vaccines and vaccine candidates was mostly undertaken by women.

15. These points reflect the high level of representation of women in science in the country. Furthermore, 91.2 per cent of science and innovation officials in the Ministry of Health are women, and 71.8 per cent of the science and technological innovation departments of the medical sciences universities are headed by women.

16. Since the COVID-19 pandemic was declared, Cuba has supported efforts to address the pandemic in 42 countries and territories, where 58 specialist Cuban Henry Reeve medical brigades have been deployed. Cuba has more than 13,000 women health-care professionals on international missions, representing more than 58.5 per cent of the total number.

² <https://cuba.unfpa.org/es/publications/gu%C3%ADa-te%C3%B3rico-pr%C3%A1ctica-de-aplicaci%C3%B3n-del-enfoque-de-g%C3%A9nero-y-prevenci%C3%B3n-de-la-violencia>.

Reply to question 3

17. With regard to Security Council resolution [1325 \(2000\)](#) and other subsequent resolutions, Cuba reiterates that the consideration of human rights issues corresponds solely to the United Nations bodies with mandates established for that purpose. Cuba reaffirms its rejection of the interference by the Security Council, a non-transparent organ with limited membership in which few countries have veto power, in matters outside its mandate.

Reply to question 4 (a), (b) and (c)

18. The progress made in meeting the legislative timetable has made it possible to strengthen the gender perspective and the recognition of equality and non-discrimination; adopt broad definitions that recognize the special protection of women and all persons in vulnerable situations; and identify the determining factors of discriminatory acts with a view to eliminating them.

19. Article 42 of the Constitution clearly states that: “All persons shall be equal before the law, shall receive the same protection and treatment from the authorities and shall enjoy the same rights, freedoms and opportunities, without discrimination of any kind on grounds of sex, gender, sexual orientation, gender identity, age, ethnic origin, skin colour, religious belief, disability, national or regional origin, or any other personal condition or circumstance that implies a distinction detrimental to human dignity.”

20. All persons have the right to enjoy the same public spaces and service establishments. They also receive equal pay for equal work, without discrimination.

21. The violation of the principle of equality is prohibited and is punishable by law.

22. Article 12 of the Family Code, Act No. 156/2022, defines discrimination in family life as “any act or omission that has the intention or effect of excluding, limiting or marginalizing on the grounds of sex, gender, sexual orientation, gender identity, age, ethnic origin, skin colour, religious belief, disability, national or regional origin, or any other personal condition or circumstance that implies a distinction detrimental to human dignity”.

23. The Criminal Code, Act No. 151/2022, includes a chapter (VIII) entitled “Offences against the right to equality”, to address all forms of discrimination or differentiation that might impair human dignity. It allows for aggravated offences where discriminatory motives are involved in the commission of an act.

24. Amendments to the punitive framework provide for the protection of women from violence and discrimination; these include additional penalties, appropriate penalties and mitigating and aggravating factors of criminal liability in relation to a large number of offences.

25. The National Programme for the Advancement of Women promotes actions to better ensure that efforts to prevent and eliminate discrimination against women are comprehensive and effective, particularly with respect to area 5, “Legislation and law: regulatory framework and protection systems against all forms of discrimination and violence”.

26. Monitoring, evaluation and control actions are informed by the checks carried out by the Committee for Youth, Children and Women’s Equal Rights of the National Assembly of People’s Power.

27. Progress is being made towards the total elimination of discriminatory concepts in legislation.

28. Regulatory processes include expert-level consultations on draft legislation, with the participation of institutions and civil society organizations. Public consultation is carried out through the National Assembly website or through broader discussions with communities, as was the case for the draft Family Code.

29. The Federation of Cuban Women is part of the working groups for the development of legal standards and participates in specialized consultations on draft texts.

Reply to question 4 (d)

30. Act No. 153/2022, on the amparo procedure for the protection of constitutional rights, establishes the process for the courts to hear cases of violation of the rights enshrined in the Constitution.

31. Article 2 of that Act provides that, in the resolution of conflicts arising from the violation of constitutional rights, legal provisions should be interpreted in a way that most favours the individual and respect for human dignity, in keeping with the values and principles enshrined in the Constitution, especially those of progressiveness, equality and non-discrimination, in order to guarantee the effective judicial protection of rights, without prejudice to the rights of other persons, collective safety, general well-being, respect for public order, the Constitution, international treaties in force for the Republic of Cuba and the law.

32. As of May 2023, no urgent applications for protection on the grounds of discrimination had been filed.

Reply to question 5 (a)

33. In March 2021, the gender committee of the country's court system was established as an advisory body to promote an organizational culture that mainstreams a gender perspective and that provides judicial services free of gender-based discrimination.³

34. In 2022, the strategy to mainstream gender and prevent and provide assistance in relation to gender-based violence in the delivery of justice (2022–2030) was adopted to guide, promote and enhance, at all levels, the equal rights of women and men from a gender perspective in the Cuban judicial system.⁴

35. This strategy applies to institutional and procedural communications, human resources development, scientific research, the delivery of justice, prevention and social support services, data collection and production, and evaluation and follow-up.

Reply to question 5 (b)

36. Following the adoption of the National Programme for the Advancement of Women in 2021, a government commission, chaired by the Deputy Prime Minister of Cuba, Inés María Chapman, was set up to coordinate, implement and monitor the Programme and the recommendations of the relevant treaty bodies. The Federation of

³ Agreement No. 78, of 25 March 2021, of the Governing Council of the People's Supreme Court.

⁴ Agreement No. 347 of 16 March 2022.

Cuban Women, as the national mechanism, is responsible for coordinating the work of the commission.

