



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

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**Committee on the Elimination of  
Discrimination against Women**

**Consideration of reports submitted by States parties under  
Article 18 of the Convention on the Elimination of All  
Forms of Discrimination Against Women**

**Combined fifth and sixth periodic reports of States parties**

**Cuba\***

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\* The present report is being issued without formal editing.  
For the initial report submitted by the Government of Cuba, see CEDAW/C/5/Add.4 which was considered by the Committee at its second session. For the combined second and third periodic report submitted by the Government of Cuba, see CEDAW/C/CUB/2-3 and Add.1 which was considered by the Committee at its fifteenth session. For the fourth periodic report submitted by the Government of Cuba, see CEDAW/C/CUB/4 which was considered by the Committee at its twenty-third session.



## PRESENTATION

1. During the period since the Government of the Republic of Cuba prepared the fourth, fifth and sixth combined reports to the Committee on the Elimination of Discrimination against Women (CEDAW), significant qualitative changes have taken place both at the national level and in the complex international circumstances which the Cuban people have had to face.
2. While the Cuban nation has made progress with ambitious social programmes designed to promote citizen participation, equity and social justice - a veritable revolution within the Revolution -, there has been an increase in external threats to their enjoyment of their rights to development, self-determination and peace. The administration of the President of the United States of America, George W. Bush, has intensified its policy of hostility, embargo and aggression applied unilaterally against women and girls, and against all Cubans.
3. This report covers the entire period between 1995 and 2004. That decade has been used as the analytical time frame for objectively identifying the trends and characteristics of the process which the Cuban State has undergone in meeting its obligations under the Convention and putting into action the political will of the Government and other state and non-state actors, with a view to ensuring progress in enabling women to fully enjoy the goal of gender equality in Cuba.
4. The year 1993 was the most difficult and trying one the Cuban people have had to face in the entire time known as the "Special Period". That year saw the convergence of serious issues affecting the economy, employment, foreign trade, the country's finances and basic social services, as well as the disappearance of the Soviet Union (USSR) and the Council for Mutual Economic Assistance (CMEA). Cuba depended on the former socialist countries of Eastern Europe for 85 per cent of its foreign trade.
5. In addition to losing that mechanism for the international division of labour and economic integration, the United States embargo against Cuba was tightened, having been reinforced with legislative acts such as the Torricelli Amendment and the Helms-Burton Act.
6. Many analysts thought at the time that the Cuban Revolution would fall under the domino effect of the processes of so-called real socialism in Central and Eastern Europe and that the Cuban people would have to renounce their alternative and independent development model, handing over their sovereignty to the imperialist appetite for domination among the power circles of the super-Power and submitting to the paradigms imposed on most of the developing countries, i.e., neoliberal economic adjustments, privatization and plundering of the national heritage, with the well-known implications of such policies in terms of poverty, marginalization and discrimination.
7. Several countries that decided to accept - or were not able to oppose - the formulas that were rejected by the Cuban people are now faced with the serious consequences of the failure of neoliberalism. The economic growth which the neoliberals had said would be impressive, as it "would liberate the market from the constraints of the State", only reached a meagre 1.3 per cent over the last six years, and per capita GDP in 2003 was 1.5 per cent lower than in 1997.

8. In the case of employment, for example, in 2003 it reached 10.7 per cent in Latin America as a whole; this meant that around 700,000 persons were added to the rolls of the urban unemployed, now totalling 17 million. Most available jobs are now in the informal sector. Seven of every 10 new jobs were generated in this sector, which is characterized by lower real wages, lack of job security and social instability. According to ECLAC statistics, there are 227 million poor people in Latin America, representing 44 per cent of the population, and 92 million poor are indigent. At the end of 2003, there were 20 million more poor people than in 1997.

9. In these circumstances of poverty, indigence and social exclusion, women suffer the most, not only because of the gender bias inherent to some policies but also because of the different effect the situation has on men and women, given the roles traditionally assigned to and assumed by them. Thus, there is clearly a fundamental contradiction between formal declarations proclaiming equal rights and opportunities and the extent to which they are actually achieved.

10. To the serious international situation in the economic and social spheres is added the deterioration of political relations resulting from the shift in the world balance of power, the predominance of one hegemonic super-Power and its aggressiveness, militarism and disregard for international law and multilateralism.

11. The development and advocacy of doctrines such as “preventive aggression” and the unleashing of truly imperialistic wars of plunder restrict the enjoyment of sovereignty and self-determination of peoples who are in the clutches of extremist and fundamentalist groups, starvation and poverty, on the one hand, and on the other, of the terror wrought by the arrogant circles of power in the particular State that has unquestionable military superiority.

12. Fabricating cynical excuses, such as a false commitment to promoting democracy and human rights - rights that are denied to tens of thousands of innocent civilians who are murdered with “smart” bombs -, the need to dismantle non-existent arsenals of weapons of mass destruction or to neutralize unproven links with so-called terrorist groups, the imperial super-Power is making war, designing and building new weapons and imposing an atmosphere of constant fear and hysteria. This is unquestionably a factor of risk and added discrimination against women, girls and boys who live in areas of conflict or in countries that are the target of the threats of aggression of a highly aggressive administration which resorts to Manichaeian propaganda, referring to certain governments as the so-called “axis of evil”.

13. It is impossible to assess the true situation of Cuba, particularly that of its women, girls and boys, without addressing the serious challenges and threats that have been imposed from outside.

14. The genocidal economic, commercial and financial embargo maintained for over 40 years by one United States Administration after another against the Cuban people and which has been substantially aggravated under the Bush Administration - which in its demented anti-Cuban policy has even attacked the family as an institution - has caused direct losses to the Cuban economy of nearly US\$ 80 billion. The Cuban people, especially the women, have suffered enormous material shortages, including in the quality and quantity of food available, and the development of health and educational services has been seriously hindered. This is just to mention a few of the harsh consequences of the embargo.

15. Despite the aforementioned problems, the political will of the Cuban Government and the people's determined resistance and firm commitment to move ahead have made it possible to achieve the fundamental objectives of building a political and social model of justice and equity in which human beings are not only beneficiaries, but actors and protagonists of the far-reaching, systematic and positive changes that are taking place in Cuba and in the living conditions of its men and women.

## INTRODUCTION

16. Cuba was the first country to sign and the second to ratify the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter referred to as the Convention); in keeping with that spirit, it strictly observes its legislation and adheres in practice to the wording of the Convention. Thus, the necessary and adequate conditions exist to guarantee and protect the rights of women in all spheres of society.

17. As recognized by the Committee in its consideration of the fourth periodic report, the Government of the Republic of Cuba has expressed its political will to support the Optional Protocol to the Convention, and accordingly, signed it in the context of the forty-fourth session of the Commission on the Status of Women, on 17 March 2000.

18. Women have been direct beneficiaries of the advances made by Cuban society as a result of the State strategy of empowering and meeting the needs of the various sectors through a just and participatory social policy which provides equal rights, possibilities and opportunities.

19. Cuban women are a decisive force in the dynamics of economic, social, political and cultural advancement of the country, as they are effective and active agents of change.

20. The Government prepared and submitted its second and third periodic reports to the Committee on the Elimination of Discrimination against Women in 1992. They were presented to the Committee in January 1996. A new report, which was to have been the fourth, had been prepared in 1995, but it was classified as an update, since it preceded the 1996 presentation. In 2000, the fourth periodic report was submitted to the Committee.

21. It is now time for Cuba to submit its fifth periodic report to the Committee, in accordance with article 18 of the Convention. However, considering that the Committee's consideration of one of the reports was delayed - although the report was ready, it could not be considered in time owing to the increased workload of the Committee and subsequent delays - Cuba has decided to submit this report as the combined fifth and sixth reports.

22. In the drafting of this report, there has been increased coordination, collaboration and consensus among all the agencies of the Central Administration of the State and civil society organizations that are concerned with and involved in complying with the Convention on the Elimination of All Forms of Discrimination against Women.

23. In examining the third and fourth reports of the Cuban Government, the Committee recognized in its observations the negative effect of the Helms-Burton Act and the economic, commercial and financial embargo imposed by the United States Government against Cuba on the full implementation of the Convention and of the Beijing Platform for Action. This embargo, which has been repeatedly rejected by an overwhelming majority of States Members of the United Nations (179 States voted in favour of a draft resolution to that effect at the fifty-ninth session of the General Assembly), imposes an increasingly heavy and serious burden on Cuban women.

24. In this regard, it is worth recalling the Proclamation adopted in 1999 by the People's National Assembly of the Republic of Cuba, denouncing the criminal and genocidal nature of the embargo and arguing, with a sound basis in international law, for the right of the Cuban people to demand that these events be punished.

25. The adverse circumstances of the embargo have an especially serious impact on women and on the daily life of families. This is evident in a variety of sectors, from the most mundane to those on which the future development of the country depends.

26. The International Tribunal of Cuban Women against the Embargo was convened by the Federation of Cuban Women, the Philosophy Institute of the Academy of Sciences and the international non-governmental organization known as El Taller. A prestigious and impartial jury of women and men from different parts of the world heard statements and adopted a decision in favour of the women who had brought the complaint, having confirmed the validity of the evidence of some of the damage caused. This event, which was held in March 2002, served as a space to hear and disseminate the testimonies of Cuban women who for over 40 years have had to deal, on a daily basis, with the consequences of a genocidal policy. On this occasion, the witnesses for the prosecution explained why they live and fight as protagonists of the resistance.

27. Cuban women who are professionals, researchers and scientists have been affected in terms of their exchanges with specialists and institutions. At the same time, their opportunities for acquiring technology, equipment and inputs that would enable them to participate more efficiently, as actors and beneficiaries, in scientific development have been seriously limited. They are not able to attend training sessions, courses and specialized events to be held in United States laboratories. Women scientists are the victims, as they do not have access to projects, scholarships and funds offered by international organizations and agencies for study at United States institutions.

28. The crime that is the embargo has made daily life more difficult for all Cuban women, especially rural women. Shortages of fuel, sanitary and cleaning products, means of transport and food, among others, make it difficult to work at a job and also take care of their families and children, and limit their opportunities for personal growth.

29. In this regard, Cuba has continued to apply its strategy of survival, resistance and development in all spheres of economic, political and social life. Work has continued on a reorganization of the economy, new alternatives and solutions have been devised to minimize the impact as much as possible and to optimize the use of

financial and human resources so as to preserve what has already been accomplished.

30. Against many different obstacles, work has proceeded on the creation and strengthening of mechanisms to protect the rights, situation and status of women. As a result of the efforts of the Government and people of Cuba, the indicators of women's participation in economy and society have continued to rise.

31. In particular, women have become increasingly independent and contributed to the country's development, achieving truly amazing results on the international scene. By the end of 2002, the female unemployment rate had fallen to 4.5. At the same time, women accounted for 44.7 per cent of civil servants, surpassing the rate shown in the previous report (43.9 per cent), for 1999, and setting a record in this area of female participation.

32. Women account for 64.7 per cent of university graduates and 66.4 per cent of technical and professional workers. Both these indicators are higher than those reported in the previous report.

33. The number of women holding managerial posts has risen at all levels. This is evidence of their increasing involvement in political affairs and decision making. In 1999, 31.1 per cent of managers were women, and by the end of 2002, the figure stood at 34.8 per cent, the highest in the history of Cuba.

34. Women's participation in the judiciary is higher than that shown in the previous report. We have women at the top levels of leadership, including a Vice-President of the People's Supreme Court and a Vice-Minister of Justice, and women represent 40.4 per cent of managers and 42.8 per cent of provincial directors in the Ministry of Justice. It should also be noted that 71.4 per cent of the provincial tribunals are presided over by women, and 66.3 per cent of professional judges are women, a considerable increase over the 49 per cent reported in 1999. In the Office of the State Procurator, women account for 71 per cent of the State attorneys, compared with 1999, when they accounted for 65 per cent; in management positions, 60 per cent are women, compared with 49 per cent in 1999.

35. The Cuban Government's policy on the advancement of women, along with the work carried out by the Federation of Cuban Women, also led to significant progress in female participation in the parliament. Following the last general election, held in 2003, 35.95 per cent of the deputies were women, surpassing the 27.6 per cent share of deputies in the People's National Assembly in the previous legislature.

36. Despite the problems caused by natural disasters, the United States embargo and the world economic crisis, the Gross Domestic Product (GDP) continued to grow over the last two years: in 2001, it rose by 3 per cent and in 2002, by 1.1 per cent. In particular, 2002 saw a quantitative and qualitative improvement in supplies of food and other social services, as well as increased available of medicines, and the recovery, in less than one year, from the damage caused by Hurricane Michelle.

37. The report on economic results for 2003 submitted by the Ministry of Economic Affairs and Planning to the National Assembly includes revolutionary assessments which go beyond partial and incomplete analyses of growth based on indicators of the performance of market economies which stress macroeconomic variables and leave out important social aspects in measuring the scope and efficacy

of government action. This report presents the results of a strategy that made it possible to withstand and continue making progress under the circumstances of the Special Period which seriously threatened the economic growth and sustainability of the social progress achieved before 1990.

38. In recent years, the entire social policy of the Cuban Revolution has undergone a far-reaching renewal process. Results have been maximized with minimum use of resources. The opportunities and aspirations for justice and social equity for which we have fought so long are still valid. These programmes renew and invigorate the principles of human solidarity and create strategic bases for future economic development.

39. The Cuban experience shows that with a low level of economic development, it is possible to have a more compassionate and just society, and even under strong pressure and challenges, it is possible to create the strategic bases for a future knowledge-based society.

40. The modest growth of Cuba's macroeconomic indicators has gone hand in hand with an accelerated process of social development - with emphasis on the advancement of overall general culture - which has led to significant developments that reaffirm the principles of equity and social justice that have guided the process of revolutionary changes undertaken by the Cuban people. Comprehensive courses have been developed for young people - 63.4 per cent of whom are women - who are not in school or employed, enabling them to learn skills and improve their self-esteem.

41. The educational programmes that have been developed include the creation of schools for social workers, art and plastic arts instructors, the introduction of audiovisual media to enhance the quality of education, the reduction of the teacher-student ratio in classrooms, the universal coverage of university education, the inauguration of two television channels offering Cuban educational programming, the completion of the "University for All" television programme, the construction of rural television and video viewing facilities in settlements with no electricity, the speedy development of information technologies through computer training for the masses at all levels of education, and the strengthening of Editorial Libertad publishing house to provide atlases, dictionaries and encyclopaedias.

42. In the area of health, there are programmes for mothers and children, prevention of contagious and non-contagious diseases, and programmes for the elderly. New initiatives have been developed, such as those aimed at identifying and providing care, including free meals, for children suffering from malnutrition. A psychosocial research study on handicapped persons was carried out with a view to improving their diagnosis and treatment.

43. During this period, the dengue epidemic was eradicated in only 75 days, demonstrating the capacity for coordination of all elements in our society, including governmental and non-governmental institutions. The potential of social organizations, in which women are efficient and active participants, to mobilize and work effectively was tested.

44. At the end of 2002, Cuba had a population of 11,250,979, with women accounting for 5,626,954, or almost 50 per cent (Estudios y Datos sobre la población cubana, May 2003).

45. Thanks to the conscientious medical and health care provided and the improvement of the living standards of the overall population, Cuba has one of the highest life expectancies in the region: 76.15 years; in 1999, the figure was 74.7 years. Since 2001, female life expectancy has been 78.23 years, four years higher than life expectancy for men.

46. The fertility rate remains very low. In 2001, the total fertility rate (per 1,000 women of childbearing age) was 45.7, the lowest since 1990, and overall fertility (children per woman) was 1.5 in 2001 and 1.63 in 2002. The gross reproduction rate (daughters per woman) rose slightly, from 0.78 in 2001 to 1.63 in 2002.

47. The national agency for the advancement of women and implementation of the Convention is the Federation of Cuban Women (FMC), a non-governmental organization in consultative status with the Economic and Social Council of the United Nations.

48. When, in the context of the United Nations Decade for Women (1976-1985), the United Nations urged governments to create national machineries, FMC already had a 16-year history of solid and sustained work, with an experience and practice that had made it an expert organization on women's affairs and an essential and mandatory source of reference for the Government in the design of policies, programmes and legislation targeted at women or having an impact on them. Moreover, its legitimacy was attested to by the fact that it included the great majority of Cuban women.

49. This organization came into being on the initiative of the Cuban women themselves, who decided to organize and work together in the process of economic, political and social change that began with the triumph of the Revolution in January 1959.

50. The Federation of Cuban Women has a National Committee, 14 provincial committees and 169 municipal committees. At the community level, the four million members - 86.1 per cent of all women over age 14 - are grouped into over 74,000 branches organized according to the territorial principle of place of residence.

51. The Federation of Cuban Women coordinates the National Group for the Prevention and Treatment of Domestic Violence and the National Family Group. The President of FMC is directs the Standing Committee for Children, Young People and Equal Rights for Women of the People's National Assembly.

52. The Federation of Cuban Women is self-supporting, obtaining its financing from quarterly dues of its members and from resources earned by its publishing house, training centre and a small hotel.

## **Article 1**

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.



53. The principle of equality between men and women is regulated in the Constitution of the Republic of Cuba, which was promulgated on 24 February 1976. A constitutional amendment adopted in July 1992 further develops this concept and introduces certain changes. The principles embodied in the Constitution are not formal statements but constitute the very foundation of the supplementary legislation in favour of Cuban women and are guaranteed by the express political will of the Cuban State.

54. Article 41 of the Constitution of the Republic of Cuba, in the chapter on equality, states that “All citizens have equal rights and are subject to equal duties”. Article 42 states that “Discrimination because of race, skin colour, sex, national origin or religious beliefs and any other form of discrimination harmful to human dignity is forbidden and will be punished by law.” It adds: “The institutions of the State educate everyone from the earliest possible age in the principle of equality among human beings.”

55. Article 43 enshrines those rights that have been obtained which are to be enjoyed by all citizens without distinction.

56. Article 44 provides that women and men shall enjoy equal rights in economic, political, cultural, social and family matters. Thus, the Constitution addresses the phenomenon of discrimination; the principle of equality and the fundamental rights established in the supreme law identify women’s rights as a fundamental human right.

## **Article 2**

### **Provisions of the Constitution and institutions guaranteeing the application of the Convention**

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

- To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- To repeal all national penal provisions which constitute discrimination against women.

57. Article 12 of the Constitution prescribes respect for the principles proclaimed in the United Nations Charter and in other international treaties to which Cuba is a party. This means that national legislation is consistent with the treaties, agreements and other international instruments to which Cuba is a party. Compliance with this principle in all pertinent jurisdictional bodies is thus guaranteed.

58. Nevertheless, the country did not wait for the adoption of international instruments or declarations and plans of action of world conferences in order to demonstrate its political will by undertaking to protect and guarantee the rights of women. From the 1960s onward, steps were taken, programmes were implemented, and legislation was enacted that reflected a different approach to male-female relations in society, with due regard for the advancement of women not only from the standpoint of equal rights but also of equal opportunities. Their right to education, health, employment, social security and social assistance were often guaranteed through affirmative-action measures. This has made it possible to clearly recognize and protect the needs, interests and aspirations of Cuban women.

59. In this regard, the Constitution provides that the State guarantees women the same opportunities and possibilities as men, in order to achieve women's full participation in the development of the country. Accordingly, the State organizes such institutions as day-care centres, part-time and full-time boarding schools, homes for the elderly and services to make it easier for the working family to carry out its responsibilities.

60. It also provides that in order to protect the health of mothers and their offspring, the State shall grant women workers paid maternity leave before and after confinement and temporary work options compatible with their maternal duties.

61. The new legislation gives the father and the mother the choice, on equal terms, of caring for the baby. It establishes the manner in which this responsibility is to be shared during the first year of life and who is to receive the social benefit, also on fully equal terms.

62. Equality is seen as a significant act of political will which the constitutional amendment of 1992 expanded and further consolidated, correcting the text to state that "women and men have the same rights", thus placing them on an equal footing. The previous text had stated that "women have the same opportunities, rights and possibilities as men ...".

63. The amendment specifically reaffirms the institutional bases for women's enjoyment and exercise of their fundamental rights. To this end, it provides that the State shall organize institutions such as day-care centres, part-time and full-time boarding schools, homes for the elderly and services designed to make it easier for the working family to carry out its responsibilities.

64. It is especially significant that the Constitution stipulates that the State shall endeavour to create all the conditions to facilitate the application of the principle of equality.

65. Other chapters in the Constitution - on citizenship, status of aliens, the family, education and culture, and fundamental duties and guarantees - constitute, along with the right to equality, a sound basis for supplementary legislation in favour of Cuban women.

66. In Chapter XIV, entitled "Electoral System", article 131 establishes that all citizens with the legal capacity to do so have the right to take part in the leadership of the State. Article 132 states that all Cubans over 16 years of age, men and women alike, have the right to vote, with the exceptions established by law. Article 133 states that all Cuban citizens, men and women alike, who have full political rights, can be elected. These precepts are supported by and further developed in the Electoral Act (Law No. 72 of October 1992).

67. It is worth noting that Article 7 of the Constitution recognizes that the Cuban socialist State recognizes and encourages the social and grass-roots organizations which arose from the historic process of the struggles of our people. Women have played and continue to play a leading role in this process.

68. This constitutional principle has become an important factor in Cuba's participatory democracy. Women play a key role in these organizations, which promote and carry out a number of different activities and responsibilities for the benefit of the people and their social and political development.

69. Grass-roots and social organizations, although not governmental agencies, do have independent legal standing and have the right to propose legislative initiatives. One such organization is the Federation of Cuban Women.

70. The Standing Committee for Children, Young People and Equal Rights for Women - one of the commissions set up by the People's National Assembly, the highest governing body in Cuba - carries out important duties in the areas of counselling, evaluation, research, study, monitoring and others, with the aim of assisting and protecting individuals and the legal and moral property and assets held in their name. This Committee has the right to propose legislative initiatives, and it has been the channel for the study and tabling of a number of laws and other legislation, as well as for the adoption of measures to ensure their effectiveness.

#### **Legislation on women's right to equality and against discrimination**

71. Pursuant to these principles proclaimed in the Constitution, many laws and other pieces of legislation have been enacted to guarantee basic human rights for the two sexes and especially for women, such as the right to life, reproductive, sexual and family planning rights, and the rights to health, education, social security and social assistance, housing, employment, and equal pay for equal work of the same value, the right of access, depending on merit and competence, to all positions of government and posts in the civil service, the right to produce goods and provide services, and the right to development, as well as the right to vote, elect and be elected.

72. The Family Code enacted by Law No. 1289 of 14 February 1975 has contributed, for the nearly 30 years of its existence, to the strengthening of the family as a fundamental unit of society, to the increasing participation of women in all spheres of life and to the enjoyment of equal rights for sons and daughters.

73. In the chapter on conjugal relations, the first section, on the rights and duties of spouses, reflects the principle laid down in the Constitution to the effect that marriage rests on equal rights and duties of both spouses. Article 83 provides that both parents share parental rights and that they shall have certain rights and duties, as set forth in article 85.

74. These articles have a specific gender focus and may be considered to be aimed at putting an end to the sexual division of labour in the household, as that is one of the most important aspects of the culture and creates the most problems for women, owing to the burden of domestic chores it entails.

75. After the Family Code was enacted, some of its articles were amended in order to improve it and ensure that as a legal text, it would allow for the achievement of human development with social justice. The amendments include Law No. 9 of 22 August 1977; Decree-Law No. 76 of 1984, on adoption, children's shelters and foster families; and Law No. 51 of 1985, the Marital Status Registry Act, which deals with procedural aspects pertaining to the formalization of marriage and the registration of children.

76. At present, as social development itself has created new situations, and owing to the complexity of social relations and the existence of other regulations that impact this issue, additional amendments to the Code are needed so as to improve some of the institutions involved while maintaining its original essence. Work is therefore underway on improvements to this important legal text.

77. There is no question of the urgent need to establish family shelters and implement specific conflict-resolution procedures that are expeditious, flexible, multidisciplinary and sensitive, so as to guarantee the quality and security that are needed.

78. In its articles 28-31, the Civil Code (Law No. 59 of 16 July 1987) regulates the legal capacity of natural persons as subjects of legal relationships. Discrimination based on sex or any other factor, which offends human dignity, is not allowed.

79. The General Housing Act (Law No. 65 of 23 December 1988) provides specific protection for women. Article 64 establishes that the owner of the dwelling is free to decide who may live in it, and article 65 establishes that that power may not be exercised against the mother of one or more children born during her marriage to the owner, whether or not the marriage was formalized, provided she has custody of the children and has no other place of residence. Neither can it be exercised against the mother of one or more minor children who have been living in the dwelling for three or more years if she has no other place of residence.

80. A number of legal provisions are in force relating to labour issues which guarantee the enjoyment of the rights recognized in our Constitution, such as the right to work, to rest, to social security, to social assistance and to protection, safety and health care at work and job training, among others.

81. One of the first laws designed specifically to benefit women was the Creation of Day-care Centres Act, passed in 1962, which provided guarantees to meet the all-important need to provide for the care and education of children during their early years, while enabling women to work and study. It should be noted that at the time, the text expressly stated that it was intended to benefit working families, thus confirming the gender approach to family-related legislation.

82. Other measures have also been implemented to protect the home; for example, priority is given to women workers for the purchase of groceries and industrial products, rapid laundry service has been established, and services have been adjusted and their schedules extended so as to enable women workers to go during off-work hours.

