

## Contents

I.	Methodology and consultation process .....	2
II.	Legal and institutional framework for the promotion and protection of human rights in Cuba ....	2
III.	Achievements and challenges in the promotion and protection of human rights in Cuba .....	3
	Rights of the child .....	3
	Youth .....	4
	The elderly .....	4
	Rights of persons with disabilities.....	5
	Gender equality and empowerment of women .....	6
	Achievement of the Millennium Development Goals .....	6
	Right to health .....	7
	HIV/AIDS.....	7
	Right to education.....	8
	Access to education for prisoners.....	9
	Access to religious services for prisoners .....	9
	Right to adequate housing.....	10
	Right to adequate food .....	10
	Access to information and communications technology (ICT) .....	11
	Death penalty.....	12
	Freedom of religion.....	12
	Social security and assistance.....	12
	Cultural rights.....	13
	Respect for freedom of sexual orientation and gender identity .....	13
	Good practices in prevention and mitigation of natural disasters seriously affecting the country .	14
	International cooperation in the area of health.....	15
	International cooperation in the area of education .....	16
	Right to self-determination .....	17
	Cuba's cooperation with the United Nations human rights machinery .....	17
	Strengthening of the United Nations human rights system .....	18
IV.	Priorities, obstacles and challenges .....	19
V.	Conclusions.....	20

## **I. Methodology and consultation process<sup>1</sup>**

1. The present report covers the period beginning after the presentation of the first report of Cuba to the universal periodic review (UPR)<sup>2</sup> and focuses on the recommendations the country accepted in the first review cycle.

2. The Ministry of Foreign Affairs coordinated the national group that produced the draft report<sup>3</sup> and was responsible for facilitating the follow-up to the UPR recommendations by the relevant national bodies. This group organized the information and statistics and held consultations among the large number of parties involved in the process, including civil society organizations.

## **II. Legal and institutional framework for the promotion and protection of human rights in Cuba<sup>4</sup>**

3. Since the previous review of Cuba, one of the significant achievements in the process of perfecting the legal and institutional order was the adoption by the National Assembly of the People's Power of the Economic and Social Policy Outline, aimed at guaranteeing the progress and development of Cuban society, its sustainable development, raising the quality of life of the Cuban people and progressing towards an increasingly just, free, independent and equitable society of solidarity, along with defending the country's independence and sovereignty.

4. The National Assembly of the People's Power, the Council of State and Ministers and other Government agencies, in their various areas of competence, are engaged in the process of establishing the country's legal and institutional framework to update the economic model, thereby sustainably preserving the principles of social justice, equality and solidarity that characterize Cuban society.

5. The country has continued to strengthen the democratic nature of its institutions, with laws, policies and programmes that are clearly popular and participatory, in accordance with the people's highest aspirations.

6. Between 2009 and 2012, the legal and institutional framework for human rights continued to be strengthened.<sup>5</sup> In February 2009, Cuba ratified the International Convention for the Protection of All Persons from Enforced Disappearance, as an indication of its ongoing commitment to the protection of human rights.<sup>6</sup>

7. New norms expanding the legal foundation for human rights,<sup>7</sup> including norms concerning the transfer of land in usufruct, social security, employment, housing and self-employment, have been adopted. The country's legal system, in turn, is being perfected through the implementation of amendments that meet the needs of Cuban society.<sup>8</sup>

8. Recent laws include updates to the migration policy contained in Decree-Law No. 302, adopted by the Council of State on 11 October 2012, promoting a relationship with Cuban emigrants while eliminating prior regulations regarding travel abroad imposed up to the present to limit the negative effects of the constant manipulation of the issue of migration by the United States of America.

9. The inter-institutional human rights system has also been strengthened.<sup>9</sup> 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 attorney.<sup>10</sup> Improvements were also made to conciliation proceedings in family court and labour and economic proceedings.

10. 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.

### **III. Achievements and challenges in the promotion and protection of human rights in Cuba**

11. The country has taken numerous measures and initiatives in the past four years aimed at continued progress in its efforts to achieve the broadest possible enjoyment of all human rights and fundamental freedoms by all.<sup>11</sup> At the same time, Cuba continues to face the blockade policy that has been imposed by the Government of the United States of America for over 50 years, constituting a grave and systematic violation of the human rights of the Cuban people.

12. Studies conducted in recent years show that the citizens have a sense of security, demonstrated by an atmosphere of domestic tranquillity and order and confidence in the criminal justice system and police.<sup>12</sup> In addition, the absence of criminal organizations allows the fundamental rights endorsed in the Constitution to be experienced concretely.

#### **Rights of the child<sup>13</sup>**

13. Between 2009 and 2011, the Ministry of Justice<sup>14</sup> and the Centre for Youth Studies (CESJ), in cooperation with UNICEF, conducted the third national study intended to update the awareness of the child and adolescent population about their rights, as part of the project to disseminate the rights of children and adolescents in Cuba.

14. During that period, radio,<sup>15</sup> television, movies and other social communications media were used most effectively to disseminate the rights of the child.

15. In the area of education, there are 1,102 centres for infants and pre-school children, with an enrolment of 134,110 boys and girls, which benefit 121,607 working mothers.

16. Additionally, a community-based social programme offers education for pre-school children, tapping into the potential of each family to stimulate its children's development. This method reaches 70 per cent of children not enrolled in children's centres, and, together with the institutional method, provides coverage for 99.5 per cent of children from age 0 to 6.

17. In the legal area, the May 2012 approval of Instruction No. 216 of the People's Supreme Court provides better decision-making tools to ensure that the best interests of the child prevail, an issue closely related to the protective role of the family. The criterion of a predetermined age was eliminated; it had functioned to exclude testimony in producing the record of the meeting. It was replaced by an individual psychological evaluation or by establishing flexible age ranges within which the determining factor would be a sufficient degree of judgement and maturity of the child or adolescent, taking into account their best interests and, in

principle, their ability to express themselves verbally in an articulate way.<sup>16</sup> A methodology was adopted for proceedings involving the appearance of a minor in such cases, which contributed to better and more effective justice.<sup>17</sup>

18. From 2009 to 2011, 19,371 mothers of children with severe disabilities received social security protection, which allowed them to care for their children themselves; the time devoted themselves to their care was considered a contribution to society.

19. Decree-Law No. 278 of 2010 on the special social security regime for self-employed workers provides protection for pregnant women working in this sector through the relevant maternity benefits.

20. Educational and informational materials were developed during that period on the prevention of sexual exploitation of minors, and sex education and training workshops for professionals were held. A legal assistance service was also begun for victims and their families and they were offered institutional support through the criminal process, in keeping with the spirit of the Brasilia Regulations Regarding Access to Justice for Vulnerable People,<sup>18</sup> endorsed by the Cuban judicial system. Coordination was also strengthened between the Centre for the Protection of Children and Adolescents (CPNNA), the Ministry of the Interior (MININT) and the National Sex Education Centre (CENESEX), with UNICEF support.

### **Youth<sup>19</sup>**

21. Work is being done on a proposed amendment updating the Child and Youth Code.<sup>20</sup>

22. Efforts are being made to reintegrate youth who have become disconnected from work or schooling through more and better access to new information technologies, enhancing their overall educational background and stimulating the habit of reading.

23. At the end of 2010, Cuba had 2,947,695 youth under 35 years of age (26.2 per cent of the population). Some 74 per cent live in urban areas. In September 2011, measures were adopted to allow 41,417 youth to acquire land in usufruct for use in agricultural production; youth represent 26.1 per cent of the beneficiaries of the policy.

24. Challenges include meeting the expectations of youth in mid-level and higher education and their subsequent employment; empowering community leaders to resolve problems for at-risk groups; and giving priority to the needs of youth living in rural areas.

25. Illicit drug use and trafficking is not a problem with a major social impact in Cuba, thanks to the efforts of the State in education and prevention. There is no organized crime in the country, nor are there criminal youth gangs. In order to maintain this positive situation and prevent the scourge of drugs from affecting the population, especially the 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 to ensure greater and more effective participation by society in those areas.

### **The elderly<sup>21</sup>**

26. Care for the elderly is a priority within Cuban society and therefore a focus of multidisciplinary and intersectoral efforts to guarantee the quality of life of this segment of the population. Cuba is among the 50 countries with the highest

proportion of persons 60 years of age or older, owing to the positive results of the country's social and human rights policy. Life expectancy at birth averages 77.97 years. In 2011, the elderly represented 18.1 per cent of the total population, for a total of 2,038,453 people. In the next 10 years, over 87 per cent of Cuban citizens will live to age 60.

27. Since 2009, the three subprogrammes for the elderly have included institutional services,<sup>22</sup> hospital services<sup>23</sup> and a special emphasis on community-based services, including a regular health examination at the family doctor's office;<sup>24</sup> grandparents' circles (*circulos de abuelos*);<sup>25</sup> grandparents' houses (*casas del abuelo*);<sup>26</sup> home care;<sup>27</sup> caregiver training;<sup>28</sup> family meal programmes<sup>29</sup> and university chairs dedicated to the elderly.<sup>30</sup>

28. As part of Government efforts undertaken to achieve a more inclusive and just society for the elderly, a group of social service and assistance programmes has been developed, notably improved availability of medications and monitoring of the health of the aged. 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.

