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Cuba*

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I. General information about Cuba

1. The Republic of Cuba is an archipelago consisting of the island of Cuba, the Isla de la Juventud (Island of Youth) and more than 1,600 islands, islets and cays covering a total surface area of 109,884.01 km². The country's territory is divided into 15 provinces and the Special Municipality of Isla de la Juventud.
2. Its population lives on the island of Cuba and the Isla de la Juventud; the rest of the archipelago is virtually uninhabited, with the exception of tourist centres on some of the cays.
3. It is the largest of the Caribbean islands, and it holds a strategic position in that sea, 150 km from the United States of America (Florida) to the north, 77 km from Haiti to the east, some 140 km from Jamaica to the south and some 210 km from Mexico (Yucatán) to the west.
4. The country is currently divided into 15 provinces, 1 special municipality and 167 municipalities. The provinces are: Pinar del Río, Artemisa, Havana, Mayabeque, Matanzas, Villa Clara, Cienfuegos, Sancti Spiritus, Ciego de Ávila, Camagüey, Las Tunas, Holguín, Granma, Santiago de Cuba, Guantánamo and the Special Municipality of Isla de la Juventud.

II. Demographic, economic, social and cultural characteristics of the State

A. Demographic characteristics

5. According to the final results of the Population and Housing Census conducted in 2012 by the National Office of Statistics and Information, the population of Cuba is 11,167,325.
6. The census confirmed the decrease in the total population noted in the annual demographic estimates, as this figure is 10,418 less than the one from the 2002 population census, indicating an annual decrease of about 0.01 per cent on average.
7. As at the end of 2014, Cuba had 5,601,414 male and 5,636,903 female inhabitants, representing 49.8 and 50.2 per cent of the total population respectively and giving a gender ratio or index of 994 males for every 1,000 females. This figure varies from place to place, within a range from 918 to 1,032.
8. The population of Cuba is ageing. In 2014, 19.0 per cent of the population was 60 years of age or older, while only 16.7 per cent was made up of children 14 years of age or younger.
9. This ageing process is chiefly a consequence of the longer life expectancy and low fertility rates which have been observed, especially since the end of the 1970s, when the gross reproduction rate began to exhibit values of under 1. This situation continued, and by the end of 2014 the 14 years and underage group represented only 16.7 per cent of the total population, while the 60 years and older age group had risen to 19.0 per cent. In absolute terms, there are 2,140,738 inhabitants in that age group. As a result, the average age is nearly 40 years, and the median age has already exceeded this figure (39.4 and 40.4 years respectively). The ageing rate has thus increased by 7.7 percentage points in the space of 30 years.

10. The significant progress made by Cuba in the area of gender equality and the empowerment of women has led to a reduction in the birth rate in the country, particularly among young women. Factors contributing to this reduction include: Cuban women's unhindered access to higher levels of education; their entry into the labour market on an equal footing with men; sexual and reproductive health programmes; the family planning services available to Cuban women; and the level of economic independence they have achieved.

11. While these are indisputable achievements of the Cuban revolution, the combination of these factors has affected not only the size and growth rate of the population but also its age structure, resulting in an ageing population.

12. The negative external migration balance has remained stable in recent years at over 35,000, apart from what took place in 2013 and 2014 in reaction to the new migration regulations.¹ Leaving aside its size and negative sign, the stability of this balance over these years indicates that the recorded fall in population numbers is not due to this variable alone.

13. It is worth mentioning the fertility rate, which has been on a downward trend for years. In 2000, there were more than 143,000 registered births. The birth rate reached a historical low in 2006 with just over 111,000 births. After a period of recovery that reached its peak in 2011 with 133,000 births, the rate has started to drop again, decreasing to 123,000 in 2014.

14. Although the infant mortality rate has been low for many years, overall it continues to drop. According to data from 2015, the infant mortality rate in the country is 4.3 per 1,000 live births, and in 2014 maternal mortality was 35.1 per 100,000 live births. That same year, the overall fertility rate (number of children per woman) was 1.68 and the gross reproduction rate (number of daughters per woman) was 0.81.

15. Although the most recent census dates back to 2012, Cuba produces an annual calculation of national and local populations from the registers of demographic and vital statistics, which in Cuba are marked by good coverage and high quality. In demographic terms, the country experienced negative population growth in 2006, which at that time was unprecedented but has since been repeated in subsequent years. Over the past decade, the population growth rate has fluctuated back and forth between positive and negative growth, but the differences have been small.

16. Thanks to high-impact social programmes and public policies, the quality of life enjoyed by the people of Cuba has risen significantly over the past half century. The guarantees that come with universal and free access to health-care services, the high levels of education attained by Cubans, as well as the urban sanitation and health programmes, have raised life expectancy rates in Cuba to levels normally seen only in the most developed States. Cuba has a life expectancy of 78.45 years — 76.50 years for men and 80.45 years for women. As a result of the ageing of the population, there has been an increase in the death rate. In 2014, there were more than 96,000 deaths.

17. According to the 2012 census, in Cuba there are 556,317 persons of all ages with some type of disability. Persons with disabilities make up 5 per cent of the total population and fall mainly within the 60 years and older age group.

¹ In January 2013, new migration regulations were implemented (Decree Law No. 302/2012, amending Act No. 1312 (The Migration Act) of 20 September 1976), which in practice made it easier to enter and leave the country on a permanent basis. This had an immediate impact on population growth that was different from the one described above. However, it is expected that from 2015 the growth rate will once again be negative.

18. With regard to skin colour, the majority of the Cuban population (7,160,399 persons) is registered as white. A total of 1,034,044 persons self-identify as black, and 2,972,882 self-identify as mestizo.

19. Cuba has no ethnic minorities, although other ethnic groups are represented in the form of small communities or families, none of whom constitute as much as 1 per cent of the population. They include Canary Islanders, Catalans, Galicians, Basques, Chinese, Haitians, Jamaicans, Japanese and other groups of very varied origins, who possess the same rights as the rest of the Cuban people. Attention is drawn to the ageing of these population groups, owing to the lack of any migratory flows to rejuvenate them and the heavy influence of offspring of inter-ethnic marriages between them and Cubans.

20. Cubans come in many shapes and sizes as a result of the confluence, interaction and frequent intermarriage of individuals with different skin colours: Caucasianoid, Negroid, Mongoloid and Amerindian and many different combinations of these. Since the beginning of the colonial era, a mestizo population made up of multiple combinations of indigenous, Hispanic and African population groups began to emerge alongside these. As a result of the genocide of indigenous peoples carried out by the Spanish colonists, and the assimilation of the few remaining indigenous persons in the principal racially mixed strains, members of the main core of racially mixed Cubans were identified as mulattos, following the terminology used by the colonists themselves. The subsequent arrival of Asian labourers, together with slaves who worked on the sugar plantations and other labourers, added new shades to the mestizo mix.

21. The particular way in which the various human elements took their place in the class structure of society and in the associated hierarchical relations invested people's physical appearance and skin colour with meaning and implications, creating the premises for the identification and self-identification of whites, blacks and mestizos as the basic "racial" groups in the country's social panorama. In step with this segmentation, the mixing of cultures and cultural interbreeding produced an integrationist tendency, from which emerged the sense of belonging to an ethnicity and nationality and of identifying with a culture, namely the Cuban culture. Accordingly, the mono-ethnic nature of the Cuban people does not preclude the fact that a wide diversity of phenotypes is one of its distinctive features.