37. The National Statistics and Information Office, as a standing member of the commission, coordinates the development of specific indicators and the disaggregation of statistics and information at all levels.

38. In line with measure 6 of area 7 of the Programme, the Cuba Gender Equality Monitoring Centre was launched. It covers 27 gender-sensitive indicators disaggregated by sex, age, skin colour, geographic area, province of residence and disability status.⁵

39. The establishment of the Monitoring Centre makes it possible to track whether a gender perspective is being applied correctly in the development of indicators and the collection of statistics, and to carry out comprehensive quantitative and qualitative analyses on equality-related matters so as to contribute to the adoption of gender-sensitive public policies.

Reply to question 5 (c)

40. The process of legal reform in Cuba has led to the introduction of broad rights and guarantees for victims, with a focus on support, assistance, protection and full reparation.

41. Through Agreement No. 9231, in 2021 the Council of Ministers approved the comprehensive strategy for the preventing and responding to gender-based and family violence. The strategy has 10 components and involves a range of actors at local and community levels.

42. The strategy includes, among its cross-cutting themes, a human rights-based approach and the concept of victims as key participants in relevant processes.

43. The legal reform and the Family Code introduce emergency protections that enable immediate action to be taken to protect victims.

44. Precautionary measures to support victims have been introduced. These measures include the immediate protection of person and property; compulsory attendance in educational or therapeutic programmes; psychological or psychiatric treatment, if required; and restraining orders.

45. The Criminal Procedure Act, Act No. 143/2021, introduces forms of protection, which include the participation of victims as a party, with the right to represent themselves independent of the prosecutor, and the option to appear as a party assisting the Office of the Attorney-General.

Reply to question 5 (d)

46. The adoption of the Procedural Code and the Administrative Procedure Act has strengthened the foundation for guaranteeing legal assistance to women without sufficient means or who are victims of violence.

47. The National Organization of Collective Law Firms is a non-governmental organization that brings together the country's lawyers, who provide legal assistance to all persons who request it.

⁵ <https://www.genero.onei.gob.cu/>.

48. Fees for services are waived or reduced by up to 50 per cent when there is evidence of a lack of or insufficient personal income and for victims of gender-based violence.

49. In June 2023, the National Ombudsman's Office was established to protect, uphold and restore the rights of children and adolescents; persons with disabilities; older persons, and victims of discrimination or violence; and any other vulnerable person in civil, family, labour or commercial settings.⁶

50. The aim of the National Ombudsman's Office is to equip institutions in the national justice system with the tools necessary to provide the greatest possible legal certainty to all citizens and to ensure that the legal powers and provisions under national laws on defending and guaranteeing the free exercise of rights are legally consistent and that there is zero tolerance of any form of discrimination.

Reply to question 5 (e)

51. The Office of the Attorney General has a system for providing legal guidance and receiving complaints or requests concerning rights violations. It is made up of 10 support channels, including a 24-hour central telephone helpline.

52. The in-person channel is the most used, accounting for 76 per cent of cases. This option is offered at the central Office of the Attorney General, at its offices in each of the 168 municipalities and at its 15 provincial offices.

53. Victims are provided, with full confidentiality and privacy, with information on issues related to their cases, and their complaints about procedural decisions or the quality of the investigation are received and processed. This enables dialogue, the review of criminal proceedings and personal responses.

54. Personal responses to complainants are an indicator of quality, with 98 per cent receiving such a response.

55. Where necessary, cases are referred to specialized medical, psychological, educational, economic or other services.

56. In the 2021–2022 period and up to the end of July 2023, 223,554 people, including 78,605 women (35 per cent), received assistance through the Office of the Attorney General's support system.

57. A total of 38,756 complaints were filed. Of these, 14,147, or 37 per cent, were filed by women.

58. Some 1,485 of the complaints on issues related to gender-based and family violence were filed by women.

59. Such cases are handled by specialized prosecutors.

60. The most common complaints of gender-based violence refer to psychological violence (35 per cent), physical violence (22 per cent) and economic violence (8 per cent).

61. The main issues raised include:

- Violation of individual rights, physical and moral integrity, personal privacy and enjoyment of property
- Physical, verbal and psychological abuse

⁶ Agreement No. 9571, of 10 May 2023, of the Council of Ministers of the Republic of Cuba.

- Economic violence associated with child support and refusal to surrender marital assets
- Failure to provide benefits to women in detention.

62. The Office of the Attorney General referred 443 cases to different bodies for specialized attention. To date, 83 per cent have been dealt with, in accordance with the established terms.

63. The Office of the Attorney General has set up 172 guidance offices, composed of 987 professionals from different specialties (psychology, educational psychology, law, health, internal security and social work), to protect and provide guidance, care and support to victims of violence.

64. A total of 1,132 people, or 935 women and 197 men, have received assistance at the guidance offices and at women's and family counselling centres.

Reply to question 5 (f)

65. In Cuba access to justice is a constitutionally recognized right for all persons, who are equal before the law. They receive the same protection and treatment and enjoy the same rights, freedoms and opportunities, without discrimination of any kind that would entail differentiation that might impair human dignity.

66. The country's court system has a strategy for gender mainstreaming and for preventing and responding to gender-based violence in the delivery of justice (2022–2030).

67. The Office of the Attorney General is working on a protocol for the processing of matters related to any form of discrimination. The Ministry of the Interior and the People's Supreme Court have protocols for dealing with such matters.

68. In 2022, the Office of the Attorney General implemented 1,923 communication activities to prevent and address gender-based violence and provide related support. Such activities include media outreach, educational talks and interaction with agencies and institutions; 975 outreach and guidance activities on the radio, 65 on television and 16 in the printed press; and 85 written works, articles and communication aids in the "Mujeres" ("Women")⁷ and "Muchacha" ("Girl") magazines.

