



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

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**Committee on the Elimination of Discrimination  
against Women**  
**Thirty-sixth session**

**Summary record of the 740th meeting (Chamber A)**

Held at Headquarters, New York, on Tuesday, 8 August 2006, at 3 p.m.

*Chairperson:* Ms. Schöpp-Schilling (Vice-Chairperson)

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*In the absence of Ms. Manalo, Ms. Schöpp-Schilling, Vice-Chairperson, took the Chair.*

*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** (*continued*)

*Combined fifth and sixth periodic report of Cuba (continued) (CEDAW/C/CUB/5-6; CEDAW/C/CUB/Q/6 and Add.1)*

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

*Articles 7 to 9*

2. **Ms. Coker-Appiah** commended the Cuban Government for its efforts to improve the status of women in Cuba and, in particular, for the progress achieved in the area of women's participation in political and public life. However, paragraph 277 of the report (CEDAW/C/CUB/5-6) suggested that discriminatory stereotypes still existed. She therefore requested additional information about the measures taken to eradicate them.

3. While a significant number of women were employed in Cuba's public sector, studies conducted in various countries had shown that increasing women's participation in non-traditional sectors tended to devalue the professions in question and eventually led to lower wages. She would be grateful to know how the State party intended to combat that phenomenon.

4. **Ms. Gaspard** said that, while the Inter-Parliamentary Union had ranked Cuba seventh in the world as far as women's participation in the legislature was concerned, surprisingly few women were involved in local politics. Under article 4 of the Convention, temporary special measures designed to accelerate de facto equality between women and men could be adopted to rectify that situation. She enquired whether the Government planned to take such measures at the local level.

5. Referring to article 8 of the Convention, she acknowledged the progress made by the State party in increasing the number of women occupying senior civil service posts but noted that only 13.7 per cent of the country's ambassadors were female. Were any steps being taken to address that situation?

6. **Ms. Saiga** said that the report did not provide adequate information about the arrangements for conferring Cuban nationality on children born to foreign mothers or fathers. She would appreciate further clarification in that regard.

7. **Ms. Simms** asked whether, under the Constitution of Cuba, it was possible for a woman to become president.

8. **Mr. Moreno** (Cuba), responding to the questions put by the Committee, stressed that efforts to eliminate discrimination against women in Cuba had been under way for a relatively short period — 47 years, to be precise — and that, while considerable progress had been made, the cultural change necessary to overturn deep-rooted prejudices took time.

9. With regard to the feminization and consequent devaluation of certain professions, the usefulness of those professions to society as a whole, rather than the gender of individual employees, was the essential factor determining their value. The Ministry of Foreign Affairs was acutely aware of the need to increase the number of women entering the Foreign Service and had taken a number of steps to that end. Indeed, of the 29 ambassadors appointed in 2006, 11 were women. Lastly, while the election of a woman to the presidency was certainly possible, it was unlikely to occur in the near future.

10. **Ms. Martínez Pití** (Cuba) said that, while significant steps had been taken to promote women's full participation in political and public life, much remained to be done. The advancement of women was inextricably linked to their level of education and they must be encouraged to pursue non-traditional professions in, for example, the iron and steel industry or the transport sector.

11. She recognized the importance of women's participation in decision-making at all levels and pointed out that the Council, the highest decision-making organ in the land in the periods between legislative sessions, now boasted five female members. However, although some progress had been made at the local level, further efforts were clearly needed to increase the number of women in municipal assemblies. As far as temporary special measures were concerned, a decision had recently been taken to the effect that all nominations for high-level posts within the Council of Ministers must include a female candidate.

12. **Ms. Ferrer Gómez** (Cuba) pointed out that, following the municipal elections of 2005, the proportion of female delegates to municipal assemblies had increased from 23.37 per cent to 28.19 per cent.

13. **Ms. González Ferrer** (Cuba), responding to the question put by Ms. Saiga, said that, under article 29 of the Constitution, all children born in the national territory, with the exception of the children of foreigners in the service of their Government or of an international organization, were regarded as Cuban citizens by birth. The Citizenship Act provided more details on the acquisition of nationality.