22. The economically active population stands at 5,105,500 people, or 54.6 per cent of the total population of persons 15 years and older.

23. The population lives in a total of 3,885,900 housing units. Most of the population (76.8 per cent) lives in urban areas, and the capital, Havana, is the province where the population is most highly concentrated. Cuba has a high urbanization rate, which is gradually increasing. The 2002 census showed that the population living in human settlements regarded as urban totalled 8,479,329, producing an urbanization rate of 75.4 per cent. In the 2012 census, this figure rose to 8,575,189 persons, or 76.8 per cent.

24. The provinces with the highest degree of urbanization are Havana, Matanzas and Cienfuegos, as well as the Special Municipality of Isla de la Juventud, all of which are more than 80 per cent urban. Pinar del Río and the eastern region, with the exception of Santiago de Cuba, are the most rural, as less than 70 per cent of their land area is urban. Of this group, Granma is the least urbanized province in the whole country, with urban areas covering just 61.3 per cent of the province, although this represents an increase of 2.3 per cent compared with the 2002 census, one of the highest rates of increase in the country.

25. Havana is the country's most densely populated province, with 2,913.6 inhabitants per km² as at the end of 2014, far ahead of the rest. It is followed in descending order by Santiago de Cuba, Artemisa and Holguín provinces, all of which have rates above the national average (102.3 inhabitants per km²). The least densely populated places are, in

ascending order, Isla de la Juventud, Camagüey and Matanzas, all having fewer than 60 inhabitants per km².

Population indicators disaggregated by skin colour

26. The census data from the past 60 years show a growing trend towards miscegenation. The 1953 census reported that 72.8 per cent of the population was white, 12.4 per cent was black and 14.8 per cent was mestizo or mulatto, with persons of Asian origin being included in the latter group. By 2002, these figures had changed to 65.0 per cent, 10.1 per cent and 24.9 per cent respectively. More recently, the 2012 census reported figures of 64.1 per cent, 9.3 per cent and 26.6 per cent respectively.

27. With regard to the sex ratio, figures among the white and mestizo populations are similar and show a slight predominance of women over men, with rates of 983 and 989 men per 1,000 women respectively. In the black population, however, males predominate, with 1,105 men per 1,000 women.

28. Together with sex, age is the other key demographic attribute of the population. Among the white population, 20.0 per cent are 60 years of age and older, while this figure stands at 19.3 per cent for the black population and only 13.7 per cent for the mestizo population. From a demographic viewpoint, the difference between the latter group and the other two groups is significant.

29. The white population has an average age of 40.4 years and a median age of 39.1 years. Among the black population, the average and median ages are 42.5 and 41.1 years respectively, while among the mestizo population they are 36.1 and 35.5 years respectively.

30. The different skin colour groups are unevenly distributed throughout the country. The provinces of Sancti Spíritus, Villa Clara and Holguín have the highest percentages of whites among their populations, at 80 per cent or higher, while Guantánamo and Santiago de Cuba have the lowest, with whites representing about 25 per cent of their total population. In turn, the provinces of Havana and Santiago de Cuba have the largest black populations as a percentage of the total population, standing at 15.2 and 14.2 per cent respectively. The mestizo population, for its part, makes up the majority in Guantánamo, Santiago de Cuba and Granma, with 62.8 per cent, 60.2 per cent and 54.3 per cent of the total population, respectively.

31. The urbanization rate among the white population is similar to the rate for the total population, at about 77 per cent. As for the black population, slightly more than 85 per cent live in what are considered to be urban areas, while for the mestizo population that figure drops to less than 72 per cent.

32. A large percentage of people in the country have attained higher levels of education. Of the total population aged 6 and over, 11.2 per cent have completed higher education. In this case, it is the black population that shows the highest percentage, standing at 12.1 per cent. This is followed by the white population with 11.5 per cent and lastly by the mestizos with 10.0 per cent.

33. Various indicators show that, in Cuba, there are no significant differences between racial groups, which is undoubtedly a reflection of the equitable manner in which social policies are implemented. These indicators include:

- Percentage of persons with disabilities (5.2 per cent for whites; 5.4 per cent for blacks and 4.3 per cent for mulattos, compared with 5.0 per cent for the total population).

- Percentage of workers in corporations, public-private partnerships and foreign firms with vertical company structures (0.9 per cent for whites; 1.0 per cent for blacks and 1.1 per cent for mulattos, compared with 1.0 per cent for the total population).
- Average number of persons per bedroom in households (1.7 per cent for whites; 1.8 per cent for blacks and 1.8 per cent for mulattos, compared with 1.7 per cent for the total population).
- The indicators related to schooling are similar. The lack of significant differences confirms that there is no inequality or discrimination in access to higher education on the basis of skin colour.

<i>Level completed (%)</i>	<i>Total</i>	<i>White</i>	<i>Black</i>	<i>Mulatto</i>
Total	100	100	100	100
None	13.5	13.6	10.9	14.0
Primary	13.5	14.0	12.2	13.0
Basic secondary	23.8	23.7	24.3	24.1
Skilled worker	1.3	1.1	1.8	1.6
University-preparatory	22.5	22.0	23.3	23.6
Mid-level technical	13.6	13.6	14.7	13.2
Mid-level technical training	0.6	0.6	0.8	0.6
Higher or university education	11.2	11.5	12.1	10.0

- There are no significant differences in postgraduate education (17.8 for whites, 17.3 for blacks and 16.2 for mulattos).
- There are no significant differences among persons in the occupations that are considered by society to be the most prestigious, such as managers and professional, scientific and white-collar staff.

<i>Occupational category</i>	<i>Total</i>	<i>White</i>	<i>Black</i>	<i>Mulatto</i>
Leaders and managers at all levels	8.6	9.0	8.1	8.0
Professional, scientific and white-collar staff	15.4	15.6	15.6	14.8

III. Constitutional, political and legal structure of the State

34. With the triumph of the Revolution on 1 January 1959, the Cuban people achieved true independence and were able to create the conditions for full and universal enjoyment of all human rights. The profound economic, political and social changes undertaken made it possible to do away with the structural injustices inherited from colonial and neocolonial rule in Cuba. The foundations of a democratic, fair, inclusive, equitable and compassionate society were laid, and continuous progress has been made.

35. When the Revolution triumphed, Cuba found itself in a situation of total political and economic dependence on the United States, suffering from underdevelopment, corruption, political and administrative fraud, chronic malnutrition, arbitrary arrest, torture, disappearances and extrajudicial executions, illiteracy, neglected and inadequate health services, widespread poverty, and racism; in short, a situation of absolute denial of individual and collective rights.

36. The Cuban people established by its sovereign will its own political, economic and social system, as prescribed in the 1976 Constitution of the Republic of Cuba. It did so in the light of the failure of successive models and prescriptions imposed by the powers that had dominated Cuba. It had suffered humiliating experiences: military interventions and constant interference by the United States, the pernicious impact of clearly unequal free trade agreements and the collapse of the so-called liberal bourgeois democracy. Successive United States Governments, with the connivance of the Cuban oligarchy, imposed brutal dictatorships to prevent the Cuban people from exercising their right to self-determination.