### **Rights of persons with disabilities<sup>31</sup>**

29. The National Plan of Action for Persons with Disabilities was completed and is being updated for the period 2013–2016. A new perspective on accessibility was included and the gradual implementation of the International Classification of Functioning, Disability and Health is planned.

30. The People's Supreme Court endorsed the Brasilia Regulations Regarding Access to Justice for Vulnerable People<sup>32</sup> with regard to persons with disabilities, including guarantees of their safety, mobility, convenience, comprehension, privacy and communication.

31. The Regulations on Employment of Persons with Disabilities<sup>33</sup> were adopted in 2011, updated the laws governing their employment, including students completing special education.

32. Libraries provided services to 12,526 blind persons in 2011. Events for disabled artists were held with the support of 355 cultural centres. The closed-captioning programme increased television coverage and broadcasting and various magazines, books and other publications were issued in Braille. A booth at the most recent Book Fair was dedicated to the Braille system. Broadcasting of specialized news programmes for the deaf and hard of hearing has become a regular feature on Cuban television.

33. During the 2010/11 school year, 39,618 students from age 0 to 21 were enrolled in special education for children requiring highly specialized attention (13,715 girls and 25,903 boys). In regular schools teachers assist with travel and mobility, communication, self-sufficiency, nutrition, health and hygiene and the positive emotional state of persons with disabilities.<sup>34</sup>

34. There are efforts to increase human resources training by introducing other technologies that facilitate access to education for students with special educational needs.<sup>35</sup>

35. Training and participation in international sporting events for disabled athletes was promoted. At the 2012 London Paralympic Games, 22 Cuban athletes participated, winning 17 medals (9 gold, 5 silver and 3 bronze). Cuba ranked fifteenth among countries, its best showing in the history of these events.

36. Increased physical accessibility, as well as pursuing gender-disaggregated statistics, are challenges.

### **Gender equality and empowerment of women<sup>36</sup>**

37. Cuba was the first country to sign and the second to ratify the Convention on the Elimination of All Forms of Discrimination against Women. The Government of Cuba submitted its combined seventh and eighth periodic report to the Committee established pursuant to the Convention in 2010.

38. As a result of Government strategies aimed at promoting women in public office, the proportion of women in the National Assembly of the People's Power has risen to 45 per cent. Cuba ranks third in the world in the proportion of women parliamentarians, as noted in the January 2012 report of the Interparliamentary Union (IPU). For the first time, there is a woman Vice-President of the Council of State and another holds the office of Vice-President of the National Assembly of the People's Power (Parliament). Nine of the fifteen Provincial Assemblies of the People's Power (provincial legislatures) are led by women. Nine ministries are headed by women, which furthermore represents 40 per cent of the members of the Council of State.<sup>37</sup>

39. In 2011, women held 42.4 per cent of management posts and represented 65.6 per cent of the country's technical and professional workforce. They make up 47.3 per cent of the overall workforce.<sup>38</sup>

40. Out of the 14,537 delegates elected at the community level as members of the Municipal Assemblies of the People's Power at the October 2012 elections, 45.54 percent are women, representing an increase in their participation at that level over the 30.3 per cent achieved at the 2009 elections.

41. In 2011, the work of the Women and Family Guidance Centres benefited 1,202,215 persons; 81 per cent were women.

42. In 2010, 156.3 women were enrolled at the university level for every 100 men. In addition, 62.8 per cent of university graduates are women.

43. Sexual and reproductive rights, including the right to abortion and free choice regarding fertility, are fully guaranteed and there is free and universal access to family planning services for men and women.

44. Challenges include continuing to promote the gender perspective, achieving greater access to employment for women with disabilities, and eliminating sexist stereotypes from the national mentality. Through the National Plan of Action for follow-up to the Beijing agreements, the situation is being evaluated with the participation of State institutions and civil society organizations.

### **Achievement of the Millennium Development Goals<sup>39</sup>**

45. Despite the blockade by the United States and its immense economic and social cost, Cuba has for the most part met the targets established by the Millennium Development Goals (MDGs) and is working to achieve Goals 5 and 6 by 2015,<sup>40</sup> in the context of the country's low maternal and infant mortality rates.

46. Cuba has already achieved Goal 1 (eradicate extreme poverty and hunger), Goal 2 (achieve universal primary education), Goal 3 (promote gender equality and empower women) and Goal 4 (reduce under-five child mortality). The political will to allocate limited resources towards these targets has produced these results, and

the support of the United Nations, bilateral donors and non-governmental organizations was key to the process.

47. Cuba is a country with a high level of human development, ranking fifty-first out of 187 countries according to the Human Development Report 2011. In addition, according to the Non-Economic Human Development Index, it ranks seventeenth globally, the highest-ranking developing country. 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.

#### **Right to health<sup>41</sup>**

48. Cuba continues to guarantee free and universal access to public health care. In 2012 it achieved an infant mortality rate of 4.6 per thousand live births, the lowest in Latin America and the Caribbean. Maternal mortality for that year was 21.5 per 100,000, among the lowest rates worldwide.

49. Changes were made to primary health care to increase the effectiveness of the doctor's visit programme (Programa de Atencion – Consultorio del Medico) and the Family Nurse (*Enfermera de Familia*) programmes.<sup>42</sup> Priority was also placed on raising the quality of public health through more effective use of resources and changes in training. The Maternal-Child Health Programme was strengthened.

50. The Vaccination Programme guaranteed immunization coverage that was among the most extensive in the world, allowing prevention of 13 diseases.<sup>43</sup> It has contributed to the eradication of malaria, poliomyelitis, diphtheria, whooping cough, measles, rubella, congenital rubella syndrome, neonatal tetanus and tubercular meningitis.

51. Despite the restrictions imposed by the United States blockade on the acquisition of resources and technology, research is continuing into vaccines for the cholera, dengue fever and HIV viruses, among others. Research and production of generic technologies and medicines is also continuing.<sup>44</sup>

52. High-impact programmes, including cardiology, cancer, nephrology, ophthalmology and organ transplants, continued to be given priority.

53. Programmes to address epidemics were developed further, with priority given to care for mothers and children, chronic childhood diseases and the victims of natural disasters.

54. Considering the significantly low level of infant and maternal mortality achieved and the high cost of advanced technology, Cuba faces a challenge in continuing to make progress towards the MDGs in those areas. Nevertheless, doctors and technical personnel in the health sector are working tirelessly to lower those levels even further.

#### **HIV/AIDS<sup>45</sup>**

55. In recent years the National Programme on STD/HIV/AIDS<sup>46</sup> has been strengthened, resulting in notable achievements in that area.

56. At the end of 2011, mother-to-child transmission of syphilis and HIV had been virtually eliminated. The highest number of HIV tests were performed that year as well, and its incidence dropped by 2 per cent. Mortality and late diagnosis declined and survival of persons receiving treatment rose.

57. The policy of paid leave from employment for the scheduling of medical appointments remains in force, as well as consistent protection and reinstatement

in employment or the application of relevant provisions concerning partial or full disability, as the case may be. Guarantees have been reinforced to ensure that workers diagnosed with HIV/AIDS cannot be fired. Access to international funding to meet the care needs of HIV/AIDS patients is a challenge, heightened by the United States blockade policy, which also affects multilateral organizations in that area.

### **Right to education<sup>47</sup>**

58. The 2011 UNESCO Education for All Global Monitoring Report recognized that Cuba had a high level of educational development, and ranked it fourteenth in the world on its Education for All Development Index.

59. Despite the recognized progress in this area,<sup>48</sup> Cuba is working to achieve higher quality at all levels of instruction. Changes have been introduced in the educational system intended to continue the development of teacher training and increase the rigor and effectiveness of student preparation.

60. Regarding pre-school education, the levels of development achieved by children who had completed pre-school indicated that the quality of the management of the educational process had risen; over 97.5 per cent had acquired the basic skills needed for learning in first grade. In special education, work with children diagnosed with autism was strengthened through the introduction of new methods (sign language, theory of mind).

61. In the area of higher education, the preparation of students to begin university study was reinforced.

62. During the 2010/11 school year, the development of the entrance examination system for higher education continued, ensuring that all students in the pre-university course could participate.

63. Adult education continued to meet the demand for self-improvement among the population that had not yet completed elementary or basic secondary education. During the 2010/11 school year, 2,782 adults were graduated from elementary education and 6,812 from basic secondary classes.<sup>49</sup> In addition, there were 39,285 graduates from upper secondary education and 5,032 from language schools. During that academic year, a total of 53,911 adults were graduated; 25,357 of them were women.

64. As for human rights education,<sup>50</sup> topics relating to gender equality, rights of the child, sexuality, environmental preservation and management and local and human development were incorporated into study plans for primary, secondary and higher education.

65. Teacher training programmes for the 2010/11 school year emphasized the theme of human rights, with the aim of improving the preparation of future teachers and professors.<sup>51</sup>

66. The comprehensive course for police officers and the basic police training course, consisting of 170 and 154 hours of instruction respectively, addressed human rights in various subjects.

67. Beginning in 2009, changes were made to the course of study for judges. A master's programme in constitutional and administrative law was also launched, which included a module on the treatment of human rights.<sup>52</sup>



68. The National Union of Jurists and the Federation of Cuban Women gave courses on gender for legal professionals and worked to incorporate a gender module in various master's courses.