83. Article 3 of the Labour Code (Law No. 49 of 28 December 1984) summarizes the principle governing Cuban labour law. It establishes that work is a right, a duty and an honour for all Cubans, and that all Cubans who are able to work shall have the opportunity to obtain employment that will enable them to contribute to the purposes of society and to meet their needs, without distinction as to race, colour, sex, religion, political opinion or national or social background.

84. It also includes specific regulations for women's work. Chapter VIII, on women's work, is divided into the following sections: jobs preferably for women; working conditions for women; special protection for women; and maternity protection. The law expressly recognizes the importance of women's participation in work, as well as the important social function of maternity.

85. More than ten years before the Labour Code, the law in force was the Working Women's Maternity Act (Law No. 1263 of 16 January 1974). That law, which was in force until August 2003, attached importance to the different stages of maternity and the protection which mother and child were to receive, in terms of medical care at work, as well as the responsibility of employers to comply.

86. The Working Women's Maternity Act, along with the relevant articles of the Labour Code and other labour legislation designed to protect mothers are examples of the affirmative-action measures that have been in place, over the years, to protect the rights to which women are entitled in the workplace.

87. The Act provided, as does the new legislation currently in force, that pregnant women should receive regular medical care during pregnancy and be granted leave after the thirty-fourth week of pregnancy. They are granted paid maternity leave from six weeks before to 12 weeks after confinement. In the case of multiple births, the period of antenatal leave is extended to eight weeks, beginning with the thirty-second week.

88. Women are also entitled to additional paid leave to facilitate medical care for the child, and mothers are allowed one day per month for paediatric consultation with their child, without having their wages docked. The aforementioned leave consists of a financial benefit equal to the average weekly income, including wages and subsidies that the worker received during the twelve months immediately preceding the start of leave.

89. In 1991, Resolution No. 10 of the Minister Chairman of the Committee on Labour and Social Security - currently the Ministry of Labour - established that working mothers who because of their childcare responsibilities were not able to return to work, had the option, once their maternity leave expired, to receive a social benefit amounting to 60 per cent of their wages. If the mother is still not able to return to work when the child reaches the age of six months, she is entitled to unpaid leave and maintains the right to return to her job until the child's first birthday.

90. Ten years later, Resolution No. 11 of 30 April 2001 was enacted in response to a proposal by the workers' movement at their eighteenth Congress. This resolution repeals the previous one and provides for an extension of the optional benefit of 60 per cent of wages from the expiration of the period of postnatal leave and up to the child's first birthday, or before that date, if the mother returns to work.

91. The aforementioned Maternity Act provided definite benefits, but experience and a study on maternity, paternity and child care have shown that certain changes and additions need to be made to the existing legislation so as to extend those rights to working fathers. Broader protection is needed, in keeping with the principles of our socialist society and current scientific thinking, as well as with the changing roles of men and women in Cuban society.

92. It was essential to establish regulations to ensure that adequate care would be provided to children in the event of the mother's death, as well as economic protection for the father. In addition, the idea was to enable working mothers and fathers to arrange for special care for children with physical or mental disabilities.

93. Thus, on 13 August 2003, the new Working Women's Maternity Act (Decree-Law No. 234), was passed. This law maintains the essential approach of the previous law, but includes some important additions, the most important one being article 16, which establishes that once postnatal leave has concluded, as well as the nursing period which must be guaranteed in order to ensure optimum development of boys and girls, the mother and the father may decide which one of them will care for the son or daughter, how they will share that responsibility during the child's first year and who will receive the social benefit provided for in the preceding article. This text was proposed jointly by the Ministry of Labour and Social Security and the Federation of Cuban Women.

94. In addition, fathers are granted the same right provided for mothers in the previous Law, namely, to be granted paid leave to care for minor children. This leave may be granted for up to nine months when the child is under one year old and up to six months for children between the ages of one and 16.

95. Working mothers or fathers of a minor who has a physical, mental or sensory disability, certified by a doctor's instructions that they receive special care, may take unpaid leave starting with the child's first birthday and up to the child's third birthday.

96. Thus, the new decree-law represents a substantial improvement over the previous legislation and strengthens the Family Code regulations concerning the sharing by mothers and fathers of the responsibility to care for, protect, educate, assist, give genuine affection and prepare their sons and daughters for life. Both parents have the right and the duty to fully meet these responsibilities, as well as to enjoy the satisfaction of having a close relationship with their children from the earliest stages of their lives.

97. With regard to the right to protection, safety and health at work, Law No. 13 of 27 February 1977 and its regulations provide special protection for women workers. They are exempt from holding jobs that might harm their reproductive organs, their reproductive function or hinder normal pregnancy. Managers are required to create adequate working conditions so as to encourage the participation of women in the labour force.

98. This law also provided that pregnant women or women with children up to one year old are exempt from working overtime, double shifts or performing services outside the workplace. If their pregnancy prevents them from performing their job, they must be transferred temporarily, on a doctor's orders, to another job that is better suited to their physical ability.

99. These principles do not preclude women from demonstrating their ability to hold complex jobs. At the beginning of the revolutionary process, there was an excess of "protectionism", when women were excluded from employment options they could have handled but which required extra effort.

100. Technological advances have reduced occupational hazards and helped bring about changes in traditional views and regulations in that regard. The only factors limiting a woman at work should be her reproductive function and maternity, not a sexist tendency to prohibit her from performing certain tasks only because she is a woman. The Federation of Cuban Women has played an important role in raising awareness in this regard, and in persuading and overseeing State agencies. Scientific research on these issues has been continued.

101. In order to avoid affecting women and to further improve levels of female employment, the Female Employment Coordinating Committees were created by Resolution No. 605 of January 1981. These committees are made up of representatives of the Ministry of Labour and Social Security, the Cuban Trade-Union Federation (CTC) and the Federation of Cuban Women (FMC).

102. The Regulations on the Application of Employment Policy entered into force under Resolution No. 51 of 1988. These regulations provide for certain jobs to be designated as preferably for women, in cases when it is necessary to guarantee jobs for women who have difficulty finding employment because of a lack of skills or because of their age.

103. Cuba has ratified International Labour Organization (ILO) Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, and Convention No. 100 concerning Equal Remuneration.

104. In regard to safety and social assistance, in 1963 the Social Security Act (Law No. 1100) was enacted to lay down principles designed to protect women. This law was superseded in 1979 by Law No. 24, which ratified and extended social benefits for workers in general and for women in particular.

105. The Social Security Act (Law No. 24 of 28 August 1979) regulates both the social security and the social assistance systems, guaranteeing adequate protection for women and their families. Paid maternity leave is credited to the woman worker as active service and thus is included in calculations of her total period of service.

106. The Social Services System provides protection for single mothers who face economic problems in caring for their children; for working mothers who take unpaid leave in order to care for sick children and therefore lack economic means; and for widows whose temporary pensions have expired.

107. Rural women have the same rights and duties as all other women in political, civil, labour, family and other matters. The legislation considers them separately only in certain specific cases pertaining directly to the rural environment. Such provisions were established on the basis of a research study conducted during the 1980s and in response to requests made by conventions of the National Federation

of Cuban Women (FMC) and national meetings of rural women which were promoted by the leadership of the National Association of Small Farmers (ANAP) and the Federation of Cuban Women to promote the presence of women in production structures, both in the labour force and in management, a principle that was applied up to the highest level of leadership of rural organizations.

108. The Penal Code (Law No. 62 of December 1987), as amended most recently by Decree-Law No. 175 of 17 June 1997 and Law No. 87 of 16 February 1999, includes a number of penal provisions designed to protect women.

109. The only offences in which the passive subject or victim can only be a woman are rape (article 298), statutory rape (article 305) and illicit abortion (article 267). The first two offences constitute attempts against the normal development of sexual relations and the family and the third one is a crime against life and physical integrity.

110. Cuban penal legislation does not consider the “honour” of women in establishing categories of offences or determining their penal sanctions. That approach was typical of the legislation existing before 1959.

111. In Cuba, respect for women’s sexual and reproductive rights is a fundamental principle; women are entitled to decide on and control their fertility. Abortion services are provided under safe conditions with specialized care.

112. Interruption of pregnancy is a health service that is provided free of charge in hospitals. Parallel to this, a systematic programme of education is provided to encourage responsible sexual relations, so that couples are informed about and have access to adequate birth-control methods and so that abortion may never be considered a birth-control method but rather the last resort when all else has failed in trying to avoid unwanted pregnancy.

113. With regard to the protection of women and the family against violence, both psychological and physical, although our Code does not include a specific section on that matter, several articles deal with it and provide harsh punishment for perpetrators of such crimes.

114. Title VIII of the Penal Code, on offences against life and physical integrity, provides penalties for homicide (article 261), murder (articles 263 and 264), firing a weapon against a person (article 265), illicit abortion (articles 267-271), injury (articles 272-274) and abandonment of children and disabled and handicapped persons (articles 275-278).

115. Title IX, on offences against individual rights, covers the offences of confinement (privación de libertad) (articles 279-283), intimidation (amenazas) (articles 284 and 285), duress (coacción) (article 286) and offences against the right to equality (article 295).

116. Article 295 is especially significant, since it provides that anyone who discriminates against another person or encourages or incites to discrimination, either by expressions and attitudes that are offensive to the person’s sex, race, colour or national ancestry or by actions aimed at hindering or preventing them, on grounds of sex, race, colour or national ancestry, from exercising or enjoying the rights to equality established in the Constitution, shall be punished by imprisonment.



117. Sanctions are also provided for anyone who disseminates ideas based on racial superiority or hatred or anyone who commits acts of violence or incites others to commit them against any race or group of persons of a different colour or ethnic origin.

118. Further on, Title XI, on offences against the normal development of sexual relations and against the family, children and youth, is divided into three chapters. Chapter I, on offences against the normal development of sexual relations, covers rape (article 298), pederasty with violence (article 299) and lascivious abuse (articles 300 and 301). Law No. 87 of 1999 provides further penalties for the first two of these offences.

119. Decree-Law No. 175 of 1997 added to this chapter the offences of pimping and trafficking in persons (article 302), which are punishable by up to 30 years imprisonment. This offence had been regulated by the previous Social Defence Code, but with the enactment of the first and second Penal Codes in 1979 (Law No. 21) and 1987 (Law No. 62), those precepts were removed. With the re-emergence of these serious offences - although at a low level of social impact - it became necessary to provide for harsher penalties in the penal legislation.

120. This same decree-law also introduced the category of sexual affront (*ultraje sexual*) (article 303), including sexual harassment.

121. Chapter II includes offences against the normal development of the family, namely, incest (article 304), statutory rape (article 305), bigamy (article 306), illegal marriage (article 307) and substitution of one child for another (article 308). Chapter III covers offences against the normal development of children and youth, namely, corruption of minors (article 310-314), other acts against normal development of minors (article 315) and the sale and trafficking of children (article 316).

122. The offence of corruption of minors was amended and penalties for it were increased, including even the death penalty, first by Decree-Law No. 175 and later by Law No. 87. Law No. 87 introduced the offence of sale and trafficking of children at the suggestion of Federation of Cuban Women, so as to prevent and severely punish these abusive acts, which occur only rarely in our country.

123. The Federation of Cuban Women also proposed to the People's National Assembly that the law should include as an aggravating circumstance in considering penal responsibility the fact of the perpetrator being the spouse or a relative of the victim up to the fourth degree of consanguinity or the second degree of affinity. This proposal was adopted in Law No. 87 of 1999. This aggravating circumstance is only applied to offences against life and physical integrity and against the normal development of sexual relations, the family, children and youth (article 53(j)). This amendment is significant because it establishes the principle that because of their effect on the normal and adequate development of the family, violent actions against a family member should be aggravating circumstances when considering the penal responsibility of perpetrators.

124. Cuba is a Party to a large number of international instruments on the suppression of trafficking in women and children.

### **Legal guarantees of women's rights**

125. The Cuban legal system is organized in an integrated manner so that it guarantees the rights of all citizens, including women, with full equality.

126. The 1976 Constitution of the Republic laid the foundations for this type of protection. Thus, article 63 provides that every citizen has the right to lodge complaints and petitions with the authorities and to receive appropriate attention or replies within a proper time limit, in accordance with the law.

127. To this end, Law No. 1323 of 30 November 1976, on the organization of the Central Administration of the State, includes among the common functions and powers of State agencies "to provide appropriate attention and responses within a time limit of 60 days with respect to the complaints and petitions lodged by citizens, to endeavour to find suitable solutions to the issues raised therein, and to take action to eliminate the reported deficiencies." This same article is reproduced in Decree-Law No. 67 of 19 April 1983, which repealed the previous legislation.

128. The Act establishing the Office of the State Procurator (Law No. 83 of 11 July 1997) improved and reinforced the machinery for ensuring legal protection of citizens by including in its Title III a chapter III on protection of the rights of citizens. 129. This text is an important tool for providing State protection against violations of the rights of citizens, including the rights of women.

130. This institutional control by the Office of the State Procurator was established in 1993 and has been improved by the promulgation of the new Act, which provides a system for following a gender approach in dealing with people's complaints and petitions.

131. An essential aspect of this process is the ongoing improvement of the pertinent legislation. The evaluation of information on complaints and petitions and consultation with the people are valuable tools for maintaining the efficacy of legal norms.

132. The courts, for their part, have a well-organized system whereby citizens can address the different bodies in the system to complain about the actions of any of their members, lodge a complaint or request an explanation. Statistics on these communications have been compiled with a gender approach, and there are no reported cases of complaints of sexual harassment against persons holding senior positions in the workplace.

133. Nevertheless, an intensive and systematic effort is needed to continually provide orientation and legal information so that women will be better informed about their rights and to enable them to actually exercise those rights in practice.

134. In every municipality in the country, women's and family counselling centres have been set up by the Federation of Cuban Women. These centres provide spaces for reflection and orientation and are staffed by male and female volunteers representing different professions and agencies who, among other things, provide counselling for women and families.

135. Several types of materials have been developed to provide guidance and disseminate information. During this period, with the help of the UNICEF office in Cuba, an annotated version of the Convention on the Elimination of All Forms of Discrimination against Women was published. This publication has been studied and is available as a reference document in the more than 76 000 grass-roots organizations of the Federation of Cuban Women. It also serves as a reference

document in the women's and family counselling centres and in the women's affairs departments.

### **Procedural, civil, administrative and labour guarantees**

136. The legal protection of women before the courts of justice and the competent administrative bodies is based on the fundamental principle of the equality of the parties in civil, criminal, administrative and labour proceedings, as provided for in the Civil, Administrative and Labour Procedures Act (Law No. 7 of August 1977) and the Criminal Procedures Act (Law No. 5 of 13 August 1977).

137. Decree-Law No. 176 of 15 August 1999, on the system of labour justice, ratified the establishment of the basic labour justice organs and the remedies available in the People's Courts of Justice, where proceedings are also based on the equality of the parties.

### **National Action Plan of the Republic of Cuba for Follow-up of the Fourth World Conference on Women**

138. Following the Fourth World Conference on Women, the Cuban Government undertook to pursue the implementation in our country of the Platform for Action through the adoption of a national action plan for follow-up of the Conference. This idea was based on a proposal by the Federation of Cuban Women put forward at the seminar entitled "The Cuban Women of Beijing in 2000" which was attended by ministers, heads or representatives of institutions, experts and non-governmental organizations. As a result, the National Action Plan of the Republic of Cuba for Follow-up of the Fourth World Conference on Women was issued.

139. This Action Plan, which has the status of a decision of the Council of State, entered into force on 7 April 1997. It includes 90 measures for adapting the areas of interest covered by the Beijing Platform for Action to the circumstances, needs and interests of Cuban women.

140. In the preamble, the decision states: "This Action Plan, which reflects the feelings and the political will of the State of the Republic of Cuba, shall constitute the cornerstone of the development of policies for women and provide continuity in the advancement and development of gender equality in our country."

141. During this four-year period, two national follow-up seminars were carried out (in 1999 and 2001) to review and evaluate the tasks included in the Action Plan. Each agency has reported on its compliance with the measures pertaining to its work. A critical review was made of the work carried out in the different spheres of action and of short- and medium-term challenges.

142. These seminars were attended by ministers, heads of agencies, institutions, non-governmental organizations and professional associations, experts, the Secretariat and other leaders of the Federation of Cuban Women, as well as representatives of other social institutions that were invited because of their involvement and experience with these issues.

143. Progress has been made in carrying out the plan, and there is greater awareness of its importance. Decisions were adopted in specialized areas to eliminate

shortcomings and promote measures for further accelerating compliance with the decisions.

144. The analyses of the National Action Plan for Follow-up of Beijing, the recommendations of CEDAW on Cuba's Fourth Report, and the decisions of other summit meetings and international conferences brought to light a number of challenges that were addressed forthwith. Thus, the National Statistical Office undertook a number of studies, in cooperation with UNIFEM, including a time-use survey, to scientifically assess the participation in households of members of the nuclear family and to consider appropriate measures in that regard.

145. In the context of the local human development programme in Granma province, a gender-based survey of wages was conducted which is currently in the analysis stage. In addition, a system of gender indicators is being developed with a view to improving tools for assessing female participation in different areas. Work is also in progress on improvement of statistics on rural activities, broken down by gender. In this regard, a study conducted with the Institute on Labour Research is now in the final stage.

### **Article 3**

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

146. As mentioned above, the adoption of the Action Plan of the Republic of Cuba expresses the political will to promote the advancement of women. This Plan is a valuable tool for implementing, in practical, conceptual and methodological terms, the Cuban strategy for the advancement of women.

147. This may be seen in the positive outcomes of the aforementioned evaluation and follow-up seminars. These events represent a contribution from Cuba to collaboration among civil society organizations and State institutions to the achievement of a common objective: practical equality for women in society.

148. In the Action Plan, the Cuban State specifically recognizes the Federation of Cuban Women (FMC), stating that it has played a key role as the mechanism which has promoted the advancement of women and the achievement of their true human rights.

149. The Federation of Cuban Women, created 43 years ago on the initiative of the women themselves, has ample experience in protecting their interests and in the theoretical development of the concept of equality and of gender mainstreaming in the life of the country.

150. One of the strategies followed by the Federation of Cuban Women has been to collaborate with agencies of the central State administration, as well as with other institutions, in the implementation of large-scale programmes for the integral promotion of women, their incorporation into the job market, education, health, culture, dissemination and promotion of positive values in family relationships and among the younger generations.

151. Another aspect of this collaboration may be seen in the advocacy carried out by the Federation of Cuban Women among government institutions in providing information, processing complaints, following up on responses to complaints and claims, and transmitting comments to the offices concerned.

152. Women also participate in other non-governmental organizations, professional associations and grass-roots organizations, including the gender and journalism group of the Union of Cuban Journalists, the gender and cultural diversity group of the National Union of Writers and Artists of Cuba, the Organization of Women Scientists of the Cuban Academy of Sciences, the departments of women's affairs in higher education institutions, the Grand Council of the Hijos de la Acacia and the Rebekah Assembly of Cuba, among many others.

153. The Cuban Trade-Union Federation and the trade unions have a women's section which helps women workers with their problems. Women account for 43.5 per cent of trade union membership, a figure that rose by 5.1 point with respect to the previous period.

154. Work has continued on the measures mentioned in the previous report in connection with government programmes such as the National Group for Prevention and Treatment of Violence in the Family, the Elderly Care Programme, the women's committees of the Ministry of Agriculture and the grass-roots alternative education courses for women developed by the Ministry of Education.

155. During this period, legislative reforms were enacted to expand legal protection for women, as mentioned in article 2.

#### **Article 4**

Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

156. In several parts of this report we have explained that the policy of the Cuban Government after the triumph of the Revolution was to create equal opportunities and possibilities for women and men to participate actively in the economic, political and social life of the country. In the case of women, the Government took specific measures to improve their position and their status, given that they had inherited from the previous regimes the disadvantages suffered by women.

157. As evidence of the strategy for the advancement of women in society, the results obtained in the advancement and integration of women over these past 45 years are evident in the indicators showing the position and status of Cuban women in today's society. Some outmoded sexual stereotypes and cultural patterns persist, together with other objective circumstances which hinder the advancement of women. In those areas of life where they are needed, temporary affirmative-action measures are applied to facilitate equality between men and women.

158. This affirmative action, which is protective, not discriminatory, includes measures for the protection of maternity, which has gradually adjusted to the real-life situation of Cuban families at this stage in our development.

159. The Maternity Act was promulgated on 14 January 1974. Under this legislation, working mothers are granted 12 weeks of fully paid antenatal and postnatal leave. When circumstances warranted it, in 1991 the option was added of extending postnatal leave for up to six months after the child was born, at 60 per cent of the mother's wages. Another six months of unpaid leave was also added, with the mother maintaining the right to return to her job. In 2003, as explained earlier, and in a desire to move towards more just concepts of the male and female roles, a law was enacted to offer couples the option of sharing that leave.

160. The women's employment committees, created in 1980, are further evidence of affirmative-action measures. The committees are chaired by the Minister of Labour and Social Security and are made up of representatives of the Cuban Trade-Union Federation (CTC) and the Federation of Cuban Women (FMC). They were created as regulatory agencies to address a new labour policy and prevent the levels of female employment from declining. Accordingly, they monitor compliance with non-discriminatory criteria and policies and help create conditions for technical training, among other things.

161. During the 1990s, the economic and labour situation of the country was changing. The new labour policy had not affected the female work force, which on the contrary had continued to grow with respect to the male work force. Hence, it became necessary to reassess and readjust the mission and function of the committees.

162. Other measures have been implemented to address specific situations, such as those which were designed to give priority access to jobs for mid-level technicians (técnicos medios) and professionals who were part of the reserve of skilled labour.

163. The political and administrative leadership of the country has designed a comprehensive strategy for the integration of women which is followed by all State agencies and organizations and institutions. This strategy is part of the National Action Plan for Follow-up of the Fourth World Conference on Women and is monitored by the Executive Secretary of the Council of Ministers.

164. In January 2003, on the initiative of the Executive Secretary of the Council of Ministers, special measures were implemented for employee committees at all levels, i.e., from the central to the municipal level. Essentially, the instructions provide that one of two candidates for every post must be a woman. If at the time that a proposal is submitted, no female worker is eligible to be a candidate, then a woman should be included as a third choice. If the person submitting the candidates considers it impossible to include a woman because none are qualified, then an explanation must be provided as to why no female candidate has been trained for the position.

165. In 2000, 33.5 per cent of the management positions at all levels were filled by women, and in 2002, the percentage was 34.5 per cent, the highest to date. In absolute figures, the total number of female managers is 95,314, which is indicative of an upward trend. Nevertheless, it is still true that in all occupational categories there is a pool of capable and highly qualified women who should be taken into account with a view to further improving this indicator.

166. That is why the strategy for the advancement of women is aimed at ensuring social recognition and dissemination of the qualifications of women managers and changing conceptions, attitudes and feelings toward and appreciation of women.

167. Improving the public information campaign to emphasize the qualifications of women as candidates for appointment and election to public positions has brought about a significant increase. In the Parliament, for example, nine more women were elected than during the previous session.

168. The Cuban Government consistently follows a policy of raising the rates of participation of women in management positions, as part of its comprehensive strategy for the advancement of women. Promoting a female presence in the different areas of the People's Power is part of that strategy.

169. To this end, measures and actions have been implemented during each election period, including in the study of materials in communities, television spots, radio programs that focus on female delegates and deputies and their work.

## Article 5

States Parties shall take all appropriate measures:

To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

170. In preparing its report on this article, the Government of Cuba took into account the recommendations made by CEDAW in considering the Fourth Report. The Committee expressed its concern about the persistence of stereotypes concerning the role of women in the family and society and of attitudes and behaviours of machismo in many areas of public and private life, as reflected, for example, in the fact that a large number of families do not share responsibilities and in the relatively low level of women's participation in management positions. The Committee also called on the Government to continue to undertake measures to address stereotypical attitudes in Cuban society, in particular, to continue efforts aimed at increasing women's participation in all areas and at all levels of decision-making ... and to continue to undertake a comprehensive assessment of the impact of its measures to identify shortcomings, and adjust and improve those measures accordingly.

171. The National Action Plan of the Republic of Cuba for Follow-up of the Beijing Conference point out that since 1959, in keeping with its social project of participatory democracy and consistent struggle to eliminate all forms of discrimination and oppression based on class, gender and race, the Cuban State has implemented its National Development Strategy, which clearly and harmoniously lays down its economic and social programmes. Accordingly, it has promoted the creation and development of the legal, educational, economic, political, ideological, cultural and social bases for guaranteeing equal rights, opportunities and

possibilities for men and women, changing the situation of discrimination and subordination to which Cuban women had always been subject and promoting the elimination of traditional sexual stereotypes and the redefinition of their role in society and the family.

172. Changes that are contingent on social conscience do not automatically fit into changes that are made in the economic and legal structure, although that is a decisive step. Sexist stereotypes, prejudices, behaviours and value judgements that are deeply rooted in the traditions of a patriarchal culture are changed through a complex process involving political will, legislation, the media, the schools, the family, the collective imagination and the subjective views of each individual.

173. Research in the social sciences and life experiences show that in Cuba, the social representation of what is considered male and female are changing, both in the public square and in private spaces, to give way to non-discriminatory concepts and new roles to be filled by women and men (as noted in the different sections of this report). But this is not a smooth process; rather, it happens in many different ways and to different degrees depending on cultural levels, age, geographic area and other elements of context. That is why in Cuban society sexist and non-sexist attitudes coexist as the transition is made towards new concepts.

174. Over the past five years, in order to improve its efforts to enhance the quality of life, the Cuban Government has carried out a strategy designed to promote an integrated culture among the masses, including through community programmes, university extension programmes in all the municipalities of the country, access to new information and communications technology. Women have been protagonists and beneficiaries of this programme, which extends beyond literature and art and strengthens a culture of equality and non-exclusion based on full access to knowledge.