37. The principle of equality first appeared on 1 January 1959 in all spheres of the country's life, being reflected both in the laws and in the policies introduced by the Cuban State in accordance with the fundamental principle that mere juridical formulations are not enough: abstract concepts must be transformed into concrete rights. This could be brought about only by the profound political, economic, social and cultural changes which the country initiated long ago and which it still maintains, despite the economic difficulties and the adverse effects of external factors, particularly the economic, commercial and financial embargo imposed against Cuba by the United States.

38. It was at that time, in the context of the changes introduced by the Revolution, including access to education and culture, that it first became possible to speak of the enhancement of the dignity and status of all Cubans.

39. That moment marked the start of a profound and continuing process of political, social and economic change deeply rooted in liberating principles and designed to lay the foundations for the universal reign of equality and social justice and for stronger popular participation by all Cubans. This process was invested with legal protection by the creation of a constitutional and legal framework guaranteeing the full equality of all citizens and the enjoyment of all human rights.

40. The democratic system in Cuba is based on the principle of "government of the people, by the people and for the people". The Cuban people participate in the exercise and active control of the process of government through the country's political and civic institutions within the framework of its laws.

41. As established in the Constitution, Cuba is an independent and sovereign socialist workers' State, organized with the involvement of all and for the good of all as a united and democratic republic, for the enjoyment of political freedom, social justice, individual and collective well-being and human solidarity.

42. Sovereignty is vested in the people, from whom all the power of the State originates. This power is exercised directly or through the people's assemblies and other State bodies that derive their authority from these assemblies.

43. The Cuban political system is the expression of the will of its people. It is a truly Cuban undertaking, based on its rich history of struggle for equality and solidarity between men and women, for independence, sovereignty, non-discrimination, unity, participation, people's power and social justice.

44. The Constitution of the Republic of Cuba is the supreme law and lays the political, economic and social foundations of the State and the Government. It sets forth the principles for the organization of State bodies and establishes citizens' basic rights, duties and guarantees and the obligation of compliance.

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

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

47. Article 89 of the Constitution provides that the Council of State is the National Assembly body which represents the Assembly in the period between sessions, executes its resolutions and performs other duties assigned by the Constitution. It represents the Cuban State at the highest national and international levels.

48. The Council of Ministers is the highest-ranking executive and administrative body and constitutes the Government of the Republic.

49. The National Defence Council is constituted and prepared during peacetime to lead the country during hostilities or wars, a general mobilization or a state of emergency. The law regulates its organization and activities in accordance with article 101 of the Constitution.

50. 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.

51. The Office of the Attorney-General of the Republic is the State body whose primary responsibilities are to monitor and uphold legality and to institute criminal proceedings on behalf of the State.

52. The Office of the Comptroller General of the Republic is a body whose basic purpose and mandate is to help the People's National Assembly and the Council of State to monitor State and government bodies at the highest level. It puts forward the overall State policy with regard to the maintenance of public finances and economic and administrative controls. Once a policy is approved, it directs, executes and checks its implementation, as well as directing the methodology and overseeing the national audit system. It also conducts the activities that it considers necessary to safeguard the proper and transparent administration of public assets and prevents and combats corruption.

53. The provincial and municipal people's assemblies set up in the political-administrative divisions into which the country is divided are the highest local organs of State power. They are invested with the highest authority for the exercise of State functions in their respective territories. There are 168 municipal assemblies, comprising 14,537 delegates, most of whom are not professionals and all of whom are elected by majority vote for a two and half year term.

54. The bodies 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 social and grass-roots organizations representing the plurality of Cuban society.

55. Important decisions are taken only when the broadest social consensus has been reached. The active participation of citizens is not limited to choosing, nominating, electing, overseeing and removing from office their representatives. Instead, it includes a much more comprehensive, systematic participation, inherent in all aspects of social life. This is reflected in a participatory culture that goes far beyond citizens' direct involvement in their representative system and that is complemented by their enriching participation in the leadership and oversight of society through civil society organizations and institutions.

56. The Cuban State recognizes and encourages the grass-roots and social organizations that have emerged from the historic struggles of its people, and that bring together various sectors of the population, represent their specific interests and involve them in the tasks of building, consolidating and defending society.

57. Civil society in Cuba comprises more than 2,200 organizations, some of the most prominent being the social and grass-roots organizations formed by women, peasants, workers, youth, students, pioneers and neighbourhood residents, and the scientific, professional, technical, cultural, artistic, sporting, religious and fraternal, friendship and solidarity associations and any others operating under Act. No. 54 (The Associations Act) and under the Constitution.

58. Because of their broad-based membership, representativeness and ability to mobilize, the Cuban political system ensures that these non-governmental organizations are given broad powers and the capacity to propose legislation, to be consulted, to give opinions and to take decisions as they put into practice the participative democracy instituted by the existing constitutional order. Some grass-roots and social organizations have a long history, while others emerged with the Revolution because there was a need to provide broad sectors of the population with the opportunity to become direct actors in the process of change under way.

59. The Constitution establishes the principles of the State's electoral system and the procedure for complete or partial amendment of the Constitution. If such an amendment relates to the composition and powers of the National Assembly or its Council of State, or to rights and duties enshrined in the Constitution, it also requires ratification by a majority vote of citizens with electoral rights, in a referendum called for that purpose by the Assembly itself under article 137 of the Constitution.

60. The system of legal protection for human rights in Cuba is not limited to what is set out in the Constitution; such rights are duly considered and guaranteed in other substantive and procedural provisions. Acts, decree-laws, decrees, decisions of the Council of Ministers and resolutions of ministers and heads of the central organs of State all establish benefits and supplement the principles, rights and duties established in the Constitution, which define the relationship between individual members of society and between those individuals and the State.

61. The main features of the Cuban electoral system are as follows:

- (a) Public electoral rolls, with automatic, universal registration without charge for all citizens aged 16 and over who have the right to vote;
- (b) Direct nomination of candidates at electoral assemblies;
- (c) No discriminatory, lucrative and costly election campaigns;
- (d) Transparency — the votes are counted publicly;
- (e) Requirement of majority support — more than 50 per cent of the valid votes cast are required in order to be elected;
- (f) The vote is free, equal and secret. All Cuban citizens have the right to vote and be elected, except as provided by law. Since there are no party lists, voters vote directly for the desired candidate;
- (g) All members of the representative bodies of State power are elected and may be re-elected;
- (h) All those elected are held accountable at regular intervals and are subject to recall at any time during their term of office;
- (i) Deputies and delegates are not paid to perform their duties;
- (j) High voter turnout;
- (k) The Cuban parliament is representative of the widest range of sectors of society. One deputy is elected for every 20,000 inhabitants or fraction greater than 10,000.