69. Cuba continues to promote a preventive approach to crime through education and social reintegration. Prevention efforts in schools focus on combating illicit use of drugs and narcotics, eliminating inappropriate social behaviour, proper use of the mother tongue, education in ethical values and the development of responsible sexual behaviour. There was continued development of Help Line services to prevent drug use, as well as sex education from a gender perspective with an emphasis on gender and rights.

70. The Programme for Promotion and Education for Health and a Healthy Environment<sup>53</sup> in the national education system was updated beginning with the adoption of the Declaration of Ministers of Health and Education in Mexico on 1 August 2008. The Ministry of Education, by Ministerial Resolution No. 139 of 2011, adopted the Programme on Sexuality Education from a Gender and Sexual Rights Perspective in the school curriculum of the national educational system, for all levels of education. This programme strengthened HIV/AIDS prevention, sexual and reproductive health care and sexual diversity. The Schools Promoting Health movement continued to develop, to promote healthy practices and environments in school life. The Programme was applied in various thematic areas.<sup>54</sup>

#### **Access to education for prisoners<sup>55</sup>**

71. In Cuba there are 27,095 inmates participating in education at various levels, many of whom are also receiving job training either through courses or on the job.

72. The activities of "Work and Study Centres", open facilities that promote full education for prisoners, are being strengthened. In 2011, 3,244 inmates were enrolled in classes, 2,956 received job training and 6,031 had a job.

73. Continuing education courses are given in all prisons. Access is voluntary and educational materials and information technologies are used. They range from technical and job training to higher education, with special emphasis on illiterate or poorly- educated inmates. Acceptance into higher education is an incentive for convicts with high school diplomas who maintain good behaviour. This educational system has helped inmates in their future reintegration into society, including employment.

74. Innovative projects for cultural development of inmates have been implemented, including expositions, concerts, theatre classes, plastic arts, music and dance, as well as courses in library science and the establishment of new libraries and improvement of existing prison libraries.

75. The "Educate your Child" programme operates in women's detention centres and is gradually being introduced in men's prisons, an excellent experience that has strengthened the ties between inmates and their children under age 6 and the rest of their families. It provides them with knowledge, methods and procedures enabling them to participate in encouraging their children's development and demonstrate positive changes in behaviour, interests and aspirations to rejoin society.

#### **Access to religious services for prisoners**

76. Attendance at religious services either individually or collectively is guaranteed for those inmates who so request. The services are conducted by representatives of religious organizations registered in Cuba.

#### **Right to adequate housing<sup>56</sup>**

77. The promulgation of Decree-Law No. 288/2011, amending Act No. 65 of 1988, "General Housing Act", eliminates restrictions and makes procedures for transfer of property and housing more flexible. As of June 2012, 32,200 transfers of ownership had taken place under the new legislation. This measure has had a very positive impact, taking into account that Cuban families own almost 85 per cent of the country's housing.

78. Decree-Law No. 289/2011<sup>57</sup> expanded the amounts and credit facilities available to individuals intending to purchase construction materials and pay workers for the construction, preservation and rehabilitation of their homes. In 2011, sales of building materials and related supplies amounted to 760 million pesos; 2012 sales are expected to rise to 2.3 million pesos. All of these actions facilitate access to adequate housing.

79. With the adoption of Council of Ministers Agreement 7155<sup>58</sup> of 4 January 2011, regulations were approved for the granting of subsidies to individuals for the purpose of construction on their homes.

80. In 2011, 32,540 housing units were constructed in the country, representing an increase in quality and architectural variety; 56 per cent were of high standard. The housing stock has improved through a combination of State and private actions — 662 multifamily buildings were rehabilitated and 566 housing projects eliminated; 44 settlements were fully urbanized.

81. A total of 101,526 housing units were constructed between 2009 and 2011. Some 33 per cent were replacements for those totally destroyed by hurricanes, a situation complicated by the recent impact of Hurricane Sandy. Out of the 600,032 housing units affected by hurricanes through 2008, a total of 503,646, or 84 per cent, had been repaired by the end of 2011.

82. From 2009 through March 2012, the country received US\$ 10,296,166 for international cooperation projects in the area of housing,<sup>59</sup> which helped in meeting the major challenges brought about by the impact of extreme weather events.

#### **Right to adequate food<sup>60</sup>**

83. The Cuban Government views enjoyment by all of the right to food and food security as a matter of national security. The Government has shown firm political will to make progress in this area, despite the United States blockade and its impact on available funding for food imports and capital and technological investment in this field.

84. Measures have been taken to implement the recommendations of the Special Rapporteur on the right to food following his visit in 2007.<sup>61</sup> A new agro-industrial policy was adopted in 2012 that expands the spectrum of strategies with respect to this human right.

85. A new model of economic management is being developed with a greater presence of non-State forms of production.

86. The law is being adapted to the changes in the production base,<sup>62</sup> eliminating obstacles to the independent operation of various types of

cooperatives.<sup>63</sup> The objective is to expand the offerings of food to the population, which requires a more productive agricultural system. As of February 2012, there were 2,465 credit and services cooperatives, 1,413 basic cooperative production units and 746 agricultural production cooperatives.

87. By Decree-Law No. 259,<sup>64</sup> 1,440,091 hectares of land were distributed to 163,732 individuals<sup>65</sup> and companies<sup>66</sup> by January 2012. Decree-Law No. 300 of October 2012 consolidated the process of granting of unused land, guaranteed its ongoing sustainable exploitation, and extended by 10 years the possible term of use for land granted in usufruct and gave permission for the leaseholder to build housing on such land.

88. Other advances include the simplification of the links between primary production and the final consumer, as well as the development of a municipal food self-supply programme. The urban agriculture programme was also extended throughout the country<sup>67</sup> and the suburban programme to a municipality in each province. The amount of unproductive land continued to decline and initiatives for the development of sustainable agriculture were made.

89. The Government continued to guarantee basic foodstuffs at subsidized prices for the population as a whole, including a basic supply of grains, cereals, proteins, oil, salt and sugar, independent of the income of the individual or family. It also guarantees a litre of milk per day for each child from 0 to 7 years old. In 2010 alone, the cost of subsidizing the basic basket of foodstuffs reached US\$ 750 million.

90. The execution of the Integrated Plan for the Prevention and Control of Iron-deficiency Anaemia for 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 the elderly, persons with disabilities and other persons at risk.

#### **Access to information and communications technology (ICT)<sup>68</sup>**

91. Improvements have been made in the quality of and access by society to ICT and the technological infrastructure and training of human capital.<sup>69</sup>

92. There was increased investment in telecommunications infrastructure projects and fibre optic and cell phone networks. Despite the United States blockade,<sup>70</sup> the country is showing major initiatives, including activities to reduce vulnerability to various disasters.

93. At the end of 2011, telephones were 98.9 per cent digitalized and telephone density (number of lines per hundred population) was 22.32. There are a total of 2,625,004 lines in service in the country. The bandwidth capacity for connection to the Internet has grown by 275 Mbps since 2009.

94. The use of these technologies is continuing to expand in rural settlements, including mountainous areas; their use as a technological support to the educational programme in primary, secondary and middle schools is also growing, including through youth computer clubs. At the end of 2011, some 455,234 students had graduated from the youth computer and electronics clubs.

95. At the end of 2010, there were 156 television transmitters, providing coverage to 96 per cent of the rural population. By the end of 2011, satellite receivers had been installed in 271 zones with complex topography and greater vulnerability to storms. Scientific studies were also conducted on reducing the

vulnerability of transmission systems and six transmission towers were built that could withstand winds over 200 km/hour.

96. The high cost of technology, the global economic crisis, and the United States blockade, which, among other things, affects Internet access in Cuba, are major challenges.<sup>71</sup>

### **Death penalty<sup>72</sup>**

97. Since the previous report under the universal periodic review, the courts have not imposed the death penalty. In April 2008, the Council of State decided to commute the death sentences of all prisoners who had received that sentence to 30 years to life imprisonment. That decision was a sovereign act, taken in accordance with Cuba's humanitarian and ethical conduct since 1959. Today, no one is on death row in Cuba.

98. Cuba is philosophically opposed to the death penalty. It is in favour of eliminating it when suitable conditions exist. Cuba has been forced, in the legitimate defence of its national security, to adopt and enforce severe laws against terrorist activities and crimes designed to destroy the Cuban State or the lives of its citizens, while always adhering to the strictest legality and respecting the most ample guarantees. Cuba understands and respects the arguments of the international movement that advocates the abolition of or a moratorium on the death penalty.

99. Although it is included in criminal legislation, this penalty is very rarely imposed. It may only be imposed by the duly empowered court, in extremely serious cases, concerning the small number of crimes for which it is the prescribed penalty, and is tempered by a wide range of obligatory requirements and guarantees, in line with the United Nations provisions. Life imprisonment is prescribed for some crimes as an alternative to the death penalty.

### **Freedom of religion<sup>73</sup>**

100. All beliefs are respected in Cuba without discrimination and religious freedom is protected. The right of all citizens to full freedom of religion is guaranteed and promoted and, on this basis, the Government maintains and cultivates good relations with all creeds and religious institutions in the country.

101. There are some 400 religious institutions in Cuba, which operate without any State interference. They all carry out their activities and practices freely.