*Articles 10 to 14*

14. **Ms. Šimonović** recalled that, under the Working Women's Maternity Act of 2003, families were entitled to decide which parent would take post-natal leave with 60-per-cent pay. While she commended the State party for adopting that Act, she urged it to collect data with a view to determining whether men or women were more likely to avail themselves of that opportunity. Unfortunately, since men's salaries were generally higher, she suspected that more women than men stayed at home in order to avoid a drastic reduction in family income. For that reason, legislation providing specifically for paternity leave tended to be a more effective way to encourage fathers to stay at home with their children.

15. She was concerned that abortion had become an accepted form of family planning in Cuba, even though the Beijing Platform for Action had stressed that abortion should not be used for that purpose. She therefore enquired as to the measures taken by the Cuban Government to combat the phenomenon.

16. **Ms. Simms** thanked the delegation for the statistics on women in higher education, but wondered whether the content of the curriculum in Cuban schools was geared to changing gender attitudes, such as by making boys understand that teaching was a worthwhile career for a man. Stereotyped attitudes towards masculinity had to be deconstructed in school as well as in the home, and men needed to be depicted as nurturers, and not only as authority figures at home and in the workplace.

17. **The Chairperson**, speaking as a member of the Committee, congratulated the delegation on Cuba's awareness of the significance of teacher-student interaction, but asked for more specific information,

with reference to article 11, on the admittedly small pay differential between men and women. The delegation had spoken of equal pay for "equal work", while the text of the Convention referred to equal pay for "work of equal value". She wondered how Cuba defined what it called the "social value" of different jobs. If Cuba had escaped the trend so often observed in other places where female-dominated sectors suffered a decline in status and earnings, then its experience should be disseminated to others as a good model to follow. She also asked for a clearer definition of what was meant by the "technical professions".

18. **Ms. Saiga** asked about the reactions of fellow workers if a man asked for paternity leave.

19. **Ms. Enríquez Charles** (Cuba), answering questions on article 11, pointed out that under the 1975 Family Code, mothers and fathers had equal responsibility for childcare. The availability of paternity leave as well as maternity leave was a part of Cuba's drive to integrate both men and women fully into the life of society. As for pay differentials, pay levels depended on the job in question, not on the gender of the person performing it. Statistics showed that women earned slightly less because they were absent from work more often, for instance to look after a sick child, and not because they were paid less. Cuba's next report would include more details on salary structures: while men and women were equal, jobs were not; a scientist, for instance, was not the same as a farm worker. "Technical" positions made up one of five categories of jobs in Cuba, each of which had its own specific characteristics.

20. **Ms. Santana** (Cuba), on the subject of abortion, assured the Committee that the recommendations it had made in 2000 had been considered very seriously, not only by the Ministry of Public Health, but by the country as a whole. All abortions were carried out by specialists in accredited public health institutions; the number of abortions per 1,000 live births had declined from 23 in 2000 to 19 in 2005. There was, however, still a perceived problem, which the country was tackling in two ways: by making women and their partners aware of their responsibility for matters of pregnancy, and by informing both men and women, especially in high-risk groups, that abortion was a risky procedure and not a family planning measure. The country's contraceptive coverage was 77.1 per cent, a figure which could be improved if the contraceptives offered were of better quality. The authorities' aim was

to reduce usage of intrauterine devices to 30-35 per cent, while increasing the number of vasectomies (currently only 1 per cent) and the number of users of internal contraceptives.

21. **Mr. Fraga** (Cuba) said that abortion was not the primary means of family planning in Cuba and that in 2005, only two women in Cuba had died of post-abortion complications.

22. **Ms. Moya Richard** (Cuba) pointed out the importance of context in analysing statistics. While in many countries men did not take paternity leave because of the implications for the family income, in Cuba it was often the woman who was the main breadwinner, so if men did not avail themselves of the opportunity, it was for different reasons. There was also another stereotype which did not apply to Cuba: while in many countries the “feminization” of a sector led to its decline in terms of pay and prestige, in Cuba it was cutting-edge industries such as biotechnology and computer sciences that were becoming “feminized”.