All municipal territories are represented in the National Assembly. Up to 50 per cent of the deputies must be delegates from the constituencies and live in their constituency;

(l) The National Assembly elects the Council of State and the Council's President from among its deputies. The President of the Council of State is the Head of State and Head of Government. The Head of State and Government must go through two elections: first one as a candidate for the post of deputy and then one held in the National Assembly, also by free, secret, direct ballot;

(m) The right to propose legislation rests with society as a whole and not only with deputies. Trade unions, student, women's and social organizations and individual citizens may propose laws, provided in the last case that the proposal has the support of at least 10,000 qualified voters;

(n) Laws are put before the deputies and passed by majority vote. A law is not discussed in plenary until it is clear, following repeated consultations with deputies and taking their proposals into account, that there is a majority in favour of discussion and approval. In practice, this process includes public participation in the analysis and discussion of strategic issues;

(o) There are no political parties in an election; the role played by parties in other countries is performed by the people, either directly or through their representatives. The Communist Party plays no part in the electoral process but is the guarantor of its quality and transparency. It is not necessary to be a member of the Communist Party of Cuba in order to be nominated or elected. Of the 15,000 or more constituency delegates, 34.24 per cent are not members of the Communist Party. The people nominate and elect their local representatives. Deputies to the National Assembly and delegates to provincial assemblies are nominated by the delegates to municipal assemblies, after intensive consultations with social organizations.

62. One aspect that distinguishes the Cuban electoral system is its universality, which is based on the right of all persons to vote and thereby fulfil their civil duty. This is reflected in the fact that all Cubans of voting age are automatically added to the electoral roll, unlike electoral models in other nations where citizens must register in order to exercise the right to vote.

63. In the Cuban electoral model, while the exercise of the right to vote is not mandatory, it is a civic right by which all citizens express their commitment to society and have the opportunity to endorse the established political system. This is in keeping with the belief that true endorsement and legitimization is achieved only with the participation of the citizenry.

64. According to official data, there has been more than 85 per cent voter turnout in all elections held in Cuba since 1976. This high level of public participation demonstrates that the majority of citizens support the political model chosen by the sovereign Cuban people.

65. The electoral system described above seeks to incorporate direct democracy into the inevitably representative nature of institutions in a modern democracy. In the case of Cuba, like in any other contemporary society, citizens delegate part of their powers to their elected representatives, who play an intermediary role between the individual and the decision-making bodies that govern society. Nevertheless, the real participation of voters and the effective linkages between voters and elected officials are promoted, as voters nominate the candidates themselves and oversee the latter through mechanisms for accountability and removal from office.

IV. General framework for the protection and promotion of human rights

A. Legal framework for the protection of human rights at the national level

66. Cuba has a legal system that regulates and protects the rights of the individual. Consequently, Cuban legislation not only establishes the universally recognized basic legal guarantees for the protection of human rights but also offers substantive guarantees for the real and effective exercise of all rights, civil and political as well as economic, social and cultural.

67. The Constitution of the Republic of Cuba, which was proclaimed on 24 February 1976, enshrines a significant set of basic rights, duties and guarantees, which, for the first time, put into effect the ideas of equality and social justice set out in the Universal Declaration of Human Rights.

68. Chapter VII of the Constitution, entitled “Fundamental rights, duties and guarantees”, basically sets forth the main principles and guarantees of human rights and fundamental freedoms, which are consistent with the rights formulated in the Universal Declaration of Human Rights and the other international human rights instruments. These principles and safeguards are developed further in other chapters of the Constitution itself and in the rules of ordinary law. These rights and freedoms include those of personal property and inheritance, the right to seek and obtain appropriate reparation and compensation, the right not to be deprived of citizenship, equality of rights, equal rights of spouses, equal rights for children born in or out of wedlock, freedom of artistic creation, and the right to vote.

69. Other rights and guarantees recognized in the Cuban legal system include the right to life, liberty and inviolability and integrity of the person; the right to work with rest and leisure and to social security; the right to inviolability of the home and confidentiality of correspondence; the right not to be tried or convicted except by a competent court under laws that already existed at the time of the offence and with the procedure and guarantees established by law; the right to a defence; the right not to be subjected to violence or coercion of any kind to be forced to testify; the retroactive application of criminal law where that is favourable to the accused; the obligation to observe the law; the obligation to comply with court judgments and other final decisions; and the monitoring and upholding of legality by the Office of the Attorney-General.

70. The constitutional rights and the means of asserting them and re-establishing equality following any infringement of these rights are also safeguarded by copious supplementary legislation, including the Criminal Code (Act No. 62 of 1987), the Associations Act (Act No. 54 of 1985), the Criminal Procedure Act, the Elections Act (Act No. 72 of 1992), the Family Code (Act No. 1289 of 1975) and the Labour Code (Act No. 116 of 2013).

71. One of the fundamental principles of the social development policy of the Cuban State throughout the period since 1959 has been the preferential treatment, without any distinctions, of the social groups most disadvantaged and marginalized in pre-Revolutionary times, including children, women, the elderly, rural dwellers, young people, persons with disabilities, as well as persons with the lowest incomes.

72. Cuba has an extensive and effective inter-agency system, also involving political and social organizations, to receive, process and answer any complaint or request from

individuals or groups of individuals in respect of the enjoyment of any human rights, as provided in article 63 of the Constitution.

73. The main guarantor of this right is the Office of the Attorney-General, which was mandated under Act No. 83 of 1997 (art. 8 (c)) to address complaints submitted by citizens about alleged violations of their rights. Under article 24, paragraph 2, of the Act, the Office is responsible for ordering the full restoration of legality by means of a decision from the prosecutor. Where the complaint relates to the action of a body, the prosecutor will investigate all the allegations and, if the person is in the right, will order restoration of their rights and consequently of legality. The prosecutor is obliged to take the case through to a final resolution, and their action is binding on offenders.

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

75. The Office of the Attorney-General carries out its duties using the following framework: a central body, 15 provincial prosecutor's offices, 168 municipal prosecutor's offices, and 2 special prosecutor's offices located in the Special Municipality of Isla de la Juventud and in the area of Varadero. This framework has been adjusted in the light of the changes made to the political and administrative division of the country through Act No. 110 of 1 August 2010 amending Act No. 1304 of 3 July 1976 on the political and administrative division. This framework ensures that all Cuban citizens who suffer rights violations have access to the Office of the Attorney-General.

76. The divisions of the Office of the Attorney-General have the power to perform inspections with a view to ensuring that the law is enforced in prisons, correctional facilities, units for pretrial detention and all other prisons or internment or detention centres.

77. The Office of the Attorney-General, acting through the relevant prosecutor, processes, investigates, and responds to the reports, complaints and claims submitted by citizens in accordance with the legal procedures. In the municipalities, one of the prosecutors is assigned to this area of work. They find out the causes of the complaints and take action accordingly to prevent further violations.

78. Cuba has other bodies and mechanisms to deal with citizens' complaints and petitions in respect of human rights, including social organizations, the National Revolutionary Police and in particular its mechanisms for dealing with the public, departments which deal with the public in each of the bodies of the central State administration, the Office of the Secretary of the Executive Committee of the Council of Ministers, delegates to the people's municipal assemblies and municipal and provincial administrative councils as well as the standing committees of the National Assembly, and the Council of State's mechanisms for dealing with the public.