#### **Concrete measures for the elimination of stereotypes**

175. Although most of the measures taken to further the full participation of women in society contribute towards eliminating stereotypes, we shall refer to the main elements of the socialization of values, roles, myths, beliefs and practices.

#### **Communications media**

176. The training of male and female communicators has been expanded and intensified. Over 500 specialists have been trained through these programmes, which are carried out jointly by the Cuban Institute of Radio and Television, the Federation of Cuban Women and the Union of Cuban Journalists.

177. The department of gender and communication was created in the José Martí International Journalism Institute, adding to the training system for communicators throughout the country.

178. The intersectoral and interdisciplinary task force was set up in the Cuban Institute of Radio and Television in order to monitor the image and presence of women in the media and develop policies for projecting a balance image of women. This is another one of the action carried out among the media in order to continue efforts to eradicate stereotypes and prejudice.



179. The weekly television programme entitled *Cuando una mujer*, coordinated by the Federation of Cuban Women, has brought to public attention issues relating to the objective and subjective factors that influence discriminatory attitudes towards women.

180. The reappearance of the magazine *Mujer* and the tabloid *Muchacha*, which appear on a quarterly basis in editions of 100,000 copies, encourage debate in our communities about many different issues pertaining to women's rights and issues affecting Cuban families today.

181. For the last three years, gender issues have been included in the social communication curriculum, opening the way for new professionals in communications to use this analytical tool.

182. The *Mariposa* collection was created by Editorial Oriente to disseminate gender-related academic activities and women's literary works. Other publishers have published books on the situation and the status of women in Cuba, providing important spaces for socialization in a country where the average level of schooling is ninth grade.

183. Ten years ago, the Ibero-American meetings on women and communication brought communicators up to date on the latest trends in non-sexist journalism.

184. Four Cuban digital journals devoted to women's issues, as well as the website of *Mujeres* magazine, have made it possible to socialize gender equity concepts in the new communications media.

185. Training in non-sexist language for male and female communicators throughout the country was provided under the aegis of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Training was imparted by highly qualified specialists from different institutions.

186. Public-interest campaigns conducted through different media have given priority to issues such as conscientious and responsible paternity and maternity, family sharing in domestic chores, non-violence, sex education. The *Para la vida* ("For life") campaign has been characterized by its aesthetic quality and treatment of serious issues; this program is coordinated by the Ministry of Education, the Cuban Radio and Television Institute, the Federation of Cuban Women and other institutions.

187. The Ministry of Culture and the National Centre for Community Culture have carried out intervention programmes in urban and rural neighbourhoods and villages throughout the country. These interventions include workshops designed to raise women's self-esteem and sociodramas in which community members themselves act out their main problems and discuss possible solutions.

188. There are 173 women's and family counselling centres which have increased the number and improved the quality of activities aimed at strengthening families' awareness and foster equitable and fair relations among all members.

189. The People's Councils of the bodies of the People's National Assembly and the Federation of Cuban Women sponsored community discussions of the publication entitled *Elegir a ella entre las mejores* ("Choosing her among the best") so as to encourage the people to nominate more female candidates to serve on the elected bodies of the People's National Assembly, from the grass-roots level to the National

Assembly. In this process, the family plays a key role in terms of the recognition and collaboration needed to ensure success in these responsibilities.

### **Schools**

190. Work is proceeding in scientific fashion to ensure that the educational system, textbooks and extracurricular activities all produce non-sexist and non-exclusionary education.

191. The parents' movement to improve education (Movimiento de Madres y Padres Combatientes por la Educación) has made it possible to involve the community in the process of providing non-sexist education and has enabled schools to influence families in this direction.

### **Legislation**

192. The Maternity Act has been amended to allow families to decide whether the mother or the father should take paid leave from the time the child is six months to one year old. This represents an important legislative step designed to change the stereotype according to which only mothers should be responsible for rearing children and to enable fathers to also enjoy this right.

193. The State ministries, agencies and institutions are required to report on a regular basis to the Council of State of the Republic of Cuba on the impact which the policies designed to promote equal rights and opportunities have on men and women.

194. Progress in social science research on gender issues has shed light on the impact which policy design, implementation and evaluation, as well as social practices and manifestations, have had on the situation and the status of women in Cuba. It has also made it possible to identify the advances that have been made and the shortcomings and challenges faced by Cuban society in this area.

195. The women's affairs departments that were established in 1990 on the initiative of the Federation of Cuban Women and are being promoted by it have helped change sociocultural patterns in regard to gender relations. These departments are not administrative structures, but rather groups of individuals who are interested in gender issues. They were created as another step on the way to improving the status of Cuban women and responding to their strategic needs. Their main goal is to train future teachers and professors on the gender perspective so that they in turn can train the future generations.

196. Twenty-three women's affairs departments, staffed by over 700 professionals, have been set up in higher education centres throughout the country. Their fundamental cross-cutting mission is to promote gender mainstreaming in university education, research and extension programmes. These departments have worked hard to address gender disparities in education.

197. As far as teaching activities are concerned, gender mainstreaming has been furthered in key disciplines and courses, including sex education at all levels of education (from primary school onwards), general teacher training, psychology, education courses, philosophy and history, Spanish and literature, social communication and economics.

198. The women's affairs departments provide graduate courses, and over the last two years, they have training around 7,300 professors in different provinces of the country on the gender approach. These in turn have taught through lectures and workshops and addressed groups of students, community activists, civil servants and others, i.e., individuals who influence or help raise awareness and project images pertaining to gender equality. In 2002, around 3,500 individuals from different organizations (professionals, students and others) participated in some gender-related activity sponsored by the women's affairs departments.

199. Training courses have also been provided for professors, technical personnel, civil servants and community activists. More recently, diplomas on gender issues have been granted, and a curriculum for a Master's degree program on the issue has been developed.

200. Great progress has been made in conducting research studies on gender issues during the period covered by this report. In 2002, five research studies were conducted, six Master's degree and three Doctoral theses were written on gender-related issues, all coordinated by specialists from the women's affairs departments. In addition, student scientific research and extracurricular activities on gender issues were promoted (27 course papers, 22 Diploma papers, 17 extracurricular projects and one elective project were completed). The preparation and publication of a training manual has contributed to the training of professors and students on the issue.

201. The women's affairs specialists also advise different institutions and agencies on technical matters and methodology relating to gender issues, with special emphasis on the need to break down stereotypes. Especially noteworthy is the work of the women's and family counselling centres in all the provinces and the participation of staff of the women's affairs departments in projects on the gender approach that are included in university extension programs.

202. The Centre for Women's Studies (CEM), an institution working under the aegis of the national board of the Federation of Cuban Women, is carrying out and promoting research on gender issues. It coordinates methodology for the women's affairs departments and, together with the Ministry of Higher Education, helps promote gender mainstreaming in university education. During the period covered by this report, two national workshops and one international workshop were conducted on women's affairs departments and programmes and centres for women's studies. At these workshops, the achievements, obstacles and prospects for gender mainstreaming were examined.

203. The Centre for Women's Studies and the Ministry of Education have worked together on the preparation of a professional profile of professors of both sexes which included three objectives to guide training of future professionals so as to eliminate gender disparities in education. In addition, a script for a television programme was written, and the programme, designed to improve the professional qualifications of male and female teachers, was produced. A tabloid and an anthology on gender issues were produced as bibliographical references for teachers.

204. The Federation of Cuban Women operates women's and family counselling centres in all the municipalities of the country. These work together with the

women's affairs departments to provide individual and collective services to women, families and communities, based on diagnoses of their interests and needs.

205. The courses taught at the counselling centres are very useful, since they deal with the issue of equality independently of the specific subject matter.

206. The national education system is constantly being improved, leading to the inclusion of a number of subject matter areas relating to sex education from the earliest grades. These courses deal with both biological and ethical and social issues and are based on a study of nature and the human body.

207. The National Working Group on Sex Education was created in 1977, and in 1989 it became the National Sex Education Centre (CENESEX). The Centre includes representatives of the ministries of public health, education, youth organizations and the Federation of Cuban Women. It also has close working ties with the ministries of Culture, Higher Education and others.

208. The Standing Committee of the People's National Assembly for Children, Young People and Equal Rights for Women has submitted a number of proposals, including proposed legislation or amendments to existing legislation.

209. The joint work programme of the Ministry of Science, Technology and Environmental Affairs, the Ministry of Education and the Federation of Cuban Women has as its fundamental line of action to conduct further in-depth studies on the family and equality as a basis for undertaking and pursuing programmes that will help strengthen the family as the basic institution of our society.

210. A Family Studies Group was established which is headed by the Federation of Cuban Women and involves the participation of the Youth Centre, CENESEX, the Committee on Social Services and Prevention, the Centre for Psycho-Sociological Research of the Ministry of Science, the Ministry of Justice, the University of Havana, the Faculty of Psychology and the Ministry of Education.

211. There has been a constant and systematic effort to eradicate stereotypes and cultural, ideological and psychological barriers not only in society but also within the family, where it is also necessary to rethink roles. One priority objective of the educational activities is to create an awareness in every member of the family of the need to share household task. The fundamental principle is that full equality can be achieved only when it is practiced within the family environment.

## **Article 6**

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

212. Before 1959, prostitution in Cuba was encouraged and tolerated by every one of the successive governments of the neocolonial republic, even though they had signed international conventions on the suppression of the traffic in women and exploitation of the prostitution of others. To that must be added the fact that the unfortunate women who worked as prostitutes in those times did so because for most of them, prostitution was the only means of survival in a country with high levels of illiteracy and malnutrition and where 70 per cent of the few women regarded as being employed (12 per cent of the total) worked in domestic service.

213. Following the triumph of the Revolution, the economic and social conditions that had created and sustained prostitution were eliminated, and the foundations were laid for a rapid process of re-education and social rehabilitation of these women. This work was carried out by the Government between 1960 and 1965, with the active participation of the Federation of Cuban Women.

214. In this effort, schools and vocational training centres were established that enabled these women to become reintegrated into active life and hold jobs. This made it possible to eliminate prostitution as an institutionalized social problem.

215. Unfortunately, prostitution re-emerged during the 1990s, under different circumstances, for different reasons and in different forms. This new prostitution is mainly associated with the rapid development of foreign tourism and the negative aspects associated with it.

216. Although the phenomenon of prostitution in Cuba occurs on a small social scale and is concentrated mainly in the tourist resorts, it has claimed the full attention of the Government and non-governmental institutions as they endeavour to attack its causes, find ways to eradicate it and improve procedures in the community task of confronting and combating it.

217. During this current period of serious economic difficulties, prostitution involves people with poor ethical and moral values who wish to acquire material goods and services which today can only be bought with freely convertible currency.

218. Some of the reasons for the emergence of this new type of prostitution are the rapid and increasing influx of tourists into Cuba, with the risks which that entails, the country's scant experience of dealing with this phenomenon, and the serious material difficulties and shortages, combined with the existence of families whose consciences and values have not developed with the desired solidity or in step with the economic, political and social changes in Cuba and which have transmitted this outlook to their children.

219. Most of the new prostitutes are young women with a high level of education, a benefit enjoyed by most Cubans, and are in good health, as is the rule in Cuba. Since their fundamental rights and needs are guaranteed, once they decide to become prostitutes, it is more difficult to re-educate them.

220. The Government has a clear policy of not tolerating prostitution. It assigns priority to preventing it, addressing its causes and manifestations, and offering prostitutes alternatives for re-education through a combination of guidance, persuasion, education, counselling and prevention directed to different groups of young people and to each one separately. This concerted effort to prevent and eliminate prostitute takes into account the fact that the phenomenon involves not only the prostitutes themselves, but also their pimps and clients.

221. In the context of Cuban society's efforts to eradicate prostitution, it is worth noting the systematic work of:

I. The Committee on Social Services and Prevention, which was established in 1986 and is made up of institutions of the Cuban State (Ministries of Education, Health, Labour, the Interior, etc.) and of political and grass-roots organizations. It is represented at the central, provincial and municipal levels;

II. The Federation of Cuban Women (FMC), which does systematic work with every prostitute that has been identified. This is possible in a society with Cuba's political and social structure and thanks to the organizational structure of FMC, which covers every district, community and settlement.

222. The attention of the Federation of Cuban Women, working through its grass-roots leaders and volunteer social workers, is directed not only at these women, but also at their families, the social environment in which they live and work, so as to multiply the positive influences on them.

223. As a result of this work, some of the women abandon prostitution and even take up jobs or become students in regular or alternative courses.

224. FMC has also been training managers and other workers in the tourism sector by means of discussion workshops. It also offers courses for its own managers and activists and for specialists in various disciplines who make up the teams in the FMC women's and family counselling centres.

225. In addition, last year it carried out a process of reflection with workers in night spots in the entertainment industry throughout the country. It also worked with private landlords who rent their houses in an effort to prevent and deal with prostitution and the pimping and drug dealing that are often associated with it.

226. In coordination with the Ministry of Education, the Federation of Cuban Women carries out activities with students and their families to reinforce positive values and persuade them to reject pimping and prostitution. Individual social services are provided for students for need them, and assistance is given in training teachers.

227. The Federation prepares materials for community discussions to which families are invited. At the same time, it sponsors discussions with all the volunteer leaders of grass-roots organizations so as to enhance prevention and social services.

228. FMC also carries out a commendable effort in developing socioeconomic profiles of women involved in prostitution as the basis for its work with individual prostitutes and in general, for analysis and decision-making relating to their behaviour in the context of changes that occur. Evaluations are conducted twice a year to assess their individual development.

229. A research study was conducted of the image of women in graphic advertising for foreign tourists. It was found that images of women as sex objects were frequently used, and this was used as a scientific argument for carrying out a programme aimed at eradicating this type of advertising.

230. A study of Cuban legislation was carried out which was used as a basis for arguments in favour of including pimping and trafficking in persons in the Penal Code.

231. The National Sex Education Centre has done important work by providing scientifically sound advice about the implications and risks of prostitution and associated phenomena.

232. Managerial, administrative and service staff of tourist resorts have received training and guidance to enable them to be on guard and prevent prostitution in those locations.

233. In addition, tourism promotion and advertising companies and agencies prohibited from encouraging or permitting in their advertising any association of tourism with the use of women as sex objects.

234. Despite all the warnings, guidance and persuasion directed at prostitutes, some of them become involved in other activities often associated with prostitution, including offences that require action and sanction by the courts, such as robbery, extortion and drug trafficking.

235. Cuban penal legislation establishes a procedure for persons who manifest social behaviour that clearly makes them a threat to society. These measures, which are essentially designed for prevention and re-education, are applied to women who show antisocial behaviour and engage in prostitution.

236. Prostitutes who are in this situation are subject to security measures aimed at re-educating them, such as confinement in a rehabilitation centre offering specialized programmes involving the Ministry of Culture, the Institute of Sports and Physical Education, the Ministry of Education, the Committees on Social Services and Prevention, the Ministry of Labour and Social Security and the Ministry of Public Health.

237. They may also be required to attend school or work while remaining in their family and social environment. Another measure entails putting them under the supervision of a judge and other specialized official who can have a positive influence on their behaviour. These procedures are implemented with full legal guarantees, including the right to legal counsel and to produce evidence on their behalf. These cases are considered in hearings before a collective tribunal with the participation of the person who has allegedly committed antisocial behaviour and her defence attorney.

238. Women who are placed under any of the aforementioned measures are subject to supervision and monitoring both by the specialized police, judicial authorities and social organizations responsible for prevention aimed at rehabilitation. This has resulted in very low recidivism rates.

### **Pimping and prostitution**

239. Title XI of the Penal Code, on offences against the normal development of sexual relations, against the family, children and youth, deals in chapter I with offences against the normal development of sexual relations. In accordance with the amendment enacted by Decree-Law No. 175 of 1977, the offences of pimping and trafficking in persons (article 302) are included. These offences are punishable by from four to 30 years imprisonment.

240. These offences were covered by the previous Social Defence Code, but with the enactment of the first and second Penal Codes in 1979 (Law No. 21) and 1987 (Law No. 62), these precepts were eliminated. With the recent resurgence of these serious behaviours, it became necessary to reincorporate them in the penal legislation and to provide very harsh penalties for them.

241. Our penal legislation defines pimping in very broad terms; a pimp is considered to be anyone who induces another person, or in any way cooperates or encourages another person to practice prostitution or carnal trade; anyone who

directly or through third parties, possesses, directs, administers, operates or finances, totally or in part, a business, establishment or dwelling, or part of one, in which prostitution or any other form of carnal trade is practiced, and who obtains, by whatever means, benefits from the exercise of prostitution by another person, provided the act does not constitute a more serious crime.

242. It should also be noted that punishment is aggravated when the defendant carries out duties involving participation in activities that have to do, in whatever way, with the protection of public health, enforcement of law and order, education, tourism, leadership of young people or combating prostitution and other forms of carnal trade; if in carrying out the act threat, blackmail, coercion or abuse of authority are used; or if the victim of the crime is a handicapped person who for whatever reason is under the care of the offender.

243. Under this article, trafficking in persons is punishable with between 20 and 30 years of imprisonment. This offence consists of promoting, organizing or encouraging persons to enter or exit the country for the purpose of practicing prostitution or any other form of carnal trade. Persons who commit this offence may also be punished by confiscation of their property.

244. When the persons committing these acts cause children to be involved, they are guilty of corruption of minors. This offence was amended, and the penalties were increased, including by adding the death penalty, first by Decree-Law No. 175 and later by Law No. 87. This latter text introduced the offence of sale and trafficking of children, on the initiative of the Federation of Cuban Women, in order to prevent and severely punish such humiliating acts, which occur only rarely in the country.

### **Violence against women**

245. In Cuba, human wellbeing, understood as full, comprehensive and multifaceted development, is at the centre of all programmes and policies. Accordingly, conditions have been created to advance towards this end, including through the elimination of all forms of discrimination that might arise, including violence against women.

246. In this context, every effort is being made to achieve equal opportunities and options for women, so as to ensure their advancement in all spheres of their personal, family and social life. In 1997, bearing in mind that violence hinders these efforts, the National Group for Prevention and Treatment of Violence in the Family was created, especially to deal with violence against women.

247. The group is coordinated by the Federation of Cuban Women and is made up of representatives of the Ministries of Education, Health, the Interior and Justice, the Office of the State Procurator, the Institute of Forensic Medicine, the National Sex Education Centre, the University of Havana, the Centre for Psychological and Sociological Research, the People's Supreme Court and the Radio and Television Institute.

248. Its work allows for more comprehensive and effective multisectoral and multidisciplinary actions to prevent and deal with this problem and to make well-grounded proposals to other agencies when necessary.



249. Given the composition of the group, it is able to channel its work through the structures and functions of each member agency and organization to the persons representing them in the community, such as teachers, doctors, police officers, judges and State attorneys.

250. Thanks to this Group, training has been provided for management boards of the National Revolutionary Police, the Ministries of Public Health and Justice, the Office of the State Procurator and the Cuban Radio and Television Institute.

251. Three educational kits were developed for discussion among the more than 70,000 local FMC branches, with emphasis on relations between spouses, violence against girls and boys and legislation to protect women and the family against domestic violence.

252. An analysis was made of court dossiers relating to certain crimes, such as assault, homicide, murder and rape. Three systems of quantitative and qualitative indicators were developed for this purpose.

253. A study was made of Cuban legislation, as well as a comparative analysis of the experience of other countries in the area.

254. The study of Cuban legislation provided the necessary arguments for including in the Penal Code as an aggravating circumstance that of the attacker being the spouse of the victim or of kinship between the attacker and the victim to the fourth degree of consanguinity and the second degree of affinity. This addition has already been adopted by the Cuban Parliament.

255. Treatment and counselling on domestic violence has been provided at the women's and family counselling centres run by the Federation of Cuban Women. This includes individual counselling, group activities and orientation courses on the subject.

256. A registry has been set up to monitor and follow up on families having this problem at the FMC offices in every municipality and province in the country.

257. Training courses and workshops have been offered to chiefs of police and police officers and officers who receive complaints; investigators and officers dealing with minors in the Ministry of the Interior and the prison school; professors, leaders and students of the high-level institute of the Ministry of the Interior (a video recording of this activity was made for training purposes); groups of teachers and professional staff of the councils for children of the Ministry of Education and teacher training institutes; groups of doctors, nurses, psychologists and social workers of the Ministry of Health; FMC leaders, social workers and volunteer health workers; and lawyers from different court organs.

258. A project was promoted for guaranteeing better specialized care to be provided within the health system for victims of violence and their attackers.

259. Work is proceeding on a study of the advisability and possibility of drafting a legal norm, a law or a decree-law that would integrate concepts and treatment of domestic violence through a preventive and educational approach.

260. A study of three municipalities in Havana City was conducted jointly by the General Directorate of the National Revolutionary Police (DGPNR), the national child services unit of the Ministry of the Interior (MININT), the Ministry of Public Health (MINSAP), the Ministry of Education (MINED) and the Federation of Cuban

Women (FMC). The purpose of the study was to provide more comprehensive services to victims, improving implementation of established measures for coordinating community action. This was in addition to the studies regularly conducted by FMC and other agencies, organizations and institutions in Cuba.

261. The specific aspects taken up most frequently in research into domestic violence have been violence against minors and between spouses. In the first case, the failure of parents to provide child support is a serious problem to which no solution has yet been found. In the second case, the serious problem is violence based on gender discrimination.

262. The studies have produced important proposals, including legislative measures, aimed at working towards a solution to the problem.

263. In the context of the systematization effort being conducted by the Centre for Women's Studies, 20 studies on violence against women, especially those conducted since 1991, were reviewed and compiled. The authors are specialists from the Institute of Forensic Medicine and the National Directorate of FMC, the Office of the State Procurator, the Ministry of Justice, the Faculty of Medical Sciences and the main clinics of the Ministry of Public Health. They deal with violence in general problem and with domestic violence, including violence between spouses, in particular.

264. The causes found to generate domestic violence include jealousy, not respecting the belongings of others, emotional conflicts and communications problems between spouses and among family members, low self-esteem of women, unwanted children, rejection of children and other disabled family members, parental irresponsibility, inadequate education for the fulfilment of family roles, machismo, alcoholism, financial problems, overcrowding and promiscuity, low cultural level, frustration, inadequate education for accepting others who have problems, psychiatric disorders, and ideological, political and religious conflicts.

265. According to the same sources, most of the victims are married women or women in consensual union, aged between 16 and 50, and with secondary education; some are housewives and others are wage-earners. Technical and managerial staff are also among the victims. Most of the abusers are young men with education ranging from below sixth grade up to ninth grade, although some have higher levels of education, including university.

266. It was found that few women report incidents of abuse to the authorities; some explain that they are dependent on their husband for different reasons and that is why they keep quiet about the abuse. The usual justification given for this abuse is that it is a reflection of the gender imposed by the patriarchal family and the macho stereotype. When women did report abuse, the abuse did not stop, and in some cases, the violence increased after the complaint was lodged.

267. The sources of information for cases of domestic violence in Cuba include the 185 public service offices of the Federation of Cuban Women, which are visited by thousands of persons seeking help and counselling. A look at the figures shows an increase in such requests as a result of the effort that has been made to raise awareness about the problem:

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1998	2001	2002
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	1998	2001	2002
Violence – men against women	75	151	329
Violence – women against men	6	5	27
Violence – fathers against children	14	54	28
Violence – mothers against children	35	40	19
<b>Total</b>	<b>130</b>	<b>250</b>	<b>403</b>

268. As shown above, 82 per cent of the cases reported involve violent acts by men against women.

269. Efforts are continuing to persuade the agencies concerned to include in their statistics the details needed to break the data down by gender and assess the problem as a whole. This is referred to in the National Action Plan for Follow-up of the Fourth World Conference on Women.

270. Given the relationship between violence and alcoholism and other types of drug abuse, the preventive education programmes and other actions carried out in communities include information and specialized analyses of such issues.

271. The national programme carried out by the Ministry of Public Health to prevent suicide and suicide attempts also deal with the issue of violence. The rates among women fell from 20.9 in 1980 to 8.1 in 2002.

272. The question of domestic violence is dealt with in the mass media through television programmes such as Hablemos de Salud, Haciendo Caminos, Cuando una Mujer, La Vida y sus Retos, as well as spots and short messages. Radio broadcasts and the printed press also target women and families.

## Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

I. To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

II. To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

III: To participate in non-governmental organizations and associations concerned with the public and political life of the country.

273. The Constitution of the Republic of Cuba and the Electoral Act establish that every Cuban citizen over the age of 16, irrespective of sex, race or religious belief, are entitled to vote and to be elected in public elections.

274. Notices of elections call upon citizens to elect the best candidates without any kind of discrimination. No female or male candidate has to have economic resources or find someone to finance the election campaign to promote his or her candidacy.

275. According to Cuba's electoral law, the constituencies are established on the basis of the number of residents. The constituencies hold meetings at which the

electors freely propose and nominate from two to eight candidates selected on the basis of their merit and qualifications that will enable them to represent their constituents at all levels up to the highest organ of the State.

276. Following the nominations, all the country's constituencies elect their representatives by direct and secret vote on the same day. In the event of a tie or if no candidate obtains at least 50 per cent of the valid votes, a second round of voting is held.

277. It should be noted that although women have all these legal rights and account for 50 per cent of voters, the nomination and election of women is still influenced by subjective factors relating to beliefs, prejudices and cultural patterns inherited from a classist and sexist society in which the sphere of work and public authority was assigned to men and women were confined to the home, the family and domestic work.

