



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

**Consideration of reports submitted by States
parties under article 35 of the Convention**

Initial reports of States parties due in 2009

Cuba*

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** The annexes may be consulted in the files of the Committee secretariat.

Introduction

1. By ratifying the Convention on the Rights of Persons with Disabilities, Cuba reaffirmed its commitment to the rights protected thereunder. Its ratification of the Convention is consistent with the priority given over the past 55 years to building an inclusive, compassionate society based on social justice and recognition of the need to ensure the enjoyment and full and equal exercise of human rights and fundamental freedoms.
2. Since the triumph of the Cuban Revolution in 1959, the State has paid particular attention to disability issues, while confronting the difficulties caused by the relentless, inhumane economic, trade and financial embargo imposed by the United States Government against Cuba for over 50 years, the economic and financial constraints resulting from its situation as a developing country and the devastating impact of climate phenomena.
3. Cuba views the submission of this initial report as one of its responsibilities as a State party to the Convention and as an opportunity to take stock of the policies put in place to guarantee persons with disabilities the enjoyment of their rights, promote their participation in all areas of society and achieve their full inclusion.

Procedure followed in preparing the report

4. In preparing the present report, the Government of Cuba followed the guidelines of the Committee on the Rights of Persons with Disabilities (CRPD/C/2/3) of 18 November 2009 in order to describe the progress made in implementing the rights of persons with disabilities and the challenges it faces in complying with them.
5. In order to facilitate the preparation of the report, in January 2010 the Government established an inter-institutional working group chaired by the Ministry of Foreign Affairs and the Ministry of Labour and Social Security and made up of representatives of a large number of governmental and State institutions, Parliament and non-governmental organizations, in particular, associations of persons with disabilities, namely, the Cuban Association of Persons with Motor and Physical Disabilities (ACLIFIM), the National Association of Blind and Visually Impaired Persons (ANCI) and the National Association of Deaf and Hearing-impaired Persons (ANSOC).
6. The working group carried out a careful, objective assessment of the implementation of and compliance with the Convention. A timetable was drawn up that included various meetings to assess the information provided by each member of the working group on the action taken by his or her institution with respect to the articles of the Convention in which its work was involved.
7. The report was also submitted to the National Council to Support Persons with Disabilities (CONAPED), which met on 26 June 2014 under the chairmanship of the Ministry of Labour and Social Security. The report was discussed and approved by Council members.
8. Lastly, the report was submitted for review and approval to all the bodies, institutions and organizations that had taken part in the national working group.

I. General information about the Republic of Cuba

A. Overview

9. The Republic of Cuba is an archipelago formed by the island of Cuba, the Isla de la Juventud and 4,195 keys and islets, with a total surface area of 110,922 km². The country is divided into 15 provinces and the special municipality of Isla de la Juventud.
10. The official currency is the Cuban peso and the official language is Spanish.

11. Cuba has a population of 11,167,325 inhabitants, according to the National Population and Housing Census conducted in 2012 by the National Office for Statistics and Information. The majority of the population lives in urban areas (75.6 per cent), Havana, the country's capital, being the province with the most urbanized population.
12. Women make up a slight majority of the population, at 50.1 per cent, with men accounting for 49.9 per cent.
13. Cuba has an ageing population: 18.3 per cent of Cubans are aged 60 or over, while only 17.2 per cent are in the 0 to 14 age group.
14. As to the distribution of the population by skin colour, census data indicate that 7,160,399 Cubans are white, 1,034,044 are black and 2,972,882 are mestizo. This confirms the trend towards an increasingly mestizo population over the past 30 years.
15. The economically active population totals 5,022,303 persons, or 54.3 per cent of the total population aged 15 and over.
16. According to the 2012 census, there are 556,317 persons of all ages with some form of disability. This figure accounts for 5 per cent of the total population and concerns mainly those aged 60 or over¹ (see annex 1).
17. At 50.9 per cent and 49.1 per cent respectively, there are more women with disabilities than men. The highest disability rates are among men aged 65 to 79 and women aged 85 and over.²
18. The most common disabilities are visual impairment and physical and motor impairment, accounting for 57.8 per cent of all disabilities³ (see annex 2).
19. Cuba is a secular country with freedom of worship. The distinctive feature of the religious landscape in Cuba is the mix of many faiths and observances, including Catholicism and Afro-Cuban religions, evangelical or Protestant denominations, spiritism and various other beliefs.
20. The Cuban public health system features one of most comprehensive primary health-care programmes in the world, the lowest infant mortality rate in Latin America and universal, free health-care services.
21. Cuba has an infant mortality rate of 4.6 deaths per 1,000 live births and a maternal mortality rate of 21 deaths per 100,000 live births. Cuban children are immunized against 13 diseases, one of the highest rates of coverage in the world. Average life expectancy is 77.9 years (80.02 for women and 76 for men), placing Cubans among the 25 per cent of the world's population that can hope to live to the age of 77 or over.
22. Cuba is the only country in Latin America and the Caribbean to have eliminated infant and child malnutrition, an achievement recognized by United Nations specialized agencies, as a direct result of the Government's efforts to improve nutrition, especially among the most vulnerable groups, and of programmes to promote breastfeeding, detect and combat anaemia and provide care for pregnant women.
23. Cuba ranked 59 out of 187 countries in the 2013 *Human Development Report* of the United Nations Development Programme (UNDP), placing it in the high human development category.
24. Between 2000 and 2012, Cuba's Human Development Index increased by 13 per cent, an average annual rise of 1.02 per cent. Having secured a high level of human development, the Government is now focusing its efforts on ensuring the quality and sustainability of development targets.
25. Despite the United States blockade and its immense economic and social cost, Cuba has met most of the targets of the United Nations Millennium Development Goals. These

¹ 49.5 per cent of all persons with disabilities are aged 60 or over.

² This is consistent with the distribution of men and women in the population as a whole.

³ Blind persons constitute the smallest group, at 2.6 per cent.

include eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and empowering women and reducing under-five child mortality.

B. Historical summary

26. With the triumph of the Revolution on 1 January 1959, the Cuban people achieved true independence and were able to pave the way for the full and universal enjoyment of all human rights. The profound economic, political and social changes that were made allowed the structural injustices inherited from colonial and neocolonial domination in Cuba to be eradicated. The foundations were laid for a democratic, fair, inclusive, equitable and compassionate society and steady progress has been made towards that goal ever since.

27. When the Revolution triumphed, the situation in Cuba was one of absolute political and economic dependence on the United States, underdevelopment, corruption, political and administrative fraud, chronic malnutrition, arbitrary detention, torture, disappearances and extrajudicial executions, illiteracy, neglected and inadequate health services, widespread poverty, discrimination against women and racism. In short, the utter denial of individual and collective rights.

28. The Cuban people established its own sovereign political, economic and social system, enshrined in the 1976 Constitution. It did so drawing on the experience of the failure of successive models and prescriptions imposed by the Powers that had dominated Cuba.

29. The Cuban people embarked on its project of freedom, solidarity and social justice in the face of a relentless policy of hostility, aggression and blockade on the part of successive United States administrations. Cuba has suffered the adverse effects of United States economic warfare, mercenary invasions and terrorist attacks.

30. Cuba has undergone and continues to undergo a process of lasting, far-reaching change as it works to improve the socialist system endorsed and built by its people, in order to create a society that is ever fairer, freer, more independent, more compassionate, more equitable and more productive, that ensures sustained economic growth and sustainable development and that develops as far as is humanly possible the democratic nature of its institutions, laws, policies and programmes, which are clearly broad-based and participatory

C. Political system in Cuba

31. Cuba is an independent, sovereign socialist workers' State, organized with all and for the benefit of all as a united, democratic republic for the enjoyment of political freedom, social justice, individual and collective well-being and human solidarity.

32. The Cuban State is made up of legislative, executive, administrative, judicial, fiscal, oversight and defence organs. Each group of organs has a specific function in the power structure.

33. The National Assembly of People's Power, a single-chamber representative body, is the supreme organ of State power. It represents and expresses the sovereign will of all the people, in accordance with article 69 of the Constitution. It is the only organ in Cuba with constituent and legislative power.

34. As established in article 89 of the Constitution, the Council of State is the organ of the National Assembly that represents the Assembly in the period between sessions, executes the Assembly's decisions and performs other functions assigned to it by the Constitution. It represents the Cuban State at the highest national and international levels.

35. The Council of Ministers is the highest executive and administrative organ and constitutes the Government of the Republic.

36. The function of administering justice derives from the people and is performed on the people's behalf by the People's Supreme Court and the other courts established by law.

37. The Office of the Attorney General of the Republic is the organ of the State vested with the primary responsibilities of overseeing and upholding the rule of law and instituting public criminal proceedings on behalf of the State.

38. The provincial and municipal assemblies of people's power in the country's political and administrative divisions are the supreme local organs of State power and are accordingly vested with supreme authority to perform the functions of the State in their respective jurisdictions. There are 169 municipal assemblies, with a total of 15,236 delegates, most of whom are not professionals and all of whom are elected by majority vote for a term of two and a half years.

39. The organs of people's power are not the sole expression of democracy in Cuba. Other forms of direct democracy are encouraged, as well as a participatory culture, which includes mass and social organizations representing the plurality of Cuban society. Important decisions are taken only when the broadest possible social consensus has been reached.

40. The Cuban State recognizes and encourages the mass organizations and social organizations that have emerged from the Cuban people's struggles and that bring together different sectors of the population, represent their specific interests and involve them in the tasks of building, consolidating and defending society.

D. Judicial system in Cuba

41. The Constitution of the Republic of Cuba is the supreme law and establishes the political, economic and social foundations of the State and its Government. It sets forth the principles governing the organization of State organs and establishes citizens' fundamental rights, duties and guarantees, respect for which is mandatory.

42. The Constitution establishes the principles of the Cuban electoral system and the procedure for the partial or complete revision of the Constitution. In certain cases, if such revision concerns the composition and powers of the National Assembly of People's Power or its Council of State or the rights and duties enshrined in the Constitution, it also has to be ratified by a majority vote of citizens with electoral rights in a referendum called for that purpose by the Assembly pursuant to article 137 of the Constitution.

43. The system of legal protection for human rights in Cuba is not confined to their formulation in the Constitution; these rights are duly developed and guaranteed in other substantive and procedural provisions. Other acts, decree-laws, decrees, decisions of the Council of Ministers and resolutions of ministers and heads of the central organs of State establish benefits and supplement the principles, rights and duties set forth in the Constitution, which define the relationship among individuals in society and between individuals and the State.

E. Civil and political rights

44. Chapter VII of the Constitution, entitled "Fundamental rights, duties and guarantees", essentially sets forth the principles and guarantees of human rights and fundamental freedoms, which are consistent with the rights contained in the Universal Declaration of Human Rights and other international human rights instruments. These are supplemented in other chapters of the Constitution and in the provisions of ordinary law.

45. The rights and guarantees recognized in the Cuban legal system include the right to life, liberty and inviolability and integrity of the person; the right not to be tried or convicted except by a competent court under laws that existed prior to the offence and with the procedures and guarantees established by law; the right to defence; the right of a person not to be subjected to violence or coercion of any kind to force him or her to testify; the retroactive application of criminal law where that is favourable to the accused; the obligation to observe due process; the obligation to comply with court judgements and other final decisions; and the oversight and upholding of the rule of law by the Attorney General's Office.

46. The legal system is conceived as a form of protection for human rights, providing as it does a guarantee of the exercise of human rights and of the public safety demanded not only by international instruments but also by the Cuban people, whose enjoyment of that protection is one of their greatest achievements.

47. The criminal justice system contains guarantees based on the fundamental principle of the dignity of the human person and respect for his or her status as a subject of law. The principles of legality, non-retroactivity of more severe criminal legislation, presumption of innocence, reparation for miscarriages of justice, non-discrimination, determination of sentence and due process form part of criminal law. In Cuba, all criminal proceedings are conducted orally, with all the guarantees that this demands.

F. Economic, social and cultural rights

48. Cuba has made substantial progress in the realization of economic, social and cultural rights.

49. Education is a right of all Cubans. Cuba eradicated illiteracy in 1961 and is now working to make higher education universal. Chapter V of the Constitution, entitled "Education and Culture", establishes that education is a public function provided free of charge. This function is performed by the State as a non-transferable duty and a right of all Cubans, without distinctions or privileges.

50. The Cuban State has created the material conditions and human capital to ensure quality education for all, with universal coverage and without cost at all levels of education, irrespective of the gender, colour, household income, religion, opinions or political ideas of the student or his or her family members.

51. **The right to culture:** culture and science in all their manifestations are fostered and promoted in Cuba, as are freedom of artistic creation, the defence of Cuba's cultural identity and the conservation of the nation's heritage and artistic and historical wealth. Culture is accessible to all social sectors, and all citizens, including those living in rural areas, are given equal opportunities for developing their potential. Cuba sees culture as one of the key sources of development, because of the spiritual, creative, emotional, moral and ethical richness it brings to society and to the nation's material and intangible heritage.

52. **The right to work:** the right to work has constitutional status in Cuba. Employment policy is governed by the following principles: equal opportunities for employment, without discrimination of any kind; free choice of employment; employment as the basis of social security; demonstrated fitness for work; equal pay for work of equal value; prohibition of child labour; guarantee of workplace health and safety; and in-service training to enhance job skills.

53. Cuba has ratified 89 International Labour Organization (ILO) Conventions, including seven of the eight Fundamental Conventions. Labour and social legislation is consistent with those Conventions and, in some cases, goes beyond the international standards set by them, granting more extensive rights, benefits and protection to all workers.

54. **The right to health:** every Cuban has guaranteed access to quality health services free of charge, a right established for all Cubans under the Constitution (art. 50) and the Public Health Act (Act No. 45, chap. I, art. 4).

55. The right to health is assured through the national health system, which is entirely State-funded and has an extensive network of institutions nationwide. Services range from primary and preventive health care to surgical operations using the latest technologies. Despite the negative impact of the United States blockade and hostile policy on the acquisition of resources and medical technologies, Cuba is making a colossal effort to ensure that its health services achieve the highest standards of excellence.

G. System for the protection of citizens' rights

56. Cuba has an extensive and effective inter-institutional system, which includes the participation of political and social organizations, for receiving, processing and responding to any complaint or petition from an individual or group concerning the enjoyment of any human right, as provided for in article 63 of the Constitution.

57. The main guarantor of this right is the Attorney General's Office, which was mandated under Act No. 83 of 1997 (art. 8 (c)) to deal with any complaints submitted by citizens concerning alleged violations of their rights. Under article 24 (2) of the Act, the Office is responsible for ensuring, by means of a ruling handed down by a prosecutor, that a situation of legality is fully restored. Where the complaint refers to the action of a body, the prosecutor will investigate all the allegations and, if the citizen's complaint is upheld, will order the restoration of his or her rights and consequently the restoration of legality. The prosecutor is required to follow the case through to a final resolution and his ruling is binding on offenders.

58. In order to strengthen this role, the Attorney General's Office created the Department for the Protection of Citizens' Rights and similar departments in each provincial prosecutor's office. In municipalities, one prosecutor is assigned to this area of work.

59. Through the designated prosecutor, the Attorney General's Office considers, investigates and responds to reports, complaints and claims submitted by citizens in accordance with legal procedures. The most common complaints are monitored systematically by a team of experts in the Attorney General's Office, who look at the grounds for the complaints and take appropriate action to prevent further violations.

60. Cuba has other bodies and mechanisms for dealing with citizens' complaints and petitions regarding human rights. These include: social organizations; the National Revolutionary Police, in particular, its mechanisms for dealing with members of the public; public outreach offices in each body of the central State administration; the secretariat of the Executive Committee of the Council of Ministers; delegates to the municipal assemblies of people's power and the municipal and provincial administrative councils; the permanent structures of the National Assembly; and the procedures of the Council of State for dealing with members of the public.

61. In Cuba, legal guarantees exist to ensure that any person, whether a Cuban citizen or a foreigner, may invoke his or her rights before the courts or the appropriate authorities in order to demand protection from any violation of those rights. This system, which is authentic and adapted to the needs of the Cuban people, has been improved systematically to ensure its effectiveness and enable it to meet the expectations and needs of Cubans.