69. As part of 153 prevention groups established at the People's Council level, support and guidance have been provided to more than 16,367 people, in particular vulnerable women, children and adolescents, and young people who are out of work and school.

70. In total, 14,382 young people, 8,758 of whom are women, have been brought into the job market. More than 300 young people have signed up for the training programmes offered at women's and family counselling centres.

71. Moreover, 810 community workshop centres have been created, providing support to more than 30,000 people, mainly young people who are out of work and school, single mothers with more than two children, women in situations of violence and older persons.

⁷ <https://www.mujeres.cu/>.

Reply to question 6 (a)

72. The Federation of Cuban Women is a civil society organization that has a broad membership and is structured at all levels.⁸ It is recognized by the Government as the national machinery for the advancement of women.

73. The Federation is a leading advocate for the rights of women and provides support with regard to gender-related issues throughout the country. It is a fundamental reference for the Government in the design of policies, programmes and laws for the advancement of women and gender equality.

74. It is responsible for ensuring compliance with the National Programme for the Advancement of Women and leads, together with representatives of the Council of Ministers, the working group for such compliance.

75. It is entitled to put forward legislative initiatives and has a think tank that carries out research for the design, implementation and evaluation of public policies.

76. It is part of the Council of State of the Republic of Cuba and, as a consultative party in the approval of laws and regulations, it is granted broad powers to promote the advancement of the rights of women in the country.

Reply to question 6 (b) and (c)

77. In Cuba, the participation of civil society organizations in the design, development, approval and implementation of public policies and programmes, as well as discussion thereon, is ensured.

78. For example, the National Union of Jurists of Cuba is carrying out a project on justice from a gender perspective, which has provincial coordinating offices and interacts with the Federation of Cuban Women, other organizations and legal institutions.

79. Particularly noteworthy is the work carried out by the gender group of the National Union of Writers and Artists of Cuba, the gender group of the Union of Journalists and Writers of Cuba and the Centro Oscar Arnulfo Romero (Oscar Arnulfo Romero Centre).

Reply to question 7

80. There is no single model for the establishment of national human rights institutions. Cuba will continue to focus on ensuring that, irrespective of the form that they take, such mechanisms contribute to the maintenance and expansion of protections aimed at ensuring citizens' enjoyment of all their human rights.

81. Cuba has an extensive and participatory inter-institutional system for receiving, processing and responding to reports and complaints of any violation of citizens' rights.

82. There have been positive results from the use of the different channels for handling complaints and grievances and for seeking legal guidance. Information is provided in the responses to question 5 (d) and (e).

⁸ It has more than 4 million members, organized in 82,025 grass-roots organizations in urban and rural areas, representing 91.15 per cent of the female population of Cuba over 14 years of age.

83. Cuba will continue to implement these mechanisms as long as they continue to deliver effective results in the country, as mentioned above.

Reply to question 8

84. Cuba categorically rejects and denies the allegations referred to by the Committee on this matter. There is no evidence or proof to support them. The allegations are false and totally out of touch with the reality of the country.

85. Because of their broad membership, representative nature, legitimacy and capacity to mobilize, civil society organizations in Cuba participate directly in the design and implementation of public policies. They have wide-ranging powers and are qualified to put forward proposals, advise and make decisions.

86. There is ever greater coordination and collaboration between government agencies and civil society associations in pursuit of increased protection for human rights.

Reply to question 9

87. In Cuba, the implementation of the National Programme for the Advancement of Women, the comprehensive strategy for preventing and responding to gender-based and family violence and the very existence of the Federation of Cuban Women enable the acceleration of integration processes, gender equality and the empowerment of women in all segments of society.

88. Employment policies that directly benefit women have been implemented to ensure that they can access paid work. Women make up 39 per cent of the total number of employed persons in the labour market. Within the civilian government service, they account for 48.1 per cent.

89. In 2022, a training and development programme was created for young people who are out of work and school, with priority given to vulnerable women, in particular in rural areas. A total of 8,956 young women have joined the programme.

90. Capacities have consistently been enhanced at childcare centres so as to foster the participation of women in the labour market, as well as their economic empowerment. In addition, 145 workplace crèches have been established.⁹

91. Fees for childcare centre and semi-boarding school services are reduced by 50 per cent for mothers with two children, and fees are waived as of the third child. Mothers who have had multiple births of more than two children are exempt from payment.

92. In the 2022/23 school year, 8,226 mothers with two or more children have benefited. Special attention is paid to mothers with disabilities.

93. Agreement No. 9009 of the Council of Ministers was updated and put into force in May 2021 to provide housing solutions for mothers of three or more children in need of housing or resources for construction activities.

94. Women spend a greater proportion of their daily time on domestic and care work than men (21.28 per cent for women compared with 12.51 per cent for men). These amounts increase by two percentage points for women in rural areas compared with women in urban areas.

⁹ Workplace crèches are early childhood educational centres located in entities that have the economic and material capacity to ensure their sustainability.

95. As part of a major programme on human development, equity and social justice under the National Economic and Social Development Plan 2030, the Decent Work Programme is being implemented to contribute to the equitable distribution of work within families and society.

96. The National Network for Care Studies is currently working on a proposal for a national care system.

Reply to question 10 (a) and (b)

97. Information on this topic can be found in the response to question 1.

98. As of the end of 2022, an average of about 173 television programmes related to gender equality and the empowerment of women were broadcast annually. Of these programmes, 57 were on national channels and 116 on regional channels. Radio broadcasts included 471 programmes on these topics.

99. Subjects include gender equity and inclusion, discrimination against women, regulations that protect equality rights and prohibit discrimination on any grounds, sexuality education for children and adolescents, the elimination of patriarchal stereotypes and responsible fatherhood.