278. In 2002, the people were called once again to general elections. Although the act of voting is free and voluntary in Cuba, 98.2 per cent of the electorate participated in these elections, to elect by direct secret ballot, the delegates to municipal assemblies – all those in the constituencies – and provincial assemblies, as well as the deputies to the National Assembly.

279. In this election, the participation of women rose, compared with the general elections of 1993, 1995 and 1998 and the partial election of 2000.

280. Among the delegates elected to local constituencies, 3,493 were women, who represent 23.37 per cent of the total. Compared with the previous election, this represents an increase of 419 women and 2.44 percentage points. These delegates are those who make up the municipal assemblies. Although this indicator has been rising steadily over the past years, it is still low, bearing in mind the level of professional and political development that Cuban women have achieved.

281. The number of female delegates to the provincial assemblies increased as a result of this past election. These assemblies are now made up of 447 women, or 37.28 per cent of the total; in absolute figures, this represents an increase of 106 women and 8.68 percentage points, which is much higher than the indicators for the previous term.

282. The number of women occupying positions in the municipal assemblies also rose. As a result of the 2002 elections, 89 women hold positions as secretaries of the municipal assemblies; this amounts to 52.6 per cent of the total.

283. There are 219 female deputies to the National Assembly, or 35.9 per cent of the total elected to the legislative body. In the Parliament, female participation increased by 43, or 4.2 percentage points. According to this indicator, Cuba is among the leading countries of the world in terms of women's participation in Parliament.

284. Women play an active part in the standing working committees in the organs of the People's National Assembly, from the municipalities to the National Assembly.

285. Three committees in the National Assembly are headed by women, namely, those concerned with children, young people and equal rights for women; social assistance; and education, culture, science and technology.

286. During the current five-year period, despite the economic difficulties our country has faced, a tremendous effort has been made to increase the presence and participation of women in government bodies at the municipal, provincial and national levels. 287. During the elections process and as part of the related activities, the Federation of Cuban Women - as the national mechanism for the advancement of women - promoted certain initiatives that have brought positive results. The organs of the People's National Assembly, at all levels, supported FMC and actively participated in these efforts.

288. The publication entitled *Las mejores como delegadas* was discussed at meeting of the over 76,000 grass-roots structures of FMC at the community level, often with the participation of men as well. This activity is a follow-up to the ongoing public debate which has been a key element of educational and consciousness-raising efforts on the issue of ensuring women and men participate on an equal footing in the social and political life of the country.

289. The National Nominations Commissions at the provincial and municipal levels and the Electoral Commissions were largely made up of women belonging to grass-roots and student organizations. This also represents a significant step towards increasing women's participation in the entire electoral process in Cuba.

290. The leaders of the Federation of Cuban Women serve on these commissions. This has a positive effect on the promotion of candidacies of distinguished women who are nominated as delegates on the provincial assemblies and as deputies, in accordance with the powers of the commissions.

291. Throughout this period, meetings were held with women delegates and deputies to recognize their accomplishments and to discuss issues such gender, equality, self-esteem and leadership, so as to better prepare women for these responsibilities.

292. A systematic assessment has been made of women's participation in partial and general elections and in government decision making at all levels. This has made it possible to continue with actions designed to fulfil this objective.

293. Democracy in Cuba is based on the direct participation of the people in government decisions and legislative processes. Along with the entire population, women participate in the formulation of government policies.

294. The establishment of essential preconditions such as guaranteeing their equality before the law; their cultural, technical and vocational training; their involvement in socially useful work; promoting their participation in politics and effecting fundamental changes in their social situation encourage and facilitate the participation of Cuban women in the political life of the country.

295. Assessments of the advancement of women are conducted on a regular basis in meetings of the provincial and municipal administration councils, discussions in the FMC committees, at all levels, and in the directing councils of the agencies of central State administration. This is done in order to identify accomplishments and remaining obstacles and continue working on objective and subjective factors that stand in the way of women having a greater presence in decision-making positions.

296. The decree-law on the promotion, posting and qualifications of State employees addresses the need to continue the effort for the education, training and retraining of women and their promotion to senior posts. Thanks to this policy, more

women are now on the reserve rosters for posts at the different levels of State government.

297. Since the second half of 2002, the Central Committee of State Employees decided to draw up a reserve roster made up of 50 per cent each of women and men. From 2003 onward, the short lists submitted for approval must include a man and a woman on equal terms, so that the decision can be made based on equal qualifications.

298. Employee committees operate at all levels from the national to the municipal as a government mechanism; they take an individualized approach to questions relating to the promotion of women to senior posts.

299. The ministries and their research centres and the institutions of higher education carry out research and hold different types of events at which this topic is also discussed. The results constitute a fundamental input to the work of the employee committees and the training system.

300. This is one of the objectives of the women's employment committees, which conduct systematic evaluations of women's participation, the prospects for their inclusion on reserve roster at all levels, and the obstacles to their advancement.

301. During all these years, and especially since 1996, progress was made in the promotion of women to senior posts in the civil service. In 1996, women accounted for 30.1 per cent of all senior posts in the country; in 1998, 31.1 per cent; in 2000, 33.3 per cent, and in 2002, 34.5 per cent, the highest share to date. In absolute figures, the total number of women managers was 95,314. This indicator has risen steadily in every province of the country.

302. At present there are six female ministers, namely, those heading the ministries of Science, Technology and Environmental Affairs; Domestic Trade; Foreign Investment and Economic Collaboration; Audit and Oversight; Light Industry; and Finance and Price Controls.

303. The number of women vice-ministers rose to 29 in 2002 compared with 12 in 1996 and 17 in 1999. In the last few years, appointments to these positions was extended to agencies not traditionally considered suitable for women, such as the ministries for the Metalworking and Engineering Industry (2), Information Technology and Communication (2), Transport (2), Construction (1), Agriculture (1), and Civil Aviation (1).

304. Women have a significant presence in the judicial system compared with 1999. Seventy-one per cent of State attorneys are women, an increase from 1999, when there were 65 per cent; 60 per cent of senior staff are women, compared with 49 per cent in 1999. In the courts, 63.3 per cent of stipendiary judges are women, a marked increase from the figure of 49 per cent in 1999. It should be noted that 71.4 per cent of the presidents of provincial tribunals are women. In the Ministry of Justice, 40.4 per cent of senior staff are women and 42.8 per cent are provincial directors. A woman is vice-president of the People's Supreme Court and the vice-minister is also a woman.

305. The Ministry of Education has 4 425 women (56.3 per cent of the total) in senior posts. There are two women vice-ministers, 14 directors or heads of department in the central offices; five rectors of institutes of higher education (31.3

per cent), 24 vice-rectors and 30 deans. The reserve of directors is 69.6 per cent female.

306. In the Ministry of Higher Education, 36 per cent of the staff are women, and 30 per cent of top-level posts are filled by women, including a vice-minister. Women represent 45 per cent of the heads of teaching departments, 32 per cent of deans, 30 per cent of vice-rectors and seven per cent of rectors. Women account for 42.6 per cent of the faculty.

307. In the Ministry for the Sugar Industry, which before the triumph of the Revolution had been practically off-limits for women, they now account for 21 per cent of the workers. On the senior staff, 590 are women (nine per cent), including five directors in the Central Office, 70 functional directors, 44 vice-directors and 41 directors of enterprises. In the latter case, nine are managers of agroindustrial complexes and one is a manager of the Holguín Enterprise Group.

308. The Ministry of Domestic Trade has, in addition to its female minister, women fill the following positions: two vice-ministers, three directors of national enterprises, five directors at the Central Office and, for the first time, a woman is Director of Trade of a provincial sector.

309. The Ministry of Light Industry is headed by a female minister and a female vice-minister, and 62 per cent of the workers are women. Forty-seven per cent of the senior staff in the Central Office are women and 21 national enterprises are headed by women.

310. The Ministry of Science is headed by a female minister and two vice-ministers are women; 35.5 per cent of senior staff are women, compared with 27 per cent in 2000. Women are also in the following positions: two agency directors (with the rank of vice-minister), 21 national directors of different departments, and four provincial delegates. Women account for 24 per cent of the directors of research centres, 56.8 per cent of technical staff and 48 per cent of researchers.

311. There is a growing trend towards the incorporation of women in senior positions in tourism, where they currently account for 24.1 per cent of the senior staff in the sector, compared with 23.3 per cent in 2000. There is a female vice-minister, and more and more women are preparing to assume responsibilities in positions for which they have not usually been considered.

312. In the Ministry of Information Science and Communication, women account for 49.5 per cent of the staff. They fill 26 per cent of the top-level positions, compared with 23.5 per cent in 2000. There are currently two women vice-ministers. In the sector, which plays a key role in Cuba's development strategy, girls account for 50 per cent of the 2 000 students who have enrolled in computer engineering courses at the new University of Information Sciences which opened in September 2003.

313. In the other sectors of the economy, women have moved up to different levels of management. In health, they account for 46 per cent; in culture, 34.5 per cent; in metalworking and engineering, 16 per cent; and in transport, 15 per cent.

314. The strategy followed had allowed for evaluations to be made of the situation in different sectors and with the participation of different government organizations, to carry out activities such as workshops for women managers in every province and at the national level. At these workshops, issues of interest have been discussed,

allowing for reflection and analysis and enabling women to improve their participation in these activities.

315. Recognition is being given to women holding posts in different types of organizations, including State agencies, grass-roots organizations and trade unions, and those working with families and the community.

316. Progress is being made in studies and research on the issue of women in senior posts. A number of agencies are already applying the measures suggested as a result of these studies.

317. The national research study on analysis of gender mainstreaming in the selection and promotion of staff and their reserves has been concluded.

318. Women are guaranteed equal opportunities with men in terms of access to non-governmental organizations. Cuba has the appropriate legal framework to channel the interests of persons who wish to join such organizations in order to further social causes. This is stipulated in article 54 of the Constitution of the Republic and in the Associations Act (Law No. 54 of 27 December 1985), which establishes the relevant legal regulations and registration requirements. More than 2,200 non-governmental organizations of diverse nature, in terms of structure, membership and objectives, are registered in Cuba.

319. Cuban women belong to the Cuban Trade-Union Federation (CTC) encompassing all male and female workers in the country, who in turn are members of their own specific trade unions. There are 1,412,125 women members, representing 45.3 per cent of the total membership. Forty-nine per cent of the CTC leadership are women, and women are also well represented on the National Council, at 47.6 per cent. Five national trade unions are headed by women, as well as 52.8 per cent of the local trade union sections.

320. The National Association of Small Farmers (ANAP) includes rural women, both members and non-members of cooperatives, who account for 18.3 per cent of the total.

321. Rural women also hold and have access to administrative positions in cooperatives, as well as in grass-roots organizations of the National Association of Small Farmers (ANAP). In 1998, women in leadership positions represented 22 per cent of the total, and by the end of 2003, 33 per cent. There are currently 77 women heads of cooperatives.

322. In recent years, more and more women have been nominated for elected office; 21 are municipal presidents, 212 are municipal secretaries, 22 are provincial secretaries, and three serve at the national level.

323. Although this growth has been modest, it is evidence that the actions carried out by this organization are in line with the National Action Plan and are producing positive results. The rural population of Cuba is becoming more and more aware of the need to ensure equal participation of men and women in the social and economic life of rural areas.

324. None of the great tasks and achievements of Cuba's development and social programmes would have been possible without the widespread, active and informed participation of the people and the organizations that represent them.



325. Cuba, which has demonstrated its political will, has a reserve of very competent women who will help it to achieve one of its cardinal aims – the exercise of full equality by women. This is the purpose of the work being done, in conjunction with FMC and other grass-roots, social and professional organizations, to raise awareness not only among women but also in the family and in society at large.

326. These organizations have made an effective contribution to the drafting, justification and discussion of proposed legislation and amendments to legislation which have been brought before the Cuban Parliament. One example of this, as mentioned above, is the adoption of the National Action Plan for Follow-up of Beijing.

## Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

327. It has been a constant concern of the Government to involve women and expand their role at the international level.

328. Women make up 53.8 per cent of the staff of the Ministry for Foreign Affairs (MINREX), the organ of the Central Administration which is responsible for carrying out the country's foreign policy. Women serve as ministers counsellors, counsellors, attachés, consuls and vice-consuls. There are seven more women ambassadors than there were during the previous period, bringing the total to 15, or 13.7 per cent of the country's ambassadors.

329. Women have played an increasingly important role in different ministries and State entities, leading to greater representation of women, who demonstrate a high sense of responsibility in the performance of their duties.

330. In the Ministry of Foreign Investment and Economic Collaboration, women account for 25 per cent of senior posts, as they hold 25 of the 91 posts at the ministry level, including the minister herself. This is one of six Cuban entities that are headed by women. In this ministry's foreign service, 18 of the 30 (60 per cent) representatives serving abroad are women.

331. In the Ministry of Tourism, 83 per cent of the staff serving abroad are women, who perform duties in accounting, administration and public relations. TURARTE and ABATUR are headed by women. In addition, 71 per cent of jobs in the companies and branches of the Cubanacán Group are filled by women.

332. The participation of women in the Ministry of Foreign Trade, which implements Cuban foreign policy on trade issues, is especially noteworthy. At the institutional level, 104 out of 287 positions (36.24 per cent) are filled by women. Fifty-nine of 112 foreign trade permanent staff members (52.67 per cent) are women, and women hold 21 of 35 senior positions (59 per cent). Women distinguish themselves as counsellors, attachés and heads of trade offices. The Minister Counsellor of the Permanent Mission of Cuba in Geneva is a woman. Women account for 85 per cent of the consultants and advisors in the sector; 24 women have participated in important international trade-related events.

333. The Cuban Institute of Civil Aviation also has a large number of female specialists in senior positions. The Institute has taken measures to promote women to senior positions in the central office and in the offices abroad. At present, five out of 21 Cubana de Aviación offices abroad (24 per cent) are headed by women. Women also serve in the trade offices, where 56 per cent of the staff are women, including international and national traffic representatives, heads of airlines, international traffic supervisors, operations supervisors.

334. Other institutions that have personnel and missions in other countries are the Ministry of Health, which has three female heads of mission and six working with international agencies of the United Nations system; the Ministry of Culture, with 10 female international advisors and/or consultants, and whose experts have been hired as short-term consultants as well. A Cuban woman serves as ambassador of FAO.

335. During the period since the submission of its last report, Cuba has been a member of the Commission on the Status of Women (CSW); its current term will expire in 2005. At each of the Commission's sessions, Cuba has been represented by a large number of women, in both the governmental and the non-governmental delegations. The Ministry for Foreign Affairs, in conjunction with the Federation of Cuban Women, the national mechanism for the advancement of women, has attached great importance to the participation of Cuba and has striven to make a positive contribution to CSW.

336. A Cuban woman made an outstanding contribution to the panel discussion on participation and access of women to the media and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women. This was one of the topics discussed at the forty-seventh session of the Commission on the Status of Women (CSW) held in March 2003.

337. Representatives of the Cuban Ministry for Foreign Affairs and officials of the Federation of Cuban Women have actively participated in negotiations on the agreed conclusions on items on the agenda of the Commission on the Status of Women and the final documents of the twenty-third special session of the General Assembly.

338. The Cuban delegation has given similar attention to the negotiations and discussions on the topic of women in several United Nations forums, including the Commission on Human Rights and the Third Committee of the General Assembly.

339. The Government of Cuba has also participated actively in all the meetings of the Presiding Officers of the Regional Conference on Women in Latin America and the Caribbean, of which it has been vice-chairman for several years, as well as in the Regional Conferences, which are organized by the Economic Commission for Latin America and the Caribbean (ECLAC). Cuba has served as liaison between the Spanish-speaking countries of the Caribbean in implementing the agreements of the different meetings, and has played an active role in the presentation and discussion of agenda items of the different Boards.

340. Cuba played an especially important role at the Eighth Regional Conference on Women in Latin America and the Caribbean, held in Peru in February 2000, in connection with the preparation and presentation, together with Mexico, of one of the key agenda items, namely gender equity. A female Cuban expert made the presentation at the panel held during the conference. The Cuban delegation also

played a key role in the discussions and negotiations on the Lima Consensus, the final document of by that conference.

341. The Presiding Officers of the Regional Conference on Women in Latin America and the Caribbean held a successful meeting in Cuba in April 2003. This meeting, which was attended by a significant number of countries, both members and non-members of the Presiding Officers, was recognized by the women participating for the excellent manner in which preparations for the event had been conducted.

342. Cuba has fulfilled all its obligations under the international treaties to which it is a party. In this connection, it has been meticulous in the preparation and submission of its periodic reports. Women have played a leading role in this process, both in the drafting of the reports and in their presentation to the various committees. The official delegations to these bodies has included a high percentage of women.

343. The presence of women in treaty and other expert bodies of the United Nations has been promoted. A Cuban woman is currently serving on the Committee on the Elimination of Discrimination against Women.

344. Training and other opportunities for professional improvement are key to the advancement of women. Hence the ongoing concern for promoting their participation in national and international seminars and workshops designed to provide further training on gender mainstreaming and related issues that are essential in implementing the terms of the Convention.

## **Article 9**

States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

States Parties shall grant women equal rights with men with the respect to the nationality of their children.

345. Cuban legislation does not establish any differences between men and women with regard to acquiring, changing or retaining citizenship. This is evident in the fact that that the neutral article is used in referring to the subjects of these rights.

346. This applies to the concept and the forms of acquiring nationality, which are dealt with in the following articles:

Article 28: Cuban nationality is acquired by birth or naturalization.

Article 29: Cuban nationals by birth are: persons born in the national territory, with the exception of the children of foreigners in the service of their Government or of an international organization; persons born abroad of a Cuban father or mother on an official mission; persons born abroad of a Cuban father or mother, subject to the completion of the formalities prescribed by law; persons born outside the national territory of a father and mother who were born in the Republic of Cuba but have lost Cuban nationality, provided that they submit an application in the form prescribed by law; foreigners who

for exceptional merit in the battles for the liberation of Cuba are regarded as Cuban citizens by birth.

347. As far as children are concerned, they are especially protected by Cuban legislation and are included on an equal footing in article 31, as follows: Marriage or the dissolution of marriage shall not affect the nationality of the spouses or their children." This article is in compliance with the provisions of article of the Convention on the Elimination of All Forms of Discrimination against Women.

## **Article 10**

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

The same opportunities to benefit from scholarships and other study grants;

The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

The same opportunities to participate actively in sports and physical education;

Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

348. In Cuba, everyone without distinction or difference as to gender, skin colour, political ideology or religious belief have equal access to free education throughout the educational process.

349. At present, only 0.2 per cent of the population of 11,250,974 are illiterate. Of these, 39.6 per cent are women.

350. Despite the difficulties encountered, political will and the measures taken have made it possible to hold on what has been achieved. In 2003, more than 3 billion pesos - 23.8 per cent of the total State budget - were earmarked for the educational system.

351. The unjustified and immoral economic, commercial and financial embargo imposed on Cuba for over 40 years by the Government of the United States has deprived us of the material resources needed for each school term; nevertheless, it is encouraging to note that real progress has been made in terms of schooling levels and social and family education. Cuban schools are the most important and responsible cultural institutions of the community.

352. On average, the adult population has a ninth-grade educational level and has opportunities for continuing to improve that level. The Ministry of Education attaches priority to giving women access to education through the network of centres making up the adult education subsystem, which includes literacy programmes, basic education for workers and campesinos, secondary education for workers and campesinos and higher secondary education for workers and campesinos. These programmes include regular courses and meetings tailored to meet the needs and characteristics of this segment of the population.

353. There are 793 adult education centres from the elementary level on up; they include 512 branches of the comprehensive self-improvement course for young people, which provide remedial education so that young people can qualify for higher education. To these are added 46 language schools, to enable workers to learn a foreign language in order to meet the actual needs arising from the socioeconomic development plans of the territories.

354. Enabling women to attend school is an example of the political will and support offered by the State and the systematic work of the Federation of Cuban Women and the Ministry of Education. During the 2002-2003 school term, total enrolment was 203,929, and of these students, 113,548 were women, representing 55.7 of the total. Language courses were attended by 7,268 women, or 60.2 per cent of the total enrolment.

355. In 2003, for example, over 100,000 young people and adults, 65.1 per cent of them women, benefited from the alternative community programmes which are organized based on the needs and interests of participations. These programmes cover issues such as assistance for the elderly, preparation for family life, topics pertaining to the Para la Vida programme, environmental conservation, health, green medicine, crafts, sex education and computer science.

356. Alternative educational opportunities are provided on equal terms for persons living in both urban and rural areas and in complicated situations. Courses are provided for under-educated women, mainly housewives. In the implementation of the strategy for the inclusion, retention and promotion of women in this programme, which is backed by community agencies and organizations, the Federation of Cuban Women play a key role.

357. Another educational alternative that is implemented on equal terms for men and women is the Cultural Self-improvement Programme for the Sugar Agroindustry (Tarea Álvaro Reinoso), in which women account for 35.5 per cent of total enrolment. Opportunities for joining this programme have been offered to all women residing in areas near the sugar refineries or in production cooperatives, independently of whether or not they work in the sugar sector.

358. In the mountainous regions of the country, there are two training centres for mid-level technicians, with a total enrolment of 6,486 students, and three university faculties which train agricultural specialists, 30 to 40 per cent of whom are women.

359. A strategy has been designed and implemented for training women in specialized fields and occupations where women do not usually participate but which are important for the country's economy. These include work in organoponic farming of produce and vegetables, services and computer science.

360. The percentage of pre-university enrolment following secondary education has increased year after year. During the 2002-2003 school term, enrolment reached 154,000 students, 9.7 per cent higher than in the previous year.

361. By the end of the 2002-2003 school term, 3,581 students had dropped out of secondary school; of these, 2,495, or 69.7 per cent, were women. This is the lowest figure for the last five years. The main causes were marriage, medical reasons and simply dropping out; again, the highest percentage of those affected were women.

362. To check the school drop-out rate, measures have been taken to strengthen educational programmes and institutions, improve curricula and in that regard, promote non-sexist education, targeting adolescents, young people and families.

363. The basic secondary education system is undergoing a profound transformation involving all schools in the country. The 493,318 students (male and female) are benefiting from the establishment of double shifts and a teacher-student ratio of one to 15. School projects have been implemented based on a diagnosis of the needs and interests of the student body, teachers and families, so that sex education is contextualized to the situations encountered.

364. Young people who complete pre-university education and do not pursue a profession are able to take technical courses and occupational schools where they can train to become teachers and emergency nurses, social workers and health technicians, among others. Upon the conclusion of these courses, they have the opportunity to take university courses in their municipalities.

365. The women's and family counselling centres set up by the Federation of Cuban Women in 169 municipalities have trained more than 67,391 women, mostly young women, for a number of different occupations in which they can find jobs and which help them socially.

366. The Federation of Cuban Women also helps train young women through State-approved orientation courses that are taught in the centres; these courses cover different subjects based on the needs identified in each territory.

367. The aforementioned comprehensive self-improvement course for young people was started two years ago and has had a significant impact on families, communities, students and teachers. More than 102,000 young people aged between 17 and 29 who were neither working nor attending school have enrolled in the 514 study centres throughout the country, where they receive training for a secondary diploma (bachillerato). At present, women account for 65.7 per cent of the total enrolment. Of the total number of students in the programme, 34,318 go on to higher education in 20 different specialized fields. For these young people, studying in their job and they received a monthly stipend of 100 pesos (national currency) from the State.

368. Over the last five years, the basic technical work force of the country has been female; every year, 60 per cent of graduates of higher education are women. The situation is expected to be similar over the next few years, given that the

percentages of women among total enrolment and new students in higher education is within that range.

369. The fields in which women have a higher participation rate are humanities, natural sciences and education. As regards the medical sciences, for several years now, over 70 per cent of students enrolled in and graduating from these course have been women.

370. Women represented 24 per cent of graduates in technical sciences in 2001-2002; this figure is on the rise. At the beginning of the 2002-2003 school term, women accounted for 31 per cent of total enrolment, and in 2002-2003, this figure rose to 40 per cent.

371. Women have a significant presence in computer engineering; in 2002-2003, 1,656 women (45.9 per cent) were enrolled, and 1,214 of these were beginners.

372. In higher education, around 50 per cent of the teaching faculty are women, and in some universities the figure is higher. During the 2002-2003 term, nearly 6,000 more women were teaching in higher education, thanks mainly to the universal coverage of university education. More than 160 university branches were set up in municipalities and enrolment rose.

373. In the categories of full professor and assistant professor in higher education, women represented 30 and 40 per cent in that order.

374. Thirty-eight per cent of doctors in the country are women, and a similar percentage may be seen in master's and doctoral programmes; a large number have also entered undergraduate and postgraduate programmes. Of 4,000 professionals who have completed a master's degree programme, 49.5 per cent are women.

375. The curricula used in the Cuban national educational system promote non-sexist family education by imparting values in schools and through the National Sex Education Programme. The methodologies applied include teaching solidarity, mutual respect, gender equity and love as the basis for sexual relations.

376. The subject is dealt with specifically in textbooks used from preschool education to universities, especially in the areas of science, biology and civics.

377. Since 1959, education programmes have received special attention, as everyone is offered opportunities to study without differences or disparities. New programmes are being carried out which provide for social work targeting the entire population so as to improve the overall culture and better train our young people. The computer and audiovisual programmes and the educational channel cover topics related to sex education.

378. Priority is given to preparing families to foster the development of their children, precisely because the foundations for human development are laid at that age and in the home.