62. Following the adoption of the Economic and Social Policy Guidelines by the National Assembly of People's Power in 2011, Cuba is in the process of improving the legal and institutional system with a view to ensuring the progress and enhancement of Cuban society and its sustainable development, improving the quality of life of the Cuban people and progressing towards an increasingly just, free, independent, caring and equitable society, along with defending the country's independence and sovereignty.

63. The National Assembly of People's Power, the Councils of State and Ministers and other State organs are working, within their respective areas of competence, to create the country's legal and institutional framework for updating the economic model while sustainably preserving the principles of social justice, equality and solidarity that characterize Cuban society.

64. The country has taken numerous measures and initiatives in recent years to ensure steady progress in its efforts to achieve the broadest possible enjoyment of all human rights and fundamental freedoms for all. At the same time, Cuba continues to face the blockade imposed by the United States Government for over 50 years, which constitutes a grave and systematic violation of the human rights of the Cuban people.

65. Cuba will continue working to perfect its system for the promotion and protection of human rights.

II. General provisions of the Convention (arts. 1 to 4)

66. Considering the care of persons with disabilities to be essential, the Cuban State has implemented a development strategy based on the principles of freedom, equity, social justice and inclusion. The aim of the strategy has been to focus on the human person, fostering his or her all-round development, self-fulfilment and full social integration.

67. The development strategy recognizes persons with disabilities as subjects of inviolable rights who are differently abled. It adopts a three-pronged approach: medical/prophylactic, educational and socio-legal, its aim being to promote appropriate physical rehabilitation, learning, development of the person's potential and social inclusion.

68. Cuba interprets the term 'disability' in accordance with chapter I, section 2 (3) (7) of the Brasilia Regulations Regarding Access to Justice for Vulnerable People, where it is understood as a physical, mental or sensorial deficiency, be it permanent or temporary, which limits the ability of carrying out one or more essential activities of daily life, which may be caused or aggravated by the economic or social environment.

69. The basic principles laid down in articles 1 to 4 of the Convention on the Rights of Persons with Disabilities are reflected in the laws, policy documents and development plans in force in Cuba.

70. The 1976 Constitution establishes an inclusive legal framework that is applicable to all citizens without distinction or discrimination:

- **Article 41:** All citizens shall have equal rights and shall be subject to the same duties.
- **Article 42:** Discrimination based on race, colour, sex, national origin or religious beliefs or any other discrimination that impairs human dignity shall be prohibited and punishable by law.
- **Article 43:** The State shall uphold the right, won by the Revolution, for its citizens, without distinction as to race, colour, sex, religious beliefs or national origin or any other discrimination that impairs human dignity:
 - To have access, in accordance with their merits and abilities, to all posts and positions in the State, the civil service and the production and provision of services;
 - To rise to any rank in the Revolutionary Armed Forces, the security forces and domestic law enforcement, in accordance with their merits and abilities;
 - To receive equal pay for equal work.
 - To enjoy equal access to education in all the country's teaching institutions, from primary school to university;
 - To receive care in all health institutions;
 - To reside in any urban area, district or neighbourhood and to stay in any hotel;
 - To be served in all restaurants and other establishments serving the public;
 - To use, without segregation, maritime, rail, air and road transport;
 - To use the same seaside resorts, beaches, parks, social clubs and other cultural, sporting, recreational and leisure facilities.
- **Article 45:** Work in a socialist society is a right, a duty and a source of pride for every citizen.

71. Although there is no law in Cuba referring specifically to persons with disabilities, provisions guaranteeing the protection of such persons are contained in various bodies of

law, including the Children and Youth Code, the Family Code, the Civil Code, the Labour Code and the Criminal Code.

72. These legal instruments govern the exercise of the rights of persons with disabilities, viewed as subjects of equal rights and opportunities, and establish a system of guarantees that is reflected in national plans and programmes for the provision of systematic support to this vulnerable group.

73. One major advance in the provision of support to persons with disabilities has been the change in the way that they are treated. They have gone from being objects of care to subjects with guarantees of social inclusion.

74. To date, three National Plans of Action to Support Persons with Disabilities have been implemented (1995-2016).⁴ The plans constitute a set of strategies, measures, proposals and programmes that take a multisectoral, coordinated approach to ensuring the social integration and improving the quality of life of persons with disabilities.

75. The key issues dealt with in these plans relate to prevention, assessment, intervention, rehabilitation, integration in all areas of society (educational, community, political, economic, social), access to services, communications and transport, and the gradual introduction and implementation of the International Classification of Functioning, Disability and Health.

76. The innovations introduced by this strategy are the expansion of areas of intervention to address priority lines of action (health, employment, accessibility and education, among others), the linkage of programmes on the basis of integration needs rather than impairment, the updating of epidemiological aspects of disability in Cuba and around the world and the incorporation, in each area, of the legislation underpinning each programme.

77. There are three Cuban NGOs that represent persons with disabilities: the Cuban Association of Persons with Motor and Physical Disabilities (ACLIFIM), the National Association of Blind and Visually Impaired Persons (ANCI) and the National Association of Deaf and Hearing-impaired Persons (ANSOC) (see annex 3).

78. These organizations are an essential link between their members and society at large in efforts to ensure protection, respect and guidance for persons with disabilities and the promotion and exercise of their rights.

79. In this connection, the National Council to Support Persons with Disabilities (CONAPED) was established by Ministry of Labour and Social Security resolution No. 4 of 1996.

80. The Council is a collegiate body, chaired by the Ministry of Labour and Social Security and made up of representatives of State institutions and bodies with links to the disability sector and associations of persons with disabilities. Representatives of political and mass organizations participate as guests.

81. The Council's mission is to formulate the National Plan of Action to Support Persons with Disabilities, evaluate its implementation and analyse and study all aspects of disability issues.

82. The Council is the standing intersectoral and inter-institutional coordination body. Its purpose is to help design a State disability policy and to promote, support, encourage, monitor and evaluate actions, strategies and programmes intended to safeguard the rights of persons with disabilities.

83. In the country's provinces and towns, provincial and municipal branches of CONAPED are responsible for the local application of programmes to support persons with

⁴ From 1995 to the present, a plan of action on the rights of persons with disabilities has been adopted every five years. The current plan has been in force since 2011 and was improved and extended to 2016 to reflect the economic and other changes that are being introduced in the country on the basis of the Guidelines adopted at the Sixth Congress of the Communist Party of Cuba.

disabilities and for drafting and implementing community development plans to ensure a fair distribution of resources in solving local problems.

III. Specific provisions

Article 5 Equality and non-discrimination

84. From the outset, the Cuban Revolution prioritized efforts to combat any form of discrimination, whether on the basis of race, colour, national origin, gender, religious beliefs, disability or any other reason, by means of a comprehensive system of general and specific policies and measures in all spheres (political, economic, social and cultural) designed to eradicate discriminatory practices.

85. The equality of all citizens before the law is recognized in the Constitution, particularly article 41 thereof, as explained above.

86. To expedite the attainment of de facto equality, the Cuban State has promoted a culture of equity and non-discrimination and has adopted specific legal measures designed to make reasonable accommodation, ensure accessibility of products, environments and services and promote inclusion of persons with disabilities in the community.

87. Pursuant to decision No. 7335 of the Council of Ministers, the specific functions of the Ministry of Labour and Social Security include proposing, coordinating and monitoring policy for the comprehensive support of persons with disabilities.

88. The Attorney General's Office considers, investigates and responds to reports, complaints and claims submitted by citizens, including persons with disabilities, in accordance with legal procedures. In cases where it finds that the law has been broken, the Office issues a binding ruling for the restoration of legality.⁵

89. In Cuba, there are few lawsuits demanding redress for situations of discrimination against persons with disabilities. The number of complaints or claims is low, reflecting the fact that the rights of persons with disabilities are duly recognized and fully exercised in society.

90. There are other bodies and mechanisms for dealing with citizens' complaints and petitions, including: social organizations, the public outreach offices in each government ministry, the secretariat of the Executive Committee of the Council of Ministers, delegates to the municipal and provincial assemblies, the permanent structures of the National Assembly of People's Power and the procedures of the Council of State for dealing with members of the public.

91. Over the past five years, there have been no complaints or reports of discrimination against persons with disabilities, even though the public is aware of the existence of offices and mechanisms for filing complaints and reporting different problems, including those related to the Convention.

92. That Cubans are aware of and use these mechanisms is demonstrated by the fact that, in the period from 2010 to 2013, the different organs of the Attorney General's Office dealt with a total of 358,019 persons and processed 54,881 written claims, complaints or reports of various kinds, of which 22.3 per cent were upheld.

⁵ The Attorney General's Office is the body chiefly responsible for this task. It is an organic unit subordinate only to the National Assembly of People's Power and the Council of State. This system has proved to be an effective means of responding to interests, complaints and claims relating to alleged human rights violations.

Article 8

Awareness-raising

93. As part of national efforts to implement the Convention and in accordance with article 8 thereof, raising public awareness of persons with disabilities is one of the priorities of State bodies and institutions and of associations of persons with disabilities.

94. The current National Plan of Action includes, as a priority line of action in the accessibility area, a programme to foster positive attitudes towards disability. The programme includes the production of various audiovisual materials and interviews with disability professionals, relatives and persons with disabilities themselves. The basic aim has been to create an awareness and a culture in which disability is assessed in terms of functionality rather than impairment, emphasizing the results achieved in their social inclusion, sports events, employment, job placement, culture and science, and in which the role of associations of persons with disabilities themselves is recognized.

95. Radio, press and television play a crucial role in creating an accurate public image of the potential that persons with disabilities possess.

96. The main themes and messages that are being broadcast include:

- The importance of supporting persons with disabilities;
- Encouraging persons with disabilities to participate in cultural, political, social and sports activities and giving coverage to events of this kind at which important results are achieved;
- Raising awareness of the need to eliminate architectural barriers;
- The social integration of persons with disabilities;
- The promotion of national and international events that deal with disability issues;
- The importance of using sign language correctly;
- Up-to-date information on the national institutions best suited to dealing with the different types of disability;
- Recognizing achievements in caring for persons with disabilities;
- The appropriate and effective use of terminology for different types of disability;
- The commitment by national institutions to the gradual incorporation of the International Classification of Functioning, Disability and Health and respect for the Brasilia Regulations Regarding Access to Justice for Vulnerable People;
- Information on the experience gained and activities undertaken in special schools;
- Public appearances by representatives of ACLIFIM, ANSOC and ANCI to discuss the characteristics of persons with disabilities.⁶

97. Since 2011, new communication strategies have been designed for radio and television as part of the national campaign “*Todo el mundo cuenta*” (Everyone Matters), the fundamental aim of which is to raise public awareness of how persons with disabilities should be treated.

98. Over the past year, 163 adverts on disability were broadcast on national television, more than three per week. The adverts were aired during prime time and suggested new ways for society to relate to persons with disabilities.

99. Coverage was also given to various sports events, including the Beijing and London Paralympic Games, the Terry Fox Run,⁷ the *Carrera por Mandela* (a race held in Cuba and

⁶ On the television programme *Diálogo Abierto* (Open Dialogue), experts and members of disability organizations discussed disability issues, including the 200th anniversary of Louis Braille’s birth and the use of computers by visually impaired persons.

⁷ An annual event attracting millions of participants around the world, organized to pay tribute to Canadian Terry Fox, an international symbol of the fight against cancer, and to teach participants

named after Nelson Mandela), the Maracuba and Marabana events⁸ and other provincial and municipal initiatives.

100. In this regard, the three above-mentioned associations of persons with disabilities have cooperated actively in the publication of cultural magazines, the coverage of local sports events for persons with disabilities and the production of news articles on working life and job opportunities for persons with disabilities.

101. Currently, the triannual magazine *Faro* and the ANCI Journal are published in Braille to disseminate messages that promote greater awareness of the rights and social inclusion of persons with disabilities.

Article 9 Accessibility

102. In Cuba, the concept of accessibility has been developed in conjunction with efforts to raise awareness of disability. It has evolved from being viewed as entailing the removal of physical barriers and obstacles into the broader concept of facilitating the use of products, facilities and services designed to ensure social inclusion.

103. As part of efforts to promote accessibility, priority has been given to such measures as identifying seats for persons with disabilities on public transport, creating spaces for wheelchairs and building passageways in public spaces that are wide enough to permit the free movement of persons with disabilities. These measures help facilitate the use and enjoyment of public spaces by persons with disabilities.⁹

104. Accessibility is one of the areas covered by the National Plan of Action to Support Persons with Disabilities, which provides for biannual checks and improvements in line with the latest developments.

105. The National Plans of Action are reflected in local plans and include action by associations of persons with disabilities and local entities, bodies and governments.

106. Technical Standard NC 391, on accessibility and use of the built environment,¹⁰ was drawn up and is being applied on the basis of a comprehensive new social conception of the full inclusion of persons with disabilities. It establishes design and building requirements to ensure that persons with disabilities can access physical spaces and services.

107. The Standard is updated systematically in line with the international standards of the International Organization for Standardization (ISO) and comprises four parts:

- Part 1: General elements, published in 2010;
- Part 2: Town planning, published in 2013;
- Part 3: Buildings, published in 2013;
- Part 4: Communications, signs and information, published in 2013.

108. In 2000, the Ministry of Transport drafted a policy document on access to public transport, including technical regulations and provisions for facilitating access to and communication with land, sea and air transport services by persons with disabilities.

about the disease, the risk factors and means of prevention. Since 1998, Cuba has organized its own annual event, which is non-competitive and open to all. In Cuba, the *Maratón de la Esperanza* (Marathon of Hope), as it is also known, is the largest Terry Fox Run outside Canada. The marathon is the only one held simultaneously around the world.

⁸ The Marabana is a marathon open to amateur runners and walkers, elite athletes and persons with disabilities (persons with visual or hearing impairments and wheelchair users) that takes place simultaneously in every municipality in the country.

⁹ To date, more than 50 accessibility programmes have been implemented. They are monitored directly by the relevant State bodies.

¹⁰ Application of the Standard is mandatory in design and building projects conceived or carried out in Cuba.

109. In this connection, conditions in transport terminals and stations were comprehensively assessed to obtain an objective measure of how well the above standards were being observed. The relevant agencies formulated an action plan, which resulted in the adaptation of a total of 78 terminals, or 50 per cent of all terminals in the country. The Government is currently looking for ways of solving the problems remaining in the other 50 per cent, taking into account the limited resources available and the external environment.

110. With regard to health, steps have been taken to enhance the accessibility of polyclinics, rehabilitation wards and other health-care centres, 80 per cent of which are now deemed at least partially accessible. Efforts are currently being made to resolve the difficulties that persist in the remaining 20 per cent.

111. In its national programme, the National Housing Institute defines priorities for housing construction and rehabilitation. The programme includes measures such as the granting of State subsidies and the allocation of new housing with the aim of eliminating precarious living conditions. Priority is given to, among others, families with children, persons with disabilities and older persons.

112. Resolution No. 5/2000 of the Institute established that housing should be repaired in accordance with the accessibility standards described above.

113. Instruction No. 1/2000 of the Institute of Physical Planning establishes that the removal of architectural barriers and other accessibility issues should be addressed in the physical planning instruments of all building companies.

114. The following are some of the strategies developed to enhance the accessibility of communications:

- Installation of telephones for deaf or hearing impaired persons in places frequented by them;¹¹
- Implementation of a service that allows hearing impaired persons to make free telephone calls from their home landlines;¹²
- Installation of public telephone booths at a height accessible to persons with disabilities, under a plan that prioritizes their installation in public places;¹³
- Provision of access to the Internet and email for disability organizations at the local level;¹⁴
- The use of closed captioning¹⁵ on national public television.

115. In 2013, an evaluation of completed projects found that 92 per cent of revised designs met the requirements of Technical Standard NC 391 of 2010.

