



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

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List of issues and questions with regard to the consideration of periodic reports

Cuba

The pre-session working group examined the combined seventh and eighth periodic report of Cuba (CEDAW/C/CUB/7-8).

Constitutional, legislative and institutional framework

1. As stated in paragraphs 32 and 314,¹ at the time of preparation of the report, the preliminary draft of the updated Family Code had been placed on the current legislative timetable. Please provide information on the current status of the draft Family Code and elaborate on the new provisions included therein to incorporate a proper gender focus.

2. In the report, it is acknowledged that discrimination against women in the State party is inadequately understood and perceived owing to, among other things, the fact that it remains a challenge to obtain the statistical, qualitative and scientific information, in particular in the judicial sector, that would enable direct or indirect discrimination to be brought to light. Please provide information on measures taken to establish regular collection and analysis of data, in particular in the judicial sector, in order to capture the real situation of discrimination against women in the State party.

National machinery for the advancement of women

3. Please provide information on steps taken to strengthen the Federation of Cuban Women with the financial and human resources necessary for it to coordinate the implementation of the Convention, as recommended by the Committee in its previous concluding observations (CEDAW/C/CUB/CO/6, para. 16).

¹ Unless otherwise indicated, paragraph numbers refer to the combined seventh and eighth periodic report of the State party (CEDAW/C/CUB/7-8).



4. Reference is made in the report to the National Action Plan for Follow-Up of the Beijing Conference, of 1997, which includes the critical areas contained in the Beijing Platform for Action and others relating to the Convention. Please provide information on whether a specific national plan of action on the implementation of the Convention is envisaged.

5. In paragraph 47, it is indicated that, at the time of preparation of the report, the State party was preparing the Third National Assessment Seminar to evaluate the implementation of the Beijing Platform for Action and the policies for the advancement of women. Please provide information about the outcome of the assessment and measures taken to improve the advancement of women in the State party.

Stereotypes and cultural practices

6. In paragraph 129, it is acknowledged that the nomination and election of women is still influenced by subjective factors relating to beliefs, prejudices and cultural patterns inherited from a classist and sexist society in which the sphere of work and public authority was restricted to men, and women were confined to the home, the family and domestic work. In paragraph 24, it is stated that the assessment of Decree-Law No. 234 (2003), on maternity of working women, showed that it was not sufficient to strengthen the legal framework for equality and to change patriarchal attitudes and gender stereotypes. Please provide information on measures taken to reinforce this law and to address the sexist stereotypes that are hampering women's advancement in society.

Violence against women

7. In paragraph 33, it is indicated that the lack of sufficient complaints against discrimination and incidences of abuse and violence suffered by women often leads to an erroneous perception that these phenomena do not exist. Please provide information on campaigns developed to raise awareness of such phenomena among all relevant stakeholders, including through the use of media. Please also provide information on any established mechanism to register complaints of violence against women, taking into consideration the dimension, types and manifestation of violence against women based on age, location and other socioeconomic criteria.

8. In paragraph 103, it is indicated that the State party is analysing a project for ensuring that better specialized care is provided within the health system for victims of violence and their abusers. It is also stated that work is proceeding on a study of the advisability and possibility of drafting a legal norm, a law or a decree-law that would integrate concepts and treatment of domestic violence through a preventive and educational approach. Please clarify what type of specialized care will be provided to victims of violence and their abusers and provide updated information on the current status of this project. Please provide information on the outcome of the study on domestic violence and on measures taken to ensure that the provisions of the draft law cover a preventive and educational approach, in addition to providing sanctions for perpetrators and adequate remedies and assistance for victims.

Trafficking and exploitation of prostitution

9. While mention is made in the report of various measures to prevent and combat trafficking in women and girls, no information is provided on a comprehensive coordination policy. Please describe the policy to coordinate between stakeholders to address the problem of trafficking and exploitation of prostitution. In paragraph 124, it is stated that the current Penal Code punishes the sale and trafficking of minors. Please indicate whether the State party is considering adopting comprehensive anti-trafficking legislation and modifying the Penal Code so as to punish the sale and trafficking of all persons, including women. Please indicate whether the State party envisages acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

10. In its previous concluding observations (CEDAW/C/CUB/CO/6, para. 22), the Committee requested the State party to conduct studies to identify the root causes that led women into prostitution and to take measures to discourage male demand for prostitution. Please provide information on measures taken to implement that request.

11. In paragraph 113, it is indicated that the State party has a clear policy of not tolerating prostitution. Nevertheless, prostitution is not considered to be an offence. It is indicated that the State party imposes security measures aimed at re-educating women who show anti-social behaviour and engage in prostitution, such as confinement in a rehabilitation centre. Please provide information on how anti-social behaviour is defined and on the criteria for the imposition of security measures, and indicate whether there are procedures regulating the issue. Please indicate whether measures have been taken to rehabilitate women and girls who are victims of trafficking and exploitation of prostitution and sex tourism.

Health

12. In its previous concluding observations (CEDAW/C/CUB/CO/6, para. 28), the Committee requested the State party to provide comprehensive information about the scope and impact of the measures taken, as well as data on the incidence of abortion disaggregated by age, by rural and urban areas, and reflecting trends over time. Please provide the requested information.

13. It is indicated in paragraph 230 that the State party faces difficulties in meeting family planning needs, including high-quality contraceptives. Please provide information on measures to address obstacles in this regard.

Employment

14. In paragraph 32, the State party indicates that it is proposed to look at labour issues in more depth. Please provide information on what provisions in the area of employment the State party is planning to amend to promote women's participation in the labour market and to address cases of employment discrimination and sexual harassment in the workplace.

15. In paragraph 16, the State party indicates that it recently enacted provisions on self-employment (Resolution No. 32 of the Ministry of Labour and Social Security and Decree-Law No. 278 of 30 September 2010 on the special arrangements for

self-employed workers). Please provide information on the social security schemes applied to protect women who are self-employed, in comparison with those in other types of employment.

16. In paragraphs 50 to 52, reference is made to the women's employment committees that receive, handle and process any complaints on labour discrimination cases. Please provide information on measures taken by those committees to address cases of discrimination in employment in both the public and private sectors, including self-employment.

Women with disabilities

17. In paragraph 236, it is indicated that in the State party there are 26 part-time and full-time residential homes for the physically and mentally disabled. It is not clear as to the legal framework regulating the placement of women and girls with disabilities in these centres and whether there are measures to ensure that the mental health policy and health-care services are based on the free and informed consent of the person concerned. Please also indicate whether there are homes adapted to the needs of women and girls with disabilities. Please provide information on measures taken to develop a plan of action for women with disabilities.

Rural women

18. In paragraph 281, it is indicated that women make up 22 per cent of the labour force in the sugar industry and represent 9 per cent of its senior posts. In paragraph 285, it is indicated that women constitute only 18.3 per cent of the National Association of Small Farmers. Please provide information on measures taken to improve the empowerment of rural women, including their representation in decision-making positions and in food security programmes.

19. Please indicate whether rural women in the State party are more vulnerable to poverty and violence owing to their traditional roles in society. Please provide information on strategies developed to tackle this problem.

Natural disasters

20. The State party suffered the catastrophic consequences of three hurricanes during the reporting period. Please indicate the measures taken to involve women in disaster preparedness and in post-disaster management.