100. At the Institute of Information and Social Communication, 56.31 per cent of the employees are women.¹⁰

101. From 2020 to July 2023, the Office of the Attorney General carried out 2,051 communication activities to raise awareness of issues related to the rights of women, discrimination, gender-based and family violence, the provisions of international instruments, the Committee's general recommendations, reports submitted by Cuba to the treaty bodies and the concluding observations derived from these exercises.

102. With the support of the United Nations Development Programme, an awareness-raising campaign, entitled "End gender stereotypes, break the mould", is being carried out to strengthen capacities to identify and remain aware of gender stereotypes related to machismo, discrimination and gender-based violence.

Reply to question 11 (a)

103. The comprehensive strategy for preventing and responding to gender-based and family violence, in addition to its regulatory focus, covers communication, education, statistics and research aspects, as well as protection, support and recovery of victims.

104. One of its initiatives includes the design of a higher-level law against gender-based violence.

Reply to question 11 (b)

105. Criminal law makes special provision for preventing and tackling gender-based and family violence, in accordance with constitutional principles and the National Programme for the Advancement of Women.¹¹

¹⁰ On the radio: 65.03 per cent; on television: 54.23 per cent; and in companies: 43.07 per cent.

¹¹ Articles 344 (d) and 345 of the Criminal Code.

106. Specific modalities have been included in 36 criminal offences, with aggravated penalties when a crime involves gender-based or family violence, or discriminatory grounds of any kind.

Reply to question 11 (c)

107. Under title XII, on criminal offences against life and bodily integrity, chapter II, on murder, of the Criminal Code, article 345.2 states that any person who kills a woman as a result of gender-based violence will be punished.

108. In 2022, gender-based violence was found to be a factor in 18 offences tried by the courts involving the intentional death of women.

109. This accounts for approximately 16 per cent of all convicted persons. The victims were 10 ex-wives, six wives and two non-partners.

110. Among the victims, 1 was between 18 and 19 years of age, 13 were between 20 and 44, 2 were between 45 and 59, and 2 were over 60. Of these, 11 were white, 4 were multiracial and 3 were black. None had disabilities.

111. Those responsible were sentenced to more than 25 years' imprisonment and, in some cases, life imprisonment.

Reply to question 12 (a)

112. In Cuba, activities aimed at preventing gender-based violence against women and girls in institutions are being strengthened.

113. As part of the activities envisaged in the comprehensive strategy, ministries and agencies have developed institutional protocols for preventing and responding to violence, using a methodology prepared by the Federation of Cuban Women and its expert advisory group.

114. The Ministry of Health is implementing its strategy for preventing and responding to gender-based violence and violence in family and institutional settings for the period 2022–2030. The strategy is structured around eight components aimed at ensuring a comprehensive, integrated response by the national health system to prevent and address manifestations of such violence.

115. In the implementation of that strategy, specialized protocols have been developed for addressing the forms of gender-based violence at different levels of the health-care system. For example, guidelines for respectful care during childbirth were developed in 2022.¹²

116. In 2022, 610 calls were answered by the 103 helpline: 47 per cent concerned gender-based violence, 36.5 per cent concerned sexual abuse and the remainder concerned other types of violence relating to disability status or vulnerable situations.

117. Callers were referred to legal aid services, women's and family counselling centres and mental health services.

118. A strategy was developed for training staff who provide services over the helpline (103), including legal staff, police officers, health-care workers and

¹² Ministry of Health, *Guía de actuación para la atención al parto respetuoso* (Havana. Editorial Ciencias Médicas, 2022); available at https://cuba.unfpa.org/sites/default/files/pub-pdf/guia_actuacion_atencion_parto_respetuoso.pdf.

employees of women's and family counselling centres. The strategy has been used to train over 1,300 people throughout the country.

119. A basic guide for employees of gender-based violence helplines was developed.¹³

120. In the supervisory tasks performed by the Office of the Attorney General, particular emphasis is placed on the exercise and guarantee of the rights of persons in vulnerable situations. Compliance with Office of the Attorney General resolution No. 35 of 2022 on the protocol for preventing and responding to gender-based violence is also verified.

121. Over the period 2018–2022, 7,302 inspections were performed: 1,364 at homes for children without family protection; 1,954 at homes for older persons; 3,771 at day centres for older persons; 213 at social protection centres and 33,317 at detention centres. In the first half of 2023, inspections were performed at 121 homes for children without family protection, 258 day centres for older persons, 121 homes for older persons and 14 social protection centres.

Reply to questions 12 (b) and (c)

122. In Cuba, support for women who are victims of any form of discrimination or violence is ensured, including referrals to psychological, medical and support services.

123. Article 58 (1) of the Criminal Code¹⁴ provides for an additional penalty of a ban on approaching the victim, injured party or his or her close relatives, which was imposed on 51 people from January to June 2023.

124. From January 2022 to June 2023, the courts issued precautionary restraining orders against 330 accused persons.

125. Office of the Attorney General resolution No. 95 of 2015 provides for visits by prosecutors to hard-to-reach communities in mountainous and coastal areas to meet with residents. Prosecutors carry out legal aid activities concerning matters of interest, most frequently on topics relating to women's rights, the rights of children and adolescents, the rights of older adults, and the rights of persons with disabilities and persons in other vulnerable situations.

126. At the community level, the women's and family counselling centres operate more than 250 groups that bring such services to the most remote communities. Those groups have served an average of 30,000 people, mostly young people, in individual and group settings.

Reply to question 12 (d)

127. A partial response is included in the reply to question 11 (c) above. With regard to other forms of violence, the available data are from the national survey on gender equality conducted in 2016.