116. At the same time, a comprehensive accessibility strategy has been developed that includes publicizing the relevant regulations, offering university courses, providing training to investors, designers and project managers and organizing technical events in general.

117. Despite the country's efforts in this area, however, accessibility is still not guaranteed in all public places, with a significant investment needed in existing infrastructure. The main obstacle faced by national institutions is the mobilization of financial resources and the availability of funds.

¹¹ By the end of 2013, 93 telephones had been installed throughout the country.

¹² By the end of 2013, there were 10,233 registered users.

¹³ By the end of 2013, 1,062 booths had been installed.

¹⁴ By the end of 2013, 48 services were being provided to ACLIFIM, ANCI and ANSOC.

¹⁵ Subtitling of various television programmes for deaf persons.

Article 10

Right to life

118. The rights and guarantees recognized in chapter VII of the Constitution include the rights to life, liberty and inviolability and integrity of the person, including for persons with disabilities.

119. There is no practice of arbitrary deprivation of life in Cuba. All persons, including persons with disabilities, enjoy equal and non-discriminatory judicial protection and legal assistance.

120. To ensure that no citizen is arbitrarily deprived of his or her life, Cuba's judicial bodies, by law, punish acts that violate other people's right to life, including wilful homicide, involuntary manslaughter and accidents such as explosions that have major consequences.

Article 11

Situations of risk and humanitarian emergencies

121. The national civil defence system has local branches. Under the domestic legislation in force, State and government leaders at all levels of State organs and bodies, economic entities and social institutions have primary responsibility for civil defence in their local area or office.

122. Cuba has a policy framework for dealing with situations of risk and natural disasters. A disability perspective has been incorporated in this framework and persons with disabilities are offered protection and safety measures as a matter of priority.

123. To that end, disaster-reduction plans have been developed that include protection measures for persons with physical or functional disabilities caused by age or other health factors. Priority is given to protecting and caring for such persons in safe shelters, health institutions or neighbours' homes and to providing the logistical support needed to guarantee their protection and security.

124. The local organs of people's power make prior assessments of the local population's needs and characteristics, enabling them to provide individualized care to persons with disabilities in the event of a disaster or emergency situation. The information they gather is compiled by risk-reduction management centres, providing a useful tool for local decision-making even in isolated communities.

125. Key sectors (agriculture, environment, transport, water resources, energy, public health, sanitation and housing, among others) have built their local capacity to care for persons with disabilities and other vulnerable groups in emergency situations. This enables communities to restore services immediately and to achieve a greater degree of independence in meeting their own needs during and after disasters.¹⁶

126. During emergency situations, appropriate care is guaranteed for the entire population, particularly persons with disabilities who require special treatment. Hospitals, health-care centres, polyclinics and evacuation centres are equipped with emergency generators and sufficient reserves of water, food, medicine and other medical supplies.

127. The risk prevention plan related to the care of persons with disabilities also includes measures for the ongoing review of the relevant laws and programmes. These include:

- Updating of legal standards for social work at every level of care;
- Updating of the national programme to support hearing-impaired persons, implemented through Ministerial Resolution No. 974 of 2012;

¹⁶ With regard to food security and nutrition, attention is drawn to the development and consolidation of the urban and suburban agriculture movement.

- Updating of the national programme to support visually impaired persons, implemented through Ministerial Resolution No. 973 of 2012;
- Updating of the national programme to support intellectually impaired persons and of the rules and procedures for community-based care;
- General rules for the provision of care in psychopedagogical medical centres, adopted by Ministerial Resolution No. 36 of February 2013, according to which persons with severe or profound intellectual disabilities may receive residential or semi-residential care;
- Monitoring and checking of compliance with the admission requirements for social institutions and that admission is granted by the provincial commission established to oversee old people's homes and psychopedagogical medical centres or by the municipal commission that oversees day centres for older persons;
- Monitoring and checking of compliance with the requirements of the procedure for providing assistive devices to older persons and persons with disabilities and with established rules, procedures and instructions;
- Monitoring and checking of compliance with lists of needs and priorities for the provision of incomes, assistive devices and services, to prevent the sale of services and resources needed by persons with disabilities.

Article 12

Equal recognition before the law

128. The Cuban legal system is comprehensively structured to ensure that all citizens can exercise and enjoy their individual and collective rights in accordance with the principle of non-discrimination.

129. This is affirmed, first and foremost, in chapter I, article 1, of the Constitution, on the political, social and economic foundations of the State, which establishes that Cuba is a socialist State, organized with all and for the benefit of all as a united, democratic republic for the enjoyment of political freedom, social justice, individual and collective well-being and human solidarity.

130. Pursuant to the Civil Code, no restrictions on grounds of disability are placed on full legal capacity in Cuba.

131. The Family Code establishes that:

- Guardians shall have legal authority to represent incapacitated persons (i.e. persons with disabilities) in all civil and administrative matters. Directors of care establishments shall be considered the guardians of incapacitated or disabled adults¹⁷ living in those establishments who do not have guardians;
- The requirements that must be met under article 149 in order to act as guardian of an incapacitated person include: being an adult, being in full enjoyment of civil and political rights, not having a criminal record, having good public standing, being a Cuban citizen and not having interests that conflict with those of the incapacitated person;
- Guardians also have an obligation to provide food for their wards and education in the case of a minor, help them acquire or regain their capacity, make an inventory of their property and present it to the court within the time prescribed by the court, administer their inheritance diligently and request, at the proper time, authorization from the court to perform necessary actions that cannot be performed without such authorization;

¹⁷ Persons with disabilities.

- Article 156 establishes that the court may not authorize the guardian to use the property of the incapacitated person, except in cases of necessity or utility duly justified as guaranteeing the protection of that person's inheritance.

132. In processing guardianship applications, prosecutors investigate with relatives and neighbours with a view to proposing to the court the person best suited to discharging this responsibility.

133. The Family Code establishes that guardianship must be exercised for the ward's benefit. Accordingly, guardians have an obligation to report to the court on their actions at least once a year, when indicated and/or whenever the court so orders.

134. To safeguard the rights and care of persons with disabilities who are under guardianship, article 159 of the Family Code provides for the removal of guardianship where guardians do not fulfil the requirements for their appointment and/or fail to fulfil the obligations imposed on them. Guardians who commit offences against property or against their wards shall also be punished and shall be subject to the penalty imposed by the Criminal Code for the offence in question.

135. Laws in Cuba guarantee the protection, representation and defence of persons with disabilities. To that end, they regulate guardians' legal responsibilities and obligations and the mechanisms for punishing offences committed by guardians against persons with disabilities. The prosecutor, as the guarantor of legality, is responsible for conducting the investigation and proposing to the court appropriate punishments, which may range from stripping the offender of parental authority to revoking adoption.

136. Cuban legislation guarantees the full public participation of persons with disabilities and protects their rights to own or inherit property, control their own financial affairs, have equal access to bank loans and not to be arbitrarily deprived of their property.

137. With regard to access to the financial system and taxation, there are no provisions restricting the rights or obligations of persons with disabilities. Article 3 of Decree-Law No. 289/2011 establishes that natural persons, including persons with disabilities, may have access to bank loans for the purposes of self-employment, for work associated with agriculture or other types of non-State activity, for the purchase of construction materials or the payment of construction workers and for purchasing goods for their own use or to satisfy other needs.

138. Conflicts of interest, which are expressly prohibited under article 63 of the Cuban Civil Code, basically occur when guardians exercise legal capacity simultaneously in their own name and on behalf of their wards. In such cases, the prosecutor assumes responsibility for representing the ward.

Article 13

Access to justice

139. In Cuba, justice is dispensed on the basis of the constitutionally recognized principle that all citizens are equal before the law and the courts. There is also recognition of the right of persons with disabilities to have effective equal access to justice, without being excluded from judicial proceedings or from the investigative or other pretrial stages, and of their right to enjoy the same safeguards as other citizens.

140. The Cuban Government is developing strategies, policies and programmes in different sectors to promote the autonomy and full participation of persons with disabilities so that they can appear in judicial proceedings of any kind like any non-disabled person, with the same guarantees as other citizens.

141. To permit effective access to justice for persons with disabilities, there is a requirement to make reasonable accommodation. The Criminal Procedure Act stipulates that a Cuban Sign Language interpreter must be present during the questioning of a suspect who is hearing or speech impaired. If the defendant has a vision, hearing or speech impairment or is a minor and has not appointed anyone to defend him or her, the people's court will appoint a lawyer who must provide legal assistance and act as defence counsel.

142. As Cuban citizens, persons with disabilities are legally bound to comply with demands from the competent authorities to testify in judicial proceedings as and when necessary. Articles 192 and 193 of the Criminal Procedure Act of 13 August 1977 stipulate that, where necessary, the free assistance of sign language interpreters shall be guaranteed or, failing that, a question-and-answer mechanism shall be implemented.

143. Article 30 of the Civil Code (Act No. 56 of 16 June 1987) provides that persons with mental disabilities who are capable of discernment and persons with a physical disability that prevents them from stating their wishes unequivocally shall have restricted capacity to perform legal acts, other than for meeting their normal everyday needs. Article 31 stipulates that older persons who have been declared incapable of taking care of themselves and their property have no legal capacity.

144. In such cases, it is stipulated that, if the defendant shows signs of insanity or any other mental illness that may affect his or her criminal responsibility, he or she shall be examined immediately in a hospital with an appropriate psychiatric service. If the insanity arises after the commission of the offence, the prosecutor must inform the court at the end of the pretrial stage and the proceedings must be suspended until the defendant's mental health is restored.

145. Article 20 (1) of the Criminal Code establishes that a person who commits a crime while in a state of unsound mind, temporary mental disorder or retarded mental development shall be exempt from criminal responsibility if, for any of these reasons, he or she lacks the capacity to understand the significance of his or her action or to control his or her behaviour.

146. Article 20 (2) provides that the maximum terms of imprisonment shall be halved if, at the time when the offence was committed, the guilty party's capacity to understand the significance of his or her action or to control his or her behaviour was substantially reduced. This amounts to a beneficial application of the penalties laid down for various offences under criminal law. Pursuant to article 20 (3), the provisions of paragraphs 1 and 2 shall not apply if the offender voluntarily placed himself or herself in a state of temporary mental disorder by consuming alcoholic beverages or psychotropic substances, or in any other case in which he or she could have foreseen the consequences of his or her action.

147. Article 20 (1) of the Criminal Code further establishes that a person who commits a crime while in a state of unsound mind, temporary mental disorder or retarded mental development is also exempt from criminal responsibility if, for any of these reasons, he or she does not possess the capacity to understand the significance of his or her action or to control his or her behaviour. Moreover, if his or her capacity was substantially reduced at the time when the offence was committed, the maximum applicable penalty may be halved in accordance with article 20 (2).¹⁸

148. Pursuant to article 118 of the Criminal Procedure Act and as part of the system of guarantees established by law, persons with disabilities have the right to report a wrongful act through a third party.

149. To guarantee the effectiveness of these procedures, the Cuban State provides training to judicial personnel in how to deal with persons with disabilities, regardless of the situation in which these persons find themselves, whether as defendants, victims, court members or witnesses, among others.

150. The Attorney General's Office plays a crucial role in monitoring compliance with the above-mentioned legal regulations and instituting public criminal proceedings on behalf of the State.¹⁹

151. Article 27 of the Constitution establishes that the Attorney General's Office is the organ responsible for overseeing and upholding the rule of law by ensuring strict compliance with the Constitution, laws and other legal provisions by State bodies, as well

¹⁸ Unless he or she voluntarily placed himself or herself in a state of temporary mental disorder by consuming alcoholic beverages or psychotropic substances.

¹⁹ This is provided for in article 127 of the Constitution and in article 1 of Act No. 83 of 11 July 1997 on the Attorney General's Office.

as for instituting and conducting public criminal proceedings on behalf of the State. The Constitution also determines the Office's other aims and functions and the manner, scope and timing of the exercise of its powers for the above-mentioned purposes. As an organic unit, the Office is subordinate only to the National Assembly of People's Power and the Council of State.

Article 14

Liberty and security of person

152. The liberty and security of persons with disabilities are governed by various laws, namely:

- The Constitution, article 58 of which establishes that liberty and inviolability of the person are guaranteed for all those residing in the country;
- The Criminal Procedure Act, article 241 of which stipulates that no person may be arrested except in the cases and following the procedures prescribed by law, and that disability does not constitute grounds for the imposition of any kind of penalty.

153. Consequently, deprivation of liberty, including that of persons with disabilities, may be ordered only by the competent authorities according to the procedures established by law, in strict compliance with the principles set forth in the Constitution.

154. Persons with disabilities who are serving a term of imprisonment are assisted by social workers according to their specific needs and have access to the necessary facilities for individual and specialist care.

155. Article 31 (3) (b) of the Criminal Code provides that persons sentenced to imprisonment who have legitimate grounds (a disease or disability) for claiming that the prison environment is incompatible with their needs may be allowed to serve their sentence outside prison. This extra-penitentiary leave must be authorized by the sentencing court or the Minister of the Interior and communicated to the President of the People's Supreme Court.

156. One of the above-mentioned functions of the Attorney General's Office is to handle citizens' complaints of alleged violations of their rights, in this case their right to liberty and security of person. Such complaints trigger a process of investigation, which, if the convicted person's innocence is demonstrated, includes the restoration of the violated rights and of legality. The alternative of personalized, home-based solutions may be offered to claimants with disabilities.

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

157. Cuba is a State Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to various international human rights instruments.²⁰

158. Given the very nature of Cuba's social system, torture is inadmissible and there is no provision for its possible use under any circumstances, however exceptional.

159. Current domestic law provides fundamental guarantees in this regard:

- Article 59 of the Constitution prohibits any violation of the physical integrity of persons deprived of their liberty and establishes that no violence or coercion may be used against individuals to force them to testify. Any confession obtained in violation of this provision is null and void and those responsible for the violation are punishable in accordance with the law;

²⁰ Cuba is a party to more than 40 international human rights instruments.

- Articles 39 (1), 53, 133 and 151 (2) of the Criminal Code establish various kinds of penalties for public officials who abuse their authority by mistreating, or allowing others to mistreat, defendants, convicted persons or pretrial detainees by imposing corporal punishment or personal penalties on them, by harassing them or by employing against them measures not provided for in the legislation in force. Moreover, article 30 (11) of the Code stipulates that offenders may not be subjected to corporal punishment and that it is inadmissible to use against them any measure that would entail their humiliation or loss of dignity.

Article 16

Freedom from exploitation, violence and abuse

160. In Cuba, significant efforts are being made to guarantee an environment favourable to the health, self-esteem, dignity and autonomy of persons with disabilities, taking into account specific characteristics such as type of disability, gender and age. In this regard, the different competencies of the State and the responsibility of the family and society for the protection of persons with disabilities are assessed in line with public policies and Cuban positive law.

161. In assisting persons with disabilities, the Cuban State establishes the obligation to encourage and promote the all-round and family development of persons with physical or mental disabilities and to ensure that they attend specialized care centres.

162. The Ministries of Education, Public Health and Labour and Social Security, associations of persons with disabilities, the National Sex Education Centre and the multidisciplinary National Working Group to Prevent and Deal with Domestic Violence²¹ have undertaken important initiatives aimed at prevention and at the rehabilitation, physical and cognitive recovery and effective social reintegration of persons with disabilities who have been victims of any form of exploitation, violence or abuse. In this connection, a Social Protection and Care Committee was established by Decree-Law No. 242 of 2007 on the social protection and care system. The Committee's functions were subsequently assumed by the Ministry of Labour and Social Security.²²

163. The Care Centre for Children and Adolescents, as an institution specialized in combating the secondary victimization of abused children and adolescents, plays a significant role in handling cases of exploitation, violence or abuse and in the social reintegration of victims of these offences.

164. The criminological protection of persons with disabilities is governed by the provisions of the Criminal Code, which establishes conducts that can be defined as crimes, among which the following are relevant to the topic at hand:

- Infliction of physical or psychological violence;
- Infliction of injuries;
- Discrimination;
- Crimes against the normal development of sexual relations;
- Crimes against property.