79. Cuba has legal guarantees enabling all persons, both Cuban citizens and foreigners, to assert their rights before the courts and the competent authorities and seek protection against violations of their rights. This system, which is adapted to the needs of the Cuban people, has undergone regular improvement to ensure its effectiveness and enable it to meet the expectations and needs of Cubans.

80. Since the adoption by the People's National Assembly of the Economic and Social Policy Guidelines in 2011, Cuba has been engaged in a process of refining the legal and institutional order with a view to ensuring the progress and improvement of Cuban society, its sustainable development, a higher quality of life for Cubans, and progress towards a society that is increasingly just, free, independent, united and equitable, as well as the defence of the country's independence and sovereignty.

81. The People's National Assembly, the Councils of State and Ministers and State bodies are working within their respective mandates to establish the country's legal and institutional framework within which the economic model can be updated while ensuring that the principles of social justice, equality and solidarity that characterize Cuban society are sustainably preserved.

82. Since 2009, new norms have been adopted that expand the legislative foundation for human rights. These include norms concerning the transfer of land in usufruct, social security, employment, housing and self-employment. The country's legal system, in turn, is being perfected through the implementation of amendments that meet the needs of Cuban society.

83. The inter-institutional human rights system has also been strengthened. Progress includes efforts to achieve a higher quality of access to justice, with special emphasis on the preservation of guarantees of due process at oral hearings and throughout the judicial process, including the preparatory or investigation phase, through more effective interaction between the accused and his or her attorney. In addition, improvements have been made to conciliation proceedings in family matters and in labour and financial matters.

84. These measures have expanded the protection of human rights and citizen security in the country, which has contributed to the consolidation of social justice. In exercise of the sovereign will of the people, Cuba will continue to improve its human rights system.

Prison system

85. The Revolution did away with the prison regime inherited from the tyrannical regime in power before 1959 and has built up a penitentiary system that is profoundly humane and is based on respect for and strict application of laws and regulations. It is inspired by the principle of re-educating and rehabilitating every inmate to rejoin society.

86. The old prisons, which lacked the most basic amenities, were closed. New prisons were built, some closed, some open, based on standards and principles developed by international criminal science and best practices in the treatment of prisoners.

87. Some of the key elements of the Cuban prison system are:

(a) Improvements in penitentiary law and regulations, applying the 95 provisions of the Standard Minimum Rules for the Treatment of Prisoners;

(b) Adoption and enhancement of a graduated system, whereby prisoners move through various regimes until they are given parole, based on their behaviour and the minimum sentence they are to serve;

(c) Establishment of criteria for classification of the prison population in order to ensure better treatment for groups and individuals (based on legal situation, sex, age, nationality, personal characteristics, level of risk, etc.);

(d) Building of premises suitable for prison facilities (group and individual cells, with air, lighting, ventilation, sanitary facilities and showers);

(e) Voluntary participation in socially useful work, paid in accordance with national pay scales and with workplace health and safety guarantees;

(f) Financial help to prisoners' families and social security for prisoners;

(g) Introduction of an education subsystem in prisons for general and technical schooling, including universalization of education;

(h) Introduction of a health subsystem for primary and specialized medical and dental care for prisoners;

(i) Artistic, sporting and leisure activities;

(j) Technical and vocational training and ongoing in-service training for prison staff (jurists, psychologists, educationalists, defectologists, sociologists and administrators).

88. The foundations of the Cuban prison system are clearly established in the Constitution, the Criminal Code, the Criminal Procedure Act and the prison regulations.

89. The Interior Ministry, the People's and Military Courts, the Office of the Attorney-General and the Ministry of Labour and Social Security, as the coordinating body for work on prevention, assistance and social work, are actively involved in upholding and ensuring legality in the prison system. The Attorney-General's role is essential in this regard.

90. With the graduated approach to prison treatment, prisoners may earn up to two months a year off their sentence for good behaviour, transfer from high- to low-security prisons and have prison terms commuted to non-custodial sentences.

91. Violence and abuse, both physical and mental, are totally prohibited and constitute an offence under the law.

92. Prisoners are given an adequate diet of at least 2,400 kilocalories a day and drinking water. Their families may also bring them up to 40 pounds of foodstuffs and other items on every visit.

93. Female prisoners are held in women's prisons, where all the staff are female and are fully trained. Young prisoners also receive special treatment. They are held in juvenile prisons or in areas separate from the adult prison and are looked after by specialist staff.

94. Prisoners keep in regular touch with their families through visits, the use of conjugal quarters (available to inmates of both sexes), telephone calls and letters. To encourage good behaviour, prisoners may also be awarded passes or special home visits without a guard. They are taken to hospitals, funeral homes or burials in the event of the serious illness or death of a close relative.

95. Visits are conducted with no wire, bars, glass or barriers of any other kind preventing direct contact between prisoners and their families. As part of the comprehensive treatment for the prison population, and with a view to minimizing the negative effects of social isolation, supervised visits are made to cultural, sports, historical and economic centres. Prisoners' right to profess any faith and receive religious assistance is respected.

96. All prisoners are guaranteed free medical and dental care. The national prison system includes hospitals, health centres and medical posts. Every province has ordinary hospitals with wards for convicts. Prisoners are guaranteed specialist care in any hospital in the country, and medical teams comprising a range of specialists make regular prison visits. There is 1 doctor for every 300 prisoners, 1 dentist for every 1,000 prisoners for preventive, support and specialist care, and 1 nurse for every 120 prisoners.

97. Pregnant prisoners receive medical care during pregnancy and are transferred to special wards for care. They give birth in hospital conditions and are attended by medical staff. They are also put on a special enhanced diet during pregnancy and until the child is 1 year old; during that period the prisoner is with her child all the time to ensure breastfeeding. Once the year is up, the baby may be handed over to family members or placed in a nursery free of charge.

98. Cuba continues to improve its prison system. Special emphasis is placed on education, with a view to making prisoners' rehabilitation and social reintegration even more effective. Training courses for prisoners have been set up and are run in 100 per cent of Cuba's prisons, and over 90 per cent of those currently serving sentences attend on a

voluntary basis. Courses are taught using video technology, closed circuit television, educational publications and additional teaching materials, with advice from Ministry of Education teachers. School education up to twelfth grade is given, along with technical training in trades such as bricklaying, carpentry, plumbing, electricity, handicrafts, welding and male and female hairdressing. Computing and physical education courses have been introduced, and encouragement given to libraries and sporting, recreational and cultural activities, and to specialist festivals and tournaments between prisons. Prisoners are also offered access to higher (university) education.

B. Framework within which human rights are promoted at the national level

99. The country has adopted numerous measures and initiatives in recent years with a view to continuing to progress in its efforts to achieve the broadest possible enjoyment of all human rights and fundamental freedoms by all.

100. Cuba's opposition to any kind of discrimination and its support of equality are constitutional principles derived from chapter I on political, social and economic foundations of the State, chapter VI on equality and chapter VII on basic rights, duties and guarantees of the Constitution, as adopted by referendum in 1976 and amended by the Constitutional Reform Act passed by the National Assembly of People's Power in July 1992.