102. In 2012, His Holiness Pope Benedict XVI visited Cuba.

### **Social security and assistance<sup>74</sup>**

103. Cuba's social security system<sup>75</sup> has been improved since its previous report was submitted to the universal periodic review and in the light of the implementation of Act No. 105, of 27 December 2008, which expanded the rights acquired within the social security and assistance systems.<sup>76</sup>

104. Special regimes were introduced that included new categories of workers. Decree-Law No. 270 of 2010, concerning creators of plastic, applied, musical, literary and audiovisual arts and arts workers, and Decree-Law No. 278 of 2010, concerning self-employed workers, were adopted. Other special regimes are currently being developed.

105. The regulations on temporary cash benefits,<sup>77</sup> home help services,<sup>78</sup> food kitchens<sup>79</sup> and assistance for mothers of severely disabled children<sup>80</sup> were upheld.

106. Decree-Law No. 285 was also promulgated on 5 September 2011, amending Decree-Law No. 234 on working women's maternity by introducing additional provisions to protect working women.

107. The social workers programme was restructured. Decree-Law No. 286 of 2011 was adopted in order to integrate prevention and assistance efforts with social work. It also established the Department of Prevention, Assistance and Social Work within the Ministry of Labour and Social Security.

### **Cultural rights<sup>81</sup>**

108. 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.<sup>82</sup>

109. Arts schools enjoy a high enrolment rate, with 4,499 students at the basic level, 3,210 at the intermediate level, and 1,368 at the advanced level (2011/12 academic year). The 22,852 arts teachers of the various schools and cultural centres, taught 209,580 creative and art appreciation workshops in 2011, attended by 2,492,167 people. The Amateur Artistic Movement was strengthened.

110. The State guarantees its citizens full access to the Cuban publishing system depending on the quality of their works and in line with their literary, scientific and historical concerns. This system includes provincial publishing houses, so citizens can access the system in their own regions.

### **Respect for freedom of sexual orientation and gender identity<sup>83</sup>**

111. As part of the deep commitment to social justice and defending full equality between all Cubans, respect for freedom of sexual orientation and gender identity continued to be promoted and steps were taken to expand opportunities for dialogue and interaction on these issues from a position of respect, understanding and awareness.

112. Implementation of the educational strategy calling for respect for free and responsible sexual orientation and gender identity is being led by the National Sex Education Centre (CENESEX), a government institution that addresses these issues in coordination with other government institutions and civil society organizations. CENESEX is also responsible for coordinating the National Sex Education Programme.<sup>84</sup>

113. In recent years the focus of Programme activities, which involve numerous civil society entities and organizations, has included: communication strategies and sex education; promoting academic studies and scientific research; counselling and sex therapy; comprehensive care for lesbian, gay, bisexual and transgender (LGBT) people<sup>85</sup> and victims of gender-based violence and of child sex abuse; developing community programmes; producing editorial and audiovisual content; links with social networks; online discussions; and campaigns for respect for freedom of sexual orientation.

## **Good practices in prevention and mitigation of natural disasters seriously affecting the country<sup>86</sup>**

114. Protecting the right to life of all Cubans is a national priority when contending with the various dangers of natural disasters.

115. Therefore, everything possible has been done to limit the loss of human life during hurricanes, as in 2008, when Cuba was hit by three major hurricanes and two tropical storms that caused damage estimated at \$10 billion. Similarly, during the recent Hurricane Sandy, every effort was made to protect people. Intensive recovery efforts are under way as a result of the extensive material losses caused by this hurricane, particularly in the city of Santiago de Cuba, the country's second largest city, and in other eastern and central provinces. The resulting widespread damage is still being assessed.

116. Cuba has made substantial progress towards the five priorities set out in the Hyogo Framework for Action,<sup>87</sup> as recognized by the United Nations. The national role of the civil defence system has been strengthened; its operational units around the country work closely with local authorities to implement the disaster reduction plans.

117. The legal and institutional framework to reduce the risk of disasters was improved. Local capacities were increased and early warning systems made more effective.<sup>88</sup> A national public information and educational strategy was developed to promote a risk perception culture. Land use planning and scientific research were encouraged. Furthermore, these efforts took the national environment strategy and the impact of climate change into consideration.

118. Cuba works with agencies and organs of the United Nations system on projects concerning disaster risk reduction and as part of damage and needs assessment teams for the United Nations Office for the Coordination of Humanitarian Affairs, among others. In addition, 19 activities were carried out in the name of South-South cooperation and 44 documented good practices were published and disseminated.

119. From 2008 to 2012, the United Nations Development Assistance Framework, which applies to coordination and cooperation with Cuba, was implemented. Fifteen risks and disasters projects have been carried out, taking national priorities into account.<sup>89</sup>

120. Four cooperation agreements have been drawn up and five projects are underway with Latin American and Caribbean countries.<sup>90</sup>

121. Under the auspices of the Caribbean Risk Management Initiative of the United Nations Development Programme (UNDP), five Caribbean countries have announced that they have decided to use the Cuban Risk Reduction Management Centres as a model. Experts from these countries received training in Cuba during the biennium 2011–2012.

122. Between 2010 and 2012, nine workshops (regional and national) were held, attended by provincial and municipal leaders and officials; experts from the Cuban civil defence system and the Latin American region; officials from the United Nations system of agencies, funds and programmes; and civil society organizations. Technical assessments were also carried out in Grenada, Haiti, Saint Kitts and Nevis and Saint Vincent and the Grenadines.

## **International cooperation in the area of health<sup>91</sup>**

123. In 2009, changes were made to the cooperation Cuba provides in the area of health allowing it to respond to new requests from countries, improve the quality of that cooperation, and help more people around the world.<sup>92</sup>

124. An innovative approach during that period was the active participation in a genetic and psychosocial clinical study of persons with disabilities in Venezuela, Ecuador, Nicaragua, Bolivia and Saint Vincent and the Grenadines<sup>93</sup> between 2007 and 2010. The aim of the study was to promote the care of persons with disabilities and their integration into their respective societies without discrimination.<sup>94</sup>

125. The Comprehensive Health Programme (PIS) continues to be implemented, although it has been in the process of being downsized since 2010 in order to make it sustainable.<sup>95</sup> The Programme's benefits include providing medical services in accordance with the national priorities of the countries receiving this cooperation, strengthening information systems and improving the credibility of national health statistics. There are currently 40 countries participating in this Programme.

126. Operation "Milagro" (Miracle), which seeks to restore the sight of thousands around the world, was begun in 2004. As of January 2012, 2,261,987 surgeries had been performed under the programme. Thirty-four countries in Latin America, the Caribbean and Africa have benefited from it. To enable it to continue, 47 ophthalmology centres have been set up abroad, with 59 operating theatres and 525 employees working in 16 countries.

127. Since the International Contingent of Doctors Specializing in Disaster Situations and Serious Epidemics (Henry Reeve Brigade)<sup>96</sup> was established, 5,490 Cuban medical professionals have provided medical assistance to more than 3 million disaster victims and the number of patients receiving care continues to increase. This Brigade has performed over 33,800 surgeries and has helped to save some 468,000 lives.

128. Cooperation with Haiti continues. The first Cuban medical brigade arrived in the country in December 1998, after hurricane George. Since then, 3,774 Cuban medical professionals have worked in Haiti and medical cooperation has been ongoing. Worthy of note in this area are the implementation of Operation "Milagro", which, since 2005, has allowed Haitians with eye disorders<sup>97</sup> to travel to Cuba for surgical treatment, and the assistance provided following the earthquake which helped to save some 74,530 lives.<sup>98</sup> In October 2010, when the cholera epidemic erupted, 67 health units were created to combat the disease and 46 groups to actively investigate cases. In addition, Cuba is helping to train Haitian health professionals: 817 Haitian doctors have graduated in Cuba and 324 are currently enrolled in courses (22 postgraduates).<sup>99</sup> Cuba is working in conjunction with the Haitian authorities, and with the support of Venezuela and other member States of the Bolivarian Alliance for the Peoples of Our America (ALBA), to develop and strengthen the Haitian health system, including by building hospital infrastructure.

129. As a gesture of solidarity, Cuba provided assistance in the area of health care after the earthquake in Chile in 2010. Cuban doctors held 37,463 consultations and carried out 1,384 major surgeries in that country.

130. In the period 2005–2011, 9,960 doctors from 58 countries graduated from the Latin American School of Medicine (ELAM) and the health professionals training programme in Cuba.

131. For the 2011/12 academic year, 21,217 students from 122 countries enrolled in the Cuban training programme for health professionals from other countries, specializing in medicine (18,364), psychology (1), health technology (417), nursing (362), stomatology (66) and postgraduate studies (207).

132. More than 35,000 health professionals have received training in 11 countries (Angola, Bolivia, Equatorial Guinea, Eritrea, Gambia, Guinea-Bissau, Nicaragua, Bolivia, South Africa, Tanzania, Timor-Leste and Venezuela), where there are more than 1,900 Cuban professors in the Overseas Medical Schools. Around 1,000 students are currently completing their internship (the final year of a degree in medicine).

133. In addition, more than 200 Cuban teachers are working in Medical Schools in seven countries (Ghana, Haiti, Mozambique, Nicaragua, South Africa, Uganda and Yemen). With regard to postgraduate education, Cuba is training more than 800 specialists in seven countries (Bolivia, Equatorial Guinea, Guatemala, Guinea-Bissau, Haiti, Nicaragua and Venezuela); the majority of whom are specializing in general practice.