128. In all, 26.7 per cent of women respondents to the 2016 national survey on gender equality reported having been the victim of some type of violence in the preceding 12 months. The type of violence most frequently experienced by women was

¹³ See <https://cuba.unfpa.org/es/publications/gu%C3%ADa-b%C3%A1sica-para-personal-que-brinda-servicios-telef%C3%B3nicos-de-atenci%C3%B3n-la-violencia>.

¹⁴ Act No. 151 of 2022, the Criminal Code, published in Official Gazette No. 93, ordinary edition, of 2022.

psychological violence (25.7 per cent), followed by economic violence (6.6 per cent), physical violence (2.4 per cent) and, lastly, sexual violence (2.2 per cent).

Reply to question 12 (e)

129. Pursuant to article 89 of the Constitution, the State, society and families have the obligation to protect the full exercise by persons with disabilities of their rights with a view to safeguarding their personal autonomy and their inclusion and participation in society.

130. The Family Code stipulates that the State and society must provide persons with disabilities, through the corresponding bodies and institutions, the necessary support system, due protection, education and guidance to enable them to develop their capacities and views to the fullest.

131. The Procedural Code provides for summary proceedings for the exercise of legal capacity and the provision of supports and safeguards.

132. In order to standardize legal practice throughout the country, the Governing Council of the People's Supreme Court adopted Instruction No. 278 of 20 January 2023 which regulates the provision of support, safeguards and reasonable accommodations to help persons with disabilities to protect their rights.

133. As of the end of May 2023, 246 cases on the provision of support and safeguards and 22 cases on reasonable accommodations had been brought before the Cuban courts.

Reply to question 12 (f)

134. Activities to support women and girls who are victims of domestic and other forms of gender-based violence, including women with disabilities, are addressed above in the replies to questions 5, 11 and 12 (a)–(e).

Reply to questions 13 and 14 (a), (c) and (d)

135. Since 2013, Cuba has published a national report on efforts to prevent and combat trafficking in persons and protect victims, which contains extensive information on the incidence of the crime in the country. The most recent report, published in June 2023, can be found at <https://cubaminrex.cu/es/informe-nacional-de-cuba-sobre-prevencion-y-enfrentamiento-la-trata-de-personas-y-proteccion-las>.

136. Cuba has maintained a zero-tolerance policy towards all forms of trafficking in persons and continues to strengthen its efforts to prevent and combat this scourge and related crimes, which include measures to support and protect victims.

137. During the period indicated, the National Action Plan for Preventing and Combating Trafficking in Persons and Protecting Victims (2022–2024) was updated. The Plan is an essential tool for coordinated efforts by the State and Cuban civil society organizations to tackle this serious crime.¹⁵

138. The authorities intervene when faced with unlawful acts involving Cuban women whom international criminal organizations are attempting to remove from the country, generally through legal means. In such cases, the women involved are

¹⁵ Act No. 143 of 2021, the Criminal Procedure Act, recognizes victims as parties to the proceedings; does away with the concept of a “danger to society” before a crime has been committed and strengthens the habeas corpus procedure.

notified with a view to preventing them from leaving the country in such circumstances and prosecuting the responsible parties.

Reply to question 14 (b)

139. Cuba has concluded a total of 11 extradition treaties and 25 legal assistance agreements, 16 of which also provide for extradition. A total of 27 agreements include extradition. In addition, the Code of Private International Law of 1928 (the Bustamante Code), which regulates extradition and the Criminal Procedure Act under its title III, remains in effect for Cuba.

140. Cuba is a State Party to the United Nations Convention against Transnational Organized Crime (the Palermo Convention) and to the three protocols thereto (against trafficking in persons; smuggling of migrants; and trafficking in firearms, their parts and components).

141. In 2022, the Ministry of Justice processed a total of 37 letters rogatory relating to criminal, civil and family law, 13 of which concerned crimes relating to falsification of documents, extortion, trafficking in persons, abduction and organized crime, misappropriation, offences against the public administration and involuntary disappearance. Based on the factual background described in the letters rogatory, the investigations do not appear to be directly related to the crime of trafficking in persons.

142. Cuba has bilateral migration agreements with countries of origin, transit and destination and agreements with the counterpart migration bodies of those countries for the exchange of migration alerts regarding potential criminal acts of common interest, which include information relating to the crimes of trafficking of women or girls.

Reply to questions 15 (a) and (b)

143. The participation of women in decision-making is increasing. Of the district delegates elected in the December 2022 election, 44.1 per cent were women.

144. In the tenth legislature (2023–2028), 182 women were elected presidents or vice-presidents of the Municipal Assemblies of People’s Power, accounting for 54.49 per cent of the total.

145. Cuba has the second-highest percentage of women in parliament in the world. Of the 470 seats filled in the 2023 national elections, 55.74 per cent (262 seats) are held by women. Women account for 52.38 per cent of the members of the Council of State.

146. There is clear evidence of the progress made in the representation of women in the national parliament, considering that men held 77 per cent of seats in 1981, compared to the 23 per cent held by women.

147. In 2023, the position of Deputy Prime Minister was held by a woman, and five women were ministers.¹⁶

148. Women represent 49.7 per cent of managers, 66 per cent of the country’s technicians and professionals; 81.9 per cent of professors, teachers and scientists; and

¹⁶ Ministry of Education; Ministry of Labour and Social Security; Ministry of Science, Technology and the Environment; Ministry of Communications; and Ministry of Domestic Trade.

more than 70 per cent of prosecutors, presidents of provincial tribunals, professional judges and the workforce in the health and education sectors.

