



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

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**Committee on the Elimination of Discrimination
against Women
Fifty-fifth session**

Summary record (partial)* of the 1131st meeting

Held at the Palais des Nations, Geneva, on Tuesday, 9 July 2013, at 3 p.m.

Chairperson: Ms. Ameline

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

Combined seventh and eighth periodic reports of Cuba (continued)

* No summary record was prepared for the rest of the meeting.

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

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

*Combined seventh and eighth periodic reports of Cuba (continued)
(CEDAW/C/CUB/7-8; CEDAW/C/CUB/Q/7-8 and Add.1)*

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

Articles 10 to 14

2. **Ms. Reus González** (Cuba) said that there existed in Cuba the clear political will and appropriate environment to increase awareness of the principles of equality and non-discrimination. Legal and institutional measures were thus being adopted to promote those principles, in accordance with the State's international commitments, and impact assessments of such measures on women would be carried out.

3. **Ms. Valdés** (Cuba) said that, although traditional gender roles persisted, they were not entrenched in public institutions, where equal opportunities were available for men and women. Under current social security legislation self-employed women were afforded the same level of protection and childcare as public servants. While Cuban legislation did not explicitly provide for equal pay for work of equal value as such, by law equal remuneration for men and women workers had been established in accordance with international standards. Although the law did not contain a specific provision on sexual harassment at work, women had access to protection mechanisms, and gross misconduct in the workplace, including sexual misconduct, was a criminally punishable offence. Furthermore, sexual harassment was covered by the Criminal Code. Reports of sexual harassment in the workplace had decreased not because of a lack of awareness of the existing complaints procedures, but rather because there were various remedies and mechanisms available to women. Lastly, more progress was needed on sharing of parental responsibilities, as stereotypes still prevented men from taking full advantage of the childcare leave provided under the law.

4. **Ms. Hernández Morejón** (Cuba) said that there was no feminization of the agricultural sector in Cuba but that there was a rise in the number of women who worked in that sector, which corresponded with the rise in agricultural production since the Agrarian Reform Act of 1959 had come into force. Rural women enjoyed the same rights as urban women and had the same access as men to cultural and public life and to bank loans. The Government took into consideration that bringing about cultural change was more challenging in rural areas than urban centres when developing training sessions on leadership skills and raising awareness of women's rights, for example.

5. **Mr. Alfonso** (Cuba) said that affordable fertility treatments were available to women throughout the country. Family planning, including the use of contraception and abortion, had led to low population growth in Cuba over the previous 35 years. The many demographic studies and censuses conducted in Cuba, which had always included data on gender and skin colour, showed that ethnicity had no bearing on the provision of reproductive health care and family planning. The Government would continue to monitor the situation and could provide the Committee with further information in that regard.

6. **Ms. Bareiro-Bobadilla** noted with satisfaction the mechanisms in place to lodge complaints about sexual harassment. However, the delegation seemed to suggest that few, if any, complaints had been filed, which would not necessarily indicate that sexual harassment did not exist. Further information would therefore be appreciated on whether the State party actually received complaints and on how they were handled.