#### **International cooperation in the area of education<sup>100</sup>**

134. Cuban cooperation in the area of education is carried out at various educational levels. From 2004 to date, cooperation on literacy and post-literacy teaching methods has been extended using the Cuban teaching programmes “Yes, I can” (winner of the King Sejong Literacy Prize), “Now I can read and write” and “Yes, I can go further”. By the end of November 2012, a total of 6,950,693 people had completed the “Yes, I can” programme and 975,837 the “Yes, I can go further” programme.

135. The “Yes, I can” programme<sup>101</sup> has been used in 29 countries. It is currently being implemented in 16 countries in Latin America and the Caribbean, Africa, Asia, Oceania, Europe and Canada.

136. In addition, 413,539 people in Bolivia, Colombia, Nicaragua and Venezuela are currently following the “Yes, I can go further” programme to reach the primary literacy level.

137. Cuba is also encouraging cooperation on projects to improve educational quality; the early childhood programme “Educate Your Child”; the project to assist children with special educational needs;<sup>102</sup> postgraduate training programmes; consultancy on basic and professional technical education; and teaching Spanish as a foreign language. It is also developing assistance activities and teaching methods, as well as master’s and internship programmes with various countries.<sup>103</sup>

138. Between 1961 and the 2010/11 academic year, more than 35,671 young people from 129 countries graduated from Cuban universities, of whom 14,202 were from Sub-Saharan Africa and 1,879 from North Africa and the Middle East. There are also currently a total of 419 foreign students from 43 countries studying at the Universities of Pedagogical Sciences in Cuba.

139. A total of 16,955 scholarship students from 131 countries are currently enrolled in undergraduate courses in post-secondary and higher education in Cuba.

140. Every two years an international teaching event and university conference is held to encourage the sharing of experiences and best practices and to promote better quality training for specialist teachers. It also advances the work of a group



of national institutions that promote research and exchanges on the subject, both nationally and internationally.<sup>104</sup>

141. Cuba has also developed cooperation in access to culture. Collaborative projects are underway in six countries,<sup>105</sup> run by 35 staff members covered by intergovernmental agreements. Another 274 Cubans are employed in this sector by intergovernmental and/or private institutions in 30 countries. There are also some 1,250 Cuban instructors in different art forms (dance, music, fine arts, theatre and literature) working in Venezuela.<sup>106</sup>

#### **Right to self-determination<sup>107</sup>**

142. Cuba continues firmly to support initiatives in favour of the right of peoples to self-determination and independence. It has spearheaded and presented specific initiatives in support of this question to the General Assembly of the United Nations, the Human Rights Council and other agencies and organizations of the United Nations system.

143. Cuba co-sponsored the resolution adopted by the General Assembly that accorded Palestine observer State status in the United Nations and called for the Security Council to consider and accept without further delay the application submitted by Palestine in 2011 for admission to full membership in the United Nations.<sup>108</sup> It also unequivocally supported Palestine becoming a member State of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and has continued to submit several draft resolutions in support of the Palestinian cause to the Fourth Committee of the General Assembly of the United Nations.<sup>109</sup>

144. Cuba is also committed to Puerto Rico's independence and self-determination<sup>110</sup> and traditionally submits a draft resolution on this issue to the United Nations Special Committee on decolonization.<sup>111</sup>

#### **Cuba's cooperation with the United Nations human rights machinery<sup>112</sup>**

145. Cuba maintains a high level of cooperation and interaction with the United Nations human rights procedures and mechanisms, as human rights are enjoyed by all, without discrimination.

146. Cuba has provided comprehensive information on various human rights issues to the United Nations system. The Government has always demonstrated its genuine commitment to dialogue with all States on any issue, based on mutual respect, sovereign equality, self-determination and recognition of the right of all peoples to choose their own political, economic and social system.

147. Cuba has never failed to cooperate with the human rights mechanisms, even in the past when the United States resorted to a spurious anti-Cuban ploy within the defunct and discredited Commission on Human Rights.

148. Cuba has established a positive dialogue with the international human rights treaty bodies. Between the submission of its first report to the universal periodic review in 2009 and late 2012, Cuba has focused its full efforts on honouring its considerable commitments to prepare and submit reports to these bodies.<sup>113</sup>

149. During that period, five national reports were prepared. Cuba fulfilled these obligations despite the enormous effort needed to comply with these requirements.

150. Three reports were submitted to human rights treaty bodies<sup>114</sup> and the other two were sent for consideration to the appropriate bodies.<sup>115</sup> Cuba's initial report under the Optional Protocol to the Convention on the Rights of the Child on the

sale of children, child prostitution and child pornography, and its initial report under the Convention on the Rights of Persons with Disabilities are currently being reviewed prior to submission.

151. The Cuban Government has systematically provided information requested by the special procedures of the Human Rights Council. Cuba has sent information regularly and has completed most of the questionnaires sent by the special mandate holders during the period under review, within the time allowed.

152. Cuba has expressed its concern about the biased content and political prejudice of some communications from the Office of the United Nations High Commissioner for Human Rights (OHCHR), based on false allegations made by individuals and illegal groups lacking credibility or authority.

153. Cuba has continued to ratify human rights treaties and to fulfil its international commitments and obligations under those treaties. It is party to 42 human rights instruments<sup>116</sup> and complies with their provisions.

154. It acceded to the International Convention for the Protection of All Persons from Enforced Disappearance in February 2009, and to the United Nations Convention against Corruption in July 2008.

155. Various human rights and related instruments are being examined and are undergoing the standard consultation and reconciliation procedures with the national bodies and institutions concerned, with a view to future accession and/or ratification.<sup>117</sup>

156. In Cuba, the process of ratifying an international instrument is very rigorous, in order to ensure consistency between the provisions of each instrument and national legislation as well as to examine Cuba's current policies and programmes that would allow the obligations assumed by the State to be implemented. This is a sovereign process that guarantees full compliance with the agreed provisions.

157. The Cuban Government remains strongly committed to continuing to issue invitations to visit the country to the special mandate holders of the Human Rights Council established on a non-discriminatory basis.<sup>118</sup>

158. The country cultivates partnerships with various humanitarian and human rights organizations from around the world, to develop collaborative missions both nationally and internationally. Every year hundreds of representatives from intergovernmental and non-governmental organizations, including United Nations senior managers, visit Cuba. The Director-General of UNESCO visited Cuba in 2012.

159. Cuba has regular and free-flowing contact with the International Committee of the Red Cross, whose representatives visit the country and, together with the Government, promote the exchange of opinions on issues of common interest, while always respecting the scope of the Committee's mandate and the mutually agreed cooperation efforts.

160. Cuba continues to make voluntary contributions to OHCHR. In 2001, 2008 and January 2013, Cuba made voluntary contributions to support the work of the Office.

### **Strengthening of the United Nations human rights system<sup>119</sup>**

161. Cuba participated actively in the Human Rights Council's institution-building process and its review. It has also promoted greater balance and transparency in the work of OHCHR.

162. It has been working on the following issues:

- (a) Developing third-generation rights progressively, particularly regarding the value of international solidarity.
- (b) Supporting the promotion of Non-Aligned Movement initiatives, particularly with regard to the right to development.
- (c) Presenting and co-sponsoring several resolutions,<sup>120</sup> including the establishment of special procedures.
- (d) Supporting the work of the universal periodic review as an intergovernmental mechanism for respectful dialogue and exchange, that allows for truly universal scrutiny of the human rights situation around the world.
- (e) Ensuring the transparency and impartiality of the reports prepared by OHCHR in the framework of the universal periodic review, in accordance with paragraph 15 (b) and (c) of Human Rights Council resolution 5/1.
- (f) Participating actively in discussions and interactive panels within the Council.
- (g) Ensuring a cooperative, non-politicized approach and respectful dialogue among States on the subject of human rights.
- (h) Condemning the growing tendency in the Council's work of adopting a confrontational stance and double standards, as was the case with the Commission on Human Rights.
- (i) Improving the geographic composition of OHCHR to make it more representative.
- (j) Improving transparency and balance when allocating resources to special procedures mandate holders.
- (k) Respecting the principle of equitable geographical distribution when selecting special procedures mandate holders and strict compliance with the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council.
- (l) Not using contributions linked to specific activities or earmarked for specific mandates.
- (m) Addressing all human rights categories comprehensively and equally and paying particular attention to the right to development.

#### **IV. Priorities, obstacles and challenges**

163. Cuba's human rights priorities are to:

- (a) Strengthen the legal and institutional framework to promote and protect human rights and to continue to expand social justice.
- (b) Promote and protect all human rights for all.
- (c) Continue to improve the Cuban political system, to uphold Cuban social values and national unity, and to promote the strengthening of Cuban democracy.
- (d) Further increase popular participation in elections and decision-making processes.
- (e) Promote access for all to information and culture.

(f) Continue to denounce the economic, commercial and financial embargo imposed by the Government of the United States of America against Cuba,<sup>121</sup> condemned almost unanimously by United Nations Member States. The embargo violates the Cuban people's human rights and qualifies as an act of genocide under the Convention on the Prevention and Punishment of the Crime of Genocide of 1948.

(g) Strengthen national defence and security against United States attempts to destroy the current constitutional order and to impose its plan for domination, which promotes inequality and injustice.

(h) Work to strengthen the United Nations human rights system to ensure that it functions on a basis of cooperation and non-politicization.