379. Bearing these and other arguments in mind, after 10 years of scientific research, the educational programme entitled "Educa a tu Hijo" was implemented throughout the country during the 1992-1993 school term. The purpose of this programme is to train families on how to achieve the overall development of boys and girls aged 0 to 6 years. Thus, the families carry out well-organized educational activities with their children, thus strengthening their role as educators.

380. The programme is implemented by more than 100,000 men and women who are trained by over 30,000 promoters representing all the different agencies and organizations involved in the programme on a regular basis. The implementing staff are volunteer activists whose basic role is to work with the families on activities with the children, to help mothers, fathers and other relatives to carry on the educational activities at home so as to monitor the quality of activities.

381. The programme has gradually been extended so that it now covers approximately 70 per cent of the population aged 0 to 6 years (607,821), since the institutional system - day-care and pre-school centres - only covers 30 per cent of this population. Fifty per cent of the children in the programme are girls. Thus, 95.5 per cent of the population in this age group are covered.

382. All study programmes include physical education and art, depending on the artistic and physical abilities and skills of boys, girls and young people. These courses are offered from two to three times a week, and group sports are offered during school hours. Physical activities, sports and art are also offered as extracurricular activities supervised by teachers.

383. Cuba had a large network of sport and art schools, from the elementary to the university levels.

384. Our country's athletes are training in sport facilities including 94 provincial sport academies, 17 beginners' sport schools, 14 schools for more advanced athletes and three schools for training high-performance athletes. Physical education and sport teachers are trained in 13 provincial schools, one Higher Institute of Physical Culture and 14 provincial faculties. In the country, 130 municipalities have university centres for physical education. We have an International Sport School with 1,400 students from 72 countries.

385. These schools train more than 23,000 women athletes and 15,000 teachers. All these students, without distinction, receive free training, educational materials, meals and medical care.

386. There is a teaching staff of 45,000 professors, 40 per cent of them women. During the 2003-2004 school term, 1,267 more were added to the staff as assistant professors the municipal centres broadened their programmes to universal coverage.

387. Women practice sports and compete in most of the 38 sports that are involved in world competitions.

388. Women's participation in high-performance sports is especially noteworthy. In the 1992 Olympics held in Barcelona, for example, Cuba won the highest number of gold medals, with women setting a record. They won more gold medals than the entire Cuban delegation to the Montreal Olympics in 1976.

389. The State pays special attention to educational activities geared towards recreation and leisure time, as well as to participatory sports and spectator sports, the main types of recreation offered for children, young people and adults, especially during weekends and summer vacations. Sociocultural projects that bring people together are emphasized, as they foster cultural identity and allow for exchanges and bonding between professional, artists and intellectuals.



390. In remote rural settlements with no electricity, 1,892 community halls offer television and video equipment which operate with energy provided by solar panels. These halls cater to more than 500,000 men and women.

391. More than 16,000 young people are enrolled in 15 training schools for art teachers, where they learn dance, music, theatre and plastic arts. There are 15 ballet schools and 17 plastic arts schools.

392. The Book Fair covers 30 cities in the country. In 2003, 3,006,000 people attended these fairs and purchased a wide selection of literature for all age groups.

393. An educational channel provides regular programming that is suitable for students and the general public. It produces more than 5,450 hours of programming, including 2,052 hours of instructional and other training programmes for students. The channel's signal reaches all the provincial capitals and nearly 7,007,000 people.

394. The women's and family counselling centres run by the Federation of Cuban Women and the women's affairs departments in the higher education centres play an important role in education and in shaping values. They carry out a variety of educational and advisory activities for families in the community. Following are some of the activities carried out in 2003 in connection with the International Day of the Family:

- i) Group activities with adolescents: topics discussed included responsible parenting, violence, living together in peace, respect and solidarity in the family; young people in the comprehensive self-improvement course heard lectures on family relations and violence and women and girls.
- ii) Activities with couples. Young couples and couples who had been married for several years held encounters to stress the importance of a strong family and discuss rules for sharing family life.
- iii) Encounters were held in Maternity Homes with pregnant women to stress their role in educating their children and encourage them to discuss the topic of responsible parenting with their spouses.
- iv) Cultural activities sponsored by the Movement of Mothers and Fathers Fighting for Education aimed at raising the standard for education on culture for boys and girls.
- v) Debates and round tables on compliance with paternal child support obligations in centres with a high density of female population and in communities with a high percentage of children not receiving child support.
- vi) Community workshops to reflect on the importance of the family in sex education of children, teen pregnancy and STDs, family living, human solidarity, services for the elderly and domestic violence.
- vii) Advisory services to radio programmes and discussion of the topic "Family education" on provincial and local radio stations.
- viii) Assistance to vulnerable families and those in difficult social circumstances: Visits to children's homes and exchanges with foster families; workshops in women's prison on family life and acceptance of female former inmates in the family home; workshop with minors who

have overcome their behavioural problems and recognition of the role of the family in changing behaviour; meetings with families of disabled persons and encouragement to those who show outstanding performance in dealing with such problems.

395. During this period, in addition to offering individual or group counselling for family members through the women's and family counselling centres, the Government has encouraged people to seek informational materials and seek advice on family training, the wellbeing of family members and groups, and on health issues, including sexual and reproductive health.

396. Of special importance are the programmes aimed at developing culture as a whole in an integrated manner. Special programmes for Cuban families include the Family Libraries Programme, which offer a selection of 60 titles of distinguished national and international authors.

397. At the same time, family-oriented radio and television programming has been increased, with the goal of documenting, encouraging and persuading parents about the right ways to educate their children. The programmes, which follow different formats, combine dramatizations and testimonies about certain issues, along with commentary by a specialist who offers guidance on psychological and educational aspects.

398. Some of the most popular and influential programmes were the television series entitled "En tierra de nadie" ("In No-man's Land"). This programme portrayed true-to-life scenes of the life of a Cuban teenager, while at the same time helping to change those circumstances by reflecting trends in the development, the problems, the role of successive generations and their unresolved conflicts. Also, "Haciendo caminos" ("Making a way"), a weekly social orientation programme covering the family and other members of the community, and the well-known programme "Hablemos de salud" ("Let's talk about health"), which usually approaches issues from the standpoint of the family, and includes frequent programmes on family planning.

399. The television programme "Cuando una Mujer" ("When a Woman"), a joint project of the Federation of Cuban Women and the Cuban Radio and Television Institute, has had a wide audience and been very popular since 2001. This programme is aimed at men and women and provides guidance on family relations with an appropriate gender approach. It also provides information and advice on sexual and reproductive health and family planning.

400. Under the audiovisual programme carried out by the Ministry of Education, the television sets and VCRs provided to all the schools are used in training adults on how to teach sex education to children and adolescents at home and in the community, to identify and prevent disorders or problems, and to change or improve attitudes of parents. Schools have set up video libraries to support family education and discuss their content at parenting classes, meetings, lectures, round tables, video-debates and conferences, encouraged mothers, fathers and other members of the family to participate.

401. The project on formal education for responsible sexual behaviour, which began in 1995, has helped consolidate the National Sex Education Programme. Parents and other important family members are in favour of and actively participate in the programme, which is designed to improve the training of adult family members and

encourage them to conscientiously participate in educating their children, in coordination with the school.

402. The early assessments of the project show that, along with the National Sex Education Programme, working on a regular basis with families has raised their awareness and enabled them to be more effective, committed and involved in the sex education of their children.

403. As the programme has progressed, both teachers and families involved in the project agree that the quality of the work being done by schools in training families has improved. Sixty-two per cent of the parents say they have been well prepared for their children's sex education, although they realize that the quality and quantity of programmes for families needs to be increased, especially in terms of sex education in the family education school.

404. Teenagers agree with this view when they say that since the school for families began, their communication with their parents has improved and they feel that they are better understood. Most teenagers say that it is important to talk with their parents about their sexual concerns and experiences, although they say that their mothers have been and are the main source of information and the person to whom they go for advice when they have problems with sex.

## **Article 11**

States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

The right to work as an inalienable right of all human beings;

The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

To provide special protection to women during pregnancy in types of work proved to be harmful to them.

Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

405. Article 9(b) of the Constitution of the Republic states that every man or woman who is able to work shall have the opportunity to have a job with which to contribute to the good of society and to the satisfaction of individual needs

406. Likewise, article 43, on equality between men and women, provides that they shall have access, in keeping with their merits and abilities, to all state, public administration and production services, positions and jobs, and to be given equal pay for equal work.

407. Article 44 stipulates that the State guarantees women the same opportunities and possibilities as men, in order to achieve women's full participation in the development of the country.

408. These provisions of the Constitution rightly express the rights of citizens whereby Cuban women are given opportunities to take part directly in the work of building a society with values and principles that are different from those that existed before 1959.

409. The Cuban Government has implemented employment policies in coordination with the Federation of Cuban Women, the Cuban Trade-Union Federation. These policies directly benefit women, not only by virtue of the fact that the number of women holding jobs increases every year, but also because they have access to professional training, to learn skills to obtain better jobs and be promoted to senior positions.

410. The Government and the Federation of Cuban Women have invited the agencies of the central State administration, as well as social organizations and trade unions, to make assessment of the employment issue, and measures have been taken that are very useful in ensuring that women's participation in the economy increases.

411. The effort to achieve economic efficiency has posed new challenges for employment policies, namely, to apply these policies without detriment to the gains made in regard to Cuban women's employment over the last few years. An ongoing effort has been made to ensure that women's participation in the labour force does not fall, and alternatives are being to in view of the necessary and inevitable processes of entrepreneurial training.

412. Since 1996, when employment began to rise again as the economy recovered, there has been an upward trend in the rate of female participation in the labour force; in 1996, from 41.7 per cent in 1996 to 44.9 per cent in 2003.

413. The new National Employment Programme has been implemented since 2000. This programme takes into account the economic needs of the country and the interests of men and women. It is based on an assessment labour and human resources which is conducted every year in local communities and then at the municipal, provincial and national levels.

414. The employment programme has assigned priority to incorporating women and young people into new jobs that are created. In 2000, the unemployment rate was 5.5 per cent; by the end of 2003 it had dropped to 3.3 per cent, and the downward trend continues. At the end of 2004, it is under 2 per cent, and there are records of full employment.

415. The female unemployment rate was 5.8 per cent in 2000 and 4 per cent in 2002. At the end of 2002, there were 2,984,600 civil servants (the largest employment sector in Cuba); of these, 1,335,402 were women, i.e., 44.7 per cent of those holding permanent jobs in the State sector. Throughout the provinces, women account for over 40 per cent of civil servants.

416. Mixed enterprises created to promote economic development employed 11,026 women, or 41.9 per cent of total workers. Although in the last few years the total number of workers in this sector has declined, the number of women remains the same.

417. Thousands of women have joined the economic development programmes in sectors such as sugar cane, miscellaneous crops, coffee and tobacco. In 2002, for example, 93,367 new jobs were created, enabling more women to contribute to the domestic economy and learn new skills. This also helps raise their self-esteem and their recognition within the family group.

418. More and more women are getting involved in local self-supply programmes through organoponic farming, intensive gardening and urban agriculture. These projects cover 72,968 women, 22.2 per cent of a total of 1,605,296 people. Most of them are housewives who now make up an important group in the labour force of the country; through such programmes, they are able to improve their families' social and economic situations, since they receive high income and social recognition.

419. Since 2001, the country has experienced a new educational and cultural revolution. The protagonists are young people of both sexes who enter employment programmes emphasizing education, health and culture.

420. Women are a majority among the graduates of the teacher training programme: 71.7 per cent were trained to teach in primary schools; 62.2 per cent, in basic secondary education, and 74.9 per cent, computer science.

421. Women are also a majority of participants in the training programme for social workers, as they represent 77.2 per cent of the total who are already working in that field.

422. In recent years, the female work force in the non-State sector has continued to increase. At present, 161,995 women work under different types of ownership arrangements: some are in different types of cooperatives; others work independently on land received in usufruct; some are independent farmers not associated with cooperatives; some are own-account workers, usually in urban areas; and others work in branches, associations and private foundations.

423. Own-account work, which began during the 1990s, is carried out by 48,136 women, representing only three per cent of the total number of working women and 0.1 per cent of all workers in the country. Women represent 29.7 per cent of the total in this sector. Their activities consist mainly of food processing, hairdressing, production of handicrafts and others.

424. All own-account workers, both men and women, have the right to choose whether or not to join a union representing their particular activity or trade, and those who are in union are on an equal footing in terms of services and benefits and participate in their union's activities, meetings and congresses.

425. Both men and women are presented with an increasing number of opportunities for training, retraining and professional development. In Cuba there is a trend towards feminization of the technical work force; 66.4 per cent of total employment in this category are women, and they hold high-level technical, professional and scientific positions.

426. In fulfilment of the National Action Plan for Follow-up of the Fourth World Conference on Women, all ministries, enterprises and State entities are required to allow their female employees to participate, on equal terms, in activities that provide opportunities for professional advancement, such as courses, including those leading to diplomas and master's degrees, and scientific events.

427. During the five-year period, women have played an outstanding role in science and technology. This highly skilled work force now accounts for 51.3 per cent of all science workers and 56.8 per cent of technical and professional workers. The number of women involved in research has increased and now represents 48 per cent of the total in that area.

428. The participation of women in other sectors of the economy has become essential during this period. A large number of female workers in industry and production hold non-traditional jobs and are prepared to take on the advanced technologies needed for the country's development.

429. As mentioned above, the women's employment committees operating at the municipal, provincial and national levels as mechanisms for monitoring and promoting all matter pertaining to these issues. They are presided over by the Ministry of Labour, on behalf of the organs of the Central Administration of the State, and are made up of the Cuban Trade-Union Federation and the Federation of Cuban Women.

430. They review the country's female employment policies and report to the municipal and provincial administration councils on their findings. The organs submit their reports at the regular meetings of these committees.

431. Every year, the organs of the Central Administration of the State and the Federation of Cuban Women review and define their employment strategies for women in order to identify new sources and options for meeting their needs.

432. Significant progress has been made in helping women find and keep jobs, and that remains a priority of our policies, given that the supply does not meet the growing demand for jobs for Cuban women, who are constantly improving their skills, becoming more independent and aware of their current and potential role in society.

433. Cuban women belong to the Cuban Trade-Union Federation (CTC), which include all workers in the country, both male and female, grouped into unions. The membership includes 1,412,125 women, representing 45.3 per cent of the total. Forty-nine per cent of professional leaders in CTC are women, and they account for 47.6 per cent of the representatives on the National Council. Five national unions are headed by women, as well as 52.8 per cent of the local sections.

434. The National Association of Small Farmers (ANAP) includes rural women, regardless of whether or not they belong to a cooperative; these women account for 18.3 per cent of total membership of ANAP.

435. Women workers, mostly technical and professionals in different fields and sectors, have joined other social organizations such as the National Association of Economists of Cuba (ANEC), in which they represent 51.2 per cent of membership, and the Union of Architects and Engineers of Cuba (UNAIC), where they account for 47.8 per cent of the total membership.

436. There are 202,252 women members of the National Association for Innovation and Rationalization, including manual labourers, technical workers, professional, scientists and housewives. These women account for 35.8 per cent of the total membership of this organization.

437. The aforementioned groups play a key role in the struggle for economic development under embargo conditions. Thanks to their high level of organization and creativity, they have been able to seek solutions to the most overwhelming problems encountered in production, services, the environment and sustainable development.

438. In Cuba, women workers enjoy rights that improve their standard of living; in particular, they receive Social Security benefits for retirement, sickness, disability or other situations that prevent them from working. Like all Cuban workers, they receive paid vacations, under the Labour Code (Law No. 48). All these benefits are proportional to each worker's wages.

439. The right to health and safety protection in the workplace, including protection of the reproductive function, is also provided for in our labour legislation. The State has undertaken to establish all necessary arrangements and conditions to guarantee this protection to women workers. There is a corps of experts who are responsible for monitoring and enforcing this protection, and more specialists are trained and graduate every year. Research on occupational health is ongoing, making it possible to monitor the impact of different types of jobs on women.

440. The economic and material constraints affecting the country, aggravated by the genocidal embargo imposed by the United States, have made it impossible to provide some of the services needed by workers and their families. Nevertheless, every effort is being made to expand those services that are essential to families.

441. Efforts are being made, considering the requirements and possibilities of each territory, to establish and/or improve services for female workers and their families, such as expanding facilities for the care of children and the elderly, increasing basic services to the population, and improving legislation on the protection of women workers.

442. The Working Women's Maternity Act (referred to in several sections of this report) goes beyond the rights provided for in ILO Convention No. 103 concerning

Maternity Protection (ratified by Cuba on 7 September 1954), with respect to the period of maternity leave and other leave for the care of children, which was improved by the new Decree-Law.

443. Article 19 of the relevant Cuban law provides that in order to guarantee the care and treatment of children during their first year of life, the mother or father who is working is entitled to enjoy one day of paid leave every month for visits to the paediatric care centre. Although the law does not reduce working hours by one hour per day during the child's first year of life, as called for in the Convention, that purpose is accomplished by the following provision.

444. Article 20 of the law stipulates that women workers who return to work after their postnatal maternity leave has expired are entitled to one hour per day to breastfeed the child up until the child's first birthday. The hour for breastfeeding shall preferably be granted at the beginning or end of the work day, as agreed by the management and the worker, and it shall be counted as working time and remunerated accordingly.

445. Our legislation guarantees pregnant women workers the necessary working, environmental and social conditions to allow for a healthy pregnancy and quality of life for the child that is to be born.

446. Pregnant workers are exempted from working double shifts and assignments outside the area where they live. During the months of pregnancy before maternity leave, if the woman is unable to perform her duties, she shall be temporarily transferred to another position with full pay and benefits.

447. In 2001, Decision No. 12 of the Ministry of Labour extended postnatal maternity leave to up to one year for women who request it. They receive benefits of up to 60 per cent of paid maternity leave; the fundamental purpose is to enable the mother to nurse and properly care for her child.

448. As noted earlier, Decree-Law No. 234, on worker maternity, was enacted on 13 August 2003. This is a revolutionary provision which properly focuses on the role of the family in educating children and shaping their values. The law provides that once the nursing period has ended, mothers and fathers may, by mutual agreement, share the leave, depending on the needs and characteristics of each couple.

449. Employment programmes give priority to single mothers. Those who need it and are not able to work receive economic assistance and are entitled to receive training in certain occupations, as the case may be.

450. The Ministry of Labour and the Federation of Cuban Women follow up on these situations and regularly review the social benefits, training and opportunities for employment that are provided. Since 2000, more than six thousand single mothers have found jobs.

451. All single mothers receive services and guidance from the Ministry of Labour and the Federation of Cuban Women, through the social workers and, in particular, the women's and family counselling centres.

452. Among the current social programmes is one which provides care for all working mothers who have severely disabled children that require full-time care. The Cuban State pays the mother the wage she was earning when she had to stop



working, and guarantees that her seniority and entitlement to full wages will be respected.

453. The Labour Code and the wage system currently in force in the country guarantee compliance with the ILO Equal Remuneration Convention, which Cuba ratified on 13 January 1954. There is still a lack of information on wages disaggregated by sex. The National Statistical Office is working on improvements in the statistical system in order to solve this problem and develop gender indicators, in keeping with the undertakings included in the National Action Plan for Follow-up of the Fourth World Conference on Women and the relevant appraisals.

454. Cuban legislation is consistent with ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, which Cuba ratified 26 August 1965. Accordingly, there is no discrimination against women in employment and vocational training. At present most of the technical labour force (66.4 per cent) is female.

## Article 12

States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

455. Health services are provided at three levels of care:

a) Primary: the main pillar is the comprehensive health care provided by community family doctors and nurses in doctor's offices and at home, in health areas (including maternal homes and grandparents' centres), municipal health offices, dental clinics and mental health centres.

At present, polyclinics are undergoing construction and technological renovations based on assessments of the status of community health.

b) Secondary: this level includes the general, clinical, surgical, paediatrics and gynaecology/obstetrics hospitals, and hospitals for mothers and children.

c) Tertiary: this level includes research and assistance institutions, and internationally recognized hospitals such as the Hermanos Ameijeiras, Frank País, Ramón González Coro and William Soler hospitals, the Oncology Institute and the Cardiology Centre.<sup>456</sup> The health services have been decentralized. Specialized services have been expanded and reorganized, and assessments have been made of the status of community health. This has made it possible to develop global strategies aimed at improving the quality of comprehensive health care and in particular, the health of children and women.

457. Following are some of the strategies that have helped improve health care and led to positive results in maternal and child health indicators:

a) The presence of family doctors and nurses in the communities.

b) The establishment of the national programme of comprehensive health care for adolescents, of accident prevention and of a methodology for comprehensive action to promote responsible parenting.

c) Specialized consultations in: gynaecological care for children and young people, reproductive risk and family planning, menopause, nutrition and genetics.

d) Improvement of perinatology services and child cardiovascular surgery.

e) Programme to provide care for children with oncohaematological diseases, chronic kidney failure and related diseases and kidney transplants.

f) Creation and development of the national network of neonatal and paediatric intensive care.

g) Abortion and other services.

458. In 2002, Cuba had a total of 67,079 medical practitioners, or 59.6 per 10,000 inhabitants, equivalent to 168 inhabitants per doctor. Of the total number of doctors, 32,755, or 52.3 per cent, are women. There are 9,955 stomatologists, or 8.8 per 10,000 inhabitants, equivalent to 1,130 inhabitants per stomatologist.

459. In 2002, there were 31,059 family doctors, including 16,662 in communities, 1 394 in schools, 681 in day-care centres, and 876 in workplaces. In addition, 2,177 were in administrative posts, 1,101 in teaching positions; 2,756 were in reserve, and 5,412 were performing other duties. Of these doctors, 19,624 were specialists in comprehensive general medicine.

460. In the case of nursing staff, there are 814,459 graduates, of which 22,079 are licensed nurses, amounting to 72.4 per 10,000 inhabitants.

461. Hospital beds in medical facilities total 55,864, or 5.0 beds per 1,000 inhabitants. In social services, there are a total of 14,560 beds, or 1.3 beds per 1,000 inhabitants. Thus, the total number of beds is 70,424 (6.3 per 1,000 inhabitants).

462. Secondary and tertiary care facilities provide backup to primary care, with a network of provincial and national hospitals providing specialized and general medical care. In addition, the research institutes serve all the population.

### **Laws and decrees concerning health protection for women**

463. The laws and decrees concerning health protection for women provide a legal framework for all the efforts aimed at protecting the rights of women, boys and girls. These include:

- Constitution of the Republic of Cuba (1976)
- Decree-Law No. 234, on maternity of working women (2003)
- Health and Safety at Work Act (1977), which includes a chapter devoted especially to women and another one on adolescents
- Social Security Act (1979)
- Decree-Law on basic health regulations (1982)
- Decree on international health monitoring (1982)
- Public Health Act (1983)

- Decision on public health inspections (1987)
- Environment Act (1992)

464. The basic statutory instrument governing health matters in Cuba is Law No. 41 of 13 July 1983, the content of which echoes the provisions of the Constitution which provide that everyone is entitled to care and protection of his or her health and that the State shall guarantee this right.

465. Article 4 (a) of this law establishes the principle of equal access for men and women to medical services by recognizing and guaranteeing the right of the entire population to receive adequate health care and protection anywhere within the national territory.

466. This law also establishes that health services and medical care shall be provided free of charge and that the health institutions shall be operated by the State.

467. Chapter II contains regulations on preventive and curative medical care, which is guaranteed to the entire population through the institutions of the National Health System.

468. Article 15 establishes the requirements for health-education efforts and for pre-recruitment and subsequent periodic medical check-ups for all workers in order to prevent as well as to cure diseases.

469. The regulatory provisions of the Public Health Act were adopted by Decree No. 139 of 4 February 1988. This Decree lays down the regulations supplementing the provisions of the Act.

470. Chapter II, on medical care and social services, includes a number of regulations guaranteeing equal access for men and women to medical care and family planning services. It guarantees that women shall receive free pregnancy, confinement and postnatal services and adequate nutrition during pregnancy and the breastfeeding period.

471. The network of family doctors, maternity homes, polyclinics and hospitals guarantees confinement in an institution providing skilled and specialized services, thus ensuring the best possible care of the mother and child.

472. Medical and hospital treatment, laboratory work, vaccinations and surgery of all kinds, from the simplest procedures to the most complicated organ transplants are available to the entire population free of charge and without any discrimination.

473. The Labour Code (Law No. 49 of 28 December 1984) contains special provisions regarding women's work. Chapter VIII governs women's work and is divided into the following sections: jobs in which women have preference, working conditions for women, special protection for women and maternity protection. The law expressly recognizes the importance of women's participation in the work force, as well as the important social function of motherhood.

474. The Working Women's Maternity Act (Law No. 1263 of 16 January 1974), which was in force until August 2003, covered the different stages of maternity and the medical care that a woman and her child should receive in the workplace, as well as the responsibility of the employer to comply.

475. The law also provided, and so does the new legislation currently in force, that pregnant women shall receive regular medical check-ups during pregnancy and stop working in the thirty-fourth week of pregnancy. They are to be granted paid leave from six weeks before and up to 12 weeks after confinement. In the case of multiple pregnancies, antenatal leave shall be extended to eight weeks and must be taken from the thirty-second week of pregnancy. Women also are entitled to supplementary paid leave to facilitate medical care for the child and they are given one day per month for paediatric consultation, without loss of wages. The aforementioned paid leave consists of an economic benefit equal to the average weekly remuneration, including wages and subsidies, that the worker received during the 12 months immediately preceding the beginning of this leave.