7. **Ms. Valdés** (Cuba) said that there were no reports of sexual harassment from any complaints mechanism or from the National Labour Inspection Office of the Labour Inspectorate, which was also authorized to consider complaints.
8. **Mr. Bruun** asked how the State party ensured that older women who had not worked all their lives were guaranteed social security. He welcomed the opportunities made available to girls in Cuba to participate in sports and their athletic achievements. Were measures in place to prevent sexual harassment and the misuse of authority by coaches and others?
9. **Ms. Zou** Xiaoqiao asked whether the Turquino Plan for the advancement of women included training and development in rural areas, whether it was ongoing and how many women had benefited from it. Were special measures in place for mothers and single mothers from rural areas? Further details would also be appreciated on how women became landowners and on how they acquired land through inheritance.
10. **Ms. Valdés** (Cuba) said that her Government took into account the aging population in policymaking and that the Cuban social security system included a supplementary pension for persons who had entered the labour market late in life and had thus contributed to the pension scheme for a shorter period of time, as well as an ordinary pension, which was calculated on the basis of years of service and age. There was no age limit for the payment of either pension.
11. **Ms. Hernández Morejón** (Cuba) said that the mechanisms and legislation on sexual harassment applied to all areas of activity, including sport and culture. In addition, a State policy had been designed to address the issue of sexual harassment and offenders were subject to penalties. Sports associations were based on the same values of non-discrimination on which Cuban society was built.
12. The Turquino Plan aimed to improve the situation of women in each of the 10 mountainous provinces in which it was implemented. Its scope went beyond health and education services to encompass all areas of women's empowerment, including access to the press and other forms of information. The State party was working jointly with relevant community organizations to formulate policies to address problems specific to isolated areas.
13. **Ms. Reus González** (Cuba) said that there were various forms of land ownership in Cuba. The land owned by the 10,916 women in Cuba referred to in the report was private property that had either been inherited from family members or acquired for agricultural production under the Agrarian Reform Act. Men and women had equal inheritance rights. In addition, financial aid was available and the Ministry of Agriculture provided technical assistance to men and women for all forms of land ownership.
14. **Ms. Bareiro-Bobadilla**, noting that updated information had been submitted late, and only in Spanish, said that the State party's reporting process needed to be streamlined to avoid delays in the consideration of its reports. She enquired about the sources of pension funds, noting possible adverse effects of a decline in the working population. Lastly, it was important for the Committee to be provided with data broken down into various vulnerable groups, such as lesbians, women with disabilities and women of African descent, in order to assess the risk of multiple discrimination.
15. **Ms. Zou** Xiaoqiao asked whether applicants for credit were required to provide collateral; whether there were special conditions governing female applicants; and whether there were any special arrangements for disadvantaged women or for single mothers.
16. **Ms. Valdés** (Cuba) said that the State, labour unions and private companies all contributed to the pension system. She added that workers could also make contributions in their own right. The law governing the payment of social security contributions did not yet

cover all workers in the country but her Government was working to remedy that situation. In addition to the general social security scheme, there were also special schemes for self-employed persons. The social security scheme also covered persons with disabilities and persons who did not have the means to pay contributions.

17. **Ms. Ferrer Gómez** (Cuba) said that national law and the Constitution prohibited discrimination on the basis of sexual orientation. Lesbian women enjoyed the same rights as heterosexual women in Cuba. However, homophobia was still prevalent in Cuban society. Her Government recognized the need to address the root causes of homophobia through awareness-raising activities, such as workshops. The media also played an important role in combating such forms of discrimination. Same-sex marriage was not recognized under the Constitution, which defined marriage as a union between a man and a woman.

18. **Ms. Reus González** (Cuba) said that the amount of credit requested determined whether or not applicants were required to provide collateral. However, the process was often expedited for applicants requesting credit for food production, as that was a national priority. It was not always necessary to provide collateral up front, as a person known to the applicant could act as a guarantor. Credit was also granted to people who wished to work the land or hire farm labourers. Subsidies were also granted to individuals experiencing economic hardship for the purpose of constructing a dwelling or undertaking some type of economic activity. Moreover, special subsidies were granted to women who had been adversely affected by natural disasters. Those subsidies did not have to be repaid.

19. **Mr. Alfonso** (Cuba) said that work was under way to compile disaggregated data on various groups in Cuba. He added that the number of households headed by a woman had increased and that that trend was expected to continue; and that the divorce rate in Cuba was high compared with that of other countries. Social protection for vulnerable groups, such as single-parent families, had improved and those groups now received subsidies.