(i) Continue international cooperation with United Nations human rights mechanisms and to provide other countries with its own modest support and assistance.

164. The obstacles and challenges that hamper the promotion and protection of human rights in Cuba are:

(a) The ongoing policy of hostility, embargo and aggression of successive United States Governments.<sup>122</sup>

(b) The existence of the Guantánamo Naval Base, an international centre for torture and crimes against humanity that is operating on a section of national territory illegally occupied by the United States.

(c) The anti-Cuban political and media campaigns, which deny or distort the country's achievements and have a negative impact on the United Nations human rights mechanisms.

(d) The scourge of terrorism promoted, organized and financed by the United States or from its territory.<sup>123</sup> The fact remains that five Cuban anti-terrorist fighters and human rights defenders of the Cuban and American people are still in arbitrary detention in the United States and subjected, along with their families, to psychological torture of the cruellest kinds.

(e) The recruitment, support and use by the United States of agents in the country, who undermine the Cuban people's rights to self-determination, security and national integrity.

(f) The increase in funds and resources used by the United States Government<sup>124</sup> to subvert and destroy the constitutional order endorsed by the Cuban people.

## V. Conclusions

165. Cuba will continue to explore options for improving the current system for protecting human rights. It will continue to develop international cooperation with United Nations human rights mechanisms and will provide its own modest support and assistance to those countries that request it. Cuba will always be ready to engage in a frank and genuine discussion of human rights, through the universal periodic review or other existing mechanisms, based on complete respect for its dignity and sovereignty.

*Notes*

- <sup>1</sup> Recommendations 58, 59 and 60 addressed to Cuba at its periodic review during the first session.
- <sup>2</sup> Cuba's national report under the UN Human Rights Council Universal Periodic Review. A/HRC/WG.6/4/CUB/1 of 4 November 2008. The country submitted its first report under the UPR to the HRC in February 2009.
- <sup>3</sup> The scope of this report does not include the territory illegally occupied by the United States in Guantanamo in violation of the right of the Cuban people to exercise its sovereignty, within whose confines the internationally condemned centre for arbitrary detention and torture has been established.
- <sup>4</sup> Recommendations 1, 2, 3, 4 and 36. The latter was among those to which Cuba responded in 2009.
- <sup>5</sup> The legal framework consists of the constitution and other national substantive and procedural legislation, including Law 59 of 16 July 1987 (the Civil Code); Law 49 of 28 December 1984 (the Employment Code); Law 81 (the Environment Law); Law 14 of 1997 (the Copyright Law); Law 24 of 1979 (the Social Security Law); Law 1289 of 1975 (the Family Code); Law 16 of 1978 (the Childhood & Youth Code); Law 62 of 1987 (the Penal Code); Law 7 of 1977 as amended by Decree-Law 241 of 26 September 2006 (Law of Civil, Administrative, Employment- & Business-related Proceedings); Law 5 of 1977 (the Law of Criminal Proceedings); these complement and guarantee the exercise in Cuba of all human rights.
- <sup>6</sup> Cuba is State party to numerous international instruments relating to human rights, including: the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; Optional protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography; Optional protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict; International Convention on the Suppression and Punishment of the Crime of Apartheid; the UNESCO Convention Against Discrimination in Education; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; International Convention against the Recruitment, Use, Financing and Training of Mercenaries. In February 2008, Cuba signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.
- <sup>7</sup> Much information was provided at the first UPR session on the legislative groundwork that led to the detailed definition and support of human rights; see Cuba's national report (reference A/HRC/WG.6/4/CUB/1).
- <sup>8</sup> Work is currently underway on drawing up new and amending existing legislation, including: the Penal Code, the Law of Criminal Procedure, the Penalties Enforcement Law, the Police Law, the Contraventions Code, and the Juvenile Offenders Law.
- <sup>9</sup> In 2012, the Attorney General's Office passed a resolution (No.2) setting up a specialized department operating at national, provincial and borough level, tasked with improving the process of dealing with members of the public in matters of complaints, claims and reports. Between 2007 and 2011, the network administered by that office handled 419,937 such cases, finding in favour of the complainant etc. in 26% of these.
- <sup>10</sup> In 2010, the Supreme Court issued Instruction No.10 on the control, guidance and handling of persons serving non-custodial sentences. Instruction No.211 issued the following year dealt with the methodology to be adopted at hearings with witnesses. Also, in March 2012, the Court passed a resolution (No.72) applying the Brasilia Rules regarding Access to Justice for Vulnerable Persons, consolidating the rights of members of the public participant in legal proceedings.
- <sup>11</sup> Recommendations 5 and 38.
- <sup>12</sup> The incidence of murders, manslaughter and rapes in 2011 amounted to 3.3, 1.9 and 8.9 per 1,000 of the population, respectively.
- <sup>13</sup> Recommendation 6, and also 15 among those to which Cuba responded in 2009.
- <sup>14</sup> National coordinator of the project for publicising childhood rights.
- <sup>15</sup> There are 133 children's programmes on Cuban radio. Half of these involve active participation in their development and staging by the children themselves. Of the 96 radio stations, 32% have sections dedicated to childhood themes, involving specialists from various disciplines.
- <sup>16</sup> Supreme Court Instruction No.216 raises the profile of proceedings that involve children and adolescents. Considerable scope for interaction between the court and the parties is provided for, by virtue of mechanisms that reflect current trends in procedural law and Cuba's undertakings on ratifying the International Convention on the Rights of the Child (in 1991), and others with a similar purpose deriving from the National Plan of Action prepared as a follow-up to the Beijing Conference

- and aimed at guaranteeing full and effective enjoyment of the rights of individuals participant in legal proceedings.
- <sup>17</sup> The methodology is based on defining a set of 'Minimum rules for interviewing minors' and 'Rules for assembling a multidisciplinary team for family law proceedings, the working of the team, and drawing up a standard report'.
- <sup>18</sup> Basic rules for the individual's access to justice.
- <sup>19</sup> Recommendation 18.
- <sup>20</sup> Law 16 of 28 June 1978.
- <sup>21</sup> Recommendation 7.
- <sup>22</sup> The 'Institutional' sub-programme involves residential centres for the elderly, occupied mostly by men (65%) and the 75-99 years age group (62.63%). There are 40 centenarians (0.52%). In a population with a disability of some kind (71% of the residents), 41% have a physical-motor incapacity, and 30% mental incapacity; there are a few cases of sensory incapacity.
- <sup>23</sup> The 'Hospital' sub-programme includes 32 geriatric hospital services. It also operates a longevity and ageing research centre (CITED).
- <sup>24</sup> There are 444 polyclinics with multidisciplinary gerontology care teams ("EMAGs"), ensuring that the frail or needy elderly are not neglected. There are 224 day centres with 6,300 beneficiaries.
- <sup>25</sup> There are currently 12,438 clubs for the elderly. These are a focus for care and social integration of the older members of the community.
- <sup>26</sup> The day centres are social institutions that provide comprehensive care during the day to the elderly lacking the support of children or relatives who can look after them in the daytime. They provide meals and medical and other care services, meeting the needs of the elderly and demand on the part of relatives wanting access to a part-time care service.
- <sup>27</sup> This type of care is offered to the elderly living alone or with other elderly persons. A total of 118,141 are cared for on this basis by some 7,500 domestic social auxiliaries throughout Cuba.
- <sup>28</sup> The 115 schools for carers train families in the care of the elderly.
- <sup>29</sup> There are 35,580 family canteens throughout Cuba; their mission is provide nourishing food at a modest cost.
- <sup>30</sup> Some 17,000 older people have graduated.
- <sup>31</sup> Recommendation 41.
- <sup>32</sup> See Note 18.
- <sup>33</sup> Resolución 14 of 2011 of the Minister of Employment & Social Security.
- <sup>34</sup> 5,582 children, adolescents and young people with special educational needs are catered for within the general education system.
- <sup>35</sup> The new technologies include touch-screen, voice vision, switches, intelligent keyboards, scanners, and Braille printing.
- <sup>36</sup> Recommendations 39, 40, 43, 48. Recommendation 12 among those to which Cuba responded in 2009.
- <sup>37</sup> Women also account for 28.6% of ministers (there are 8 female ministers) and 35.6% of deputy ministers (42).
- <sup>38</sup> Women predominate in the education sector (72%) and in public health (69.1%); 58% of doctors, 86.4% of nursing staff and 63.8% of the practitioners of comprehensive medicine are women. They account for 53.3% of the personnel employed in the network of institutions dedicated to science, technology and innovation; 48.5% of them are researchers. In the science and technology centres, they represent 49.4% of the research personnel. Women have penetrated several sectors traditionally male preserves, in some cases achieving high office in these. A prime example is the judiciary: 77.5% of the professional judges are female.
- <sup>39</sup> Recommendations 47 and 48.
- <sup>40</sup> See Cuba's third report on achievement of the MDGs (<http://www.cubaminrex.com>) and (<http://www.one.cu>).
- <sup>41</sup> Recommendations 25, 27, 28, 48 and 50.
- <sup>42</sup> There are over 11,000 family medical practices in Cuba.
- <sup>43</sup> Cuban children are vaccinated against tuberculosis, hepatitis B, diphtheria, whooping cough, tetanus, meningococcal disease types B and C, parotiditis, rubella, measles, poliomyelitis, the diseases caused by *Haemophilus influenzae*, and typhoid fever.

