



Convention on the Rights of the Child

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Committee on the Rights of the Child
Sixty-ninth session
25 May–12 June 2015
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by Cuba under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

The State party is requested to submit additional, updated information in writing (15 pages maximum), if possible by 15 March 2015.

The Committee may take up any aspect of children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide the Committee with information on any measures taken or envisaged to address the lack of data on the implementation of the Optional Protocol, including the establishment of an integrated data collection system.
2. Please supply the Committee with information about the bodies and institutions responsible for the implementation of the Optional Protocol and the mechanisms established to coordinate the work of those bodies and institutions, including the relevant regional and local authorities.
3. Please provide information on the number of 15- and 16-year-old boys who have registered for military service since 2007. Please describe the pre-recruitment preparatory arrangements and training and the specialist military training undergone by boys registered for military service. Please state which authority is responsible for carrying out these activities and explain how compliance with the Convention and the Optional Protocol is ensured. Please provide information on the penalties incurred by boys for non-compliance with the obligation to register. Please also explain how such preparatory activities and specialist military training differ from active military service under National Defence Act No. 75/94 and Decree-Law No. 224/2001, which establish that the minimum age for call-up to active military service is 18 years and that those who wish to enlist voluntarily in the Armed Forces may do so in the year of their seventeenth birthday.
4. Please provide updated data, disaggregated by age, sex, nationality, ethnic origin, rural or urban place of residence and socioeconomic level, on voluntary recruits in the

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Cuban Armed Forces. Please indicate what percentage of the total number of recruits they represent.

5. Please provide information on the safeguards that the State party has established to ensure that voluntary recruitment into the Armed Forces of persons under 18 years of age is not forced or coerced. Please also clarify whether parental consent is a legal prerequisite for the enlistment of all recruits under 18 years of age.

6. Please provide information on the steps taken by the State party to ensure that recruits under 18 years of age are not deployed in hostilities. Please also provide information on whether such recruits are: (a) housed, educated and trained separately from adults; (b) protected from sexual and physical abuse; (c) subject to military law and, if so, how the requirements of juvenile justice are met; and (d) allowed early release from military service upon request and, if so, please provide information on the most recent figures in this connection. Please inform the Committee whether recruits under 18 years of age have access to independent complaint mechanisms. Please also provide information on whether the State party has any plans to raise the age for voluntary recruitment.

7. Please provide information on whether the offence of desertion applies to recruits under 18 years of age and whether, in cases of treason, the death penalty has been or could be applied to individuals who were minors when the offence was committed.

8. Please provide the Committee with information on whether the prohibition of the participation of recruits under 18 years of age in hostilities still applies in the event of a general mobilization. Please also clarify what the minimum age for recruitment is during states of emergency.

9. Please describe to the Committee the role played by the Armed Forces and the Ministry of Education in the Camilo Cienfuegos military schools and in officer training centres in respect of the overall education provided by those institutions. Please also provide data, disaggregated by age, sex, nationality, ethnic origin, rural or urban place of residence and socioeconomic level, on students enrolled in military schools and students under the age of 18 years enrolled in officer training centres. Please provide information on the legal status (as civilians or military personnel) of those students, and their right to withdraw from such schools and training centres at any time and to give up a military career, together with information on the methods used to enforce discipline. Please also provide information on whether such students have access to independent complaint mechanisms.

10. Please provide information on whether courses in military and non-military subjects at the Camilo Cienfuegos military schools and officer training centres cover human rights and humanitarian law, including the Convention and its Optional Protocols. Please inform the Committee about the training given to teachers and instructors on the provisions of the Optional Protocol. Please also provide information on the use of any type of weapon during military training by students under 18 years of age at such military schools and training centres.

11. Please provide information on the steps that the State party plans to take to make the recruitment of children under 18 years of age by non-State armed groups an explicitly defined offence. Please provide clarification regarding the way that the State party plans to go about making it an offence for children under 16 years of age to be enlisted in the Armed Forces by the State or agents acting on behalf of the State. Please also provide information on any steps taken or planned by the State party to define the recruitment of children under the age of 15 years as a war crime under national law.