Articles 15 and 16

20. **Ms. Halperin-Kaddari** said that, in view of the lack of data, she could only assume that the majority of the women heading a household were divorced. She drew the attention of the delegation to the Committee's most recent general recommendation on the economic consequences of marriage, family relations and their dissolution, in particular the need to ensure equality with respect to property rights upon the dissolution of marriage. She welcomed the fact that housework undertaken by women was now attributed economic value under the law. However, she wished to know whether the law governing the distribution of property following the dissolution of a marriage covered intangible assets such as pension rights and earning potential; and whether there was a system to oversee the payment of divorced spouse benefits. She requested clarification on the amendments to the Family Code mentioned in paragraph 313 (a) of the State party's report, as they appeared to have a bearing on the status of the Convention in national legislation. She asked whether civil unions or other forms of same-sex partnerships were recognized. Noting the proposals to raise the minimum age for marriage for girls with a special authorization from 14 to 16, she requested additional information on the institution or person responsible for granting such authorization and on the grounds for doing so. She would also appreciate additional information on the payment of alimony in the State party.

21. **Ms. Audivert Coello** (Cuba) said that the age of civil responsibility was 18 under the law and that the possibility of marrying at 14 or 16 was an exception. The Family Code provided that boys and girls could marry at the age of 16 and 14, respectively, provided that special authorization was obtained from a parent, adoptive parent, guardian or grandparent. The national courts could also grant that authorization, if necessary.

22. **Ms. Reus González** (Cuba) said that the Family Code set out the conditions for marriage and the dissolution of marriage. All assets acquired during a marriage became joint property and those assets were liquidated upon its dissolution. Furthermore, measures were in place to ensure that any assets not liquidated upon the dissolution of the marriage were divided equally between the parties. Upon the dissolution of a marriage, women were normally granted custody of any children. If a mother had been granted custody of her children and the father of those children failed to pay child maintenance, she could refer the matter to the courts in order to recover the amount owed to her.

23. **Ms. Ferrer Gómez** (Cuba) said that although same-sex unions were not recognized, the sex-education component of the school curriculum covered same-sex relationships. Her Government continued to work to raise the awareness of Cuban society about the issues facing same-sex couples. There was a possibility that that particular issue could be revisited in the future.

24. **Ms. Halperin-Kaddari** requested clarification on the grounds for authorizing early marriage. She asked whether pregnancy could lead to such authorization being granted; and whether there was a specific mechanism to ensure that child maintenance payments ordered by the courts were received by the parent to which custody of the children had been awarded.

25. **Ms. Reus González** (Cuba) said that early marriage was not common. Pregnancy was one of the grounds for such authorization being granted, as it could be in the best interests of the child to be brought up by parents who were in a stable and legally recognized union. She added that under the proposed amendment to the Family Code the minimum age for marriage for girls with special authorization would be raised to 16. However, such marriages would remain exceptional.

26. **Ms. Jones Morrison** (Cuba) said that Cuban procedural law guaranteed the payment of child maintenance ordered by the courts. If there was no way to guarantee the payment of child maintenance, the State would cover the cost. However, it would only do so under exceptional circumstances.

27. **Ms. Belmihoub-Zerdani** asked why the Government of Cuba had proposed such a low minimum age for marriage and which set of parents was ultimately responsible for the children once they were married.

28. **Ms. Audivert Coello** (Cuba) said that the relevant legislation on marriage dated back more than 30 years and reminded the Committee of the reservation to the Convention on the Rights of the Child on the subject of age made by Cuba. Her Government was continuing to examine the issue of the minimum age for marriage and hoped to provide a more comprehensive reply at a later date.

29. **The Chairperson** thanked the delegation for what had been a fruitful dialogue and commended it on its efforts to promote women's rights in Cuba. She hoped that the Government of Cuba would give due consideration to the recommendations formulated by the Committee and that Cuba would become party to the Optional Protocol.

30. **Ms. Reus González** (Cuba) expressed her appreciation on behalf of the Government of Cuba for the work done by the Committee. The frank and constructive dialogue that had taken place would assist her Government in fully implementing the Convention.

The discussion covered in the summary record ended at 4.20 p.m.