- <sup>44</sup> Preparations that have produced important results include PPG (policosanol), recombinant streptokinase, Citoprop-P and Heberprot, for treating the feet in diabetes. Other examples include Leuferon Colirio, erythropoietin, Intacglobin and transference factor.
- <sup>45</sup> Recommendation 27.
- <sup>46</sup> Joint initiatives in the field of HIV/AIDS include the Operations Group for Combating AIDS ('GOPELS'), a country coordination mechanism, an AIDS Technical Commission, the UNAIDS Technical Group, and also national meetings of: HIV positive persons and social workers focussing on the gay community; young people; social workers promoting condom use, and, more recently, of HIV-positive women.
- <sup>47</sup> Recommendations 6, 48, 50, 55.
- <sup>48</sup> In 2010, net enrolments in primary education amounted to 99.5% of the relevant population (6-11 year-olds), while 99.4% of pupils that enter primary education stay on course.
- <sup>49</sup> The corresponding total since 1961 for the two levels combined is 2,891,790.
- <sup>50</sup> Recommendations 9, 10, 44.
- <sup>51</sup> A week-long national seminar for teachers (by television) is held annually, and always includes a topic related to the formation of human rights values. *Para ti maestro* is a regular teacher-training TV programme broadcast on the 'Canal Educativo' channel. Programmes during the academic year 2011/12 included *Education of children, adolescents and young people for a sustainable world*.
- <sup>52</sup> The subjects taught via postgraduate and other courses and lectures include: effective safeguarding of rights; knowledge and application of the constitution; interpretation of legal principles such as legality and equality; protection of the rights of women and LGBTs (lesbians, gays, bisexuals and transgenders); and procedural law (criminal, civil, family, employment and business).
- <sup>53</sup> Recommendation 50.
- <sup>54</sup> These common themes are: environmental health (personal and public hygiene); nutrition & food hygiene; anti-smoking, anti-alcohol and other types of addiction-prevention education; sex education and prevention of AIDS and other STDs; accident prevention and road discipline; coexistence and communication, and natural & traditional medicine.
- <sup>55</sup> Recommendations 16 and 45.
- <sup>56</sup> Recommendations 8 and 54.
- <sup>57</sup> Decree-Law No. 289, the Law of Loans to Individuals & Other Banking Services, of 28 October 2011.
- <sup>58</sup> The regulations approved by the Executive Committee of the Council of Ministers prioritize disaster affected families and critical social cases, at the moment of granting subsidies.
- <sup>59</sup> Including US \$2,870,873 derived from multilateral cooperation.
- <sup>60</sup> Recommendations 51 and 53.
- <sup>61</sup> As regards the recommendation relating to this right, see Cuba's commentary concerning the report of the relator's visit. (A/HRC/7/5/Add. 3).
- <sup>62</sup> Various regulations have been introduced with a view to extending the ambit of the cooperative system. Resolutions 971/2008 of 25 November 2008, 982/2011 of 8 August 2011, and 574/212 of 13 August 2012; also Resolution 90/11 of Banco Central de Cuba, 122/11 of the Ministry of Agriculture, 369/11 of the Ministry of Finance & Prices, and 121/11 of the Ministry of Tourism in Extraordinary Edition No.038 of the Official Gazette dated 15 November 2011 (authorizing the wholesaling of farming produce to the tourism sector).
- <sup>63</sup> All these types of farm are run on democratic cooperative lines based on regular meetings of the members of the cooperative concerned. They have a framework of internal rules for their operations and receive state support (not encroaching on their independence) in the form of financing, seeds, fair prices and machinery.
- <sup>64</sup> Decree-Law No.259 issued on 8 July 2008 assigned the usufruct of idle land to individuals and firms.
- <sup>65</sup> By 31 January 2011, a total of 1,288,746.5 hectares had been assigned to 161,207 individuals; 78.6% (1,013,50.6 hectares) has been put to use, mainly for cattle raising and growing rice and various other crops.
- <sup>66</sup> By January 2011, 151,344.5 hectares had been assigned to 2,525 firms; 73.5% (111,257.6 hectares) has been put to use, mainly for cattle raising and growing various crops. Of the 2,525 applications from firms approved, 62% (1,565) were from the cooperative sector.
- <sup>67</sup> Urban agriculture is developing within the consumer market supply & demand system. In 2011, there were 3,305 organoponic (urban organic) market gardens, 6,453 orchards and 294 semi-protected

- cultivation systems. Suburban or peri-urban agriculture, located within a radius of 10-15 km around the population centres, offers improved access to produce and saving on transport costs.
- <sup>68</sup> Recommendation 19.
- <sup>69</sup> At the end of 2011, the population of PCs numbered 783,000. An estimated 18% were in homes, while over 33% were in use in the public health, education and culture sectors. There are some 2,610,000 internet users, of whom 622,000 enjoy unrestricted navigation. Registered ".cu" domains number 2,285. There are over half a million Cuban pages available via Internet.
- <sup>70</sup> Washington's sanctions affect access to the internet; the restricted availability of broadband coupled with high connection costs means that the only basis currently possible is via satellite. Cuba is prevented from accessing American firms' technologies or applications, including free software.
- <sup>71</sup> See Note 69.
- <sup>72</sup> Recommendation 42. Recommendation 13 among those to which Cuba responded in 2009.
- <sup>73</sup> Recommendation 46.
- <sup>74</sup> Recommendation 17.
- <sup>75</sup> In 2010, the state allocated 4,762,000 pesos to the social security system, for the benefit of 1,649,710 retirees and pensioners, and incurred 402.9 million pesos in welfare costs in relation to 118,089 families and 185,719 protected beneficiaries.
- <sup>76</sup> These measures included extending pension rights to orphans (having lost both parents), and to young people over 17 years who are following a regular course of study, while widowers aged 65 or over or unable to work because of incapacity and dependent on their spouse are now entitled to draw a pension arising from decease of the spouse as well as their own, a concession previously available only to widows, among other rights. The law mentioned ratifies the practice whereby the social security system protects workers and, on death, their families, when affected by illness or accident (common or occupational), maternity, disability or old age. It also maintained the welfare regime that protects those unfit for work and lacking relatives in a position to help.
- <sup>77</sup> These are cash benefits paid for a year or more in cases where, because of ill health, disability or another good reason, the members of the family cannot work, their income is demonstrably insufficient to pay for food, medicines and basic services, and they have no relatives with a duty to help. As of October 2011, families thus supported numbered 108,942.
- <sup>78</sup> This consists of basic care of a personal, domestic or social nature provided in the beneficiary's home, plus complementary support for persons whose incapacity prevents them from carrying out the normal activities of daily life. It prioritizes the severely disabled who do not have children in a position to support them; these constitute the segment most in need of specialized care. The beneficiaries of this service currently number 3,666 (October 2011).
- <sup>79</sup> This consists in providing the elderly, disabled and others with the nutrition needed to improve their quality of life. It aims to meet the basic nutrition needs of those who require such support, by providing prepared foods and purchasing the foodstuffs required for a proper diet.
- <sup>80</sup> Mothers with severely handicapped children who give up their jobs to look after them, thereby ensuring their proper care, are regarded as performing a job of work and receive temporary financial benefit accordingly. The time they dedicate to this task is regarded as years of employment for the purposes of pension rights. The scheme currently protects a total of 4,264 mothers (October 2011).
- <sup>81</sup> Recommendation 56.
- <sup>82</sup> There are 376 bookshops, 20 traditional cultural centres, 514 video theatres (including 334 in the young people's video clubs), 377 public libraries, 290 museums and 3 circus big tops. Over 2,500 professional culture promoters serve in communities, districts and other population centres.
- <sup>83</sup> Recommendations 5 and 38.
- <sup>84</sup> Primary responsibility lies with the Ministries of Public Health, Education and Culture, and with civil organizations such as the Federation of Cuban Women (FMC) and the Young Communists Union (UJC).
- <sup>85</sup> Lesbians, gays, bisexuals and transgenders.
- <sup>86</sup> Recommendations 11 and 20.
- <sup>87</sup> The Hyogo Framework for Action is the most important instrument for implementing disaster risk reduction adopted by the UN member states.
- <sup>88</sup> The key sectors - environment, housing, public health, planning, education, water, agriculture etc. - have been strengthened with the aim making the various communities independent. This work was



based on the principle of geographically-distributed generating, while standby generators were installed at economically or socially vital facilities.