165. In Cuba, special attention is paid to cases of domestic violence. The State gives priority to the provision of care, support and rehabilitation to persons with disabilities who

²¹ The Group was set up in 1997, coordinated by the Federation of Cuban Women and made up of representatives of the Ministries of Education, Public Health, the Interior and Justice, the Attorney General's Office, the Institute of Forensic Medicine, the National Sex Education Centre, the University of Havana, the Centre for Psychological and Sociological Research, the People's Supreme Court and the Radio and Television Institute, among others.

²² In 2011, Decree-Law No. 242 was repealed by Decree-Law No. 286 on the integration of prevention, assistance and social work, which provided for the integration of the functions of the social protection and care system and the social workers programme under the Ministry of Labour and Social Security, meaning that these functions were superseded as such.

are victims of crimes such as psychological abuse in the form of humiliation, isolation, threats, appropriation of their property by means of deception, use of force to delegate the management of property, prescription drug abuse, abandonment and neglect.

166. Articles 121 to 136 of the Family Code set out the procedures for filing complaints and the measures that may be adopted in such cases. These include filing complaints or applications with the competent authorities, adopting precautionary measures, restricting or prohibiting the abuser's presence in the home, returning persons forced to leave their homes and, if the alleged acts are considered to constitute an offence, such as the infliction of moderate or serious injuries, taking testimony and referring the case to the relevant criminal court.

167. Persons with disabilities who have been victims of abuse, exploitation or violence receive support from groups specialized in dealing with such cases, for instance, the police authorities responsible for investigating the case and the medical authorities and institutions responsible for providing physical and psychological treatment, but first and foremost from the family.

168. The family guidance centres run by the Federation of Cuban Women and the public outreach centres based in the Federation's national, provincial and municipal offices also provide support, counselling and follow-up to victims of various forms of violence who come to them for help, with priority given to persons with disabilities, especially women, children and adolescents.

169. In Cuba, the protection of children and adolescents is governed by the principle that the child comes first. The State has an interest therefore in enhancing the legal protection of children, all aspects of which are dealt with adequately and systematically.

170. Programmes to prevent exploitation and abuse focus on the rehabilitation of victims and include training and support for the professionals who handle these matters, and the adoption of an integrated, coordinated approach to the provision of psychological, medical and social counselling.

171. The recovery and reintegration process takes place in an environment that promotes the health, self-respect and dignity of the child and/or adolescent.

172. The National Sex Education Centre also pursues activities that involve offering guidance and counselling to victims of sexual abuse and their relatives, designing relevant educational materials and studying the relationship between disability and sexuality, thereby promoting scientific approaches as a fundamental tool in the protection of this population group.

173. One of the Centre's programmes is the National Sex Education and Sexual Health Programme, which forms part of a system of coordinated action to respond to specific needs and social problems associated with sexuality.

174. Another of the Centre's aims is to develop comprehensive sex education as part of the all-round education of the individual, without discrimination on the basis of social class, colour, age, sex, sexual orientation, gender identity, sensory, intellectual or physical capacity or political or religious beliefs at the various stages of life.

175. This comprehensive, inclusive and coordinated system contributes proactively to protecting persons with disabilities from exploitation, violence and abuse, both within and outside the home. Such cases are isolated and, when they do occur, are detected and investigated promptly and punished in accordance with the legislation in force.

Article 17

Protecting the integrity of the person

176. In Cuba, all sectors of society act jointly to ensure respect for and protection of the integrity of the person.

177. In this regard, persons with disabilities have an equal right to receive medical care, rehabilitation and habilitation appropriate to their particular disability, to be asked for their

full and informed consent to the medical care they receive and to respect for their privacy and the confidentiality of information.

178. Persons with disabilities or their legal guardians also have the power to decide on the type of disability aids they receive and the right to be informed and advised about the advantages and disadvantages of different medical procedures, including fertility treatment and pregnancy and post-partum care.

Article 18

Liberty of movement and nationality

179. Cuban laws relating to freedom of movement and recognition or loss of Cuban citizenship apply to all citizens. Some of the main legal instruments in this area are described below.

180. Articles 29 and 30 of the Constitution state that Cuban citizenship is acquired by birth or naturalization for all citizens, including individuals and newborn children with disabilities, who receive the same treatment as other persons. Article 32 stipulates that Cubans cannot be deprived of their citizenship or the right to change it, except on legally established grounds.

181. The Constitution likewise establishes that dual citizenship is not permissible and that Cuban citizenship may be regained in the circumstances and manner prescribed by law.

182. The Cuban Migration Act, approved by Act No. 1312/76, both as amended in part by Decree-Law No. 302/12 and Decree-Law No. 305/12 respectively, regulates the right of individuals, including persons with disabilities, to travel abroad, as long as they do not fall under the cases provided for in article 25 of Decree-Law No. 302/12. This right applies equally to all natural persons resident in the national territory.

183. For its part, article 1 of Decree-Law No. 302/12 amending Act No. 1312/76 (Migration Act) states that in order to leave or enter the country, Cuban citizens must possess one of the types of Cuban passport provided for therein. Article 9 (1) of the Act stipulates that ordinary passports shall be issued to Cuban citizens resident in the country who need to travel abroad on private business, those authorized to reside abroad and emigrants.

184. The passport application requirements are duly set out in article 21 of Decree No. 305/12 amending Decree No. 26 (Migration Act implementing regulations), with persons with disabilities being treated in the same way as everyone else.

Article 19

Living independently and being included in the community

185. The social policy of support for persons with disabilities implemented in Cuba is intended, first and foremost, to view persons with disabilities as subjects of inviolable rights with certain limits to their capacities. Coordinated strategies for working with this vulnerable group are being developed in the educational, organizational, legal, occupational and social spheres, with a view to their full integration in the community.

186. Access to products, physical environments and services permits the inclusion of persons with disabilities in everyday, occupational and recreational activities in as independent a manner as possible.

187. Mechanisms such as the following have been adopted to this end:

- The creation in late 2006 of community youth computer and electronics clubs, specialized rooms for blind and partially sighted persons and educational software for persons with intellectual disabilities;²³

Table 1

Persons with disabilities who have graduated from youth computer clubs

<i>Type of disability</i>	<i>Total</i>
Deaf and hearing impaired	1 429
Blind and partially sighted	1 570
Physical and motor disability	4 239
Total	7 238

- The design of more than 380 fixed places set aside for persons with disabilities in programming the national library network, and more than 100 competitions to encourage participation. In these programmes, there were more than 20,000 users with disabilities;
- The implementation of “*Cecograma*”, a programme designed to facilitate communication by partially sighted persons through the postal service.²⁴

188. Persons with disabilities have the same rights as other citizens to join community organizations. They are members of the Committees for the Defence of the Revolution and the Federation of Cuban Women and are in no way excluded from participation in community activities.

189. Persons with disabilities organized in their respective organizations participate in the political, social and economic life of the country with full freedom and dignity, in accordance with the provisions of article 9 of the Constitution.

190. Moreover, they are full members of the United Nations Association of Cuba and active participants in meetings of civil society organizations.

Article 20**Personal mobility**

191. The Cuban State recognizes the right of persons with disabilities to move about freely, with the greatest possible independence. The enjoyment of this right depends on the achievement of greater accessibility and the removal of obstacles in communities.

192. The Ministry of Transport plays a key role in the development of facilities to permit the mobility of persons with disabilities, one example being the programme on facilities for using means of transport to enable persons with disabilities to participate in all social activities.

193. Programmes and social measures to improve public services have also been introduced, including:

- Decision No. 3297 of 29 May 1998 of the Executive Committee of the Council of Ministers introduced a 50-percent discount on fares for all means of land and river transport in the country’s transport system for members of organizations of persons with disabilities;
- The allocation of two seats on all means of public transport to persons with disabilities.

²³ The youth computer and electronics clubs are community centres created to familiarize the population with information technology, with children and adolescents being given priority. There are more than 600 such clubs throughout the country with the necessary equipment and specialized teachers and instructors.

²⁴ The system is based on the use of Braille.

194. The authorities of airlines, airports and travel agencies are required to provide persons with disabilities with the necessary information and assistance during their travel, according to their needs. They must also set up and coordinate training programmes for specialists who work with persons with disabilities.

195. The work of disseminating the provisions of existing laws has been carried out by associations of persons with disabilities and includes the sale of information leaflets at terminals and agencies and the training of personnel responsible for providing information to travellers, incorporating Cuban Sign Language, illustrated advertising and radio stations.

Article 21

Freedom of expression and opinion, and access to information

196. The Constitution and current domestic legislation guarantee Cuban citizens the exercise of all rights and freedoms recognized in the Universal Declaration of Human Rights.

197. Pursuant to the constitutional provision that, in Cuba, discrimination against any person is a violation of the inherent dignity and worth of the human person and of his/her individual autonomy and independence, all Cuban citizens are entitled to respect for their freedom to make their own decisions and are guaranteed the opportunity to participate actively in the decision-making process on policies and programmes.

198. Article 53 of the Constitution states that citizens shall enjoy freedom of speech and of the press in keeping with the objectives of socialist society. The material conditions for the exercise of this right are fulfilled by the fact that the press, radio, television, cinema and other mass media are socially owned or belong to the State and may in no case be privately owned, thereby ensuring that they are used solely for the benefit of the working people and in the interests of society.

199. As a guarantee of the exercise of these freedoms, article 291 (1) of the Criminal Code recognizes offences against freedom of expression and stipulates that “anyone who in any way prevents the exercise by another of the right to freedom of speech or the press shall be punishable by a prison term of from three months to one year or a fine of 100 to 300 base units or both”. Article 291 (2) stipulates that “if the offence is committed by a public official in abuse of his or her authority, the punishment shall be a prison term of six months to two years or a fine of 200 to 500 base units.”

200. In this regard, information and communication technologies are goods that serve all the people, meaning that persons with disabilities, like all other citizens, have the right to access them.

201. In recent years, the State has promoted free admission to information technology training courses. Despite the constraints of the United States embargo against the country, this has made it possible to register more than 2,871,000 Internet users.

202. Significant financial and technological efforts have also been made to ensure that citizens, including persons with disabilities, have access to information through social and community centres and institutions such as schools, universities, libraries, research centres, local, provincial and national government departments and arts and cultural centres.

203. In their programmes, the youth computer clubs include support for children with different types of disability, focusing on the creation of educational software and games.

204. The clubs also have links with the special education system for children with disabilities, thereby ensuring that children can, from an early age and in a school context, access and interact with information technologies.

205. To facilitate the development of these projects and their use by persons with disabilities, the State and the Government are working to identify and eliminate architectural barriers so that persons with physical and motor disabilities can access the services described above.

206. The initiatives of the youth computer clubs targeting persons with disabilities include:²⁵

- Creating and setting up facilities for persons with visual and hearing impairments to learn about and use new technologies. Specific lesson plans are prepared for this purpose, using tools that support the learning process;
- Fitting out computer labs, referred to as “*aulas tiflotécnicas*” (classrooms for the blind and visually impaired) because they are equipped with headphones, in every province of the country, thereby helping to improve classes for blind and partially sighted persons. Currently, there are 16 such labs in operation, providing a variety of services such as classes, computer time and printing and scanning of materials for students at different educational levels and all visually impaired users who request them;
- Preferential and personalized assistance for persons who, as a result of their disability, cannot attend the youth computer clubs;
- Organizing outreach and motivational activities such as competitions, postgraduate courses and diploma courses.

207. To enhance and guarantee the quality of this service, there is a sign language training programme for teachers to ensure that communication is not an obstacle to supporting persons with hearing disabilities.

208. The Fourth ANSOC Congress, held on 24 and 25 September 2013, identified the official recognition of sign language in Cuba and the adoption of an act regulating it as a major challenge for the Association. The Congress acknowledged the Cuban State’s willingness to adapt society to the needs of persons with disabilities.

209. For its part, the Fifth ACLIFIM Congress, held on 13 and 14 June 2013, discussed associations’ key issues with regard to the community integration, living conditions and quality of life of their members, their access to public spaces, the internal functioning of these associations, oversight of resources and training.

Article 22

Respect for privacy

210. In Cuba, confidential information on the treatment and care of persons with disabilities enjoys full protection. Information in clinical records is handled with discretion and confidentiality, in accordance with the scientific and ethical principles that guide the practice of medicine.

211. Decree-Law No. 199 on the safety and protection of official information regulates all aspects related to the safety and protection of official information, namely, the rules that must be observed by bodies, organs, entities or any other natural or legal person residing in the national territory.

212. In Cuba, there is a national register of persons with disabilities that contains confidential, detailed information on the situation of this population group. This information is compiled routinely in primary health-care centres and is handled with complete discretion and confidentiality, on the basis of respect for ethical and scientific principles.

213. To ensure the protection of confidential information, the Criminal Code establishes penalties for persons, namely, officials or employees, who disclose administrative secrets, production secrets or secrets related to services known to them by reason of their office or other reasons.

²⁵ In the period 2008-2013, a total of 92,765 persons with disabilities graduated from these facilities.

Article 23

Respect for home and the family

214. The country's social policies on support for persons with disabilities include dealing with issues related to marriage, family, reproduction, parenthood and relationships. These regulations are protected by, inter alia, the Constitution, the Family Code, the Civil Registry Act and its implementing regulations, the Civil Code and Decree-Law No. 234 of 13 August 2003 (Working Women's Maternity Act).

215. The matters regulated include the following:

- Equal conditions for entering into marriage and raising a family on the basis of free and full consent;
- The right to decide freely and responsibly on the number and spacing of children;
- Support for parents of children and adolescents with disabilities in order to offer them special conditions for raising them and prevent the concealment, neglect or abandonment of children with disabilities.²⁶ Such support includes full access to all services, free health care, physical and psychopedagogical rehabilitation, disability prevention programmes and the national education system;
- Measures to prevent a child from being separated from one or both parents because of his or her disability.

216. The family, society and the State have an obligation to guarantee children with disabilities the necessary protection and conditions favourable to the harmonious development of their personalities and the enjoyment of their human rights.

217. The State, social institutions and society as a whole guarantee the protection of the family by imparting information about the care and upbringing of children, responsible parenthood and relationships.

Article 24

Education

218. Since January 1959, the education of children and adolescents, based on the principles of equality and justice, has been one of the country's priorities.²⁷

219. Article 51 of the Constitution establishes the universal right to free public education.²⁸

220. The Cuban education system, overseen by the Ministry of Education, focuses on the multifaceted, harmonious and all-round development of all children, without distinction as to race, sex or social origin and with careful priority given to persons with disabilities.

221. The Cuban education system offers various kinds of instruction, including special education for children and adolescents who need specialized support tailored to their type of disability. This guarantees the principle of equity for all, as well as the rights to education and non-discrimination and the best interests of the child.

²⁶ See Article 28: Adequate standard of living and social protection. Working mothers of children of paediatric age who have a severe, irreversible and permanent disability that worsens over time, who are in a vegetative state and confined to bed and who have severe neurocognitive and adaptive functioning disorders but are unable to receive institutional care are protected economically through social assistance and the years they spend caring for their children are taken into account for pension purposes.

²⁷ This accords fully with the principles of the Convention on the Rights of the Child and United Nations recommendations on early childhood education.

²⁸ This right is guaranteed by the application of the Education Act of 6 June 1961, which sets out the basic principles of education in Cuba.

Table 2

Education of children and adolescents with disabilities

Number of special schools	302
Children, young people and adolescents in special schools	34 447
Children, young people and adolescents in ordinary schools	5 783
Percentage of school-age children and adolescents in special schools	85.6%

222. The development of the special education system has involved the design of an inclusive educational policy aimed at providing differential support to persons with disabilities from an early age.

223. Accordingly, a number of resolutions have been adopted, including resolutions Nos. 160/81 and 161/81, which provide guidance for improving this subsystem, define curricula and their objectives by speciality and establish the different support mechanisms, including centres, schools, special classrooms and diagnostic and guidance services (see annex 4).