101. With the Revolution of 1959, Cuba embarked on a path of deep transformation that undercut racism and its socioeconomic and cultural roots. The destruction of the prior political order and the establishment of a new, popular one was a pivotal factor in the transformation of the sociocultural order to include all inhabitants regardless of the colour of their skin.

102. The forms of discrimination that were, in one way or another, legally sanctioned and those associated with formal institutions of power were removed, thereby getting rid of the structural racism cultivated by the authorities and relegating remaining manifestations of racism to the family and interpersonal sphere. Racism was further weakened by the authorities' sociopolitical discourse, which proclaimed equality and denounced all forms of exclusion, including on grounds of skin colour.

103. The daily cooperation made necessary by the various tasks involved in conducting a revolution contributed to bringing the various groups considerably closer together, to debunking many atavistic beliefs prevailing in the social psyche and to, in many ways, doing away with the distinctions between groups because of skin colour through a growing number of mixed marriages.

104. The general policies put in place have enhanced equity and social justice, their aim having been the redistribution of income, the fair distribution of the items in the basic basket of foodstuffs, the improvement of basic services, including drinking water, sewerage and electricity, and their extension to all areas of the country.

105. Cuba has applied and continues to apply a policy of encouraging blacks, mestizos, women and young people to take up managerial posts, with a view to ensuring genuine democracy and participation by the entire people in the exercise of power and the enjoyment of national wealth.

106. Some personal prejudices have survived for historical and sociocultural reasons and because of the anachronistic perpetuation of colonial discourse. Fifty years of non-discriminatory Revolution cannot totally eradicate stereotypes and negative preconceptions from a society which has been racist for more than 500 years. The ways in which the

family, interpersonal relations and mindsets are structured and function do not change as quickly as legislation and State policies may change.

107. A widespread feeling has emerged among the general public that racial prejudice is undesirable and unacceptable and people realize that historical, economic, sociocultural and subjective conditions have put some groups at a disadvantage in relation to others. Biological and cultural interbreeding is seen as an intrinsic feature of the Cuban people, and interracial relations are gradually improving in the most diverse areas of life.

108. There is an increasing degree of interaction throughout society, strikingly so in some cases, such as community, labour and education relations, and in participation in cultural, recreational and sporting activities.

109. Prejudice and racial discrimination, however insignificant, remain a constant concern of the Cuban State. Many researchers and State academic and scientific institutions are researching race-related issues and developing proposed solutions.

110. In Cuba, all religious beliefs are respected without any discrimination whatsoever and freedom of religion is protected. The Constitution recognizes and upholds freedom of religion and stipulates that the various beliefs should be treated equally. Furthermore, all discrimination on grounds of religious belief are prohibited and punishable by law. The Constitution further establishes the absolute separation of church and State. The constitutional amendment of 1992, whereby Cuba shifted from an atheist to a lay State, cemented the safeguards enabling the full enjoyment of freedom of religion.

111. Efforts have been made to encourage relations between believers and non-believers to develop in the spirit of unity, brotherhood, solidarity and mutual respect. There are approximately 600 religious institutions and organizations of various faiths: Christianity (Catholic, evangelical, Protestant and Orthodox churches), Judaism, Islam, spiritualism, Buddhism, yoga, Baha'i and Cuban religions of African origin, among others. They all have temples and buildings (for worship, shrines to saints, prayer and mission work) to conduct their activities, which take place regularly without impediment.

112. Cuba has made undeniable progress in promoting gender equality, making it a regional leader in Latin America and the Caribbean. It is worth noting the considerable and growing participation of women in the country's economic, political and social life and in the design and implementation of public policies. Women enjoy full labour rights, on par with men, wherever the labour standards in force apply to them. Specifically, 48.86 per cent of parliamentary seats are held by women, placing Cuba fourth in the world and second in the American hemisphere. Women were elected as heads of government in 10 of the 15 provinces and they are by far the majority in the health, education and legal sectors.

113. Cuban women have a life expectancy of 80.45 years and the maternal mortality rate is only 21.4 per 100,000 live births, one of the lowest rates in the world. Women constitute 48 per cent of all civil servants, 46 per cent of senior managers, 78.5 per cent of health-care personnel, 48 per cent of scientific researchers and 66.8 per cent of the labour force with higher technical or vocational training. They complete, on average, 10.2 years of schooling and make up 65.2 per cent of higher education graduates.

114. Cuba has an accessible and regionalized health-care system, founded on primary health care, which provides universal coverage and access to all Cubans, without discrimination of any kind on grounds of gender, economic status, skin colour, religious belief or political affiliation, thereby preventing the emergence of unacceptable social inequalities in terms of health. With one doctor for every 300 inhabitants, Cuba is, according to the World Health Organization, the highest ranking country in this domain.

115. Medical services being public and free for all inhabitants, Cuba has one of the most complete primary health-care programmes in the world.

116. Government efforts in the area of health are focused on continuing to provide full access to health as a priority for ensuring human dignity and equality based on the principles of social medicine. The necessary changes have been made to primary health care in order to ensure that the effectiveness of the doctor and family nurse programme increases over time.

117. Despite the restrictions imposed by the North American embargo on the purchase of resources and technology, research has continued into vaccines for cholera, dengue fever and HIV, among others. In addition, research into and the production of technology and generic medicine has been expanded, and priority continues to be given to high-impact programmes, including in the areas of cardiology, oncology, nephrology, ophthalmology and organ transplants.

118. The health of children and adolescents in Cuba is a priority of the State and the national health system, which is why the primary health-care subsystem is working to ensure that children are born and develop in a safe and healthy environment. The emphasis is on improving children's quality of life at all stages of life. Cuban children are vaccinated against 13 illnesses, one of the highest levels of coverage in the world.

119. Cuba is the only country in Latin America and the Caribbean that does not have a child malnutrition problem — a fact acknowledged by specialized United Nations agencies — as a direct result of the Government's efforts regarding nutrition, especially among the most vulnerable, and of programmes to encourage breastfeeding, detect and combat anaemia and provide prenatal care.

120. Cuba has seen good results from the implementation, since 1970, of a maternal and childcare programme that has progressively been refined and is a priority of government bodies and the health authorities throughout the country. A monitoring system has been set up under this programme to systematically and continuously monitor the situation of mothers and children across the country.

121. Fourteen transmittable diseases have been eradicated and another nine are no longer considered public health problems since their prevalence is below 0.1 cases per 100,000 inhabitants. Death by infectious and parasitic disease has dropped to 1.3 per cent of all deaths.

122. The programmes for tackling epidemics have also been enhanced, with priority placed on the care of mothers and children, children with chronic diseases or disabilities and victims of natural disasters. The significant reduction in infant mortality during this period is one of the main contributions to the increased life expectancy at birth of the Cuban population.

123. The main causes of death at all ages, in decreasing order, are: malignant tumours, heart disease, cerebrovascular disease, influenza, pneumonia and accidents.

124. In recent years the National Programme on STD/HIV/AIDS has been strengthened, resulting in notable achievements in that area. The prevalence of HIV/AIDS among the population aged 15 to 49 years is 0.25 per cent, and antiretroviral treatment is guaranteed for everyone who requires it. The decentralization and regionalization of services has made it possible for persons with these diseases to transfer from primary to tertiary care.