- <sup>89</sup> Cuba has set up 57 Risk Reduction Management Centres, with the support basically of the UNDP. These comprise 6 and 51 at province and borough level respectively, with 201 early-warning stations at community level, while 61 GISs have been installed. Other initiatives have included installing 89 alarm points and automatic sensors in eight of Cuba's river basins.
- <sup>90</sup> The cooperation agreements are with Russia, Ecuador, Argentina y Haiti. The five projects are with El Salvador, Nicaragua, Guatemala, Haiti, the Dominican Republic and Uruguay.
- <sup>91</sup> Recommendations 21, 22, 23, 24, 25, 26, 30 and 33.
- <sup>92</sup> The changes included: filling positions on the medical team with graduates from the Latin American Medical School (ELAM); assigning various activities to a single professional; replacing anaesthesiologists, radiologists and practitioners of natural medicine with technologists and graduates in those disciplines; negotiating with the other party for the cancellation of services not being used efficiently.
- <sup>93</sup> The numbers of handicapped persons identified in the study by country were as follows: Venezuela: 336,270; Ecuador: 279,228; Bolivia 82,087; Nicaragua: 126,313, and St Vincent & the Grenadines 2,195, reflecting a rate of 1,540 disabled persons per 100,000 of the population.
- <sup>94</sup> The study covered mental and motor disability and involved practitioners including geneticists, defectologists, ENT specialists, psychologists, orthopaedists, and natural-medicine neurologists.
- <sup>95</sup> The strategies being adopted to achieve sustainability include: ensuring the continuance of the Cuban medical teams, protecting teaching and other programmes such as Operation Miracle and the study of the handicapped; replacing some specializations with others feasible for Cuba; diversifying the available human resources, inducting technical and graduate personnel to the missions, and also deploying consultant and practising educators with a view to protecting the teaching activity and maintaining its quality.
- <sup>96</sup> The internationalist 'Henry Reeve' medical brigade was formed on 19 September 2005. Thousands of Cuban co-workers have seen service: 688 in Guatemala, 2,564 in Pakistan, 602 in Bolivia, 135 in Indonesia, 54 in Mexico, 79 in Peru, 35 en China. In November 2009, a emergency contingent of 16 co-workers was sent to El Salvador, another in January 2010 to Haiti with 1,196, and again in March this year, of 68 to Chile.
- <sup>97</sup> In addition, 55,402 operations under Operation Miracle have been performed in Haiti, restoring sight to sufferers from cataract and other diseases affecting vision.
- <sup>98</sup> At the time of the January 2010 earthquake in Haiti, there were 367 Cuban co-workers there, whose numbers were swelled to 1,564 with the arrival of the Henry Reeve Brigade.
- <sup>99</sup> In 1999, 132 Haitians arrived in Cuba to study medicine, while in 2011 a Faculty of Health Sciences was inaugurated, with Cuban teachers, in Haiti. In 2004, 321 students at the centre mentioned transferred to Santiago de Cuba to finish their studies.
- <sup>100</sup> Recommendations 22, 23, 31, 48 and 50.
- <sup>101</sup> The programme is taught in several languages: Spanish (12 versions); English (1) and Portuguese (2), and in vernacular tongues including Aymara (1); Quechua (1); Guaraní (1); Tetum (1); Swahili (1); Creole (1) and (planned) Bambara (1).
- <sup>102</sup> Cuba has entered into agreements on special education with Bolivia and Mexico.
- <sup>103</sup> These include Angola, Mozambique, Laos, El Salvador, Colombia, Guatemala, Panama, Mexico, Chile and Peru.
- <sup>104</sup> The Latin American & Caribbean Teaching Institute (IPLAC), Latin American Reference Centre for Special Education (CELAEE), Latin American Reference Centre for Pre-school Education (CELEP), Central Institute of Teaching Science (ICCP), José Martí Languages & Computing Centre for Foreigners (CICE) and 16 teacher-training universities (UCPs) throughout Cuba.
- <sup>105</sup> Haiti (4 projects), Angola (5), Mozambique (3), Mali (16), East Timor (4) and Pakistan (3).
- <sup>106</sup> The 'Misión Cultura Corazón Adentro' initiative was launched there on 26 April 2008.
- <sup>107</sup> Recommendations 13 and 14.
- <sup>108</sup> Cuba has also backed initiatives and supported statements within the NAM framework in favour of recognition and UN membership for Palestine, and against the Israeli occupation. Cuba is deputy chairman of the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People and deputy chairman of the UN Special Committee on Decolonization. It is also a member of the NAM committee on Palestine.

- <sup>109</sup> Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem; Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan; Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab Territories; Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.
- <sup>110</sup> Cuba has repeatedly condemned the imposition by the United States of colonial status on the Puerto Rican people, denying their inalienable right to self determination and full independence.
- <sup>111</sup> Cuba's position reflects complete respect for General Assembly Resolution 1514 (XV) and the 30 resolutions and decisions of the Special Committee concerning Puerto Rico.
- <sup>112</sup> Recommendations 34, 36, 37, 53. Recommendations 1, 5, 8, 9, 10 and 11 among those to which Cuba responded in 2009.
- <sup>113</sup> The work on these reports has helped strengthen the institutional framework of human rights in Cuba. It has also contributed to creating the tools and taking the steps needed at national level for following up on the recommendations and final observations of the treaty organizations.
- <sup>114</sup> These were: the second regular report to the Committee on the Rights of the Child (2011), the combined 14th and 18th reports to the Committee on the Elimination of Racial Discrimination (2011), and the combined 2nd, 3rd and 4th reports to the Commission Against Torture (2012).
- <sup>115</sup> The combined 7th and 8th reports under the convention for eliminating discrimination against women (2010), and the initial report under the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2011).
- <sup>116</sup> These are: the International Convention on the Elimination of All Forms of Racial Discrimination; International Convention on the Suppression and Punishment of the Crime of Apartheid; ILO Convention No.100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; UNESCO Convention Against Discrimination in Education; ILO Convention No. 111 Concerning Discrimination in Respect of Employment and Occupation; International Convention Against Apartheid in Sports; Convention on the Prevention and Punishment of the Crime of Genocide; Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; ILO Convention No. 29 Concerning Forced or Compulsory Labour; ILO Convention No.105 Concerning the Abolition of Forced Labor; Convention on the International Right of Correction (16 Dec. 1952); ILO Convention No.11 Concerning the Rights of Association and Combination of Agricultural Workers; ILO Convention No. 87 Concerning Freedom of Association and Protection of the Right to Organise; ILO Convention No.98 Concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; ILO Convention No.122 Concerning Employment Policy; ILO Convention No.135 on Protection and Facilities for Workers' Representatives; ILO Convention No.141 Concerning Organisations of Rural Workers and their Role in Economic and Social Development; ILO Convention No. 151 Concerning Protection of the Right to Organise and Procedures for Determining Conditions of Employment in the Public Service; UN Convention on the Political Rights of Women; UN Convention on the Nationality of Married Women; UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages; UN Convention on the Elimination of All Forms of Discrimination against Women; Optional protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography; Optional protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict; ILO Convention No.138 Concerning the Minimum Age for Admission to Employment; Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Geneva Convention for the Amelioration of the Condition of the Wounded and Sick and Shipwrecked Members of Armed Forces at Sea; Geneva Convention relative to the Treatment of Prisoners of War; Geneva Convention relative to the Protection of Civilian Persons in Time of War; Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts; UN International Convention for the Protection of All Persons from Enforced Disappearance; UN Convention on the Rights of Persons with Disabilities; Protocol Additional to the Geneva

Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts; UNESCO Protocol Instituting a Conciliation and Good Offices Commission to be responsible for seeking a settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education; UN International Convention for the Suppression of Terrorist Bombings; UN International Convention for the Suppression of the Financing of Terrorism; Protocol amending the Slavery Convention; UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

<sup>117</sup> The instruments relating to human rights are: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organised Crime; the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational Organised Crime; the Protocol relating to the Status of Refugees; ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; the Latin American Social Security convention.

<sup>118</sup> Cuba reserves the sovereign right to invite, as it sees fit, any such official. Factors taken into account will include the ability to bring to a successful conclusion the programmes requiring visits, the impact the visits may have on the country, and the contribution they may make to the country and to promotion of human rights in other parts of the world.

<sup>119</sup> Recommendation 35.

<sup>120</sup> Cuba continues to submit various resolutions to the Human Rights Council and the UN General Assembly's Third Commission. Examples include: The right to food; Composition of the staff of the High Commissioner for Human Rights; The Social Forum; Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity; Human rights and international solidarity; Use of mercenaries as a means of violating human rights and obstructing the exercise of the peoples' right to self determination; Promotion of the peoples' right to peace; Consequences for States of foreign debt and the associated international financial obligations in terms of their full enjoyment of economic, social, cultural and all other human rights; Promotion of a democratic, equitable international order; Strengthening of United Nations' activities in the field of human rights, through promotion of international cooperation and highlighting the importance of non-selectivity, objectivity and impartiality.

<sup>121</sup> Recommendation 12. Cuba continues to submit the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" to the UN General Assembly. Every year, this resolution is supported by the overwhelming majority of the international community.

<sup>122</sup> This economic war has lasted for over 50 years. Up to December 2011, at current prices, the direct economic damage suffered by the Cuban people from the application of these sanctions exceeded US \$108 bn (a hundred and eight billion dollars) at a highly conservative estimate. The corresponding total allowing for depreciation of the dollar against gold in the international financial market is 1,066 bn (one thousand and sixty-six billion US dollars).

<sup>123</sup> Mercenary invasions; biological attack and aggression by radio and television; foreign encouragement of illegal emigration involving the use of force; plans to assassinate members of the government; threat of invasion, in 1962 and at other times; acts of sabotage and terrorism that have left numerous victims and caused substantial damage to economic and social installations and establishments. As a result of hostilities against the Cuban people in the form of 681 terrorist attacks and a mercenary invasion, all proven and documented, 3,478 men, women and children have lost their lives while another 2,099 Cubans have been maimed for life.

<sup>124</sup> For the financial years 2010 and 2011, via USAID and the State Department, the Obama administration allocated \$40 millions (\$20 millions in each of those years) to public operations aimed at imposing a "change of regime" in Cuba. A great deal more money has been set aside for undercover operations by the US intelligence services.