224. In special education, reasonable accommodation has been made to facilitate the learning of children and adolescents with disabilities. This includes:

- Allowing students with visual and hearing disabilities more time on tests and, in some cases, giving individual oral examinations;
- Providing additional personalized support for students with disabilities who choose to pursue higher education;
- Validating English language studies for deaf and hearing-impaired students at all educational levels except higher education (Ministerial Resolution No. 131/1999);
- Exempting visually impaired students from certain physical exercises;
- Assigning an orientation and mobility teacher to each school with blind and partially sighted students;
- Training Cuban Sign Language interpreters (Ministerial Resolutions Nos. 2009/109 and 110/2010);
- Training teachers in the use of augmentative and alternative communication systems for students with physical and motor limitations and severe communication disorders.

225. In addition, various programmes have been implemented to ensure the effectiveness, expansion, development and improvement of comprehensive support for all children with disabilities, including:

- The early childhood stimulation programme for children with disabilities aged up to six years and particularly for families with at-risk children and young people;
- The implementation of a support system that includes different educational models;²⁹
- The “Educate Your Child” programme as a non-institutional alternative;³⁰
- The “Defending Hope” educational programme, aimed at deafblind children in particular;³¹

²⁹ The models of early intervention on disability include special day-care centres and special sections in ordinary day-care centres.

³⁰ This is the non-institutional support model, based on the family and the community and adopting a cross-sectoral and cross-institutional approach, that provides support for children aged up to six years who do not attend schools or children’s centres. It seeks to foster, in the home setting, the best possible all-round development of Cuban children. The programme serves 7,180 children with special educational needs.

³¹ This programme serves 132 minors and has more than 100 teachers.

- The programme of support for children with autism and cochlear implants;³²
- The pre-university and university training programmes for Cuban Sign Language interpreters;³³
- The programme for the introduction and development of information technology,³⁴ as well as the “*Multisaber*”³⁵ and “*El Navegante*”³⁶ educational software collections.

226. In addition, the joint resolution of 6 February 1987 of the Ministries of Public Health and Education was adopted with a view to ensuring the consistency of teaching and other activities. The resolution provides for hospital classrooms to be set up for children and adolescents aged six to 18 who have to spend more than three weeks in hospital, except for those who are suffering from communicable diseases or who cannot be moved.

227. There are currently 302 special schools throughout the country that provide educational support, according to type of disability, to children, adolescents and young people with special needs.

228. However, special schools in Cuba are a temporary measure, meaning that pupils stay in them until their skills have developed to the point where they can attend ordinary schools and be integrated in society and the workplace.

Table 3

Children with disabilities attending ordinary and special schools

<i>Type of disability</i>	<i>Total number of schoolchildren</i>		<i>Percentage of schoolchildren in ordinary schools</i>		<i>Percentage of schoolchildren in special schools</i>	
	<i>Ordinary schools</i>		<i>ordinary schools</i>		<i>Schools</i>	<i>special schools</i>
Deaf and hearing impaired	1 177	609	51.7		568	48.2
Deafblind	68	10	14.7		58	85.2
Visual	2 427	519	21.3		1 908	78.6
Intellectual	33 005	2 908	8.8		30 097	91.1
Physical and motor	1 758	845	48		913	51.9
Communication	1 795	892	49.6		903	50.3
Total	40 230	5 783	14.3		34 447	85.6

229. Currently, all special schools are temporary. Originally, these institutions were created to assist schoolchildren with intellectual disabilities and were designed to enable them to leave school equipped to take their place in society and the workplace. However, it is now possible to transfer from these institutions to other institutions where they can continue their studies.

230. Such transfers are determined by the potential that the special school, families and the community, supported by advances in science and technology, manage to help the child achieve.

231. In the 2013-2014 school year, 34,447 students aged up to 21 were enrolled in special education.

³² This programme serves 118 children, of whom 52 attend the Dora Alonso school and the rest receive support in special sections and classrooms in different parts of the country.

³³ More than 600 students have graduated in this speciality and they are given the opportunity to continue studying for teaching careers or careers related to communication. In addition, continuation of sign language studies at the University of Havana is now possible.

³⁴ There are currently 1,223 computers.

³⁵ The “*Multisaber*” collection has numerous components that help satisfy the hunger for knowledge that children display from an early age.

³⁶ The “*El Navegante*” collection comprises 10 educational software programs, based on a design bringing together the content of secondary school curricula.

Table 4
Children, adolescents and young people with disabilities attending special schools

<i>Type of disability</i>	<i>Enrolment in special schools</i>
Intellectual disability	30 097
Deaf and hearing impaired	568
Deafblind	58
Visual	1 908
Communication	664
Physical and motor disability	913
Autism	239
Total	34 447

232. The number of students with disabilities in ordinary schools has increased in recent years as a result of the comprehensive support offered in educational centres and the work done with families and in the community.

233. There is systematic, comprehensive training for special education teachers, which includes:

- A five-year undergraduate programme in special education, leading to a degree in special education;
- Apprenticeships with Cubans and foreigners for the preparation and training of teachers in different fields;³⁷
- Professional development of auxiliary teachers to provide advice in ordinary schools;
- Braille music notation seminars offered by ANCI to train school music teachers.

234. Currently, there are 15,489 teachers in special education³⁸ and 1,605 speech therapists in day-care centres and primary schools.

235. School councils have been set up in all educational establishments, whether or not they are special education establishments. The councils are made up of students' parents and their objectives are to get families actively involved in the life of the institution and to enhance their involvement in their children's education. They also help strengthen ties with and coordination among local organizations involved in education, especially associations of persons with disabilities, and have an impact on the implementation of educational policies.

236. Joint Resolutions Nos. 11 and 15 of the Ministries of Education and Public Health were adopted as part of the coordinated efforts of the country's different institutions to support persons with disabilities. The resolutions give effect to the health regulations for special education schools.

237. These joint efforts have also led to the development of a prevention, early detection, treatment and rehabilitation mechanism in special schools where, depending on the speciality concerned, care is provided by ophthalmologists, audiologists, ear, nose and throat specialists and psychiatrists.³⁹

238. A joint effort is being made by the Ministry of Education and the Ministry of Labour and Social Security to support new school leavers who are starting work. Currently, young people with disabilities have been given job placements in 992 workshops in order to learn six basic trades.

³⁷ Emphasis is placed on staff working with children diagnosed with autism, deafblindness and multiple disabilities.

³⁸ Approximately 13,121 of them are women.

³⁹ All medical care, from primary to tertiary care, is provided entirely free of charge to the at-risk population.

239. At present, the special education subsystem is undergoing a process of improvement aimed essentially at redesigning curricula and specific programmes.

240. Ministerial Resolution No.141/2001 regulates, inter alia, the adaptation of educational facilities, the elimination of architectural and communication barriers, the provision of special assistive devices and equipment and teacher training to enable students with disabilities to continue their studies.⁴⁰

241. Some noteworthy adaptations of educational centres to facilitate learning by students with disabilities include: ensuring that such students occupy the place in the classroom that is best suited to their disability; providing appropriate school furniture; giving training in the use of the necessary means of access; encouraging reading and writing in ink through the use of appropriate materials and aids; developing materials adapted to blind or partially sighted students (diagrams, maps and textbooks in Braille and audio formats); and tailoring activities to the potential of the student body through changes, additions, removals, sequential rearrangements or additional information and/or by changing the amount of time devoted to such activities.

242. To support the process of inclusion in ordinary schools, the position of auxiliary teacher was created. The primary role of the auxiliary teacher is to advise teaching staff and the family on how to help students with disabilities adapt to ordinary educational institutions. His/her priority is to ensure that special education requirements are met in relation to the student, the school, the teacher and the family.

243. In addition to this initiative, courses are offered to teachers in ordinary schools who support students with special educational needs with relatively minor adjustments.

244. As part of the process of inclusion in student life, children with disabilities may, without discrimination and with accommodation made for their special needs, belong to the José Martí Pioneers Organization⁴¹ and the Federation of Senior Secondary School Students.⁴² These organizations focus on stimulating an interest in studying and a sense of social responsibility in children and adolescents. In this context, all children meet monthly to discuss their concerns and participate in organized activities.

245. The activities carried out by the Organization include the Pioneer elections, in which children and adolescents have the right to vote and to run for election to positions of responsibility in the classroom and in the school.

246. They also join the Pioneer movements promoted by the Organization,⁴³ participate in and are awarded prizes in children's creativity competitions and play leading roles in festivals of Pioneer art lovers, children's singing groups, cultural festivals (*Cantándole al Sol* and *Guajirito Soy*), folk singing and dancing events, sports competitions and others.

247. The fact that more than 36,000 children and adolescents with special educational needs belong to the José Martí Pioneer Organization is evidence of the right of association enjoyed by all children without discrimination.

248. Children and adolescents with disabilities also have the opportunity to participate in quiz competitions sponsored by the Ministry of Education and organized by subject and grade level at the school, municipal, provincial and national levels.

249. The youth computer clubs carry out activities related to working with children with disabilities. These include the "Dream Restorer" project to improve recall and visual

⁴⁰ All ordinary schools with blind or partially sighted pupils have speech synthesis programmes to help them study and enable them to learn more quickly.

⁴¹ The Organization brings together children and adolescents, encouraging them to develop an interest in studying and a sense of social responsibility. Children are grouped by age: from first to third grade, they are Moncadistas, from fourth to sixth grade they are in José Martí, level 1, and from seventh to ninth grade they are in José Martí, level 2.

⁴² This is an umbrella organization of senior secondary school students in Cuba. It ensures the rights and responsibilities of secondary school students, represents them and deals with their concerns and needs.

⁴³ The Organization's eight movements are Pioneer explorers, history Pioneers, Pioneer monitors, Pioneer art lovers, Pioneer sports lovers, creative Pioneers, the Social Action Movement and the "Recovering the Future" Pioneers.

identification of shapes and colours, aimed primarily at children with intellectual disabilities.

250. Students with intellectual disabilities who enrol in trade schools do so as established by Ministerial Resolution No. 48/2006. The special school, together with the technical and vocational educational services and with the approval of the local government, designs actions to ensure appropriate inclusion and work placement in these facilities, according to local needs and the students' aptitudes.

251. With regard to the access of students with disabilities to higher education, the Cuban State gives them equal opportunities to continue their studies, without discrimination of any kind and in keeping with their intellectual abilities.

252. Although students with disabilities must take standard entrance examinations and obtain the same marks, they receive differential treatment when they choose to enter higher education.⁴⁴ The accommodation made includes:

- Allowing them to retake entrance examinations if they failed on the previous attempt;
- Allowing them to choose any of the degree programmes on offer, provided that they meet the established requirements;
- In the admission process for all types of degree programmes, students with disabilities compete only with each other.

253. In the latter case, the provincial admissions commissions, together with associations of persons with disabilities, are responsible for according special treatment during the entrance examination to all applicants who may need it, depending on their disability. Such treatment includes:

- Ensuring that students with disabilities can take the examination under appropriate conditions in a place that is easily accessible;
- Assigning teachers to students who are blind, partially sighted or have serious motor disabilities to transcribe the answers dictated by students. In the case of deaf or hearing-impaired students, communication is established through a sign language interpreter;
- Students who are blind or partially sighted are exempted from the spatial geometry question on the mathematics examination;
- If the student needs more time for the examination because of his or her disability, more time will be given.

254. In the case of students with disabilities in higher education, the Minister for Higher Education adopted resolution No. 120/10 establishing the rules for the organization of teaching in higher education.

255. The second section of the resolution includes changes to the teaching plan for students with disabilities in order to guarantee and support their educational advancement.

256. It also provides for tailoring the pace of degree programmes to the real possibilities of students with disabilities by, for example, allowing more time to complete the programme, changing the number of courses to be completed each semester, adapting internships to their aptitudes and providing opportunities for special mentoring.⁴⁵

⁴⁴ In the 2013-2014 academic year, 88 students with disabilities took higher education entrance examinations.

⁴⁵ This differential treatment has several facets: ensuring that students with disabilities can take examinations under appropriate conditions in places that are easily accessible; in the case of blind or partially sighted persons or persons with serious motor disabilities, assigning teachers to transcribe their dictated answers to exam questions; providing a sign language interpreter to facilitate communication with hearing-impaired persons, who are exempted from the Spanish dictation examination and, if warranted by their disability, given additional examination time. Exceptions can also be made in view of a person's particular disability.

257. To ensure that students with disabilities in higher education have access to instruction on information technology, actions have been taken that include installing special programs and applications and adapting software and widely used materials to meet the special needs of each student.⁴⁶

258. Guidance and diagnostic centres have been set up throughout the country to identify and evaluate the specific needs of persons with disabilities from a psychopedagogical standpoint.⁴⁷

259. The work of these centres includes:

- Early and timely detection of individual disabilities;
- Guidance and monitoring, in concert with other educational personnel, of the rehabilitation and social adaptation process;
- Psychopedagogical characterization and diagnosis of children, adolescents and young people;
- Design of the educational response, ensuring the quality of the educational support and family guidance strategy;
- Functioning of diagnostic support commissions and psychopedagogical commissions in the different contexts in which education is provided;
- Scientific, methodological and research work and professional development of all the staff involved.

Article 25

Health

260. Article 43 of the Constitution stipulates that the State shall uphold the right, won by the Revolution, for its citizens to enjoy access to treatment in all health-care institutions, without discrimination on the basis of race, colour, sex, religious beliefs or national origin or any other discrimination that impairs human dignity.

261. The Cuban Government prioritizes care for the most vulnerable population groups, including persons with disabilities. Accordingly, special conditions have been created that help improve their quality of life and integrate them in society with full equality of rights.

262. The Ministry of Public Health provides high-quality comprehensive and specialized medical care to persons with disabilities, ranging from the primary health care provided by family doctors to the most complex procedures and rehabilitation in specialized hospitals. This care is provided through the following programmes:

- Programme of support for visually impaired persons (Ministerial Resolution No. 973/2012);
- Programme of support for hearing-impaired persons (Ministerial Resolution No. 974/2012);
- Support subprogramme for deafblind persons;
- Cuban cochlear implant programme;
- Community and institutional support programme for persons with intellectual disabilities;
- Assistive devices programme for persons with permanent or temporary disabilities;
- Family doctor and nurse programme;
- National rehabilitation programme;

⁴⁶ Recently, 27 more computers were purchased for blind students enrolled in higher education, of which 17 have already been issued to students and three to university lecturers.

⁴⁷ There are currently 203 such centres around the country.

- Medical genetics programme;
- Maternal and child health care programme.

263. From 1996⁴⁸ to the present, progress has been made in strengthening and improving the programme of support for visually impaired persons, not only in its structure and functioning but also in prevention and rehabilitation for blind and partially sighted persons. Care has also been improved through the general paediatric ophthalmology services in health areas to detect eye diseases and the partial sight clinics in each province, comprising a multidisciplinary team for the diagnosis and rehabilitation of partially sighted persons. Persons with this disability are guaranteed the necessary optical and non-optical assistive devices by the country's network of opticians.

264. Since 1983, when an active hearing-loss detection programme for at-risk persons began, work has been done to improve medical care for persons with hearing disabilities. This includes a psychosocial study of persons with disabilities and a clinical genetic study of persons with intellectual disabilities, conducted from 2003 to 2005, which found that an estimated 2.1 per 1,000 inhabitants (0.21 per cent) had a hearing disability.⁴⁹

265. The specific objectives of the programme of support for hearing-impaired persons include raising awareness of and preventing hearing loss, monitoring at-risk groups and the population at large and providing care and prosthetic and linguistic rehabilitation through the network of health services, from family doctors and nurses to specialized care. In every province, there is a hearing centre which provides comprehensive care and rehabilitation, sells hearing aids, accessories and batteries, ensures the repair, maintenance and adjustment of hearing aids by an ear, nose and throat specialist trained in audiology and produces ear moulds.⁵⁰

266. The Ministry of Public Health guarantees prosthetic rehabilitation for all children under the age of 18, to which it allocates part of its budget (for buying hearing aids and making moulds). The reason for this priority is that persons in this age group need an assistive device in order to acquire language and achieve social inclusion and integration.