125. In 2015, Cuba became the first country in the world to be certified by the World Health Organization as having eliminated mother-to-child transmission of HIV and syphilis. Cuba has strived to ensure early access to prenatal care and access to HIV and syphilis screening for both pregnant women and their partners, to provide treatment to women who test positive and their babies, to provide breastmilk substitutes and to prevent HIV and syphilis prior to and during pregnancy through the use of condoms and other preventive measures. These services are provided as part of a fair, accessible and universal

health-care system in which maternal and child health programmes are combined with programmes on HIV and sexually transmitted diseases.

126. Regarding education, the Cuban State has provided the material conditions and human capital to ensure universal and free quality education at all levels for all, regardless of the sex, colour, income, religion, opinions or political ideas of the students or members of their families.

127. The education system comprises all levels, from day-care centres to universities, which can be found all over the country. Tuition and teaching materials are free at all levels, and education is compulsory up to the ninth grade (i.e. between the ages of 5 and 14 years).

128. The State guarantees, through various programmes, that all children and adolescents have the possibility and right to study in the national education system, as well as equal opportunities to pursue their education to the fullest extent of their abilities and efforts.

129. There are 1,078 day-care centres, attended by 137,051 preschool age children, thereby providing support to 125,801 working mothers. Preschool education, either in an institutional setting or in the home, covers 99.5 per cent of children aged 0 to 5 years in urban, suburban and rural areas. The highest coverage for this age group (70 per cent) is provided through the Teach your Child programme, a high quality community initiative that provides small children with equal opportunities to prepare for their entry into school.

130. According to the 2015 Global Monitoring Report — Education for All, Cuba is the only country in Latin America and the Caribbean to have achieved all the global objectives of Education For All 2000-2015, a goal met by barely one third of the world's countries.

131. Cuba ranked 67th out of 188 in the 2015 Human Development Report of the United Nations Development Programme, thereby placing the country in the high human development category. Having resolved the issue of access in order to achieve a high level of human development, national efforts are focused on the quality and sustainability of development targets.

132. Despite the embargo by the United States of America and its immense economic and social costs, Cuba has achieved most of the Millennium Development Goals set by the United Nations. Of particular note are the eradication of extreme poverty and hunger, the achievement of universal primary education, the promotion of gender equality and the empowerment of women, and the reduction of the under-5 mortality rate.

133. Regarding employment, the economically active population is 5,105,000 people, or 71.9 per cent of the working age population. The number of employed people is 4,969,800 and the official unemployment rate is 2.7 per cent, down from 3.3 per cent in 2013. Of these employed people, 37.2 per cent are women and 62.8 per cent are men.² Turning to the management of employment, most jobs are concentrated in the public sector (72.3 per cent), although non-Government jobs have grown to 27.7 per cent.

134. The Economic and Social Policy Guidelines were adopted by the National Assembly of People's Power to modernize the Cuban economic model and recognize and promote other non-Government entities as a main component of the national economy, in addition to the public sector, with a view to improving labour efficiency and productivity.

135. As part of this process and despite the economic obstacles Cuba has had to face, the country has not wavered in its attachment to the principle of not leaving any worker

² Economic and Social Overview, Cuba 2014, National Statistical Office, Indicator 17, Employment.

unprotected, any pensioner or person needing assistance without a monthly allowance or any person to his or her fate.

136. The Government continues to guarantee basic foodstuffs, including a vital supply of grains, cereals, proteins, oil, salt and sugar, at subsidized prices for the population as a whole, regardless of the income of the individual or family. It also guarantees a litre of milk per day for every child aged 0 to 7 years. The Integrated Plan for the Prevention and Control of Iron deficiency Anaemia in children and pregnant women is ongoing; it has helped to keep the incidence of this nutritional disorder very low. There is also a subsidized nutrition service for older persons, persons with disabilities and other at-risk individuals.

137. Cuba has a wide-ranging humanistic protection system, consisting of a general social security scheme, a social assistance scheme, which benefits millions of Cubans, and special schemes. The system's broad coverage is designed to guarantee universal protection, based on the notion that ensuring social protection is a State function. In 2014, the social security budget was 5,589 million pesos and benefited 1,683,583 people, thereby confirming an upward trend in recent years. The average pension of retirees rose from 259 to 264 pesos.

138. The social welfare or protection services include programmes and measures tailored to older persons, persons with disabilities or chronic illnesses, pregnant women, children, former prisoners and members of other population groups. These services are organized by region, depending on the complexity or specificity of the issues.

139. The care of older persons is a priority in Cuban society and is, therefore, a focus of multidisciplinary and intersectoral efforts to guarantee the quality of life of this segment of the population. As part of Government efforts to achieve a more inclusive and just society for older persons, a set of social service and assistance programmes has been developed, leading most notably to greater availability of medication and improved monitoring of older persons' health. They receive personalized and direct care that takes into account their economic, social, health and family situation, and when necessary, economic assistance is added to the services provided.

140. Since 2009, elderly care has been based on three subprogrammes: institutional services, hospital services and, in particular, community-based services, which include a regular health examination at the family doctor's office, grandparents' circles, grandparents' homes, home care, caregiver training, family meal programmes and university programmes for older persons.

141. As part of efforts to build a society where everyone has the same opportunities, particular attention is paid to disability and persons with disabilities. Under its social policy, the Government prioritizes actions that promote the full and effective participation of persons with disabilities in their social environment. To this end, the National Action Plan for Persons with Disabilities has been rolled out to propose, carry out and assess, in an integrated manner, actions in relation to the various areas of intervention as well as physical, motor and intellectual disabilities. All children with disabilities have access to education and, through the special employment programmes, adults are fully integrated into job centres. National standards for the removal of architectural barriers have been defined, a subtitling system has been developed for television, thereby enhancing the quality of life of the deaf, specialized libraries that use Braille have been set up and progress has been made in the area of sports.

142. Social protection for persons with disabilities includes community-based and institutional services that cater to population groups with specific problems who require specialized care. Recipients also enjoy free educational and health services tailored to their various needs, as well as access to social and job training and skill development workshops.

All these governmental programmes are designed to continually increase the integration of persons with disabilities into society.

143. Persons with disabilities are not merely recipients of social programmes and public policies of universal scope; they are also empowered to lead their own lives, with the full support of the Government.

144. In response to the need to combine universal instruments with comprehensive targeted policies, a series of programmes primarily aimed at younger segments of the population have been rolled out, including actions to: promote wider use of new information and communications technologies as part of the computerization of society; facilitate young people's entry into the job market; expand higher education to institutions other than universities and to all the regions of the country; increase the use of audiovisual media to spread knowledge, culture and information; and strengthen artistic culture.

145. Cuba, as a State party to the Convention on the Rights of the Child, has developed national plans, policies and programmes targeting this group, which incorporate the provisions of the Convention. The State recognizes the role of the family as an essential component of society, and articles 35 and 38 of the Constitution, along with article 85 of the Family Code, establish the responsibilities and basic functions of families with regard to children and adolescents.