476. Resolution No. 10 (1991) of the Minister Chairman of the Labour and Social Security Committee, currently the Ministry of Labour, provided that if after maternity leave expired, a working mother was not able to return to her job because of her child care responsibilities, she had the option to receive a benefit amounting to 60 per cent of her wages. If she was not able to return to work after the child was six months old, she was entitled to unpaid leave and retained the right to return to her job up until the child's first birthday.

477. Ten years later, in response to a proposal put forward by the labour movement at their eighteenth congress, Resolution No. 11, of 30 April 2001, was passed. This resolution, which derogates the previous one, stipulates that the optional benefit of up to 60 per cent of wages shall be extended from the date of expiry of postnatal leave up until the child's first birthday, or before that date if the mother returns to work.

478. The aforementioned Maternity Act represented a significant step forward, but experience and the studies that have been conducted on maternity, paternity and child care pointed to the need for certain amendments and additions to be made to the existing legislation in order to extend the entitlements to working fathers and expand protection for them, in keeping with the principles of our socialist society and current scientific criteria. Moreover, it was essential to establish regulations that would contribute to proper care for minors in the event of the death of the mother, and to provide the necessary economic protection for the father.

479. The Working Women's Maternity Act (Decree-Law No. 234 of 13 August 2003) maintains the essential provisions of Law No. 1263 of 1974, but includes some important additions that improve and strengthen it. The most significant of these is article 16, which provides that once postnatal leave is completed, as well as the breastfeeding period that must be guaranteed in order to promote better development of boys and girls, the mother and father may decide which one of them should care for the child, how they will distribute that responsibility up to the child's first birthday, and what will receive the social benefit provided for in the preceding article. This decision shall be communicated in writing to the management of each parent's workplace. This proposal was submitted by the Federation of Cuban Women to the Ministry of Labour and Social Security.

480. Like the previous Law, this new one empowers the labour entity to grant unpaid leave to women workers who need to take it in order to care for their children. This leave may be up to nine months when the child is under one year old and up to six months when the child is over one and under 16. But now this entitlement is also available for the father.

481. The working mother or father of a child who has a physical, mental or sensory disability that has been certified by a doctor who has determined that the child requires special care may take unpaid leave from the child's first birthday up until his or her third birthday.

482. The new decree-law is substantially superior to and strengthens the provisions of the Family Code relating to the sharing by both parents of responsibility for caring for their children, protecting, educating, assisting, loving and preparing their children for life. Both parents have the right and the duty to fully assume these responsibilities, as well as to enjoy the satisfaction of having a close relationship with their children from the earliest stages of life.

### **Monitoring transmissible diseases**

483. Preventive and curative services continue to be provided to all the population, and the environmental health and vaccination programmes are carried out at the different levels of the National Health Service. As a result of raising the immunization standard, neonatal tetanus is no longer a health problem, as pregnant women are guaranteed immunization with the tetanus toxoid. The same is being done in the case of hepatitis B, and early vaccinations are administered to neonates.

484. Since 2000, Cuba has established priority programmes and strategies for the National Health System with an eye to continuing the sustained development of the system and achieving better health indicators for the whole population. Cuba has met all its health goals for 2000, and has nine strategies, including structural and technical revitalization and training of human resources according to a stratification of risk.

485. The transmissible diseases programme monitors these diseases so as to continue reducing morbidity and mortality and monitoring risk factors so as to prevent outbreaks and epidemics. At present, vaccination programmes cover more than 95 per cent of the population. In 40 years, Cuba has managed to eliminate six diseases (polio, diphtheria, measles, rubella, parotitis and whooping cough). Two severe clinical forms, two serious complications and two diseases are no longer a health problem, as rates have fallen to under 0.1 per 100 000 inhabitants, and in the case of two others, mortality has been reduced by over 90 per cent.

### **National HIV/AIDS/STD Prevention and Control Programme**

486. Anyone who has an STD is provided with free care by the family doctor, receives free information and is reported to the health authorities. Reporting of syphilis and blennorrhagia is compulsory. The indicators show a low incidence of congenital syphilis (only one case in 2000, no cases in 2001 and only one in 2002). No advanced forms of this disease have been reported.

### **Reported cases of STDs, 1990-2002**

<i>Year</i>	<i>STDs. Number of cases.</i>			
	<i>Gonorrhoea</i>	<i>Syphilis</i>	<i>HIV</i>	<i>AIDS</i>
1990	35,722	9,205	140	28
1991	32,109	10,036	183	37

Year	STDs. Number of cases.			
	Gonorrhoea	Syphilis	HIV	AIDS
1992	26,303	11,110	175	71
1993	20,781	9,956	102	82
1994	34,224	11,551	122	102
1995	45,200	14,339	123	116
1996	40,576	15,818	235	99
1997	33,948	15,814	363	129
1998	29,648	13,400	362	150
1999	23,225	12,285	493	177
2000	19,067	9,198	545	256
2001	14,792	6,233	642	392
2002	12,759	4,562	644	322

Source: National Directorate of Epidemiology. MINSAP.

487. While recognizing the sustained efforts made by the authorities to guarantee the right of women to health services, in submitting and discussing the above report, the Committee stressed the need for sustained efforts to be made to deal with the problem of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and its potential impact of high-risk groups such as prostitutes and young people.

488. A prevention and control programme has been carried out since 1986, although prevention and control activities have been carried out in connection with epidemiological surveillance programmes since 1981.

489. The data on HIV/AIDS for the population as a whole, as of December 2003, are as follows:

Total seropositive individuals		5,200
Total cases AIDS		2,250
PLHIV/AIDS*		4,020
Total deceased		1,180
Seropositive individuals by sex and sexual preference:		
Males	4,124	79.3%
MSM**	3,493	84.6%
Females	1,076	20.7%
<b>Total</b>		<b>5,200</b>

\* Persons living with HIV/AIDS.

\*\* Men having sex with men.

490. The main focus of the programme has been on prevention. Health education aimed at modifying risky behaviour for catching or transmitting infection by HIV and other STDs is carried out by all the institutions in the national health system, family doctors, polyclinics and hospitals, as well as by specialized centres such as the Centre for the Prevention of Sexually Transmitted Diseases and HIV/AIDS. This centre provides counselling to all types of people regardless of sex, sexual preference or social group. Educational activities are also directed at persons who

perform sex acts in exchange for material benefits. This matter is dealt with in coordination with grass-roots organizations and the prevention and social assistance committees at different levels. Likewise, all those who fall in this category enjoy the same health care benefits as any other citizen.

491. For several years, highly effective antiretroviral treatment (combination or triple therapy) has been available for any HIV-infected person who needs it. This is offered free of charge, as are other costly services such as CD4 cell count and viral load. At present, not a single Cuban is without treatment for this disease.

492. Everyone with STD receives free health care from the family doctor, as well as counselling, and is reported to the health authorities. Reporting of syphilis and blennorrhagia is compulsory.

493. Several years ago the Ministry of Public Health established a National Centre for the Prevention of Sexually Transmitted Diseases and HIV/AIDS. This Centre is staffed by clinical specialists, epidemiologists, sociologists, general practitioners, teachers, psychologists and other specialists. It pursues specific, varied and innovative lines of work, ranging from individual counselling to anonymous telephone consultations for anyone calling in on the "Help Line". This work is directed at the entire population but primarily at young people of both sexes, given their vulnerability and risk status.

494. The Programme conducts ongoing research among different population groups; this has led to a high rate of early diagnosis during the asymptomatic stage of the disease.

495. During 2001, 67 per cent of all cases diagnosed as seropositive were in the group aged 25 to 59, with a majority among males (56.2 per cent). There has been an increase in morbidity for both sexes, especially males, the rate being 46.9 per one million inhabitants in that age group. There are other indicators that seem to show a decline in other STDs, especially syphilis; the incidence of congenital syphilis is low (one case in 2000, no cases in 2001 and only one case in 2002). No advanced forms of this disease have been reported.

496. The HIV/AIDS epidemic has been moving at a slow but steady rate; in this connection, there has been an increase in the number of persons diagnosed who state that they practice prostitution either occasionally or on a regular basis.

497. During the period 1995-2002 (the figures for 2002 are still preliminary), 25.2 per cent (one in four) of the new cases of HIV-seropositive women referred to this practice. In new cases among men, the proportion was 10.7 per cent (one in ten). For both sexes, the proportion was 13.4 per cent (one in seven).

498. As far as ages are concerned, young people account for most infections. During the period 1999-2001, for example, 44.4 per cent (practically one in two) of new cases who said that they practiced prostitution were under 25 years old when they were diagnosed seropositive.

499. Some work has been done in educating these groups, and on several occasions the problem has been discussed by specialists, in an effort to come up with a consistent strategy that can be widely applied. Some of the measures to be taken are:

- Training and building skills of primary health care personnel to identify, in men and women, risky behaviour linked to prostitution, so as to carry out appropriate educational activities;
- Developing the technical capacities of the staff of rehabilitation centres for insured women, so as to carry out effective educational activities with this group;
- Promoting workshops to discuss the issue and its relationship with HIV/AIDS; this will be done with the participation of local prevention and social services groups, the Federation of Cuban Women, the Committees for Defence of the Revolution, the Ministry of Education, Culture and Sports, youth and student organizations and others;
- Preparation and distribution of brochures, pamphlets and cards with messages on prevention of HIV/AIDS, directed at individuals of either sex who practice prostitution and who have been identified by primary health care personnel and prevention and social services personnel as showing risky behaviour.
- Preparation and distribution of brochures, pamphlets and cards with messages on prevention of HIV/AIDS directed at women residents of the rehabilitation centres for insured women.
- Preparation of audiovisual materials dealing with the issue, for dissemination in different scenarios.

#### **Health care and family planning**

500. To guide this effort, there is a National Directorate in the Ministry of Public Health and a specialized department in all the provincial and municipal directorates of the country; they coordinate their work through an electronic network.

501. The main programme indicators for 2002 are considered satisfactory; the infant mortality rate was 6.5 per 1,000 live births in 2002. Perinatal infections were the main cause of death (3.0 per 1,000 live births). There was a clear and steady drop in neonatal and postnatal components during the period under review. The scattering of the infant mortality rate by provinces has decreased and remains small as an expression of equity in programmes, combined with the impact of far-reaching positive changes the social, political and economic spheres.

502. The significant reduction of infant mortality during this period is one of the main contributions to the increased life expectancy of birth of the Cuban population, which now stand at 76.15. (The female population fares better, with 78.23 compared with 74.20 for men).

503. Another aspect worth mentioning in connection with the reduction of infant mortality is the decline in the birth rate. The drop has been among the sharpest in the region.

504. The Mother and Child Programme is one of the priorities of the health sector, and major efforts are being put into it by the Government and NGOs, which are committed to maintaining and improving the standards of health achieved among women, children and families despite the difficulties encountered by the Cuban economy in recent years owing to the economic, financial and trade embargo imposed by the Government of the United States.



505. The total number of births in 2002 was 141,276, at a birth rate of 12.6 per 100 inhabitants.
506. The fertility rate was 46.7 per 1,000 women in 2002. The highest rate, 100.5, occurred among women in the 20-to-24 age group; they were followed by women aged between 25 and 29, with a rate of 94.1.
507. The low birth weight indicator was 5.8 in 2002 and 5.9 in 2001.
508. The under-5 mortality rate was 8.1 in 2002, 9.1 in 2000 and 8.0 in 2001. Accidents were the main cause of death.
509. The percentage of child surviving beyond age 5 is 99.2.
510. The maternal mortality rate was 3.2 per 10,000 live births in 2002, compared with 3.0 in 2001.
511. The Ministry of Public Health has continued consolidating and improving its work with local governments and with active community participation in health measures and activities.
512. In carrying out its health programmes for women and children, the Ministry of Health has always been able to count on the participation of the Federation of Cuban Women and its community health workers, the Health Brigades, totalling 76,058 workers.
513. The national, provincial and municipal health councils and the people's health councils have continued their work, and the women's and family counselling centres provide a special space for reflecting on work with adolescents and the elderly. Intersectoral coordination encourages social participation, mobilization of resources and other effects, thus producing a greater medical, economic and social impact. Assessments of the health situation are conducted and solutions are devised which entail greater responsibility on the part of individuals and families.
514. The role of the movement known as Municipalities for Health and Healthy Communities has been strengthened, providing opportunities for carrying out promotion and prevention strategies in schools. That is the purpose for which this network was created.
515. Care is systematically provided to pregnant women. This includes check-ups by family doctors in primary care centres. From the moment they enter the programme, they are evaluated and re-evaluated by gynaecologists and obstetricians. On average, more than ten prenatal check-ups are given. The check-ups vary depending on the risk of the pregnancy, and they include nutritional advice, assessment of genetic risk and stomatological care.
516. The maternity homes located in communities are organized and function like a home where pregnant women are able to improve their nutritional health, be close to hospitals, rest and received ambulatory care, as well as check-ups by obstetricians.
517. Women with high-risk pregnancies are cared for in specialized hospitals where they receive timely medical care and interventions, as necessary.
518. There are 267 maternity homes throughout the country. In 2002, they provided care for 60,054 pregnant women, which means 42.5 women entered the homes per 100 births. This had a significant impact on the low birth weight index, which was 5.8.

519. An extensive programme of genetic research is carried out in association with antenatal studies, which are conducted with the latest technology, thus allowing for early detection of abnormalities. Among others, tests were conducted to detect cardiovascular malformations, neural tube defects, Down's syndrome and sickle cell anemia.

520. All women with normal pregnancies receive an average of 10 prenatal check-ups by their family doctor, including three joint consultations with the gynaecologist/obstetrician. Independently of other specific tests for each quarter, the woman and her spouse are given HIV and blood tests, Hb electrophoresis, alpha fetal proteins, ultrasound for genetics testing and surface antigens. All pregnant women receive stomatological care.

521. An anaemia prevention programme is being implemented. Pregnant women receive free vitamins and other supplements, as well as iron. Those who suffer from malnutrition or need social assistance to improve their nutrition are admitted to the maternity homes or receive help in the form of meals only, in the community diners. They also receive check-ups and guidance from a nutritionist.

522. In addition, high-quality specialized care is provided for boys and girls in paediatric intensive care units and in units specialized in cardiovascular surgery, kidneys, paediatrics and early detection of conditions such as phenylketonuria, congenital hypothyroidism, deafness or hypoacusia and low vision.

523. Over 99.8 per cent of childbirths take place in health institutions with qualified personnel.

524. The National Health System and participating non-governmental organizations attach high priority to the breastfeeding programme, which promotes exclusive breastfeeding up to the infant's fourth month. This programme is supported by a community movement in hospitals and doctors' offices known as "Friends of the Child's Mother". Breastfeeding rates upon release from hospital were 98.5 per cent in 2002.

525. Methodological guidelines on integrated programmes to promote responsible parenting were published, and basic course on psychophysical preparation for childbirth was offered. This programme combines the efforts of the Ministry of Public Health (MINSAP) and the Federation of Cuban Women in an effort to better prepare women, couples and families for pregnancy, confinement, breastfeeding, care of babies and upbringing of children.

526. Priority attention is given to problems of reproductive health such as wanted and unwanted pregnancies, fertility, abortion, infant and maternal mortality and sexually transmitted diseases, including AIDS. There is a strategy for providing sex, health and family education involving the health and education sectors, the Federation of Cuban Women, youth organizations and the community at large.

527. An effort is being made to continue reducing pregnancies and maintain skilled and specialized care for pregnant teenagers at the same level as in the past.

528. To implement efforts to provide special care for adolescent girls, methodological guidelines have been published, and specialized child and youth gynaecological services are provided.

529. The State takes a consistent approach to matters of family planning, seeking to guarantee women's rights and safeguard their sexual and reproductive health. The

implementation of the National Family Planning Programme is the responsibility of the Ministry of Public Health, which works in coordination and collaboration with the National Sex Education Centre and the Cuban Family Development Association.

530. The Cuban Family Planning Association is represented in all the provinces, municipalities and polyclinics in the country and provides its services free of charge to anyone requesting them, even in the most remote areas.

531. The embargo imposed by the Government of the United States is a serious obstacle to Cuba's purchase of manufactured and patented products. Various types of intra-uterine devices (IUDs) and oral contraceptives are currently available, although the desired standards in terms of quality and supply have not yet been achieved. Intra-uterine devices are inserted free of charge and other contraceptives are sold at reasonable prices subsidized by the State. In 2001, 154,811 IUDs were inserted, and in 2002, 156,064.

532. Coverage of safe contraception has improved; 78 per cent of sexually active women were covered in 2001. Unfortunately, IUDs account for 69 per cent of contraceptives used, owing to the scarcity of hormonal contraceptives and other more modern contraceptives. In 2000, defective IUDs were responsible for 26 per cent of abortions performed. There is also a shortage of condoms.

533. In 1995, in response to concerns expressed by the Federation of Cuban Women and in order to reduce maternal mortality caused by abortion, the foundations were laid for making abortion available in institutions as an option available to women in the exercise of their rights. Free abortion services are available to women up to the tenth week of pregnancy.

534. The intention of the Cuban Government had been and is to carry out actions directed at couples, especially women, in order to improve the reproductive health of the population and fully implement family planning efforts, thus avoiding the habitual use of abortion to interrupt unwanted pregnancies.

535. The abortion policy is based on the principle of advocating family planning and the use of birth-control methods that enable women and their spouses to decide on the frequency and timing of conception. The population is informed about the risks of abortion, but it is offered as an option when requested by women who meet established ethical criteria.

536. Strategies are intended to reduce the indiscriminate use of this procedure through programmes especially designed to prevent unwanted pregnancies, encourage consistent and effective birth control and promote responsible sex.

537. Abortion services are provided in secondary health care institutions which ensure the safety of the procedures. Over the last few years, abortion rates have fallen but not to the extent desired.

538. The number of abortions performed per 1,000 women between the ages of 12 and 49 over the last 30 years were higher for the first two decades (57.4 in 1975; 55.0 in 1985) and peaked halfway through that period. The figures have been somewhat lower in recent years. From 1990 onward (45.6), this indicator has followed a downward trend, from 25.6 in 1995 to 21.2 in 2001.

539. Considering abortion as a way to regulate fertility has become part of the sociological culture of Cuban families which seems to have been transmitted as a

tradition from one generation to another. This helps explain why it is so prevalent, despite the progress that has been made with family planning programmes, which have raised awareness and use of contraceptives, and despite the significant improvement achieved in the educational levels, especially among women, whose participation in society has increased.

540. The use of abortion as contraception indicates a lack of responsibility in attitudes towards those methods. While abortion is available when necessary, the people have not internalized the advantages of family planning and there is a persistent culture of abortion which in practice is not sanctioned socially, religiously, culturally or any other way.

541. The options for improving reproductive health also cover men, who are educated from childhood and as adolescents and adults, regarding the biological, psychological or social conditions that have implications for reproduction.

542. Men also participate directly in decisions on family planning. They are entitled to and have access to vasectomy and treatment of conditions that affect their fertility, and receive therapy and counselling when necessary.

543. There are other family planning programmes relating to the sexual and reproductive health of adolescents, which are carried out in hospitals, polyclinics and primary-care facilities and by the National Sex Education Programme. This is a result of the concern of the Federation of Cuban Women about the difficulty of dealing with problems of adolescents and young people in a context of serious prejudices against talking about sex and the need to discuss these issues with parents, families and teachers.

544. The National Sex Education Centre (CENESEX) was created as a multidisciplinary intersectoral agency to meet this need. The Centre has specialists in different fields and has made a special effort to train multiplier agents and prepare educational materials targeting different age groups. It is working on improving and implementing programmes designed to promote responsible sexual behaviour by improving people's understand of these issues as well as their moral and ethical values.

### **Gynaecological cancer**

545. Other women's health programmes focus on the need for women to take responsibility and take care of themselves. These programmes involve the whole family and are aimed at preventing breast and cervical cancer. The focus is on risk factors and the importance of early detection.

546. Cuba has kept a national cancer register since 1964, and the Programme for Early Detection of Uterine-Cervical Cancer was set up in 1967. Early diagnosis is conducted by smear-testing women aged over 25, every three years. In 2001, 710,717 women were tested, resulting in a rate of 195, and in 2002, 840,182 were tested, with the rate being 226.5 (rate per 1,000 women aged 25 and over).

547. The national programme for the reduction of death by cancer was started in 1987, and screening for breast cancer has since been added. Women are encouraged to examine themselves on a regular basis, and women over 30 are to have yearly clinical check-ups by their family doctor, as well as mammograms if necessary. Special emphasis is placed on women aged between 50 and 64.

548. The programme is currently being consolidated. Owing to the high cost of mammogram equipment, every effort is being made to gradually replace the older units which have deteriorated over time. This is being done throughout the country, bearing in mind epidemiological and risk concerns.

549. Breast cancer is the main cause of death from malignant tumours among women in Cuba. The mortality rate in 2002 was 19.9 per 100,000; rates adjusted to the world population in 1999 and 2000 were 34.8 and 30.0 per 100,000 women, in that order.

550. Where prevention, early detection, treatment and rehabilitation are concerned, women have the services of their family doctor and specialists in gynaecology, mastology and cytology from the primary to tertiary levels of care. All these services are provided free of charge to 100 per cent of the population at risk.

### **Social Security**

551. Certain patients are entirely exempted from paying for medication. These include persons infected with or carrying AIDS, persons suffering from pulmonary tuberculosis or occupational diseases, children with acute diarrhoeal diseases and children requiring vaccination.

552. When people with low incomes need any of these products which are for sale and they can't afford them, they are subsidized by Social Security.

553. In 1999, Cuba's social security budget amounted to 1,592 million pesos. The Ministry of Labour and Social Security is the agency responsible for administering the State policy, which combines the efforts of the ministries of Health, Education, and Culture and Sports, as well as other agencies and NGOs. According to the Directorate of Finance and Accounting, in 2002 budget implementation was 1,923,032,100 pesos, and per capita expenditure was 170,92. This is one of the highest State budgets, even surpassing the amounts spent for health and education.

554. Cuba carries out special social protection programmes targeting vulnerable groups, including single mothers, the elderly, the disabled, at-risk minors, adolescents and young people.

### **Single mothers**

555. The fundamental principle of these programmes is to provide comprehensive protection for all single mothers who have social problems and do not have the material means to overcome them on their own, but need assistance from society.

556. When a case is identified in the community or when a woman approaches the social assistance office herself, a comprehensive assessment is made of her situation and measures and solutions are proposed. These may take the form of benefits in kind, services, grants, job education or training, counselling and/or direct action by professional social workers or community volunteers.

### **Elderly women**

557. The first programme for elderly women was started in 1974, and in 1985, care by family doctors and their teams was added. The specific objectives of the

programme include: creating community gerontological services, improving the quality of care and the quality of life in social institutions, and providing comprehensive hospital care for the elderly based on modern geriatric science. This programme is carried out throughout the country, and covers three integrated areas: community care, institutional care and hospital care.

558. There are other initiatives, such as grandparents' centres, which serve over 296,000 elderly men and women, sports and culture centres, the counselling and recreation groups movement (656 facilities in the country), universities for the elderly in all the provinces, and the retirees movement, which carries out educational activities in a number of enterprises and bodies in order to train new generations of workers.

559. All these activities are backed up by the Mental Health Programme, which is designed not only to provide care and rehabilitation for the sick or persons who have been damaged by unhealthy lifestyles, but also to carry out promotion and prevention activities.

560. Nine per cent of the Cuban population are elderly persons living alone. Of this total, 38,480 are provided with food, laundry and housecleaning services.

561. Mentally disabled persons who also have other social or family problems are catered for in the country's 26 part-time and full-time residential homes for the physically and mentally disabled.

562. There are 2,491 elderly persons who have been placed in institutions because of physical or mental disabilities or serious social problems. They receive preventive care, social assistance and rehabilitation in order to improve their quality of life.

563. There are 35 geriatric centres with more than 800 beds which provide life-saving care for elderly persons who require acute or sub-acute assistance.

564. The programme provides support to family doctors through multidisciplinary gerontological care teams (439 in the country). These teams help with long-term care in the community for elderly men and women who are weak or needy.

### **Disabled women**

565. Women play increasingly important roles in the organizations of the movement of disabled persons, both as members and as participants in the different activities carried out in this area; there are no prejudices or stereotypes. There are currently three associations for the disabled: the Cuban Association of Persons with Motor and Physical Disabilities (ACLIFIM), National Association of Blind and Visually Impaired Persons (ANCI), and the National Association of Deaf and Hearing-impaired Persons (ANSOC) have a membership of 94,830 (16,200 more than the membership reported for the previous period). Of these, 37,045, or 39.1 per cent, are women.

566. The State pays special attention to the disabled and endeavours to increase opportunities for them to become integrated into social life and achieve their maximum potential. Accordingly, a number of new programmes of the Revolution have been set up for their benefit.

567. A nationwide research study was recently completed which has provided a substantial amount of psychosocial, psychopedagogical and genetic clinical information on 366,864 persons with some type of handicap. This represented a new challenge for the different sectors which, along with the Government, political and grass-roots organizations have taken measures to meet the needs and demands that were detected during the study. This has particularly benefited women who are disabled themselves or who have disabled family members. The study lasted approximately two years and involved the participation of 33,626 professionals, mostly women.

568. Finding jobs been a key to enabling disabled persons to become economically independent and integrate into society, as well as improve their self-esteem. The labour policy, which during the period 1995-2002 generated 16,424 jobs, 5,879 (35.4 per cent) of them for women, has played an especially important role in this regard.

569. Rehabilitation is vital to good health and plays an important role in the social integration and quality of life of disabled persons. Primary health care centres are in the process of revamping rehabilitation services, basically within the community, so as to ensure greater accessibility for the disabled in their environment, including through home care. This strategy is comprehensive, as it covers all types of disabilities and groups, including women, both those who are disabled themselves and those who are caretakers.