149. Women serve as the directors of 75 per cent of the country's State bodies.

150. In the court system, 59 per cent of magistrates are women. Of the 531 director positions that are currently filled, 412 (77.5 per cent) are held by women, and 324 of those positions (78.6 per cent) are judicial posts.

Reply to question 16 (a)

151. In Cuba, education is a universal right. Free, affordable and quality education services are guaranteed, from early childhood through university and postgraduate education.

152. Implementation of the third round of improvements to the national education system is ongoing, under which efforts are being made to boost the involvement of multiple stakeholders in the education process, including families and the community.

153. The improvement process has facilitated progress towards safer educational environments at all levels and the prevention of different manifestations of violence, within institutions and beyond.

154. Efforts are under way to develop a policy to improve the comprehensive protection system for children and adolescents. Studies have been conducted in the provinces of Havana, Villa Clara and Holguín.

155. Regulations and other documents governing efforts by the Ministry of Education to address and respond to issues relating to violence have been developed, and emphasis has been placed on a preventive approach from an early age. The protection of victims is ensured.

156. Those regulations notably include the protocol for detecting, educating and supporting adolescent girls who are involved in or linked to prostitution practices, who exhibit aggressive or violent behaviour or who live in environments with such characteristics; the comprehensive sexuality education programme, with a focus on gender and sexual and reproductive rights, for the national education system; and the general procedure for developing, implementing and monitoring prevention work at all education levels.

157. The Ministry of Education is implementing the protocol for comprehensive and integrated violence prevention and response in school settings.

Reply to question 16 (b)

158. According to the 2022 Statistics Yearbook, overall enrolment in the education system was 2,029,498 students, 1,034,199 of whom were women.¹⁷

159. Education services in hard-to-reach and mountainous areas have been ensured through the establishment of 922 schools with enrolments of just one to five students. This has enabled the country to achieve education coverage of 99.8 per cent, with no gaps between the sexes or between rural and urban areas.

160. In the 2022/23 school year, 30,610 students with disabilities were enrolled. Of those students, 10,995, or around 35.91 per cent, were in mainstream education, a figure that has been gradually increasing.

¹⁷ These figures include higher education.

161. There are 357 special education schools, with 15,278 teachers. There are 608 itinerant teachers who serve 1,651 students, and 560 special education classrooms have been established for early childhood education.

Reply to question 16 (c)

162. In the 2022/23 school year, 21,738 students were reported to have dropped out of educational institutions.

163. Efforts are being coordinated across several institutions to address the main reasons why students drop out of school. The primary objective is to ensure that those factors are not obstacles to educational continuity.

164. Dropouts generally occur at the technical or professional education levels and are associated with factors such as early pregnancy.

165. Adolescent pregnancy is a challenge for the country, despite a slight drop in adolescent pregnancy rates in 2022, from 18.1 per cent to 17.8 per cent.

166. Under the policy for preventing adolescent pregnancy, health promotion and education initiatives are being implemented in communities, responsible parenting is being promoted, campaigns to prevent behaviours involving sexual and reproductive risk are under way, and municipal family planning services are being strengthened.

Reply to question 16 (d)

167. Age-appropriate education on such topics as gender identity, self-awareness, self-care, assertive communication in interpersonal relationships, use of contraceptives, responsible parenting, adolescent pregnancy and prevention of sexually transmitted infections has been incorporated into the national education system at all levels, beginning with early childhood education.

Reply to question 16 (e)

168. Implementation is under way of the project entitled “Strengthening professional training for young people and workers in technical and professional education in selected areas of specialization to integrate them into the workforce”.

169. Priority has been given to involving young students in fields not traditionally associated with women, such as agriculture, construction and mechanics. In the last five-year period, enrolment of women in these fields increased, from 19 per cent to the current rate of 33 per cent.

Reply to question 17 (a)

170. The National Programme for the Advancement of Women includes specific measures to promote access to employment for rural women, women with disabilities and women of African descent, in particular under its area 1, relating to the economic empowerment of women.

171. The Federation of Cuban Women, in conjunction with the Ministry of Labour and Social Security, conducts periodic assessments of employment needs and opportunities in each region and in different economic sectors. Efforts are made to promote the workforce integration of women who are not currently employed, especially young women.

172. The Federation of Cuban Women, with support from the United Nations Development Programme, implements activities aimed at empowering rural women. One notable example is the project by La Bibijoa Network known as “Re(D)produciendo equidad” (“Network Reproducing Equity”), which is aimed at integrating women into the guava supply chain in the area around Santiago de Cuba.

173. A total of 82,140 women are members of the National Association of Small Farmers, comprising 20.34 per cent of its membership. Since the last report to the Committee, the number of women members has grown by 2,000. The Federation of Cuban Women and the National Association of Small Farmers have formed 3,213 joint brigades, which have 79,754 members.

174. Under Decree-Law No. 259 and Decree-Law No. 300, over 1.5 million hectares of land have been transferred on a beneficial-use basis to over 172,000 people, 35 per cent of whom are young people and 10 per cent of whom are women (83 per cent of the women who applied). This is an opportunity for women to work the land, manage farms and earn a stable income.

175. Women are being encouraged to request the transfer of lands on a beneficial-use basis. At present, 16,930 women hold tenancy rights and 12,107 women own land. Opportunities for increasing those figures are being identified.

176. In the Urban, Suburban and Family Agriculture Programme, women comprise 43 per cent of the workforce and 52 per cent of leaders at the province level, which is an indication of the empowerment of women in this sector.

Reply to question 17 (b)

177. Information on this topic has been provided in the replies above, particularly in relation to questions 9 and 16 (c).