267. The Cuban cochlear implant programme for deaf and deafblind children includes psycholinguistic rehabilitation and has benefited more than 300 children and adolescents. Of the implant procedures carried out to date, 11.06 per cent have involved persons diagnosed with deafblindness, whose inclusion is a priority, and 5 per cent have involved persons with related disabilities.⁵¹

268. In several of the country's health centres, a multidisciplinary team is available for the care of deafblind persons, while specialized hospitals provide differential care involving cochlear implants and complex ear surgery.

269. The programme of support for persons with intellectual disabilities has been in operation since 1963. It defines community and institutional support and is designed to guarantee coverage for persons of all ages with severe intellectual disabilities through the health area specialist in learning disabilities. This specialist is also responsible for providing services to older persons affected by such disabilities, as well as for providing social assistance, rehabilitation and psychopedagogical support conducive to social inclusion.

⁴⁸ Services for the care and rehabilitation of persons with visual disabilities were set up in Cuba that year.

⁴⁹ Currently, 0.40 per cent of the Cuban population and approximately 25 per cent of older persons have a hearing impairment. Every year, 300 new cases of children with severe and profound hearing loss are diagnosed.

⁵⁰ The hearing centres in each province have been upgraded by changing their premises and providing them with diagnostic and programming equipment. In 2013, 12 centres were equipped with computers, eight with HI-PRO universal programmers, three with audiometric booths and three with audiometers and the cables and cable terminals necessary for the available hearing devices.

⁵¹ A methodological and policy document for the care of deafblind persons was developed and implemented and the work of the multidisciplinary clinics was improved. In all, 187 children and 949 adults, of whom 29 have a cochlear implant, are registered as having this disability.

270. Institutional care of persons with mental disabilities is provided by the nationwide network of psychopedagogical medical centres, which offers two care models: residential care (institutionalization) and day services (semi-residential).⁵² These centres have multidisciplinary teams and provide an outpatient service that involves the study and comprehensive evaluation of each case. Currently, there are 30 centres in the country, with approximately 2,400 beds and 1,024 places for day services. Community coverage, including in remote locations, is provided.

271. These institutions offer full-time health and social services and have psychopedagogical programmes designed for children, adolescents, young people and adults with severe and profound intellectual disabilities, enabling them to develop habits, abilities and skills that foster personal and social independence, as well as integration in the workplace and in society, through, inter alia, early, basic and intensive stimulation, sheltered workshops, social and workplace training workshops and ordinary employment.

272. Families are given assistance in providing home-based care to bedridden persons and more than 5,000 conventional wheelchairs of different kinds, as well as other mobility aids, are distributed annually, primarily through community assistance mechanisms.⁵³

273. The support network has also been improved by the establishment of technical orthopaedics and specialized orthopaedic footwear laboratories in every province. Initiatives have been planned and carried out for the domestic production and the importation of, inter alia, orthopaedic devices, hearing aids, optical aids and mobility aids to ensure the rehabilitation and habilitation of persons with disabilities in society.

274. Persons with disabilities also benefit from the immunization programme, which covers 13 vaccine-preventable diseases, and the programme for the prevention of accidents in all settings (in the street, at home, in institutions).

Article 26

Habilitation and rehabilitation

275. The State guarantees access to health-care centres and services through policies and programmes that promote equal opportunities for all persons, and it prioritizes specialized and individualized care for persons with disabilities.

276. Efforts are focused on ensuring that all persons, regardless of their physical, sensory or mental condition, may play a role in society and be included in the work force.

277. The rehabilitation of persons with disabilities is seen as a multi-factor process shaped by the efforts of individuals and the national health system on the one hand and by environmental and social factors on the other.

278. According to this approach, a substantial portion of the difficulties and disadvantages encountered by persons with disabilities cannot be attributed to their condition but, rather, are the result of shortcomings, obstacles and barriers in their own social setting.

279. There is no separate body of legislation on the prevention of disability or the care and rehabilitation of persons with disabilities. However, the national health system has developed a wide network of comprehensive rehabilitation services that covers all polyclinics and primary health-care units, hospitals and highly specialized centres. In addition, a historic programme of human resources training in the area of rehabilitation is being rolled out in Cuba.

⁵² The psychosocial and clinical genetic study of persons with intellectual disabilities carried out from 2001 to 2003 showed that there were a total of 40,489 people with intellectual disabilities, or 1.25 per 100 inhabitants, with men, at 51.32 per cent, accounting for the larger share. The numbers have increased steadily, with the result that by the end of 2013, there were 152,839 recorded cases, accounting for 13.7 per 1,000 Cubans.

⁵³ In 2013, the supply of mobility aids remained stable and 124,645 such aids were sold, 57,814 more than in 2012. In 2014, supplies of four-legged walking sticks and walkers were increased to cover a larger percentage of demand.

280. A human resources training programme in the areas of rehabilitation and the use of technology is under way with a view to guaranteeing rehabilitation for all persons with disabilities. Rehabilitation services are provided in 594 specialized units, 420 of which are in primary health-care facilities and focus mainly on raising awareness of and preventing disability, 90 are in hospitals, 11 in institutes, 24 in psychopedagogical medical centres and 45 in old people's homes.⁵⁴ In addition, in remote areas there are 1,578 television rooms for community-based rehabilitation.

281. Rehabilitation services are provided free of charge. The State is responsible for the various levels of care and rehabilitation for persons with disabilities throughout the process.

282. Deaf and deafblind children who receive cochlear implants undergo a process of psycholinguistic rehabilitation, while visually impaired persons receive care at the partial sight clinics in health centres, where the State ensures their access to optical and non-optical equipment and assistive devices designed to improve their vision.

283. Given the role of assistive devices in the rehabilitation process and in improving the quality of life of persons with disabilities, a programme has been designed and implemented for the domestic production and the importation of orthopaedic devices and hearing, optical and mobility aids, among others.

284. A wide network of social services has also been set up to provide various types of support to persons with disabilities who are either experiencing financial difficulties or require assistance with their care in order to improve their quality of life.

285. The training centres run by organizations of persons with disabilities (CENCAP, CENDSOR) and the Centre for the Rehabilitation of the Blind, in cooperation with Handicap International, run classes and rehabilitation services with a community-based approach and conduct research in various areas related to the social life, preparation and training of persons with disabilities.

286. The aim of the community-based rehabilitation programme is to meet the existing demands and needs of persons with disabilities and to enhance the quality of services. The programme was given a decisive boost by the State when, in 2005, it adopted a new strategic approach designed to ensure that these services are equal and accessible throughout the country.

Article 27

Work and employment

287. Article 45 of the Constitution states that work is a right, a duty and a source of pride for every citizen.

288. Article 2 of Act No. 116 of 20 December 2013 (Labour Code) sets forth the fundamental principles that govern the right to work as follows:

- Paragraph (b): Equality in work and the right of any citizen who is fit to work to obtain employment geared to the needs of the economy and of his or her own choosing, in both the State and the non-State sectors, without discrimination on grounds of colour, gender, religious beliefs, sexual orientation, geographical origin, disability or any other discrimination that impairs human dignity;
- Paragraph (c): Work shall be remunerated without discrimination of any kind according to the products and services provided, the quality of the work or the actual time worked; the principle of socialist distribution shall apply: from each according to his or her ability and to each according to his or her labour.

⁵⁴ These centres have been equipped in a planned manner with state-of-the-art technology and staff specialized in physical therapy, occupational therapy, podiatry, learning disabilities, speech therapy, physical education, natural and traditional medicine and nutrition counselling, all coordinated by a specialist in physical medicine and rehabilitation, thereby ensuring that patients are comprehensively assessed and cared for during the rehabilitation process.

289. Employment policy in Cuba protects the access of persons with disabilities to employment in keeping with their functional capabilities, ability to adapt and readiness for work.

290. In 1996, Cuba ratified International Labour Organization (ILO) Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), which stipulates that the purpose of vocational rehabilitation is to enable a person with disabilities to secure, retain and advance in suitable employment and thereby to further his or her integration or reintegration into society.

291. Pursuant to Act No. 54 of 27 December 1985 on associations, the Ministry of Labour and Social Security works closely with associations of persons with disabilities on issues related to the job placement of this segment of the population.

292. In the five-year period from 2009 to 2013, jobs were found for 3,536 persons with disabilities, including 1,067 women. This was made possible by the technical and vocational skills acquired by a large number of people through equal access to and enjoyment of the opportunities for advancement provided by the free general education system. As a result, students with disabilities have obtained science degrees and found work in various areas of expertise, thereby contributing to the economic, political and cultural development of Cuban society.

293. Decree No. 326 of 12 June 2014 (Labour Code implementing regulations) establishes that:

- Where appropriate, employment directorates may assign persons with disabilities to work for entities. To comply with this provision, entities must submit information on their vacancies to municipal employment directorates (art. 4);
- Offers of work must be made in accordance with the current needs of the State and non-State sectors (art. 5);
- Persons with disabilities who are interested in joining the workforce, in accordance with their functional capabilities, ability to adapt and training, may take up such employment as the job opportunities in each municipality permit. Where necessary, entities must adapt job profiles so that persons with disabilities can carry out the tasks for which they are qualified (chapter I, section 5, art. 13);
- In cases where it is necessary to demonstrate that a person with disabilities is fit for work, the municipal employment directorate, in coordination with the municipal health directorate, must process the person's application through the occupational health commissions. Such coordination is required to identify any limitations as to working hours or other requirements for the proper execution of the tasks to be performed (art. 14);
- Persons with disabilities who take up employment receive in-service training, where necessary, for up to six months with a view to developing essential skills, taking into account the severity of the disability or functional limitations on performing the tasks involved. Remuneration during this period is the same as the wage associated with the post to be filled. If the required skills are not mastered within the training period, the employing entity must consider placing the person in another post for which he or she is qualified (art. 15).

294. The National Plan of Action to Support Persons with Disabilities plays a crucial role in the area of employment. The National Council to Support Persons with Disabilities (CONAPED), in cooperation with the Ministries of Education and Labour and Social Security, provides persons with visual, hearing, mental or physical and motor disabilities with the training required to perform a range of jobs.

295. As part of efforts to ensure employment for persons with disabilities, Cuba has 150 special workshops with 3,103 workers, of whom 2,383 have some form of disability. Twenty-six per cent of the workshops belong to ANCI and 31 per cent to ANSOC, while the largest proportion, 33 per cent, is run by ACLIFIM. Moreover, 10 per cent of these workers have an intellectual disability for which they are given personalized and specialized treatment.

296. Jobs in these workshops are intended to be temporary. Their objectives include the development of job and social skills and preparation for placement in other types of employment. This is productive work for which persons with disabilities receive an income based on what they accomplish. It satisfies the principle that no one shall be left destitute and provides protection and support to those who need it.

297. The activities carried out by persons with disabilities in these workshops include the repair of wheelchairs and other implements, the production of brooms, the manufacture of paper and cardboard products (folders, manila envelopes, payment envelopes, small birthday present boxes, reams of paper for the production of cut-outs), textile manufacturing (nylon baskets and bags, aprons, shoes, straps), the manufacture of plastic products (crutch and cane tips, flip-flops chiefly for use in homes for persons with disabilities, psychiatric hospitals and old people's homes) and carpentry. Products are marketed through the network of industrial product retailers in each municipality.

298. Efforts have also been made to improve legislation in the areas of labour, social security, criminal, administrative, civil and family law and accessibility, with a view to introducing specific provisions on the various topics related to support for persons with disabilities.

299. Cuban legislation regulates the possibility of reducing the working day to account for the specificities of workers' disabilities. It also provides for shorter working days for persons with partial physical and motor disabilities, the redeployment, training or retraining of workers who can no longer perform their customary job after being found to have a disability, a 20-per-cent pension increase when the disability was caused by an industrial accident or occupational disease and a further 10-per-cent increase in the case of total physical and motor disability resulting from such an accident or disease.

Article 28

Adequate standard of living and social protection

300. The Constitution expressly stipulates the State's responsibility to guarantee the population an adequate standard of living and social protection.

301. Articles 47 and 48 of the Constitution provide for the establishment of the social security system and the guarantee of adequate protection for workers who are unfit for work due to age, disability or illness, as well as protection, through social assistance, for poor and destitute older persons who are unfit for work or who do not have any relatives in a position to help them.

302. Article 49 stipulates that the State shall guarantee the right to occupational health and safety, to medical care and to an allowance or pension in cases of temporary or permanent incapacity for work.

303. Article 1 of Act No. 105 of 27 December 2008 on social security provides that the State shall guarantee adequate protection for workers, their families and the population at large through the social security system. This system comprises a general social security scheme, a social assistance scheme and special schemes.

304. Articles 3 and 4 of the Act establish that the general social security scheme shall protect workers in cases of illness or accident of an occupational or non-occupational origin, maternity, incapacity and old age and, in the event of their death, their families. They also stipulate that the social assistance scheme shall protect anyone who is unfit for work and does not have any relatives in a position to help him or her.

305. Article 50 states that, when workers are declared partially disabled because they can no longer perform their customary activity, they may take a training or retraining course with a view to their redeployment; during this period, they are entitled to a temporary allowance.

306. When the partial disability is the result of an industrial accident or occupational disease, the allowance is increased by 20 per cent and by a further 10 per cent when there is a difference between the previous wage and the new one.

307. Decree-Law No. 234 of 13 August 2003 (Working Women's Maternity Act) provides for the exclusive protection of parents of children with some form of disability who require special care. It also gives mothers the option of taking unpaid leave between the child's first and third birthdays. During this time, the woman's job is protected and she has the right to return to work whenever she chooses. In addition, where appropriate, families can be assessed for their eligibility for financial assistance if their income is insufficient.

308. Up to 2013, 4,200 mothers of children with severe disabilities had received social security benefits, enabling them to take care of their children themselves and devote themselves exclusively to this task as a paid care provider.

309. Persons with disabilities who live alone are eligible for the home care service, in which a social worker provides basic personal, domestic and social care and services in the recipient's home, as well as other support.

310. Act No. 105 of 27 December 2008 on social security and Decree No. 283 of 6 April 2009 (Social Security Act implementing regulations) contain various regulations on social security for workers, including provisions to protect workers affected by total or partial disability by means of allowances, pensions and other benefits. These provisions are aimed primarily at providing social protection to vulnerable groups and are designed to enhance their quality of life and social inclusion.

311. Under these instruments, when workers develop a disability, all necessary measures must be taken to enable them to continue working, including changing their working conditions or the nature of their work, in the light of their state of health, so that they can go on working for the same income, finding ways of redeploying them urgently to a job for which they are physically and mentally fit or reducing their working hours.

312. By the end of 2013, 39,582 persons with disabilities had received social assistance, to which the State had allocated 262,955,090 Cuban pesos.

Article 29

Participation in political and public life

313. Articles 131 and 133 of the Constitution stipulate that all legally qualified citizens have the right to take part in the governance of the State, either directly or through their elected representatives on the organs of people's power. Each voter, without any discrimination whatsoever, is entitled to one vote. Furthermore, Cuban citizens, whether men or women, who are in full possession of their political rights have the right to stand for office.

314. Persons with disabilities, like all other citizens, have the right to take part in the governance of the State, either directly or through their elected representatives on the organs of people's power, and to that end to participate as prescribed by law (art. 131 of the Constitution).

315. In 1992, the National Assembly of People's Power, in exercise of the powers conferred on it by the Constitution, adopted Act No. 72 on elections, providing a free, equal and secret ballot for all voters.

316. Every citizen with the requisite legal capacity thus has the right to elect or to be elected in the manner and according to the procedures set by law, to vote in referendums and to be registered on the electoral roll of the municipality in which he or she resides.

317. Article 7 of the Elections Act enumerates the cases in which a person may be ineligible for active suffrage, which include the case of persons declared ineligible on grounds of mental disability.

318. Persons are declared ineligible by a final ruling of the people's municipal court, in accordance with the procedures set forth in articles 586 to 588 of the Act on Civil, Administrative, Labour and Financial Procedures.

319. Under article 9 of the Elections Act, citizens who do not meet the requirements for active suffrage laid down in article 7 are ineligible to stand for or hold elected public office.