570. The results of these programmes are evident in the fact that more and more disabled persons have improved their situation and their involvement in cultural activities. Access to higher education has improved as universities have been extended to municipalities (universal coverage of education).

571. Great success has also been achieved in sports, in both national and international events (including the Pan American Games and the Special Olympics, for athletes with different degrees of disability).

#### **Non-transmissible chronic diseases programme**

572. In Cuba, nine of the ten main causes of death are non-transmissible chronic diseases and injuries. In 2001, only 1 per cent of deaths were caused by infectious or contagious diseases.

573. The National Commission on Health and Quality of Life was created on 30 October 2000 by Decision No. 3790 of the Executive Committee of the Council of Ministers (CECM). This Commission is presided over by the Secretariat of CECM, with the Ministry of Public Health serving as coordinator. It is a multisectoral body and develops comprehensive strategies which enable it to take a consistent approach to the main risk factors involved in chronic diseases. Thus, it reflects the highest political will for addressing the country's problems.

574. The purpose of the National Commission on Health and Quality of Life is to provide a response to the growing problem posed by these diseases through a number of intersectoral actions in ten specific areas of intervention (tobacco use, alcoholism, unhealthy eating habits, sedentary lifestyles, work environment, accidents, water quality, control of liquid and solid waste, air quality).

575. New approaches are being developed to improve prevention and control of these diseases and injuries. It is important to channel the active participation of all sectors, making them aware of how their policies and management affect public health, persuading them to undertake to contribute to the effort. By the same token, society at large is encouraged to become involved so as to bring about adequate perception and practice of health. This calls for consistent policies to be implemented in the area of public education.

576. The strengthening of the structures of the non-transmissible chronic diseases programme (ECNT) at all levels has substantially increased the detection of diseases. This is reflected in the increased use of primary health care centres and the reduction of mortality for eight of the nine main causes of death from these diseases. At the end of 2002, as a result of the campaign begun in 1998 and the implementation of the new national programme for the detection and control of high blood pressure, 23 per cent of the adult population had been diagnosed as being hypertensive.

577. In 2002, a number of important public activities were carried out. World Health Day was celebrated throughout the country; this included promoting physical fitness and a contest to combat smoking called "Stop Smoking and Win". Cuba placed among the countries with the highest participation rate worldwide: 33,000 (2000) and 115,000 (2002).

578. Cuba is in the process of implementing the Programme on Health and Quality of Life, with 21.6 per cent of the population regularly practicing physical exercise (an increase of 1.6 per cent over 2001). This does not include the 2.3 million school children who receive physical education classes or the athletes participating in the high-performance system. Physical and recreational activities are available in 99 per cent of the subdivisions throughout the country.

579. A programme on fortification of food products is being carried out with a view to controlling and preventing micronutrient deficiencies among the population. In addition, the urban agriculture programme is being carried out to increase the supply of vegetables and fresh produce, which now stands at over 300 grams per day per capita. Nutrition guidelines have been developed to improve nutritional awareness.

580. The percentage of people with sedentary lifestyles rose from 33.2 per cent in 1995 to 43.5 per cent in 2001.

581. In 1995, 32 per cent of the population was overweight, and in 2001, the percentage had risen to 42.3 per cent. Most overweight people are classified as grade I; approximately 12 per cent of the population was obese (BMI>30).

582. Mortality due to diabetes mellitus between 1970 and 2001 rose, especially from 1983 on, peaking in 1996 at 23.5 per 100,000 inhabitants. From 1997 onward, the risk of dying from this sickness began to fall, reaching values of 12.8 in 2002. In terms of mortality by sex, women account for over 60 per cent of deaths, but premature mortality in persons under age 65 was higher among males (68.4 per cent) than females (60.7 per cent). During the five-year period 1997-2001, among persons under 65, the risk of death from diabetes among males fell by 20.3 per cent, somewhat less than among women, who saw a reduction of 23.3 per cent.



583. As in the case of other non-transmissible chronic diseases, the risk of death from diabetes mellitus was higher among population in the higher socioeconomic strata. Sixty-one per cent of cases of diabetes mellitus are attributable to obesity.

584. Cuba is not the only country where there is excess mortality among women, expressed as the greatest number of years missed among persons of this sex, especially among those over the age of 60. In Cuba, men miss more years of life than women during the ages that are crucial for socioeconomic development (as a result of traffic accidents, accidents on the job and ischemic heart disease linked to toxic habits, which are more prevalent among men); the risk of death in these age groups shows an upward trend.

585. In studies conducted in 2001, 58,133 cases of pre- or gestational diabetes were found, for a prevalence rate of 2.04 (1.92-2.41) per 100 (IC 95 per cent). The following advances were made in 2002:

- Mortality from diabetes fell.
- The rate of diabetes patients in health care centres increased.
- The delivery of glucose meters and test strips to children under 9 (for self-testing) was begun.
- Current data were obtained on prevalence in areas studied.
- The quality of care for pregnant women was improved (delivery of glucose meters and test strips in Havana).
- A high rate of vaccination of diabetics against hepatitis B was achieved.
- The Endocrinology Institute was accredited as a WHO/PAHO collaborating centre providing comprehensive services for diabetics.

586. There is a high rate of bronchial asthma cases. In 1973, the national programme of care for patients with asthma was begun. The risk of death from asthma has been reduced at a steady rate, to 1.4 per 100,000 inhabitants in 2001. The ratio was 1.5 in favour of females, and the disease was most prevalent among persons aged over 65, with a rate of 5.7 per 100,000 inhabitants. This age group was followed by the group of persons aged 35-64, with a rate of 2.4 per 100,000 inhabitants. In 2001, global mortality from asthma among women was 94,000 and among men it was 92,000.

587. Among non-transmissible diseases, bronchial asthma is the main cause of hospital admissions. The death rate in hospitals was 0.05 per cent in 2002, a parameter that is adequate internationally. The economic and social cost of this disease is considerable, given the incapacitation associated with frequent episodes.

588. Measures are being taken to monitor the environment, and this contributes favourably to reducing the main risk factors in asthma, which are: predisposing factors (atopy), causal factors (allergens, job-related sensitizing factors) and contributing factors (respiratory infections, diet, air pollution and smoking). These factors can be dealt with through preventive measures that can substantially change the incidence, prevalence and prognosis for the disease and have a positive effect on the asthma patient's quality of life, as well as those who are at risk for this condition.

589. In spite of the economic conditions imposed by imperialism on our country, we have carried out important programmes aimed at changing people's lifestyles, controlling environmental pollution and the use of gas for cooking. This has significantly contributed to reducing one of the factors causing asthma, ensuring that all institutions have peak flow meters, guaranteeing stable sales of bronchial dilators such as Salbutamol for asthma crises and introducing new medications such as inhaled steroids for periods between crises.

590. Health professionals and practitioners have made a significant contribution by training asthma patients and their families on how to deal with the sickness and take preventive measures for improving respiratory rehabilitation, preventing the onset of respiratory symptoms and minimizing the severity of the disease.

### **Prevalence of tobacco use and alcohol, drug and substance abuse**

In considering the fourth periodic report, the Committee requested the Government of Cuba to provide in [this] report information, including statistical data, on the prevalence of tobacco use and alcohol, drug and substance abuse by women of different age groups and measures aimed at preventing and reducing such abuse. It also invited the Government to provide information about the availability of counselling and rehabilitation measures for women drug abusers.

591. Drug abuse, both of legal and illegal drugs, and in particular, illegal drug trafficking affects every country in the world. The problem goes beyond traditional health sector issues as it causes deterioration of the mental and physical health of addicts and creates family problems. It causes violence and alarming rates of suicide, homicide and accidents.

592. Before 1959, drug use in Cuba was limited to the high-income strata of the population, in the case of cocaine, and to marginal sector, in the case of marihuana. These problems were eradicated as a result of the profound transformations brought about by Cuba's social programmes.

593. At present, we are not exempt from the threat of being penetrated by this global scourge. There are growing indications that this problem has been brought to our shores by speed boats dropping it off; more and more traffickers have been caught at the borders headed towards other countries; drugs are being used for illicit rather than their intended therapeutic purpose, and other narcotic substances used in traditional medicine have been used to create addiction. The drug traffickers are trying to use the country not only as a bridge for trafficking but also as a consumer market, and they do this through international criminals and unscrupulous people in our midst.

594. The Ministry of Public Health attaches priority to comprehensive efforts to combat addiction. It is improving its usual structures so as to deal with new health problem which has a broader reach than the traditional problems. It is improving its functional structure, from primary care centres which serve as the starting point, up to the specialized levels; it also coordinates and integrates these efforts with those of other government agencies (Ministries of the Interior, Education, Higher Education, Justice, Agriculture, Domestic Commerce, Tourism and Sports, as well as civil society organizations such as the Federation of Cuban Women and the Committees to Defend the Revolution).

595. The Cuban health system offers comprehensive care to the population in dealing with addiction, from health promotion activities, prevention for specific risk groups, treatments of addicts and their rehabilitation and social reinsertion.

596. Cases of acute intoxication, overdosing and withdrawal symptoms are dealt with at the primary health care level in the main emergency polyclinics, the integrated emergency medical system and the intervention units for psychiatric crises. All these bodies are part of the health system and have trained personnel to deal with these problems.

597. Detoxification and rehabilitation are carried out in a preliminary stage by specialized services with assistance of volunteers, for periods of approximately three months. Rehabilitation and abstinence follow-up are provided by community mental health centres on an out-patient basis, in coordination with family doctors and nurses and with community participation. Except in a few cases, the community and the family are considered a factor of protection. Community mental health centres provide coverage at the municipal level and in the area of health, hospitals provide coverage at the provincial level.

598. Services to foreigners are provided by the Health Tourism enterprise, which does not belong to the Ministry of Public Health. It has three specialized clinics or therapeutic communities in the provinces of Holguín and Santiago de Cuba.

599. There is a special programme for alcohol, drug and substance abuse which carries out health promotion and general prevention activities, for which it uses the media and works at the local level through family doctors and community mental health centres. It also coordinates activities with grass-roots organizations, including neighbourhood debates.

600. In addition to the aforementioned health care and detox programme, there are over 300 mutual aid groups for alcoholics which provide specific epidemiological care for 3,600 patients. Mutual aid groups for other types of addicts have recently been created and are in the process of being established.

601. Specific prevention efforts are carried out among at-risk groups at the primary neighbourhood level and in the workplace, and others are provided by specialized personnel. There is a confidential hotline for combating drug abuse in every province, as well as at the national level.

602. The objectives of the programme are to promote healthy lifestyles, prevent addiction among groups and in situations of risk, and provide comprehensive care through registration and follow-up of addicts at health care centres, guaranteeing their reinsertion into the family and rehabilitation in society and at work.

603. The programme strategy includes the following activities: dissemination of information and counselling aimed at preventing drug use, setting up a three-tiered assistance network, monitoring and preventing the diversion of medications, training health professional at the graduate and post-graduate levels, promoting research appropriate for the different levels, strengthening intersectoral and intrasectoral actions and encouraging detoxification, rehabilitation and reinsertion of addicts into their social, work and family environment.

604. The functional structure for combating drug addiction includes 195 community mental health centres (CCSM), which are the main health institution for this

purpose. They coordinate their work with family doctors and nurses and the secondary level of health care (hospitals).

605. The crisis intervention units (UIC) in psychiatric services are responsible for stabilizing acute patients once the emergency has been dealt with by the intensive therapy units (UCI) or intermediate therapy units (UCIM), depending on the seriousness of the problem.

606. Specialized units and services in medium- and long-term psychiatric institutions complete the flow chart of care for these patients. They are responsible for detoxification and rehabilitation when this cannot be accomplished on an out-patient basis in the community.

607. Following is the practice followed with regard to medication and diagnosis:

- i) A decision is made regarding procurement of specific medicines based on the morbidity of addictions.
- ii) The medicines are purchased and distributed in the country after conducting qualitative diagnostic tests, in the capital, of urine samples (multidrug and individual kits).
- iii) Quantitative diagnostic equipment is used (gas chromatograph coupled with mass spectrometer) which allows for certainty diagnosis and includes drugs which are not detected through qualitative means and which can be used for legal medical purposes.
- iv) Coordination is set up with the National Toxicology Centre (CENATOX) for the exchange of information, telephone help lines, referral and on-site treatment in complex cases.
- v) Narcotics, psychotropic and other substances that have similar effects are controlled and monitored by means of oversight visits and implementation of provisions and regulations, as well as safety measures at all stages of the critical route, in pharmacies and warehouses. This activity is coordinated with the pharmaceutical-chemical industry.

608. Training is coordinated with the Academic Committee on Addiction of the Superior Institute of Medical Sciences of Havana and the Graduate Department of the Vice-Ministry of Teaching, in order to standardize training on drug-related issues and guarantee the quality and sustainability of the educational process, both in the health sector and in connection with requests from and coordination with other sectors.

609. Diploma courses on drug issues are carried out in every province. Changes are being made in the curriculum of the Master's Degree programme in social psychiatry offered at the 10 de Octubre University Hospital and at the sub-headquarters of the Camagüey Institute. A pamphlet on care of addicts in the community has been printed and is distributed to all family doctors. Training activities are available to other agencies, such as those involved in tourism, higher education and international health control, and basic courses on addiction are offered to the professional staff at crisis intervention units (UIC), community mental health centres (CCMS) and detox services. A team from the Operational Group on Mental Health and Addictions (GOSMA) attends seminars and workshops organized by the National Drug Commission of the Ministry of Justice.

610. The confidential anti-drug help line was set up. Counsellors were training in the capital, and the service has been extended throughout the country. The provinces of Holguín and Sancti Spiritus offer this service in some of the municipalities.

611. The participation of family doctors and staff of the mental health community centres (CCSM) is being promoted and extended to hearings on health issues, neighbourhood debates and other activities in connection with efforts by the Ministry of Public Health to actively investigate cases, raise awareness among the population and demystify the issue of addiction and related services.

612. Research and surveys on tobacco use have shown that around 767,330 women are smokers. The prevalence of tobacco use fell from 36.8 per cent in 1995 to 32 per cent in 2001. Smokers are basically in the group aged 40 to 49 age; they are followed by the 30-39 and the 50-and-over age groups; in other words, the tendency to smoke increases with age but then drops after age 50.

613. Overall, the starting age for tobacco use is as follows: 21 per cent for the population aged between 20 and 24; 76 per cent start before age 20. In both sexes, the starting age is higher among 12-to-16-year-olds. Men are the first to start this toxic habit.

614. A number of promotion and prevention activities have been carried out, and measures have been taken and resolutions enacted to limit opportunities for smoking. Resolution No. 130 issues a prohibition in health care services, and Resolution No. 277 of the Ministry of Domestic Commerce prohibits the sale of cigarettes to minors under 16 years old in schools, and also prohibits smoking in enclosed spaces, among others.

### **Suicide**

615. Thanks to the National Suicide Prevention Programme, the suicide rate has fallen for several years. In 2002, mortality from self-inflicted injuries for all ages and sexes was 8.1; it was more frequent in the 60-and-over age group (17.6), followed by the 50-59 age group (11.3). In all groups, suicide rates (per 100,000 inhabitants) were higher among males.

#### **Raw rate per 100,000 inhabitants**

<i>Year</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
1980	1.9	20.9	<b>21.4</b>
1990	23.0	17.8	<b>20.4</b>
2001	21.4	8.0	<b>14.7</b>
2002	20.3	8.1	<b>14.1</b>

*Source:* National Statistical Registry. MINSAP.

616. Possible predisposing factors in this behaviour among the elderly are: loss of the spouse (widowhood), chronic disabling diseases that are potentially fatal, and loneliness. Women seem to cope better than men; also, they have support networks in their local communities through organizations such as the Federation of Cuban Women and the women's and family counselling centres, which facilitate their integration into the community and make them feel they belong; they show concern

for their family relationships and help meet their vital and emotional needs. In terms of institutions, there are homes for the elderly which take in elderly persons who have little or no support from their children, and the grandparents' homes, which operate as a social network.<sup>617</sup> The Cuban Health System, with its family-doctor model of primary care, is recognized worldwide. The system cares for the at-risk population, providing comprehensive, specialized services free of charge and with no discrimination.

618. As far as mental disorders among women are concerned, these problems are more prevalent among women between the ages of 50 and 59. A total 688 patients were released, comprising 3.06 per cent of the total for women, for all causes.

619. Mortality caused by physical attack is more frequent among men than women. Among women, however, the rate was 5.6 per 100,000 inhabitants in the 20-49 age group in 2002.

### **Impact of the embargo on health**

In all the history of mankind, there is no precedent for as prolonged and systematic an aggression against any country as the embargo imposed on Cuba for so many years. The prohibition against the purchase of pharmaceutical products and medical equipment or the raw materials needed for their manufacture in Cuban laboratories and enterprises has been designed to harm the health of the overall population and in particular, of women and children. The Cuban State has made every effort to change this situation, as evidenced by the fact that medical care has continued to be provided with the same standards as usual. Training of medical and paramedical personnel has not been interrupted; not a single health worker has lost his or her job and, what is more important, not a single child, woman or adult has died for lack of medical care.

As examples, attention is drawn to the following adverse effects:

- The annual demand for sanitary pads is currently estimated at about 100 million, but only about 19 per cent of this demand can be met, since the raw materials for their manufacture have to be imported under the restrictions mentioned above. This often compels thousands of women to use alternatives which increase their risk of contracting vaginal infections, which in turn cannot always be treated in time or with suitable medicines owing to the shortages;
- There has been an impact on the programmes for early detection of cervical-uterine and breast cancer, started in 1968 and 1987 respectively, which brought about a considerable reduction in morbidity and mortality due to these causes. Shortages have developed in materials and Pap-smear equipment, spare parts, fuel and X-ray equipment for mobile mammogram units, as a result of which mammograms cannot be used as routine prevention tools but only for women at high risk;
- Cuba has three million women of childbearing age, and the shortage of reliable, safe and accepted means of contraception is increasing the risk of unwanted or early pregnancy, abortion, low birth weight and other problems;

- There are 16.7 diabetics per 1 000 inhabitants, and a considerable proportion of them are insulin-dependent; their lives depend on the supply of the drug. Deaths due to diabetes mellitus have been increasing among women;
- Changes have occurred in the nutritional situation. In 1996 alone, for example, spending on food imports was estimated at 43.8 million pesos more than would have been spent if Cuba had had access to the United States market for four of the main imported commodities: wheat, maize, powdered milk and oilseed flour;
- The tightening of the embargo produced an increase in the number of pregnant women suffering nutritional problems and in the number of children with low birth weight. This situation compelled the Government to take emergency measures and formulate ad hoc strategies to provide even greater protection for the health of mothers and children. Thanks to the efforts of the Federation of Cuban Women, the workers' canteens and other grass-roots organizations, as well as of health workers, it has been possible to bring down the infant and maternal mortality rates despite the difficult circumstances.

### **Article 13**

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

The right to family benefits;

The right to bank loans, mortgages and other forms of financial credit;

The right to participate in recreational activities, sports and all aspects of cultural life.

620. The Constitution of the Republic guarantees the rights of all Cuban citizens on an equal footing in other spheres of economic and social life as well, such as the right to family benefits.

621. Since the 1970s, Cubans have been able to exercise their right to obtain bank loans and other kinds of credit in the form in which they are available today.

622. Since 1997-1998, pursuant to a Resolution of the Minister-President of the National Bank of Cuba, various types of personal loans have been made available to anyone who has a job, as well as retired persons. These products include:

- Cash loans: to be used to meet family needs, purchase expensive items, etc.;
- Investment loans: for housing construction, minor repairs and purchase of building materials;
- Consumer loans: for purchase of household appliances designated for outstanding workers by their employers.

623. With regard to agricultural activities, women have the same rights as men to obtain bank loans, in particular, members of credit and service cooperatives (CCS), agricultural production cooperatives (CPA) and independent women farmers who own their land; the latter total 8,309 women.

## Article 14

States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

To participate in the elaboration and implementation of development planning at all levels;

To have access to adequate health care facilities, including information, counselling and services in family planning;

To benefit directly from social security programmes;

To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

To participate in all community activities;

To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

624. As noted above, rural women enjoy the same rights and duties as other women in the political, civil, labour, family and other spheres. Special legislation only refer to aspects that have a direct impact on the rural environment.

625. The Agrarian Reform Act of 17 May 1959 turned land ownership over to women and men without distinction. Land was granted to those who were farming on it, as well as to those who occupied it for other reasons, who were granted title deeds. The same legislation did not establish any discrimination for any reason, and in fact, quite a few women did receive land.

626. Article 19 of the Constitution states that the State recognizes the right of small farmers to legal ownership of their lands, and article 20 establishes their right to group themselves both for the purpose of agricultural production and for obtaining state loans and services.

627. Law No. 36, on agricultural cooperatives (22 July 1982), establishes, in its article 15, that those who contribute land may be members of a cooperative, as well as their spouses, children and other family members, and widows of deceased cooperative members or small farmers, whether or not the marriage had been formalized.



628. Women have access to land, to credit, to the means and tools for work, on equal terms with men. The broad agrarian legislation establishes no differences.

629. Article 24 of the Constitution recognizes the right of citizens to inherit legal title to a place of residence and to other personal goods and chattels. Land and other goods linked to production in small farmers' property may be inherited by and only be awarded to those heirs who work the land, save exceptions and as prescribed by law; these exceptions include women even if they do not meet the requirement that they work the land. Possession, ownership, and inheritance of land and agricultural goods are regulated by article 18 of Decree-Law No. 125 (30 January 1991) issued by the Council of State.

630. The Civil Code (Law No. 59) establishes in the first clause of its final provisions that all matters pertaining to possession, ownership and inheritance of land and other goods used for agricultural and forestry production shall be governed by special legislation.

631. Chapter VII of the General Housing Act (Law No. 65) is devoted to dwellings that fall under special provisions, and the first section of this law deals with aspects relating to rural dwellings. In particular, article 106 provides that a dwelling owned by a member of a cooperative which is located within the cooperative and is the member's legal domicile, may only be awarded, in the event of the member's death, to the spouse and heirs who are members of the cooperative and are living in the dwelling. Further on, article 108 (c) provides that in the event of death of a small farmer who owns a dwelling, the dwelling shall be transferred to the heirs who inherit the land.

632. A Joint Resolution of the Ministry of Agriculture, the Sugar Industry and Housing, dated 14 May 1988, established regulations for dwellings located on the premises of agricultural production cooperatives. Different rules are established for company housing (*vivienda vinculada*), basic housing (*medios básicos*) and dwellings that are the personal property of a cooperative member, in the event of death of the member or of divorce between cooperative members. In all cases, the right of the surviving spouse and of the children to occupy and/or inherit the dwelling is taken into account.

633. Resolution No. 247 (26 January 1961) of the National Agrarian Reform Institute, creating the National Association of Small Farmers and the relevant regulations, states that the Association is a grass-roots organization comprised of members of cooperatives, small farmers and their families. The requirements for membership are: to be a member of an agricultural production cooperative; to be an owner, co-owner or otherwise in legal possession of a plot; and to be the spouse, a child or other family member involved in the small farmer's production.

634. Article 51, on working relations with other agencies and organizations, describes in subparagraph (b) the priority of working with rural women in this regard. It stipulates that the Association is to maintain close relations with the Federation of Cuban Women in its work with rural women and especially, in advocacy work, so that they may become a more and more active and decisive force in the transformation of the countryside.

635. Cuba's rural population accounts for 32.9 per cent of the total population of the country, and women account for 46.9 per cent of the rural population.

636. Cuba has 14 provinces, nine of them in mountainous areas, where the comprehensive development plan known as the Turquino Plan is carried out. This Plan helps create conditions to allow for the advancement of women in the economic and social fields and in family life.

637. This programme has facilitated improvements in the living standards of the people, especially women, by giving priority to basic health, education and food services. It has also promoted the cultural programme by building video and television viewing halls, providing television sets, video players and computers, which are available in all the schools.

638. Rural areas devoted to agricultural production are divided into State and private land. State land is taken up by agricultural plans and enterprises, and private land is divided between cooperatives and individual farms.

639. Farming other than in sugar cane employs a total of 273,342 workers, or 29.9 per cent of the total workforce. This represents an increase of 72,269 over the figure for 2000, and includes workers in tobacco, coffee, livestock, miscellaneous crops, cacao, urban agriculture, among others.

640. There are 8,445 women in managerial posts; this represents 21.5 per cent of such posts. There are 537 women in senior posts (11.9 per cent). Although these figures are low, some progress has been made. In both cases, the figures are higher than for the previous year.

641. In 2000, 2001 and 2002 more than 32,000 women obtained qualifications, an increase of 10,000 over the previous years, including women trained in technical specialities, general management and business management. From 2000 to date, 3,557 women workers have enrolled in graduate courses; this represents 34 per cent of total enrolment.

642. The workforce in the sugar industry includes 84,626 women, or 20 per cent of the total workforce in the sector. This workforce has grown despite the far-reaching changes that have taken place in the sugar industry.

643. This sector, which has traditionally been dominated by male workers, has seen a transformation in the composition of the female workforce. Women have gradually risen to positions and jobs that had been filled by men; this is also the case with the research centre for the industry.

644. Women in the sugar agro-industry now work as combine operators, tractor operators, furnace and centrifuge operators, testers (puntistas), train machinists, among many other jobs. This is evidence of the training opportunities that women have had to qualify for these jobs.