23. **Ms. Martínez Piti** (Cuba), returning to the subject of education, said that 40 per cent of Cuba’s primary-school teachers were men and that Cuba’s population as a whole was highly educated. There were over 1,000 isolated rural schools with five students or fewer, a clear sign of the country’s commitment to provide education for all its citizens. Primary schools had a maximum of 20 pupils per teacher, and middle schools a maximum of 15. As for higher education, there were 938 municipal institutions with 233,000 students. One of the educational initiatives of which Cuba was most proud, however, was a literacy training method called “Yes I can”, developed by a Cuban woman and used successfully by more than 5 million people throughout Latin America and the Caribbean.

24. **Mr. Moreno** (Cuba) added that the method was so flexible that it had been adapted for use in Creole for Haiti, in various African languages, and in Maori for New Zealand.

25. **Mr. Fraga** (Cuba) said that part of the reason that most primary-school teachers were women was that women were traditionally viewed as being more capable teachers. On the subject of pay, he pointed out that the 2004-2005 round of pay increases had started in education and health, two very female-dominated sectors of the Cuban economy. Women accounted for 64 per cent of middle-school classroom teachers and

for the majority of primary-school principals. Some 81 per cent of Cuba’s special education teachers were women.

26. **Ms. Ferrer Gómez** (Cuba), in answer to Ms. Saiga’s question on the reactions of other men in the workplace when a man asked for paternity leave, acknowledged that changing traditional attitudes would take time. While a father’s desire to be with a hospitalized child or to attend parents’ meetings at school had long been accepted, paternity leave was a more recent phenomenon and work was still needed to make society aware that it, too, was a fundamental right of fathers.

27. **Ms. Santana** (Cuba) said that the Cuban State had decided to pay salaries to people who could provide long-term care for the elderly or persons with disabilities. That decision, by enabling family members to receive a decent salary for taking care of their elderly or disabled relatives, promoted the social integration and cultural development of both women and men.

28. **Ms. Tan** commended Cuba on its extensive agrarian reform, but wondered whether patriarchal attitudes were preventing women from gaining access, on the same terms as men, to land, credit and technical assistance and training. According to the report, women represented only 9.3 per cent of all individual owners of farms or land. Why was the number so low? She asked the delegation to refer specifically to any statistics or complaints known to the Federation of Cuban Women, the Government or other organizations that were concerned with women’s access to land and related services. If no surveys were in place to collect such information, she wished to know when the Government would start conducting such surveys.

29. The report stated that all workers in the sugar industry were given opportunities for training and education and that the State guaranteed them full wages and entitlements. Did that mean that the State paid them during training periods? She would also be interested to know whether rural women and girls outside the sugar industry had been offered technical assistance and training on similar terms and, if so, what percentage of them had participated in such training.

30. Lastly, she was curious to know whether rural women and girls had better-paid jobs and more promotion opportunities as a result of such training or whether cultural prejudices still impeded their

economic opportunities. If so, what was the nature of such prejudices and what was the Government doing to combat them?

31. **Ms. Zou** asked about the extent of poverty among rural women; whether any poverty alleviation policies were in place to help them; whether they enjoyed the medical care and family planning services that were guaranteed in chapter II of the Constitution; and how easy it was for them to gain access to such services.

32. She would also appreciate it if the delegation could clarify how rural women became cooperative members. According to the report, those who contributed land could be members of a cooperative, as well as their spouses, children and other family members. Elsewhere, however, the report seemed to suggest that there was a limitation on women becoming cooperative members. She wished to know whether rural women's membership of cooperatives was subject to specific criteria and what benefits were derived from being a cooperative member.

33. **Ms. Simms** said that the sugar industry was very symbolic owing to its history of plantations and predominantly African slaves. While 47 years was not enough time to break down sexual or racial stereotypes, she wondered whether those stereotypes had changed significantly under the current Government.