320. In order to be a delegate to the municipal and provincial assemblies of people's power, a member of the National Assembly of People's Power or a member of the Council of State, all citizens, including persons with disabilities, must have the requisite educational level and meet the specific conditions for each office at each level.

321. Associations of persons with disabilities play an important role in representing the interests of such persons and addressing all their concerns, including questions related to their participation in political and public life.

322. The presidents of associations of persons with disabilities are invited to attend the National Assembly of People's Power and provincial and municipal assemblies.

323. The current National Assembly has one female member with disabilities, while 38 men and seven women with disabilities are delegates to the municipal and provincial assemblies.

Article 30

Participation in cultural life, recreation, leisure and sport

324. The right of all persons to participate in the country's cultural life is recognized and promoted. Persons with disabilities are included in the system of guarantees and activities put in place to foster national cultural creation.

325. The Ministry of Culture and its network of institutions are implementing a sociocultural strategy designed to improve the standard of living and quality of life of persons with disabilities. Some of the Ministry's organs, including the National Council of , the National Public Library System, the National Heritage Council and the Cuban Institute of Cinematographic Art and Industry, have done outstanding work.

326. Persons with disabilities are encouraged to participate in leisure activities. Ministry of Culture Resolution No. 120 of 8 December 2000 contains measures designed to promote the participation of members of associations of persons with disabilities in cultural activities and their attendance at various artistic events. To that end, official rates in the national currency for admission to the circus, music concerts, dance performances, the theatre and other shows have been halved for persons with disabilities.

327. The Culture House system runs over 30 projects in the various art forms for persons with disabilities. There are 1,097 art units attended by 3,278 people, of which 528 are equipped to hold activities for persons with disabilities.

328. The National Council of Culture Houses provided cultural services tailored to the interests of persons who, owing to their disability, could not come to the Culture Houses. For example, creation and discovery workshops were held in which a considerable number of people took part.

329. Facilities designed for the general public which accommodate the needs of persons with disabilities continue to be improved in order to ensure greater accessibility.

330. The Cuban Institute of Music, in coordination with the National Association of the Deaf and the Cuban Association of Persons with Motor and Physical Disabilities, has held activities in various provinces involving renowned musical groups, children's choirs and activities for children with disabilities.

331. The National Public Library System has also rolled out a strategy on persons with disabilities. Related activities include: celebrating the anniversaries of associations of persons with disabilities in libraries; prioritizing the care of persons with disabilities who are unable to move or are bedridden by delivering books and newspapers to their homes; strengthening the work carried out in special schools and workshops; cooperating with other organizations on contests, festivals, sports competitions, cultural groups, shared interest circles, participatory activities, chess tournaments and other activities; providing

access to computers in libraries for use by persons with disabilities; and training sign-language interpreters with the support of the National Association of the Deaf.

332. The National Visual Arts Council has done considerable work countrywide on the treatment of persons with disabilities under the special plan of the Ministry of Culture. It has fostered a close relationship with associations of persons with disabilities, resulting in greater participation in creative workshops, which have been excellent opportunities for persons with disabilities to develop their skills in and knowledge of applied visual arts techniques.

333. The Council's highest impact efforts include: local activities held by galleries in coordination with associations of persons with disabilities, an open dialogue with persons with disabilities, an information exchange on the programme of activities and who is to be invited to take part, and its increased participation in the activities run by the provincial visual arts centres.

334. Similarly, the National Performing Arts Council has provided support and technical advice on artistic direction, has provided jurors for fan clubs and the events and festivals organized by associations of persons with disabilities and has facilitated the use of theatres for these events. One of the key factors in providing better access to theatres and other performing arts venues has been the removal of architectural barriers insofar as the country's financial means permit.

335. The Ministry of Culture continues to actively assist special schools in organizing arts programming, ballet therapy, puppet therapy and dance therapy, among others.

336. ICAIC has worked on the audio description of Cuban films for ANCI. The number of Cuban films it provides to the Association has grown yearly and ANCI currently has 13 films ready for copying and distribution to its provincial branches. Work continues on adding audio description to other Cuban films and ICAIC is also willing to add subtitles to these films.

337. Collaboration between provincial film centres and associations of persons with disabilities has also increased, extending to municipalities in all the country's provinces. The activities carried out, especially film appreciation, enhance the education and sociocultural development of persons with disabilities. Accordingly, programmes have been carried out that include film shows and discussions in special schools, film loan schemes, children's workshops and film clubs.

338. Museums have run many activities for persons with disabilities and encouraged the participation of children from special schools, homes for children with physical and motor impairments and homes for children without family protection. They have taken steps to provide access to local persons with disabilities, permitting them to touch certain exhibits and to use descriptive audio-guides, which are extremely popular among visually impaired persons.

339. Because of their status as national monuments, some museums present architectural barriers to accessibility, but alternatives are being considered in order to facilitate access to their activities by persons with disabilities.

340. In recent years, associations of persons with disabilities have held cultural events that have had a significant social impact. These include the National Culture Activity held by ANCI in Santiago de Cuba, the award ceremony of the Louis Braille literary contest in Havana, the National Bolero Festival organized by ANCI in Granma province, the National Theatre and Dance Festival organized by ANSOC in Santiago de Cuba, the Western Theatre and Dance Festival organized by ACLIFIM in Cárdenas in Matanzas province and the National Children's Art Festivals held in the provinces of Las Tunas and Holguín.

341. Cultural activities carried out for persons with disabilities include the following:

- Enrolment in art schools;
- Priority support in the home for persons whose disabilities prevent them from attending cultural centres;

- Publication of audio books for blind persons in easily distributable and accessible formats;⁵⁵
- Computer system designed for blind persons;
- Strengthening of relations between the Ministry of Culture and the School of Disability Studies in the Faculty of Psychology of the University of Havana;
- Allocation of a state budget to promote the involvement of persons with disabilities in cultural activities;
- Functioning of Braille rooms for persons with disabilities in provincial libraries;
- Broadcasting on Cuban television of programmes for deaf viewers.

342. The National Plan of Action to Support for Persons with Disabilities has a social communication area whose objectives are to achieve greater credibility and dynamism in radio and television discourse and language and to help improve social attitudes by providing information on disabilities.

343. Cuban Radio, with its six basic functions of educating, guiding, disseminating, entertaining, promoting culture and reporting news, has prioritized incorporation of the topic of disabilities in its programming.

344. Addressing the topic of disabilities is one of the basic areas of Cuban Radio's work. Bearing in mind all these principles, it is attempting to influence how members of the public perceive persons with disabilities. Cuban Radio has served as a vehicle for the promotion and broadcasting of the main disability-related events held in the country.

345. From a humanist and sociocultural perspective, Cuban Radio's goal is to dispel myths, prejudices and taboos surrounding the issue of disability. Disability is discussed at length in programming and evaluation boards and in meetings on priority issues and editorial policies, and specific actions are developed to address the topic properly.

346. Efforts have been made to ensure a correct approach to disabilities in news programmes. One fundamental element in journalism has been to train journalists in disability issues so that they may better reflect certain aspects and convey them more accurately to the public.

347. The most important areas of work include non-discriminatory reporting on persons with disabilities, eliminating paternalistic attitudes and fostering a sense of worth by focusing on the sports, social, cultural, economic and political achievements of persons with disabilities rather than the difficulties that they face.

348. In reporting on disability, Cuban Radio uses formats that preferably look at a topic in depth, whether through a script, an expert, a guest or dedicated programme segments. This work has been done by variety shows, diverse programmes and single-issue programmes dealing with young people and adolescents, women and families, farmers and children.

349. Direct broadcasts of all types that take a sociocultural approach have played a fundamental role in dealing with the topic. The overall message addresses all types of disabilities, while emphasizing those about which experts have greater concerns.

350. Radio broadcasts are tailored to different audiences and their sensitivity to the issue. Positive messages have been transmitted on the following:

- The assistance provided to persons with any kind of disability recognized by the health system;
- Counselling and guidance for blind persons;
- Need to remove architectural barriers affecting persons with disabilities;

⁵⁵ In June 2013, the World Intellectual Property Organization (WIPO) adopted the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. Given the importance that Cuba attaches to fulfilling its international obligations, internal adjustments are being made with a view to signing and ratifying the Marrakesh Treaty.

- Disability-related events;
- Correct use of sign language;
- Participation of persons with disabilities in cultural, political, social and sports activities;
- Involvement of persons with disabilities in arts and crafts and education;
- Existence in Cuba of different institutions recommended for the treatment of disabilities;
- Cuba's achievements in health care for persons with disabilities;
- Shaping of attitudes based on inputs from persons with disabilities and their integration with the rest of society.

351. Another key element in expanding media coverage of the topic of disabilities has been the close link between Cuban Radio and the various local associations of persons with disabilities. The training received by Radio staff means that they are familiar with and understand the different types of disability and their specificities, characteristics and associated limitations.

352. The Cuban Radio and Television Institute works in coordination with ACLIFIM, ANSOC and ANCI on various television series aimed at raising awareness of the need of persons with disabilities to be accepted by society on the basis of their abilities, to be allowed to develop as individuals within the family and to be included in society irrespective of their physical differences.

353. Other activities undertaken in the area of television include the eighth National Journalism Contest run by ACLIFIM and the Union of Cuban Journalists, the anniversary of the establishment of ANSOC, events marking the International Day of Persons with Disabilities and the International Day of Sign Language Rights, the ANSOC Congress, the Fifth ACLIFIM Congress and its thirty-fourth anniversary gala and the Seventh ANCI Congress.

354. One particularly important series was "*Leyes de la Bondad*" (Laws of Kindness), which provided information on the various laws benefiting persons with special needs.

355. Topics to be addressed by television include the care of persons with disabilities and raising public awareness of their capabilities and needs and their right to personal development within the family and inclusion in society.

356. The Havana International Book Fair included a space for persons with visual impairments, where books in accessible formats (audio and Braille) were exhibited and given away, including 59 books by national and international authors.

357. Celebrated as one of the most important areas for the inclusion of persons with disabilities in society, sport has been one of the cornerstones of the policy to put into effect José Martí's notion of "with all and for the benefit of all".

358. The influence of the sports system on persons with disabilities is felt mainly in the way that it improves both their health and their education and helps create the conditions for them to feel useful and to enjoy their social environment, recreation and sports in a manner adapted to their special needs.

359. Article 39 of the Constitution establishes the State's responsibility to guide, encourage and promote physical education and sport in all its forms as a teaching tool and a contribution to the all-round education of Cuban citizens.

360. Article 52 states that all persons have an equal right to physical education, sport and recreation.

361. Enjoyment of this right is guaranteed by the inclusion of the teaching and practice of physical education and sport in the curricula of the national education system and by the extent of the instruction and resources made available to the people, which facilitate mass participation in sport and recreation.

362. All recreational and sports activities that take place in the community are inclusive and take into account the special needs of persons with disabilities. The various programmes designed to promote a healthy lifestyle also include persons with disabilities.

363. The National Institute of Sports, Physical Education and Recreation (INDER) is the country's lead agency for policies related to sports and recreation. One objective of its priority focus on persons with disabilities is to increase their involvement in physical and recreational activities aimed at and adapted to meeting their special needs. INDER also works closely with the Ministry of Health, the Ministry of Education, social workers⁵⁶ and associations of persons with disabilities at the national, provincial, municipal and community levels to identify the needs of each person and collaborate on measures to address these needs.

364. Support for persons with disabilities is provided in two areas: community-based care and elite sports. The latter is an example of the great heights that persons with disabilities can reach when their special needs are properly taken into account.

365. Every year, targets are set in both areas to guide the National Plan of Action and thereby continue improving the support given to this important segment of the population.

366. The targets and the National Plan of Action serve to govern activities throughout the country by providing guidelines for the work of provinces and municipalities, which adapt them to their specific situations.

367. The chief targets include:

- Increasing the inclusion of persons with disabilities in the systematic practice of physical activities and continuing the comprehensive training of athletes, with a focus on education and values;
- Improving the quality of support to athletes;
- Improving the competitive system;
- Improving the management of support for persons with disabilities.

368. All provincial sports directorates have set up a department of sports for persons with disabilities which helps implement relevant programmes at the provincial level.

369. The INDER National Group to Support Persons with Disabilities has the following main functions: ensuring that physical education and sports are taught in special schools and creating conditions for the inclusion of persons with disabilities of all ages and genders in physical education, healthy lifestyle and recreation programmes and in the systematic practice of mass sports, as well as for their integration in the elite sports system and sports schools. In this, provision is made for accommodating their conditions and special needs and for the training and advanced training of public officials, methodologists, coaches, referees and judges to ensure specialized support. The Group also guides and monitors research and development work benefiting persons with disabilities.

370. Children with disabilities receive special physical education in school and take part in disability-adapted sports. There is broad participation in the Special Olympics movement, with over 32,000 volunteers, 33,000 families and 60,000 athletes, many of whom have won medals at international events and world championships.

371. Community sports units have a programme leader, teachers, coaches and assistants who work directly with representatives of social organizations and associations of persons with disabilities to ensure the inclusion of persons with disabilities in a physical education, healthy lifestyle, sport or recreational activity.

372. The sports industry engages, inter alia, in the special production of devices for persons with disabilities to support their participation, training and involvement in sports

⁵⁶ Decree-Law No. 286 on the integrity of the work of prevention, assistance and social work ordered that the functions of the prevention and social care system and the social workers programme be incorporated into those of the Ministry of Labour and Social Security, as a result of which they ceased to exist as such.

events, while the Institute of Sports Medicine provides medical and psychological care according to the special needs of athletes with disabilities.

373. Cuba promotes the practice of those sports that not only improve quality of life but also increase mobility and develop motor skills and the ability to use the assistive devices needed to manage each specific disability (wheelchairs, prosthetics, etc.).

374. The Paralympics and Deaflympics movements have achieved their highest expression in elite sports.

375. The number of sports at the National Paralympics has increased: there are now 12 disciplines and over 800 athletes with disabilities who meet the increasing demands and requirements of elite sports.

376. The National Special Olympics Programme includes 60,000 athletes aged eight to 80 with intellectual disabilities, who train throughout the year to take part in local, municipal, provincial, national and international competitions.

377. Cuba achieved record results at the London 2012 Paralympic Games. The Games increased awareness of disabilities, thanks largely to enhanced media coverage. Twenty-two Cuban athletes with disabilities took part, winning 17 medals: nine gold, five silver and three bronze. The population's response to these successes and the publicity garnered by the athletes' participation in the Games helped focus national public opinion on the potential of persons with disabilities.

378. Cuba has played a prominent role in regional games, especially through the performance of its athletes with disabilities.

379. Cuba was represented at the 2007 Rio de Janeiro Parapan American Games, where 48 Cuban athletes won 60 medals, 28 of them gold, and set 14 Parapan American records and five world records. At the 2008 Beijing Paralympic Games, 31 Cuban athletes won 14 medals, including five gold medals, and set three world records and four Paralympic records. Cuba also attended the 2011 Parapan American Games in Guadalajara, where its 47 athletes won 54 medals, including 27 gold, and set 20 Parapan American records and three world records (annex 5).

380. The Women's Group of the Subcommission to Support Athletes with Disabilities is active at all levels. Its goal is to include girls and young women in the sports movement, boost their development and give them prioritized support in order to enhance their inclusion and their prospects for reaching the highest levels of self-fulfilment.

381. The women's sports movement is open to all girls and young women with disabilities, whether athletes or not, and seeks to motivate them to become involved in physical activities or sports. It also guides athletes of all levels, including those who have retired from competition, and fosters their steady improvement.

382. Athletes with disabilities, in addition to being included in society and practising a sport, should be prepared for life; to this end, they are guaranteed access to vocational training in the area of physical education.

383. Under resolution No. 20/2006 of the President of the National Institute of Sports, Physical Education and Recreation, athletes who satisfy the general requirements can train as mid- or university-level technicians, depending on their interests and capabilities. There are currently 469 persons with disabilities pursuing sports-related courses at the different levels of education.