645. By comparison with 2000, women in this sector have also made advances in terms of promotion to management posts. A total of 590 women, 9.6 per cent of the total, hold such jobs. Over the last few years, positive results have been achieved, not only in quantitative but also in qualitative terms. At present, 307 women hold complex decision-making positions, including five directors in the central office, 44 deputy directors, 70 functional directors and five vice-presidents of entrepreneurial groups.

646. Since 2002, the sugar agro-industry in Cuba has been in a process of change, as sugar cane production fell, and 70 agro-industrial complexes were shut down.

Nevertheless, the workers moved to other activities such as in production of foods that supply the entire sugar system. During this period, it was not necessary to increase the workforce but rather to improve the cultural and technical level of women workers, who have had opportunities to receive retraining and direct their skills to other areas of production.

647. The fact that 41,283 women (33.4 per cent of the total) in the sector were able to receive training has had a significant impact. The State guarantees them the full wages and entitlements they had up to then, in order to enable them to achieve the necessary cultural or technical level to assume the new responsibilities and work responsibilities required by the technological changes.

648. All workers in the sugar industry have had opportunities to improve their situation; as a result, during 2002, 5,460 women enrolled in mid-level technical courses and 1,719 in university courses in the areas of agriculture and economics. In addition, 2,149 women enrolled in secondary school to complete the tenth to twelfth grades.

649. Women in rural areas have equal opportunities and access to cooperatives. They are only limited by their volunteer status and certain material obstacles which it has not been possible to resolve owing to the economic situation affecting the country. These include the need for childcare arrangements and transportation to rural areas that are far from their homes.

650. Rural families that include a member of a cooperative receive substantial economic and social benefits. The other family members must undertake to participate in the development of the area, and the women have the satisfaction of realizing their potential.

651. Members of cooperative receive food for all family members which is produced on the cooperatives.

652. By the same token, rural women have greater access to agricultural production in general and to the economic development of rural areas, thanks to continued practice of granting land in usufruct. From more than 6,800 women who worked under this arrangement in 1999, there are now 15,799; thus, the number of women covered by this system has more than doubled.

653. More than 60 per cent of land in the rural sector is grouped into agricultural production cooperatives and credit and service cooperatives. During these years, there has been an increase in the number of women members, mainly wives and daughters of farmers.

654. At present, 11,889 women work in agricultural production cooperatives (17.6 per cent of the total). The greatest increase in female membership has been in the credit and service cooperatives, which now have 18,118 women, or 9.5 per cent of the total.<sup>655</sup> Rural women are also found in and have access to administrative posts in cooperatives and in the grass-roots organizations of the National Association of Small Farmers (ANAP). In 1998, women managers at this level represented 22 per cent of the total, and by the end of 2002, 33 per cent. At present, there are 77 female presidents of cooperatives, compared with 53 in 1999.

656. Over the last two years, more women have had access to elected office; 21 women are municipal presidents of the National Association of Small Farmers

(ANAP), 212 are members of the board of directors at that level, 22 are directors at the provincial level and three at the national level.

657. Although the growth has been modest, it shows that the actions carried out under the policies of this grass-roots organizations are providing responses to the National Action Plan. they are producing favourable results in terms of raising awareness of Cuban campesinos on the need to achieve equal participation of men and women in the social and economic life of the rural areas.

658. The search for more efficient forms of agricultural production and the proven experience of the cooperative movement gave rise to the creation of the Basic Cooperative Production Units (UBPC). These follow a decentralized structure the essence of which is to assign state lands in usufruct to a workers' collective, so that they can work together in production and marketing through the State. The Basic Units represent a significant source of jobs for women.

659. Rural women are entitled to the same benefits offered by the Cuban social system. When the Basic Cooperative Production Units (UBPC) were established during the 1990s, women has the same opportunities for access to this type of property.

660. There are now 44,367 women in the system, or 18.6 per cent of the total. 23,811 are in sugar cane UBPCs and 20,558 in those producing a variety of crops. They receive very favourable benefits in the form of wages, retirement, earnings from their production and social benefits, including paid rest, paid certified sick leave. They also enjoy the rights of all Cuban citizens in terms of access to education, health care, credit and others.

661. A research study conducted in 2002 by the Labour Research Centre, the Ministry of Agriculture and the Federation of Cuban Women on the participation of women in basic production units showed that although there are economic constraints, which are the same as those faced by the country as a whole, the economic benefits and working conditions of the women who belong to the UBPCs are sufficient to meet their basic needs. In addition, they enjoy the same social benefits as the rest of the rural population.

662. Since the enactment of the Agrarian Reform Act, many women have become landowners, and the figure rose further as women inherited land from their parents or husbands. At present, 8,309 women own farms or land; they represent 9.3 per cent of all individual owners.

663. Several State agencies operate training, retraining and advanced training schools. The Ministry of Agriculture has schools in all the provinces, especially in rural areas. The Ministry for the Sugar Industry has training schools in six provinces. Other training centres that also encourage research are the institutes for horticultural research, sugar cane research, coffee research, rice, and others which are located in rural areas and focus on technical training for farm workers, both male and female.

664. Thousands of women in the provinces, in different occupational categories, have attended training courses which also address issues such as gender, leadership and the right approach to women's participation in the national economy.

665. The National Association of Small Farmers (ANAP) has a national training centre in rural area in the west of the country. Its purpose is to train and prepare

male and female rural leaders in new techniques and technologies. Between 2000 and 2002, over 2,000 rural women attended this centre.

666. The national polytechnic agricultural training system and three mountain universities (Universidades de Montañas) also provide training for young women in rural areas.

667. Over the last few years, living standards of the rural population have improved. Every effort is being made to provide this population with the same access as the urban population has to resources such as water and electricity.

668. In recent years, 2,724 water systems have been installed in the country to guarantee chlorinated drinking water. Of these, 1,849 were installed in rural areas, representing an increase of 2.3 per cent. The use of ceramic filters was also increased to improve water quality; this has benefited 3,220 rural communities.

669. In order to extract valuable water resources, 7,000 windmills and 2,000 manual pumps were installed in rural areas. Hydraulic rams, hydropneumatic pumps, solar pumps and another type of pump known locally as the bomba vaquera have also been in use; research on these has been conducted since 1995 by the Integrated Centre for Appropriate Technology of the National Water Resources Institute, with encouraging results.

670. The use of these technologies has also brought more jobs for women in rural areas; 6,934 women are employed in the sewer system, 70 per cent of which operates in the rural sector.

671. The Cuban electric power system covers almost 98 per cent of dwellings. This is evidence of the effort being made by the State to guarantee electricity as a basis for improving the quality of life of the population.

672. In rural areas, in addition to the national electric power generation system, different sources of energy are used, including water, which benefits 8,459 dwellings; diesel power generation plants, which reach 28,819 dwellings in remote areas; and power generated by the sugar mills in bateyes, which reach 30,517 dwellings.

673. The rural population has also benefited directly from programmes implemented by the Revolution over the last two years to improve education and the overall culture of the entire population.

674. There are 1,800 television and video viewing halls which are used for leisure-time entertainment, as well as for discussions and training on economic, gender and other issues. Many of these facilities operate with photovoltaic cells.

675. Television sets, video cassette recorders and computers have been installed in 3,268 rural schools, enabling them to offer education on equal terms with urban schools.

676. Thanks to the achievement of these benefits and conditions in rural areas, the objectives of the Revolution are being fulfilled. The aim is to offer equal opportunities to all Cuban citizens with no distinction as to sex, race or religious belief. Women are direct beneficiaries and play a leading role in this effort.

677. The working mechanisms for coordinating efforts on behalf of women in the countryside include joint plans and programmes carried out by the Ministry of

Agriculture, the Ministry for the Sugar Industry, the National Association of Small Farmers (ANAP), along with the women's organization. In 1992, the Cuban network of agencies and institutions that support rural women (Red Cubana de Organismos e Instituciones de Apoyo a la Mujer Rural) was created in response to a proposal by the Food and Agriculture Organization of the United Nations (FAO).

678. Health programmes are planned every year on the occasion of World Food Day and World Rural Women's Day. These celebrations are used to recognize the work of the collectives and of women who have made an outstanding contribution in the area of food.

## **Article 15**

States Parties shall accord to women equality with men before the law.

States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

679. Consistent with the principle of equality established in the Constitution, the Civil Code (Law No. 59, of 16 July 1987) establishes the equality of women and men, according to both the same legal capacity and possibility for exercising it.

680. Taking an ethical as well as a legal approach, article 1 states that the Civil Code governs property relations and other related non-property issues, between persons on the basis of equality, with a view to satisfying material and spiritual needs.

681. Cuban women have the legal capacity to sign civil and commercial contracts of every kind, to administer property and to obtain financial credit.

682. Spouses must have each other's consent to acts pertaining to the ownership, administration or transfer of their community property; this requirement applies equally to both of them.

683. Personal property acquired before or during the marriage which is classified as such in the Family Code are excluded from the community property, and both spouses are free to dispose of their personal property.

684. Women and men have equal rights with regard to the legal capacity to inherit, regardless of whether the legator is testate or intestate.

685. In addition, Book Four (beginning with article 466) of the Code regulates all matters pertaining to rights of succession, in respect of which no limitations whatsoever are placed on women. Succession takes place by virtue of a will or by law, and the unfair widow's usufruct quota established in the previous Code is

eliminated, so that the widow and other heirs have equal rights in respect of the part corresponding to the inheritance of the decedent.

686. Article 480 provides that any natural or juridical person may be established as an heir or legatee.

687. As regards testate successions, women have full capacity to inherit. Chapter II, on "Incapacity to inherit", does not include any impediments based on sex, age or skin colour (articles 469 and 470).

688. Likewise, the chapter on "especially protected heirs" includes among these the surviving spouse, provided they are not able to work and were financially dependent on the decedent (article 493).

689. In this case, the freedom to make a will is limited to half the inheritance and the testator cannot place any lien on the portion of the inheritance that is to be bequeathed to the especially protected heirs.

690. In the case of intestate successions, the order of succession is the direct descending line, that is, the children and other descendants. The inheritance is divided among all of them in equal parts, without prejudice to the right of the spouse and of parents who are not able to work and are financially dependent on the decedent.

691. The surviving spouse is entitled to the same portion as the rest of the heirs with whom he or she is competing. Moreover, if the decedent has no descendants or parents, the entire inheritance goes to the spouse.

692. Independently of whether or not divorce proceedings have been initiated, when one of the spouses dies, the surviving spouse maintains the right to inherit in any event. These provisions do away with the previous stipulation that the surviving spouse was only entitled to the widow's quota in usufruct as her part of the inheritance.

693. Pursuant to the Constitution, women have the same access as men to the courts of justice and are treated on an equal footing with men in any type of proceeding. This is established in the Criminal Procedures Act (Law No. 5 of 13 August 1977) and in the Civil, Administrative and Labour Procedures Act (Law No. 7 of 20 August 1977).

## **Article 16**

States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

The same right to enter into marriage;

The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

The same rights and responsibilities during marriage and at its dissolution;

The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

694. As mentioned above, the Constitution of the Republic and the Family Code outline the postulates and general principles of equal rights for men and women in marriage and family relations. The Family Code governs the institutions pertaining to the family, namely, marriage, divorce, parent-child relations, the obligation to provide child support, adoption and custody.

695. Article 2 of the Family Code states that marriage is a union entered into voluntarily by a man and a woman having the legal capacity to do so for the purpose of living together. In the chapter on conjugal relations, section one, on the rights and duties of spouses, states the principle mentioned in the Constitution to the effect that marriage is based on the equality of rights and duties of both spouses.

696. The principles of thoughtfulness, loyalty, respect and mutual aid among spouses, which apply reciprocally to both the husband and the wife, are set down in article 25. Both spouses have the obligation to care for the family they have created and to cooperate with each other in educating, training and guiding their children. Each one, to the extent that they are able, should participate in managing the home and ensuring its optimum development (article 26).

697. For the first time in our legislation, article 27 establishes that housework has economic value. It states that the spouses are required to contribute to meeting the needs of the family they have created by their marriage, each one according to his or her ability and economic capacity. Nevertheless, if either one only contributes to the subsistence of the family with his or her work at home and in caring for the children, the other spouse shall contribute alone to the subsistence, without detriment to the duty to cooperate with household chores and childcare.

698. A requirement for contracting marriage is that the person must be 18 years old; this applies to both males and females. Exceptions for justified reasons may be authorized, in which case the minimum ages are 14 for females and 16 for males.

699. In any event, an expression of willingness is a prerequisite for the marriage act to be carried out, including in those cases in which a minor needs the authorization of other persons.



700. Cuban legislation allows judicial recognition of marriages that have not been formalized in order to provide for the legal effects of formalized marriage, provided the requirements of stability and monogamy are met.

701. In both cases - formal and non-formal marriage - the spouses have equal rights and responsibilities in respect of one another and of their children.

702. Article 83 provides that the two parents jointly share parental rights, and that they have certain rights and duties as stipulated in article 85.

703. Article 28 grants both spouses the right to practice professions or occupations and to carry out studies or improve their knowledge. In all cases, they are to organize home life in such a way that their activities are coordinated with the fulfilment of the obligations imposed on them by the Code.

704. These articles follow a definite gender approach and are designed to put an end to the sexual division of labour within the home, which has been one of the strongest influences in the culture, primarily affecting women because of the burden of household duties it places on them.

705. The only economic arrangement allowed in marriage is that of joint ownership of community property (article 29). This operates from the moment that the marriage is formalized or from the moment that the matrimonial union is recognized as such (articles 19 and 20).

706. In keeping with the principle of equality that has been established, all encumbrances and expenditures of the marriage shall be borne by the community property (article 33).

707. Article 35 provides that the spouses are administrators of the goods belonging to the community property and that either one of them, without distinction, may perform acts of administration and acquire goods which by their nature are destined for the use or regular consumption of the family.

708. As far as divorce is concerned, article 51 of the stipulates that it may be obtained by mutual agreement of the spouses or when the Court finds that there are grounds which indicate that the marriage is no longer be meaningful for the spouses or for the children, and hence, for society as well. Under article 52 of the Code, these grounds must be such that they have created an objective situation in which the marriage is no longer the union of a man and a women in which they can exercise their rights, comply with their obligations or fulfil the purposes of loyalty, thoughtfulness, respect and mutual aid.

709. Notarial divorce was established in 1994, by Decree-Law No. 154. This legal norm amended the relevant provisions of the Family Code by introducing a new means, in addition to that of judicial proceedings, for obtaining the dissolution of the marriage bond, i.e., when divorce is mutually agreed on by the couple, it can be carried out by a notary. The purpose of this amendment was to transfer the processing of a certain number of divorce cases out of the judicial system, without this diminishing the legal significance and social importance of divorce.

710. Notarial certificates of divorce or court decisions granting divorce shall specify the arrangements pertaining to parental rights. As a rule, both parents are granted parental rights over their minor children, as well as in respect of custody and upbringing, communications and child support payments.

711. Article 53 of the Code provides that divorce actions may be brought by either spouses without distinction. Article 55 establishes that one of the effects of divorce shall be the separation of property of the spouses, once the community property of the marriage has been liquidated.

712. Article 56 stipulates that when the spouses have lived together for more than one year or have produced children during the marriage, the court, when granting divorce, shall provide for alimony to be paid to the spouse who is in either of the following situations: the person has no paying job or means of subsistence, in which case alimony shall be paid temporarily for from six months to one year, depending on the situation; or as a result of disability, age, sickness or some other insurmountable impediment, the person is unable to work and has no means of subsistence, in which case the alimony shall be paid as long as the impediment continues.

713. Articles 88, 89 and 90 of the Family Code refer to the custody and upbringing of the children. Article 89 provides that if no agreement is reached by the parents or if the agreement is detrimental to the material and moral interests of the children, the matter shall be resolved by the competent court which, in reaching its decision, shall be guided solely by the best interests of the children. As a general rule, and all other things being equal, the children should remain under the care of the parent with whom they were living up to the time when the disagreement occurred; preference shall be given to the mother if they were living with both parents, unless, in any case, there are special reasons for deciding otherwise.

714. The amount of child support payments for minor children shall be determined based on the family's normal expenditures for this purpose and on the parents' incomes, the aim being to establish proportionality in the responsibility to be borne by each one.

715. The right to health protection and safe working conditions, including safeguards for the reproductive function, is also enshrined in our labour legislation. The Cuban State has assumed responsibility for using every means and condition to guarantee this protection to working women. Hundreds of specialists are trained and graduate every year, in addition to those who are already responsible for monitoring and ensuring compliance with the relevant legislation. In addition, ongoing research studies on occupational health are being conducted with a view to monitoring the impact on women of different types of work.

**Ministry of Education**  
**Enrolment in semi-boarding schools**  
**School terms 1998-1999 to 2002-2003**

<i>Educational level</i>	<i>1998-1999</i>			<i>1999-2000</i>			<i>2000-2001</i>			<i>2001-2002</i>			<i>2002-2003</i>		
	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>
<b>Total</b>	<b>304,556</b>	<b>156,203</b>	<b>51.3</b>	<b>331,209</b>	<b>168,259</b>	<b>50.8</b>	<b>361,203</b>	<b>183,233</b>	<b>50.7</b>	<b>385,309</b>	<b>191,639</b>	<b>49.7</b>	<b>398,735</b>	<b>196,197</b>	<b>49.2</b>
Day-care centres	127	62	48.8	129	61	47.3	110	52	47.3	135	65	48.1	129	62	48.1
Of these: in pre-school							21	10	47.6	27	13	48.1	31	14	45.2
Pre-school in primary	46	23	50.0	23	14	60.9	23	9	39.1	20	10	50.0	44	18	40.9
Primary	10,080	4,736	47.0	9,981	4,671	46.8	10,309	4,869	47.2	9,731	4,420	45.4	8,793	4,066	46.2
Secondary	276,755	145,950	52.7	303,506	158,061	52.1	333,303	172,829	51.9	358,562	181,753	50.7	373,796	186,867	50.0
Basic secondary	93,492	44,891	48.0	99,442	47,346	47.6	103,112	48,767	47.3	109,398	51,009	46.6	112,608	52,880	47.0
Pre-university	99,764	66,659	66.8	110,557	73,191	66.2	127,024	82,681	65.1	137,008	87,437	63.8	144,598	88,704	61.3
Technical and vocational	83,499	34,400	41.2	93,507	37,524	40.1	103,167	41,381	40.1	112,156	43,307	38.6	116,590	45,283	38.8
Special	17,548	5,432	31.0	17,570	5,452	31.0	17,458	5,474	31.4	16,861	5,391	32.0	15,973	5,184	32.5

**Ministry of Education**  
**Educational indicators : female teaching staff**  
**School terms 1998-1999 to 2002-2003**

<i>Educational level</i>	<i>1998-1999</i>			<i>1999-2000</i>			<i>2000-2001</i>			<i>2001-2002</i>			<i>2002-2003</i>		
	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>	<i>Total</i>	<i>Females</i>	<i>%</i>
<b>Total</b>	<b>193,004</b>	<b>144,484</b>	<b>74.9</b>	<b>193,052</b>	<b>147,462</b>	<b>76.4</b>	<b>204,439</b>	<b>155,982</b>	<b>76.3</b>	<b>211,766</b>	<b>159,895</b>	<b>75.5</b>	<b>228,077</b>	<b>167,372</b>	<b>73.4</b>
Day-care centres	19,786	19,786	100.0	19,270	19,270	100.0	19,358	19,358	100.0	18,865	18,865	100.0	18,607	18,607	100.0
Of these: in pre-school	826	826	100.0	817	817	100.0	823	823	100.0	936	936	100.0	1,640	1,640	100.0
Pre-school in primary	5,389	5,389	100.0	5,299	5,299	100.0	6,444	6,444	100.0	6,462	6,462	100.0	7,463	7,463	100.0
Primary	77,735	61,114	78.6	76,897	63,535	82.6	79,341	65,807	82.9	83,119	69,173	83.2	92,991	75,510	81.2
Secondary	70,476	42,611	60.5	71,613	43,416	60.6	788,973	48,226	61.1	83,140	49,393	59.4	85,552	47,905	56.0
Basic secondary	36,612	25,245	69.0	36,532	25,318	69.3	40,947	27,800	67.9	42,993	29,206	67.9	38,820	26,797	69.0
Pre-university	9,605	4,319	45.0	10,186	4,665	45.8	121,156	6,635	54.6	13,080	6,056	46.3	17,498	7,820	44.7
Technical and vocational	24,259	13,047	53.8	24,895	13,433	54.0	25,870	13,791	53.3	27,067	14,131	52.2	29,234	13,288	45.5
Special	13,485	11,661	86.5	14,023	12,138	86.6	14,417	12,326	85.5	14,481	12,442	85.9	14,612	12,543	85.8
Adult education	6,133	3,923	64.0	5,950	3,804	63.9	5,906	3,821	64.7	5,699	3,560	62.5	8,852	5,344	60.4

**University enrolment by scientific field**

<i>Field</i>	<i>Term 2001-2002</i>			<i>Term 2002-2003</i>		
	<i>Total</i>	<i>Female</i>	<i>%</i>	<i>Total</i>	<i>Female</i>	<i>%</i>
Technical Sciences	16,032	4,411	27.5	19,195	5,978	31.1
Natural and exact sciences	3,955	1,957	49.5	3,934	1,935	49.2
Medical sciences	25,767	19,380	75.2	27,702	20,751	74.9
Agricultural sciences	5,256	2,061	39.2	5,039	1,991	39.5
Economic sciences	16,486	10,716	65.0	20,307	13,706	67.5
Social sciences and humanities	18,400	10,832	58.9	24,337	14,351	59.0
Educational sciences	48,759	36,873	75.6	68,782	49,838	72.5
Physical education	8,909	2,783	31.2	11,787	3,035	25.7
Art	989	570	57.6	1,281	654	51.1
<b>Total</b>	<b>144,553</b>	<b>89,553</b>	<b>62.0</b>	<b>192,864</b>	<b>119,672</b>	<b>62.0</b>

**University graduates by scientific field**

<i>Field</i>	<i>Term 2001-2002</i>		
	<i>Total</i>	<i>Females</i>	<i>%</i>
Technical sciences	1,977	464	23.5
Natural and exact sciences	631	336	53.2
Medical sciences	4,941	3,756	76
Agricultural sciences	775	287	37
Economic sciences	1,268	789	62.2
Social sciences and humanities	1,254	895	71.4
Educational sciences	5,963	4,694	78.7
Physical education	1,182	426	36
Art	102	52	51
<b>Total</b>	<b>18,093</b>	<b>11,699</b>	<b>64.7</b>

**Ministry of Higher Education****Women who have completed the master's programme, by field**

<i>Master's programme</i>	<i>%</i>
Educational sciences	55
Biological sciences	64
Technical sciences	33
Natural and exact sciences	53
Economic sciences	45
Agricultural sciences	36
	44

### Ministry of Higher Education Doctoral programme

	1998	1999	2000	2001	2002	Total
Doctoral examinations submitted	240	304	332	304	240	<b>1,420</b>
Among these, women	63	47	109	125	85	<b>431</b>
%	26	16	33	41	36	<b>31</b>

### Ministry of Education Women with science degrees

Total	Personnel with science degree		Examinations submitted since 1998	
	Women	%	Total	%
363	146	40.2	123	52

### Women in higher education

	Professors			Full-time			Part-time		
	Total	Females	%	Total	Females	%	Total	Females	%
1998-99	23,524	11,463	48.7	21,573	10,325	47.9	1,951	1,138	58.3
1999-00	23,705	11,294	47.6	21,318	10,285	48.2	2,387	1,009	42.3
2000-01	22,687	11,006	48.5	20,753	10,120	48.8	1,934	886	45.8
2001-02	24,199	11,448	47.3	22,046	10,347	46.9	2,153	1,101	51.1
2002-03	44,669	17,412	39.0	23,657	11,388	48.1	21,012	6,024	28.7

### Enrolment

Term	Female students %	New enrolments females %	Graduates Females %
1998-99	62.2	61.6	63.7
1999-00	62.6	60.9	66.3
2000-01	61.3	64.6	62.7
2001-02	63.1	64.7	64.7
2002-03	62.4	64.7	-

### Semi-boarding schools in operation School terms 1998-1999 to 2002-2003

Educational level	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003
<b>Total</b>	<b>1,010</b>	<b>1,022</b>	<b>1,057</b>	<b>1,064</b>	<b>1,044</b>
Day-care centres	10	10	11	10	10
Primary	79	85	84	87	83
Secondary	705	714	746	761	747
Basic secondary	237	235	235	240	244

<i>Educational level</i>	<i>1998-1999</i>	<i>1999-2000</i>	<i>2000-2001</i>	<i>2001-2002</i>	<i>2002-2003</i>
Pre-university	223	234	267	271	259
Technical and vocational	245	245	244	250	244
Special	216	213	216	206	204

### **Ministry of Education**

	<i>1998-1999</i>	<i>1999-2000</i>	<i>2000-2001</i>	<i>2001-2002</i>	<i>2002-2003</i>
Adults	501	487	477	346	737
Basic (EOC)	47	49	45	2	1
Secondary (SOC)	62	64	62	6	4
Higher secondary (FOC)	305	299	296	287	228
Comprehensive self-improvement courses for young people					514
Language courses	87	75	74	51	46

### **Enrolment**

	<i>Total enrolment</i>	<i>Females</i>	<i>%</i>
	203,929	113,548	55.7
Literacy programmes	1,229	487	39.6
Basic (EOC)	9,145	3,036	33.2
Secondary (SOC)	14,586	6,520	44.7
Higher secondary (FOC)	47,327	28,417	60
Comprehensive self-improvement courses for young people	119,575	67,820	56.7
Language course	12,067	7,268	60.2