178. As of the end of May 2023, 56,081 parents have benefited from the implementation of the Decree-Law, including 15 fathers, 45 working grandmothers who receive social childcare benefits for their grandchildren, 80 working grandmothers who receive social benefits so their daughters can continue their studies, 306 non-State women workers who receive economic or social benefits, 6,190 pregnant women who submitted medical certificates during their pregnancy and 6,762 mothers who submitted medical certificates for sick children under the age of 17.

Reply to question 17 (c)

179. Cuba has ratified a significant number of international human rights instruments. The country is party to 44 of the 61 internationally recognized instruments.

180. Cuba is party to the eight fundamental conventions of the International Labour Organization.

181. The decision of whether or not to ratify an instrument is one that Cuba takes seriously, so that it can responsibly fulfil the commitments it makes.

182. The fact that Cuba is not party to certain instruments has not kept the country from complying with them in letter and spirit, in keeping with the country’s practice of observing and respecting all human rights for all.

Reply to question 17 (d)

183. The National Office of Statistics and Information conducts, on a yearly basis, the national occupational survey, using a sample that is representative of the nation, its provinces and its urban and rural areas. The survey collects data on employment disaggregated by sex, geographical location, age, marital status, education level and skin colour. The survey is available on the website of the National Office of Statistics and Information (see http://www.onei.gob.cu/sites/default/files/eno_2022_edic_2023_0.pdf).

184. The most recent available disaggregated data can be found on the website of the Cuba Gender Equality Monitoring Centre (see <https://www.genero.onei.gob.cu/indicadores>).

185. The economic activity rate for women is 52.7 per cent, and the unemployment rate is 2.0 per cent, the lowest in the region of Latin America and the Caribbean. All told, 86.7 per cent of employed women work in the State sector. Women comprise 34.9 per cent of private sector employees.

186. Records indicate that, from June 2021 to March 2022, 1 complaint of harassment in the workplace, 10 complaints of discrimination in the workplace and 5 complaints of discrimination on the basis of sexual orientation were filed. The complaints were processed, and the affected individuals were provided with guidance and information.

Reply to question 18 (a)

187. To determine whether demand for family planning using modern methods of contraception is being met, data was taken from the multiple indicator cluster survey conducted in 2019. In all, 87.2 per cent of women respondents said they used a modern method of contraception of some sort. There are no notable differences in the indicator when analysed by area of residence.

188. The survey shows that the largest unmet demand for family planning using modern methods of contraception is among 15- to 19-year-olds.¹⁸

189. There are no legal barriers to access to contraceptives, but availability in the country is limited, owing in particular to the impacts of the economic, commercial and financial blockade by the United States, coupled with the high cost of modern methods of contraception (injections, implants, female condoms, pills, etc.) on international markets.

190. Action is being taken to address the lack of availability of modern, high-quality methods of contraception, and awareness-raising initiatives are being carried out for women and adolescent girls. Those efforts notably include community workshops with adolescents and their families; family education schools; the establishment of adolescent groups at women's and family counselling centres; competitions for adolescents and young people on comprehensive sexuality education; and appearances by health specialists on radio and television programmes, including weekly appearances on the "Cuando una Mujer" ("As a Woman") television programme.

¹⁸ See <https://www.genero.onei.gob.cu/indicador23>.

Reply to question 18 (b)

191. The National Sex Education Centre assists the Ministry of Health with the development and implementation of the National Sex Education and Health Programme, with projections and with interactions with the other bodies of the central State administration and other entities.

192. This has enabled the coordination of a comprehensive sexuality education strategy that includes respect for freedom of sexual orientation and gender identity.

193. Activities are focused on the educational sphere, academic work and scientific research, legal advice services, sex therapy, support for lesbian, gay, bisexual, transgender and intersex persons (LGBTI) and victims of gender-based violence and child sexual abuse, the development of community programmes and editorial and audiovisual production, and the coordination of social networks, online debates and campaigns relating to respect for freedom of sexual orientation.

Reply to question 18 (c)

194. In Cuba, public health is a constitutional right.

195. The national health system is public, free of charge, accessible to all and non-discriminatory. There are three levels of care, built on a foundation of primary health care and active community participation.

196. In the period 2018–2020, life expectancy at birth in Cuba was 77.70 years. At the end of 2022, the infant mortality rate was 7.5 per thousand live births, and the rate of survival to 5 years of age stood at 99.1 per cent countrywide.

197. There is a ratio of 8.5 physicians to 10,000 inhabitants. Cuba has 450 polyclinics; 11,222 family medicine practices; 1,215 dental clinics; 149 hospitals; 149 maternity centres; 301 day centres for older people; 158 homes for older people; 30 psychoeducational medical centres; and 12 research institutes, among other facilities.

198. Disease prevention and treatment activities have been strengthened, including for cholera, dengue and HIV. The national programme on sexually transmitted infections, HIV and AIDS has been updated for the period 2019–2024. The prevalence of HIV in the population aged 15–49 is 0.4 per cent.

199. In the past seven years, the rate of mother-to-child transmission of HIV has been equal to or less than 2 per cent. In 2015, the World Health Organization validated Cuba as the first country in the world to eliminate mother-to-child transmission of HIV/AIDS and syphilis.

200. Efforts are under way to strengthen targeted programmes, including those addressing mother and child health, cancer prevention and treatment, mass vaccination and age-targeted vaccination, and geriatric care, in addition to other national programmes with universal coverage.

Reply to question 19 (a)

201. In Cuba, access to basic services is a constitutional right.

202. Efforts to improve access to basic services in rural areas are part of the comprehensive development plans.

203. Access to education is guaranteed for all and is a constitutional right.

204. There are 6,940 primary schools in Cuba, most (4,864) in rural areas.

205. In the 2021/22 school year, 150,966 students from rural areas were enrolled in the national education system, from early childhood education through secondary education.