34. She regretted the lack of data on Cuban women of African descent and hoped that the next report would show the intersection of race and gender, with particular attention to rural areas, the changes being made to the agricultural sector and access to cooperatives. It was very important for rural women to be able to make a living so that they would not have to migrate to urban centres. She asked what special measures were being taken for rural women, particularly those of Afro-Caribbean origin.

35. **Mr. Moreno** (Cuba) said that the report did not differentiate between women of African descent and other women because there was no difference. Cuba still had a long way to go to eliminate racial discrimination, but it had come a long way too. There was no discrimination as such in Cuba. Racial discrimination had diminished much faster than gender discrimination, essentially because it had been much more acute at the time of the Revolution.

36. **Mr. Fraga** (Cuba) said that the rural population accounted for 24 per cent of the total population. The first thing that the Spanish had done in Latin America had been to found cities; as a result, Cuba was a primarily urban country. As a result of its vast human capital, Cuba, after many years as an agricultural economy, had become a service economy.

37. Poverty was a relative concept; he associated it, above all, with a lack of opportunities, for both men and women. In Cuba, opportunities were equal.

38. There was no discrimination regarding access to family planning services. In fact, according to the national fertility studies conducted in the 1990s, contraception use was higher among rural women, while the abortion rate was higher among urban women. That was because Cuba had socialized its health-care system in rural areas first. Doctors had been sent to rural areas, taking with them a culture of contraception use.

39. About 10 per cent of the population was of African descent and about 25 per cent was of mixed race.

40. Lastly, he provided some specific data relating to Cubans' average years of schooling, disaggregated by gender and rural/urban area, in order to demonstrate the progress that had been made in eliminating poverty and improving education and health care. The rates were extremely good for a small country that had been subject to a long embargo, even those in rural areas. The challenge was to bring rural areas up to the same standard as urban areas.

41. **Ms. Columbié Matos** (Cuba) said that the first person to have been granted ownership of land under the Agrarian Reform Act of 1959 had been a black woman of Caribbean origin. Under the Agrarian Reform Act, land had been taken away from big landowners and redistributed among the peasants who worked on it. Both men and women enjoyed inheritance rights, including with respect to land. Most land, however, was State-owned.

42. Under the relevant legislation, women did indeed have the right to join agricultural production cooperatives and credit and service cooperatives, if they owned land and wanted to offer it to the other cooperative members. Agricultural production cooperatives were jointly owned; in the case of credit and service cooperatives, however, the land continued

to be individually owned but the work and the produce resulting from it were shared. Every member of a cooperative had a right to technical assistance.

43. Regarding poverty in rural areas, she referred to the Turquino Plan for the development of Cuba's mountainous areas. Women enjoyed full rights under the Plan's various programmes, including access to medical assistance, social services and recreational facilities. Lastly, owing to their difficult economic situation, people living in areas of sugar production, many of whom were of African descent, benefited from education and training programmes.

#### *Articles 15 and 16*

44. **Ms. Bokpé-Gnacadjá** expressed admiration for Cuba's efforts to implement the Convention. Some countries in a comparable political and economic situation might have used their difficulties as an excuse to postpone efforts for the advancement of women. Thus, any concerns she expressed were offered in a spirit of encouraging Cuba to do even better in the future.

45. She noted that the Family Code had set the minimum age for contracting marriage at 18, but that the age could be reduced to 16 for boys and 14 for girls under certain circumstances. She asked what those circumstances were and why different minimum ages were specified for boys and girls. Such a provision was generally based on the erroneous belief, based on girls' and boys' different rates of physical development, that girls became mature enough for marriage much earlier than boys. The report did state that an expression of willingness was a prerequisite for the marriage act to be carried out, but a girl of 14 was not yet capable of expressing, freely and responsibly, a willingness to contract marriage and undertake all the responsibilities that went with it. The age for marriage should be the same for males and females, and should be 18.

46. Her second concern arose out of the urgent need, referred to in the report, to establish family law divisions in the courts. Given the non-existence of family courts, she asked how that shortcoming was compensated for, and how family conflicts were resolved.