146. The National Action Plan on the Care of Children, Adolescents and Families, due to end in 2020, is based on three main principles: the best interest of the child, equal opportunities and participation of children as rights holders in affairs of concern to them in the family and society, in keeping with their age and developmental stage. The Plan is directly informed by the results of its predecessor, the National Action Plan on Children and Adolescents.

147. Policies and programmes have been introduced to advance the independence and the economic, social and political status of women, including the establishment of the objective bases for women to participate in society on equal terms with men and to achieve sustainable development in all areas of life. Noteworthy progress has been made in the area of gender, and the Government continues to implement laws, policies and programmes to consolidate these advances.

148. Sustained progress has been made in the fight against discrimination on grounds of sexual orientation. The National Sex Education Programme now includes a permanent educational strategy on respecting freedom of sexual orientation and gender identity and provides for many opportunities to exchange on the basis of the principles of equality and non-discrimination. As part of the deep commitment to social justice and defending full equality between all Cubans, steps have been taken to expand opportunities for dialogue and interaction on these issues from a position of respect, understanding and awareness.

149. Regarding culture, the arts and sciences in all their forms and freedom of artistic and literary creation are encouraged. The population's unfettered access to art and literature continues to be guaranteed, and many actions have been carried out to preserve and defend national culture and enrich its core values.

150. Culture for all is promoted in the country, creating equal opportunities for developing every citizen's potential, without distinction. The cultural policy has focused on protecting identity, preserving cultural heritage and promoting creativity, artistic and literary production and art appreciation. There is a wide network of cultural institutions.

151. The practice of sports on a mass scale and the implementation of the Olympic ideal in Cuba have, since the triumph of the Revolution of 1959, been essential tools in the promotion and defence of human rights for all.

152. Under the strategy for the development of mass sports as a part of education, comprehensive training and quality of life, the options for the systematic practice of physical activity in the community are continually strengthened and diversified, offering new and attractive options, especially for adolescents and young people, in keeping with their interests.

153. Currently, 30 per cent of the population has a high level of physical fitness as a result of extending the practice of sports nationwide. The establishment of physical education as a school subject in the national educational system has played a significant role in this connection. Pursuant to the development strategy, health promotion and prevention programmes, including for older persons and pregnant and breastfeeding women, have been set up at the community level along with aerobics groups and women's basic gymnastics classes.

154. In the midst of the complex issue of narcotics in the world and our geographic region, there are still very few illicit drugs in Cuba, which has a zero-tolerance policy towards the production, use and trafficking of drugs. The country will never be used to store, move or deliver drugs.

155. Illicit drug use and trafficking do not have a major social impact in Cuba, thanks to State efforts in education and prevention. There is no organized crime in the country nor criminal youth gangs. In order to maintain this positive situation and prevent the scourge of drugs from affecting the population, especially youth, the National Commission for Drug Control and Prevention works systematically and in coordination to promote education for Cuban families and youth organizations and thus ensure greater and more effective participation by society in those areas.

156. Cuba continues to promote a preventive approach to crime through education and social reintegration. Prevention efforts in schools focus on combating the use of drugs and narcotics, eliminating inappropriate social behaviour, encouraging the proper use of the mother tongue, teaching ethical values and developing responsible sexual behaviour. The Help Line services designed to prevent drug use and provide sex education from a gender and rights perspective are still in operation.

157. Cuba has made substantial progress, recognized by the United Nations, towards the five priorities set out in the Hyogo Framework for Action. Moreover, the legal and institutional framework on disaster risk reduction has been supplemented, as reflected in the strengthening of local capacity and the improved effectiveness of early warning systems.

158. Cuba maintains close cooperation with many countries in the region and the world. It is worth noting that projects are being rolled out as part of efforts to promote and protect economic and social rights, especially the right to health and education, and that Cuba provides technical cooperation in various domains. This cooperation has benefited the most disadvantaged groups, including indigenous peoples, women and persons with disabilities, in many third world countries. The most salient examples of cooperation include projects on major health and education problems, such as Operation Miracle, which has provided free eye surgery to 3.4 million people in 34 countries. In addition, 9 million people have graduated from the Yes I Can literacy programme and 1,113,000 from the follow-up programme, Yes I Can Go Further. There are currently more than 51,000 Cuban volunteers providing health services in 67 countries worldwide.

159. Cuba has also worked with other countries and the World Health Organization to combat Ebola virus in Western Africa. Over 250 health workers of the Henry Reeve Brigade have been active in the worst hit regions. A further 4,000 Cuban health volunteers work on the prevention programme in 32 African countries.

C. Acceptance of international human rights norms

160. Cuba is a party to 44³ international human rights treaties and complies with their provisions. The international treaties ratified on behalf of the State or the Government are part of the domestic legal order. Accession to other human rights instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, remain under consideration.

161. With respect to the domestic implementation of the provisions of international instruments, once the Council of State has ratified the instrument concerned or decides to accede to it, the instrument acquires full legal effect in the domestic legal system, in keeping with the assumed international commitment. In addition, article 20 of the Civil Code stipulates that: “If an international agreement or treaty to which Cuba is a party contains provisions that differ from those appearing in the corresponding articles of the preliminary provisions of the Code or contains provisions which are not set forth therein, the provisions of the said agreement or treaty shall apply.”

162. Cuba also maintains a high level of cooperation and interaction with the United Nations procedures and mechanisms related to universal human rights, as well as a constructive dialogue with the treaty bodies.

163. The country cultivates partnerships with various humanitarian and human rights organizations from around the world, to develop collaborative missions both nationally and internationally.

164. In 2013, Cuba submitted its second report to the Human Rights Council for the universal periodic review, and the vast majority of the international community’s observations on that occasion were positive.

165. Cuba was a founding member of the Human Rights Council, in which it served two consecutive mandates until 2011. In 2012, it was re-elected as a member of the body for a period of three years (2013-2016).

166. In addition, Cuba has ratified a large number of international labour laws, including the eight fundamental conventions of the International Labour Organization.

D. Factors affecting the implementation of the Convention

The economic, trade and financial embargo against Cuba by the United States of America

167. Over the past five decades, this economic war has been a constant in the anti-Cuba policy of the United States. The embargo remains in full force to this day, resulting in human and economic harm, causing deprivation among the population and creating a major

³ Cuba is a party to many international instruments in this respect, including the Convention on the Rights of the Child; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the Convention on the Elimination of All Forms of Discrimination against Women; the UNESCO Convention against Discrimination in Education; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention against the Recruitment, Use, Financing and Training of Mercenaries and the International Convention for the Protection of All Persons from Enforced Disappearance. In February 2008, Cuba signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

impediment to economic growth. It is a violation of international law and its extraterritorial reach damages the interests of all States.

168. Based on very conservative estimates and considering the depreciation of the dollar against the price of gold on the international market, the economic harm to the Cuban people up to 2014 amounted to 833,755 million dollars, taking into account the drop in the price of gold compared with the preceding period. At current prices, more than 121,192 million dollars in damage has been done over the course of the embargo.

Other factors

169. The conditions for underdevelopment inherited from a colonial and neocolonial past, the impact of an unfair and unequal international economic order in which the country has been forced to insert itself and the negative impact of devastating natural disasters that cause large-scale economic losses are also factors that have always, to varying degrees, had an adverse effect on the country.