384. Sport for persons with disabilities has improved steadily in Cuba and is defined by the INDER system and the support system for persons with disabilities.

IV. Special situation of children and women with disabilities

Article 6

Women with disabilities

385. Providing multidimensional protection and care for women with disabilities is a priority for the Cuban State.

386. In Cuba, women with disabilities benefit from all the laws and measures adopted by the Government for the empowerment of women in general. These are set out in various laws and other legal texts, such as the Constitution, the Family Code, the Labour Code, the Civil Code, the Criminal Code, the National Plan of Action to follow up the Fourth World Conference on Women, among others.⁵⁷

387. The Federation of Cuban Women (FMC) is a civil society NGO that has been recognized as the national mechanism for the advancement of women in Cuba. Its mission is to promote and encourage policies⁵⁸ for the advancement of women from a gender perspective and to coordinate their implementation with State bodies and with associations of persons with disabilities⁵⁹ when appropriate.

388. Nationwide, there are 60,517 women with disabilities who belong to associations of persons with disabilities, in which women hold leadership positions.⁶⁰

389. Cuba encourages the inclusion of women in all spheres of the economic, sociopolitical and cultural life of the country on an equal footing with men.

390. In this regard, legal instruments have been adopted that build Cuban women's capacity and empower them economically, including women with disabilities. These include: Decree-Law No. 234 (Working Women's Maternity Act);⁶¹ the provision giving priority to children of working mothers when allocating places in day-care centres and in schools offering semi-boarded arrangements; the provision giving access to a sign language interpreter; the provision granting priority access to free, highly specialized medical genetics consultations; and the Health and Safety at Work Act and its implementing regulations.

391. As part of the specialized support provided to women with disabilities, the gender equity groups established by FMC promote action to identify and address their problems, listen to the concerns of their family members (about communication, family care, housing, economic problems, employment) and propose and implement alternatives for responding to those concerns. Within this framework, municipal and provincial workshops are held to provide advice and guidance on specialized services.⁶²

392. The FMC women's and family guidance centres⁶³ play an increasingly important role in offering guidance and training, including by giving priority attention to women with

⁵⁷ In the area of international law, Cuba has ratified various instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, as an essential step in its recognition of equal rights and opportunities for women. Cuba was the first country to sign that Convention and the second to ratify it.

⁵⁸ These policies are based on recognition of the multiple barriers facing women with disabilities, which impede the full enjoyment of their human rights in various areas.

⁵⁹ The close working ties between associations of persons with disabilities and the Federation of Cuban Women have made it possible to carry out joint actions in various areas to benefit women and girls with disabilities.

⁶⁰ At the municipal level, out of 1,131 municipal leaders, 505, or 44.6 per cent, are women. At the provincial level, there are 362 leaders in all, of whom 144, or 39.8 per cent, are women. There are 50 leaders at the national level, of whom 17, or 34 per cent, are women. At the national level, the Cuban Association of Persons with Motor and Physical Disabilities (ACLIFIM) is chaired by a woman.

⁶¹ This Decree-Law of 23 August 2003 protects and benefits women during pregnancy and the post-partum and ensures that they are given preferential treatment in health and employment matters.

⁶² These workshops are attended by specialists and experts in genetics, ophthalmology, legislation and other fields.

⁶³ At present, there are 175 women's and family guidance centres.

disabilities. These centres offer training programmes and free guidance classes⁶⁴ supported by multidisciplinary teams of professionals and non-professionals.

393. With regard to inclusive employment policy, 1,917 women with disabilities have been placed in various specialized workshops, where they are looked after by labour bodies in conjunction with FMC.

394. In sport, women have played a major role in Cuba's successes in the Paralympic Games. In Beijing in September 2008, Cuban athletes won a total of 14 medals, of which five were gold medals won by Yunidis Castillo.⁶⁵ Women also featured prominently at the London 2012 Paralympic Games, particularly Yunidis Castillo⁶⁶ and Omara Durand in athletics and Dalidaivis Rodríguez⁶⁷ in judo. Moreover, at the Deaflympics in Bulgaria in 2013, Cuban athlete Suslaidys Giralt won two gold medals and broke the world long jump record.

Article 7

Children with disabilities

395. In Cuba, child protection and the principle of the best interests of the child are a priority and a guarantee for children's all-round development, in full accordance with the Convention on the Rights of the Child.

396. Article 9 of the Constitution stipulates that the State, which embodies the power of the people and for the people, shall ensure that no child goes without school, food or clothing and that every young person has the opportunity to study.

397. The 1975 Family Code, which predates the Convention on the Rights of the Child, recognized the concept of the "best interests of the child" and established a judicial concept which it termed the "best interests of the children".

398. The national programmes, laws and policies that have been drafted have enabled children with disabilities to participate in all activities intended for children, with equal opportunities and with a gender perspective.

399. In education, the country has implemented laws such as the Education Act of 6 June 1961, which provides equal access for all to the free, inclusive public education system without any discrimination.

400. The national education system also offers a number of educational models, including special education for children and adolescents who require specialized care according to their particular type of disability. This educational model ensures that children can exercise their right to education, increases opportunities for access and inclusion and protects the best interests of the child.

401. The Cuban State has developed a social care policy aimed at effectively ensuring that all children with disabilities receive the care they need, that the resources for providing them with special support are distributed fairly and that material support is available to help them with their disabilities and to promote their full participation in family life.

402. The State carries out actions to strengthen the role of the family in providing care to children with disabilities. Accordingly, family education schools have been established to provide guidance and psychopedagogical support to parents in dealing with their children. Facilities are provided for the upbringing of children with disabilities and protection is

⁶⁴ The specialized classes taught include Introduction to Sign Language for relatives of persons with hearing disabilities, which is offered in the provinces of Cienfuegos, Camagüey, Holguín and Granma in particular.

⁶⁵ Yunidis Castillo is one of Cuba's greatest athletes; she is a three-time Paralympic and Parapan American Games champion and a medallist at the IPC World Championships. She is a member of ACLIFIM. She became disabled when one of her arms was amputated. She was selected as best female athlete in Cuba in 2013 in the category "sport for persons with disabilities".

⁶⁶ She set a world record of 55.72 seconds in the 400 metres race.

⁶⁷ She won a gold medal.

offered to mothers of children with severe disabilities. Social benefits are also provided, maternity leave may be extended to one year and three months and children with disabilities are given priority access to day-care centres.

403. As part of the State's responsibilities for the protection of children with disabilities, the Criminal Code includes the criminal offence of "neglect of disabled and handicapped minors". This imposes an obligation on members of the public to bring to the authorities, assist or take to a safe place persons who, because of their age or disability, cannot fend for themselves and are neglected or in grave danger. This process is monitored by the Attorney General's Office and includes mechanisms such as warning notices and fines.

404. With regard to health, all children are guaranteed, according to their needs, such assistive devices as will facilitate their social inclusion. These include individual adaptations such as cochlear implants, optical aids, hearing aids, mobility aids and others.

405. Another crucial measure taken by the State to protect children is the early diagnosis of disabilities. This has proved to be effective, in that it has made it possible to offer early, preventive specialized care to children who show signs of developing a disability or symptoms that their existing disability is getting worse.

406. In Cuba, children and adolescents, including those with disabilities, exchange views actively on a wide range of issues related to political, economic, social and cultural life and sports. Schools, families, mass organizations and the media encourage children to express their views freely on topics that interest them.

407. Children with disabilities also join youth computer and electronics clubs, to ensure that they have the opportunity to access and interact with information technology from an early age.

V. Specific obligations (arts. 31-33)

Article 31

Statistics and data collection

408. Cuba has developed a national system of statistical information on disability and promotes awareness and application of the International Classification of Functioning, Disability and Health. This is a technical instrument for clinical and epidemiological research, policymaking and statistical monitoring.

409. The national system is kept up to date by inputting the basic information obtained in all family doctors' offices and in comprehensive rehabilitation centres, while strictly respecting personal privacy.

410. Similarly, work is being done to develop a Cuban system for the application of the International Classification of Functioning, Disability and Health. Its objective will be to develop a national profile on these issues to facilitate the study, prevention and identification of the causes of disabilities.

411. Cuba has also been involved in the design, development, approval and transcultural adaptation of the Classification over the past 10 years with the World Health Organization (WHO) and for the past three years as a founding member of the Spanish language and culture network in the area of disability (RHHD).

412. As part of this process, a national genetic study (2001-2003) was conducted, based on the principles of intersectorality, community participation and individualized attention. This involved the development of a genuinely Cuban methodology for the comprehensive study of persons with disabilities, using a combination of epidemiological, clinical-genetic and social methods. The aim of the study was to identify persons with disabilities, analyse their primary needs, propose strategies for the prevention and improved treatment of their disabilities and respond in a timely manner to the problems identified.

413. This study was the most comprehensive research activity ever carried out with regard to persons with disabilities in Cuba. It also provided abundant information for the

development of prevention programmes and made it possible to identify individuals' needs, promote strategies to meet those needs and determine what action must be taken to improve their quality of life.

414. The National Directorate of Medical Records and Health Statistics of the Ministry of Public Health has also developed a system that provides information about the health-care services provided to persons with disabilities.

415. This system includes information on health-care services provided to persons with disabilities through various programmes, such as the community-based rehabilitation programme and the partial sight, hearing and physiotherapy programmes. It also compiles data on:

- Invasive surgical operations (eyeball removals, mastectomies, amputations), disaggregated by sex and age group and according to whether they were performed following an accident or on the advice of a doctor;
- Amputations of upper and lower limbs;
- The programme for the institutional and community-based care of persons with intellectual disabilities, who are classified on the basis of their ability to communicate, personal autonomy, awareness of their surroundings, ability to interact and ability to make use of their spare time; and
- New cases of children who receive early stimulation and psychopedagogical support.

416. The system also includes information on the work done in primary health-care institutions by family doctors, including data on the morbidity of persons with disabilities disaggregated by type of disability (physical and motor, hearing, visual, deafblind, language/voice and speech, intellectual, mixed and multiple disabilities).

Article 32

International cooperation

417. International cooperation, in the form of support for national efforts to fulfil the purposes and objectives of the Convention, has to be the basis for carrying out joint actions.

418. The Ministry of Foreign Trade and Investment is the lead and executing agency for cooperation policies and priorities.

419. In 2009, an awareness-raising campaign was conducted in collaboration with the NGO Handicap International and with the participation of famous artists, persons with and without disabilities and representatives of associations, who helped film a video clip that encourages acceptance and positive attitudes towards disability and difference. A campaign entitled "Make Your Dream Reach Everyone" was carried out in 2009 and 2010 and another entitled "Everyone Counts" from 2011 to 2013.

420. Currently, cooperation in the treatment of persons with disabilities flows both ways. Exchanges have taken place with various countries:

- Using Cuban methodology, comprehensive studies of persons with disabilities were carried out between 2008 and 2010 in Venezuela, Ecuador, Nicaragua, Bolivia and Saint Vincent and the Grenadines, with more than 1.25 million persons surveyed. Upon completion of the study in each country, programmes for the treatment and prevention of disabilities were proposed and Cuba is currently providing technical advice for such programmes in Venezuela, Nicaragua and Ecuador. Key outcomes include the establishment of the National Centre for Medical Genetics in Venezuela and the training in Cuba of geneticists for the Bolivarian Alliance for the Peoples of Our America, with 10 specialists graduating in clinical genetics and 42 obtaining Master's degrees in genetic counselling;
- The United Nations Women's Guild in Vienna, Austria, co-sponsored the project "Improving quality of life for patients at the Barandilla psychopedagogical medical centre";

- Belgium is collaborating with Cuba through Handicap International, with whom it has signed a cooperation agreement;
- Spain is collaborating on projects with the following Cuban counterparts: Ministry of Public Health, Ministry of Education, ANCI, ACLIFIM and the Office of the Historian of Havana;⁶⁸
- France is executing a project through the Ministry of Education to renovate and provide teaching equipment for the Turcios Lima school in Las Tunas. This project is being carried out by the Industrial Workers Union;
- Italy is carrying out projects to improve educational and community-based support for deaf and deafblind children and adolescents with multiple problems in Havana. These projects are managed by the Italian NGO GVC, with the Cuban counterpart being the Latin American Reference Centre for Special Education, which is part of the Ministry of Education;
- The Emir of Qatar, the Vatican and Grupo B&M, working in close cooperation with the Ministry of Public Health, are carrying out a project to build and equip the “Golden Age” psychopedagogical medical centre No. 5 in the municipality of El Cerro in Havana;
- The Principality of Monaco, together with the Humanitarian Affairs Directorate of the Office of the Historian, is carrying a project to assist the programme of support for persons with disabilities;
- Three projects are being carried out with Switzerland, of which two are designed to support the treatment and care of infants with renal failure and haemophilia and one is supporting the diagnosis and care of children with Neuro Developmental Delay. These are being executed through MediCuba Switzerland and the World Federation of Hemophilia in conjunction with various Ministry of Public Health institutions, among others;
- The European Union and the Directorates-General for Development Cooperation of Belgium and Luxembourg, in coordination with the Ministry of Labour and Social Security and associations of persons with disabilities (ACLIFIM, ANSOC and ANCI), are executing a project to strengthen the role of associations in promoting employment for persons with disabilities;⁶⁹
- The Organization of Ibero-American States for Education, Science and Culture (OEI), in coordination with the Ministry of Education, is negotiating agreements on fuller implementation of the comprehensive care model for autistic and deafblind children and adolescents;
- Ireland, in conjunction with the Ministry of Public Health, is supporting specialized services for deaf children.

421. Other projects of interest include:

- The “Wheelchairs for Cuba” project executed by Joni and Friends, an American NGO, which makes ad hoc donations, primarily to ACLIFIM. To date, 3,739 wheelchairs have been received;
- The food security support programme for children in special education centres in Santiago de Cuba sponsored by the United Nations Children’s Fund (UNICEF);

⁶⁸ These projects are being carried out in various provinces of the country, with funding obtained through decentralized cooperation with the Spanish regions of Asturias, Cataluña, Navarra and the Basque Country, and with the Spanish Agency for International Cooperation through NGOs and local governments such as Asociación Navarra Nuevo Futuro, Fundación ONCE para la solidaridad con personas ciegas de América Latina, Médicos del Mundo and Fundación LABEIN in the Basque Country, the Grupo del Discapacitado of Girona in Cataluña, the Asociación de Amistad Hispano-Cubana “Bartolomé de Las Casas” and the municipal governments of Oviedo and Gijón in Asturias.

⁶⁹ A pilot project is being carried out in the municipalities of Bayamo and Bartolomé Masó in Granma province and in Santiago de Cuba province.

- The programme of support for persons with disabilities and older persons delivered through the Humanitarian Affairs Office of the Office of the Historian and funded by UNDP.

422. Generally speaking, these projects have helped improve the living conditions of persons with disabilities, renovate recreational centres to provide specialized care, ensure the availability of assistive devices, eliminate architectural and physical barriers and strengthen support systems within the health and education sectors, thereby ensuring greater social inclusion.

423. Cuba is also an active member of different regional and international organizations, including: the Latin American Network of Non-Governmental Organizations of Persons with Disabilities and their Families, based in Ecuador; the Latin American Union of the Blind and the World Blind Union; and the Regional Secretariat for Mexico, Central America and the Caribbean of the World Federation of the Deaf, to which the corresponding associations in Cuba belong.

Article 33

National implementation and monitoring

424. With regard to national implementation and monitoring of the provisions of the Convention, the Ministry of Labour and Social Security and the National Council to Support Persons with Disabilities (CONAPED) are the two bodies primarily responsible for implementing the Convention.

425. At the same time, the Ministry of Labour and Social Security and the Ministry of Foreign Affairs, as co-chairs of the multidisciplinary working group entrusted with preparing Cuba's initial report under the Convention, are responsible for transmitting the present report to the secretariat of the Committee on the Rights of Persons with Disabilities.

426. Following the Committee's consideration of Cuba's initial report, the Ministry of Foreign Affairs will be responsible for disseminating the Committee's Concluding Observations once the reporting exercise is concluded.