47. Third, she asked about the enduring influence of patriarchal culture and the persistence of stereotypes in marriage. In particular, how did the patriarchal culture affect the implementation of the only economic

arrangement allowed in marriage, namely joint ownership of community property? Did women really act as administrators of the goods belonging to the community property with the same freedom as men?

48. **Ms. Coker-Appiah** also referred to the issue of community property, asking what happened to such property in the case of divorce by mutual agreement. She asked whether the law indicated how such property was to be distributed and whether such distribution was supervised by the courts. Also, if one spouse did not engage in paid work, and the marriage should break up, what rights would that spouse have to any property that had been acquired? Lastly, she asked whether information could be provided on some of the reasons for the apparent increase in the number of divorce cases in Cuba.

49. **Ms. Tan** referred to reports of rising numbers of women murdered and assaulted in Cuba. Notably, she had read a report on the Internet that 16 women had been murdered and 20 others left wounded in one particular small town. She asked whether there had also been an increase in incidents of domestic violence, and enquired how cases of domestic violence were addressed both by current law and by the proposed amendments to the Family Code and the Penal Code. Would the definition of domestic violence in the amended codes include intimidation, continual harassment, restraint against the victim's will, or stalking? She also asked what legal mechanisms were available to women and girls to obtain protection from violence that appeared likely to be committed against them in the future, even if they had not yet been victims of violence. She also asked whether there were legal provisions for the courts to order mandatory counselling or rehabilitation for perpetrators of violence against women and girls.

50. **Mr. Moreno** (Cuba) pointed out that so many murders in such a small town would have been a scandal of national proportions, but that he, a member of the Government, had not heard of a single such murder. He cautioned against believing everything that was reported in the media, particularly when it came from sources intent on distorting the situation in Cuba.

51. **Ms. González Ferrer** (Cuba) confirmed what had been said about the various ages for marriage. One of the most important proposals for the amended Family Code, which was in the final stages of discussion and drafting, was that the age for such exceptional

authorizations of marriage should be raised to 16 for both sexes, for the very reasons put forward earlier: that at 14 a girl was neither biologically nor psychologically ready to marry and start a family. It should be recalled that before the promulgation of the current Family Code in 1975, the minimum age for marriage under exceptional circumstances, for girls, had been 12.

52. Currently, family matters or disputes were dealt with under the Civil, Administrative and Labour Proceedings Act. The authorities intended to establish either a separate law or a special section within that Act to cover specifically family-related matters. They also intended to set up family law divisions in which the judges would have the special training needed in dealing with delicate family matters. The operational details of such an undertaking were currently under study by a special commission.

53. The community property arrangement came into effect when the marriage was formalized and continued until it was dissolved. The law then provided for the division of goods into personally owned property and community property, and also allowed a period of one year during which the divorced couple could determine what to do with the community property. In the specific case of the home, the General Housing Act provided that even if ownership of the home was vested in the man, he was not entitled to eject his former wife from it if she had minor children.

54. With regard to alimony, article 56 of the Family Code stipulated that when the spouses had lived together for more than one year, or had produced children during the marriage, the court, when granting divorce, would provide for alimony to be paid to a spouse who had no paying job or means of subsistence.

55. **Ms. Gaspard** noted that Cuba's birth rate was very low, at 1.6 children per woman, and asked how that had come about and whether Cuban women and couples were having as many children as they wanted.

56. **Mr. Moreno** (Cuba) said that he saw a link between a country's level of development and its birth rate.

57. **Mr. Fraga** (Cuba) said that there had been much research into that question in Cuba, which was virtually the only developing country in which the birth rate had been below the replacement rate since 1978. The situation was multifaceted and too complex to

consider fully in the short time remaining, but the low birth rate was certainly not related to some crisis among Cuban women. In his view, the reasons for it had to do with education, health and social security, but primarily with the advancement of women in Cuba. Empowered and better-educated women were more likely to use contraceptive methods in order to decide on the number and spacing of their children.

*The meeting rose at 5 p.m.*