206. Priority is given to serving the most remote, hardest to reach areas, with an emphasis on those covered by the Turquino Plan, using a strategy for serving mountainous areas that establishes a system of cross-cutting activities supporting the development of those areas.

207. In 2019, following the adoption of the national programme against racism and racial discrimination, a national commission was formed to monitor action to combat and root out the vestiges of racism, racial prejudice and racial discrimination that persist in Cuba.¹⁹ Implementation of the programme has enabled the identification of inequality gaps and facilitated intentional efforts to root out the vestiges of discrimination. The programme is coordinated with the National Programme for the Advancement of Women and with the policy on addressing demographic trends.

Reply to question 19 (b)

208. The comprehensive development plan, known as the Turquino Plan, has yielded significant results in terms of the social and cultural development of rural women, particularly in the country's mountainous and hard-to-reach areas. At present, around 700,000 people are benefiting from the plan.

209. Over the period 2021–2022, 60,757 cultural programming activities were carried out in areas covered by the Turquino Plan.

210. More than 500,000 people, 230,300 of whom were women or girls (46.1 per cent), attended the activities carried out in rural and mountainous areas.

211. Over the same period, 4,240 art instructors and cultural promoters worked to boost technical capacity and establish venues for cultural programming in mountainous and hard-to-reach areas. More than 25,100 amateur artists participated in those efforts.

212. Over the period 2021–2022, a range of activities were held in rural communities and settlements throughout the country, including the national meeting of artistic ensembles from mountainous areas, book fairs for mountainous areas, the Guantánamo theatre caravan, the artistic and literary caravan, municipal festivals for amateur artists, 42 historic and heritage trails and the Cucalambena festival.

Reply to question 20

213. Information relating to this question can be found in the replies to questions 5 (f), 9, 15 (a), 17 (a), 18 (c) and 19 (a).

214. Furthermore, in Cuba there are no cases of migrant women who are disadvantaged or marginalized and thus have limited access to health care, social benefits, education and other services.

215. Migrant women with permanent resident status have access to all the aforementioned public services, pursuant to article 91 of the Constitution.

216. Women prisoners receive differentiated treatment. Over 50 per cent of women prisoners are integrated into the workforce, with the same salary and social security

¹⁹ The deputy Prime Minister, Inés María Chapman, is leading these efforts under the direct supervision of the President of the Republic.

safeguards that apply to all other citizens. Women prisoners have access to employment and to education so they can complete their high school or post-secondary degrees using various modalities.

217. Mechanisms are in place for the periodic monitoring, treatment and evaluation of women during their detention in a prison facility, after their release and during their reintegration into society.

218. Women prisoners are provided with general and specialized medical care, in accordance with their age and medical conditions. Women aged 60 or older receive differentiated treatment, which includes alternatives to detention depending on the crime they committed, their behaviour and their health condition.

Reply to questions 21 (a), (b) and (c)

219. The State plan for addressing climate change, known as “Tarea Vida” (“Duty for Life”), is the instrument governing all efforts by the country to address climate change.

220. Action to address climate change is intended to be coherent and coordinated, covering society’s needs at all territorial levels. A participatory, inclusive and gender-responsive approach is promoted.

221. In Cuba, women are actively involved in the formulation and implementation of programmes relating to disaster risk reduction and climate change, as members of bodies that manage disaster situations (National Civil Defence Corps, Councils and Defence Areas).

222. The Federation of Cuban Women is part of the scientific and practical working groups that are developing the risk reduction plan, which ensures that a gender perspective is mainstreamed across national strategies for disaster risk reduction and management and for disaster response and recovery.

223. The committees for the protection of the population in disaster situations, established at the provincial and municipal levels, include representatives from the Federation of Cuban Women.

224. Further information in response to these questions can be found in paragraphs 112–114 of the ninth periodic report submitted by Cuba under the Convention.

225. The Cuban civil defence system and other organizations responsible for disaster risk reduction in the country are making progress towards an inclusive approach to management that offers specialized support to women affected by disasters.

226. There is a community manual with specific activities aimed at minimizing the impact on populations that are vulnerable because of age, gender or disability status.

227. The Federation of Cuban Women is involved in the design, implementation and evaluation of response plans for disasters, pandemics and other events, at the community level.

Reply to question 21 (d)

228. Climate change adaptation activities are being implemented in priority sectors, including the agricultural sector, because of the impact on food security in the country.

229. Adaptation of agricultural activities to changes in land use stemming from rising sea levels and drought is included among the strategic activities planned for the period 2021–2025 in the “Tarea Vida” (“Duty for Life”) climate plan.

230. Projects aimed at strengthening local capacity for raising awareness of the gender-differentiated impacts of climate change on men and women have been implemented, incorporating the views and contributions of women, as well as the challenges they face. One notable example is the Environmental Foundations for Local Food Sustainability project.

Reply to question 22 (a)

231. Pursuant to article 216 (1) of the Family Code, the economic consequences of marriage and divorce should affect both spouses equally.

232. Article 275 of the Code provides for the possibility of establishing a pension for a divorced spouse by court decision or notarial instrument.

233. Furthermore, the spouse who has engaged in domestic or care work has the right to demand economic compensation, which helps to address the disadvantaged financial situation in which the spouse who did not perform wage-earning or profit-generating activities during the marriage is left after the divorce.

234. Under article 239 of the Procedural Code, pensions received as the result of a divorce are legally protected as an asset exempt from confiscation or seizure.

Reply to question 22 (b)

235. Article 81 of the Constitution provides that both marriage and de facto unions are a tangible expression of the right to form a family.

236. As of the end of May 2023, 244 cases on the matter have been filed with the municipal courts, 4 of which concerned same-sex unions.
