



General Assembly

Distr.: General
12 September 2023
English
Original: Spanish

Human Rights Council
Working Group on the Universal Periodic Review
Forty-fourth session
6–17 November 2023

National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21*

Cuba

* The present document is being issued without formal editing.



Introduction

1. In the period covered by this report (2018–2023), a broad, deep and comprehensive process of legislative reform has taken place in Cuba, which has included the strengthening of the legal and institutional framework for the promotion and protection of human rights.
2. This process has taken due account of the current reality of Cuban society, the national development objectives, the obligations assumed by Cuba under international instruments and the 2030 Agenda for Sustainable Development, among other considerations.
3. An essential step was the promulgation of the new Constitution of the Republic of Cuba in 2019. Between then and December 2022, 118 superior legal norms were approved, unprecedented for Cuba over such a short period of time.
4. As a result, Cuba now has robust, up-to-date laws underpinning the organization of the State and the Government, has developed an extensive corpus of rights and guarantees as enshrined in the Constitution, and has updated its economic and social model.
5. This expansion of legislation and the various electoral exercises that have taken place since the previous cycle of the universal periodic review serve to illustrate the genuinely participatory, grassroots nature of Cuban democracy, as exemplified in broad consultations, including two nationwide referendums.
6. Cuba has stepped up its cooperation with the United Nations human rights machinery, engaging in flowing technical exchanges with the Office of the United Nations High Commissioner for Human Rights (OHCHR) on various topics of mutual interest, including the legislative process and visits by the heads of human rights mechanisms.

I. Methodology and consultation process

7. This report covers the period since the submission by Cuba of its third report to the universal periodic review in 2018 and focuses on the recommendations accepted in that exercise.
8. A national working group was set up to draft it, drawn from various ministries and public institutions. Consultations were held with a wide range of stakeholders, including Cuban civil society.

II. Normative and institutional framework for the promotion and protection of human rights¹

9. Cuba continues to strengthen and improve its legal and institutional framework for the promotion and protection of human rights, in accordance with the needs of Cuban society and international human rights standards.
10. As part of the process of institutional improvement, progress is being made with the cohesive work of national structures, including civil society organizations, on various human rights issues.
11. In 2019, following the adoption of the National Programme against Racism and Racial Discrimination, a national commission was formed to monitor action to combat and root out the vestiges of racism, racial prejudice and racial discrimination that persist in Cuba.²
12. In 2021, the National Programme for the Advancement of Women was adopted.³ A Working Group was formed to monitor and evaluate the Programme and to follow up on the recommendations of the relevant treaty bodies. The Federation of Cuban Women is responsible for coordinating this work.
13. In 2021, the Comprehensive Strategy on Prevention and Support in relation to Gender-based and Family Violence was adopted.⁴ It has ten components and involves a range of actors at local and community levels.⁵

14. In 2021, the National Commission for the follow-up and monitoring of the implementation of the Convention on the Rights of Persons with Disabilities was created;⁶ it is responsible for oversight, guidance and coordination in this area.

New Constitution of the Republic, 2019

15. In 2019, the new Constitution of the Republic of Cuba was adopted in a general referendum, with a turnout of 90.15 per cent and 86.85 per cent voting in favour.

16. It was the outcome of a process of public consultation with the extensive involvement of civil society,⁷ reflecting the genuinely democratic and inclusive nature of the political system.⁸

17. The text ratifies the firm commitment of the Cuban State to respect and protect human rights. The corpus of rights and guarantees for their effective enjoyment has been expanded. All rights have the same status and value, in accordance with the principles of universality, indivisibility and interdependence. The principle of the progressiveness of rights is established.

18. The equality clause and the principle of non-discrimination have been reworked to include new grounds of discrimination, such as age, disability, sexual orientation, gender identity, ethnic or geographical origin or any other personal circumstance that implies a distinction detrimental to human dignity.

19. New rights have been introduced, such as access to public information and the right to receive truthful, objective and timely information; the right to water; to healthy and adequate food; to adequate housing; to a safe and healthy habitat; and to a healthy and balanced environment.

20. The Constitution's status as a guarantor of rights has been strengthened. It includes a special chapter on the protection of rights from threat or injury by the State, non-State entities or private individuals. It improves access to the courts to ensure the effective protection of rights and due process as a guarantee of legal certainty.

21. The habeas corpus procedure has been strengthened to protect the right to liberty of the person; it implements habeas data or personal data protection; a claims, reparation and compensation procedure for damage and harm caused by senior administrators, officers and employees of the State; as well as a fast-track, expeditious, concentrated court procedure for claims of violations of constitutional rights. Emphasis is placed on judicial guarantees.

22. By the end of 2022, 118 higher laws had been adopted that expand the promotion and protection of human rights in accordance with international human rights standards.⁹ Analysis and discussion is also under way of other regulatory texts, and these have been placed on the legislative timetable approved by the National Assembly of People's Power.¹⁰

23. The comprehensive reform of the criminal justice system has entailed an overhaul of substantive and procedural rules, such as the Criminal Code, the Criminal Procedure Act and the Criminal Sentence Enforcement Act.

24. Act No. 151 of 2022, the Criminal Code, protects the principles, rights, guarantees and obligations contained in 80 constitutional provisions.

25. The protection of the political and State system is strengthened;¹¹ it addresses all forms of violence and discrimination;¹² it covers offences related to the use of information and communications technologies and environmental crimes; institutions, definitions and definitions of offences have been updated to conform with the international treaties in force for the Republic of Cuba;¹³ the concept of a "danger to society" before a crime has been committed has been abolished, along with the associated security measures; among other developments.

26. Act No. 143 of 2021, the Criminal Procedure Act, sets forth the rules of due process and establishes the guarantees, constraints, powers and rights applicable to those involved in criminal proceedings. It recognizes victims as parties to proceedings; it does away with the concept of a "danger to society" before a crime has been committed and strengthens the

habeas corpus procedure. It recognizes that proceedings that violate constitutional guarantees or international treaties in force for Cuba and proceedings that fail to comply with the requirements of the Act are null and void.

27. Act No. 152 of 2022, the Criminal Sentence Enforcement Act, resolves the lack of consistency among the various texts governing sentence enforcement and guarantees due process at this stage. It strengthens the safeguards for rights; it also reinforces differentiated treatment for persons in special circumstances; it introduces substantial changes in the rules governing the precautionary measure of pretrial detention based on the principle of presumption of innocence; among other things.

Other relevant texts

28. Other legislative texts guaranteeing the enjoyment of human rights have been adopted, including Act No. 141 of 2021, the Procedural Code; Act No. 156 of 2022, the Family Code; Act No. 149 of 2022, the Personal Data Protection Act; Act No. 153 on the *amparo* procedure for protection of constitutional rights; and Act No. 148, the Food Sovereignty and Food and Nutritional Security Act.

29. Act No. 141 of 2021, the Procedural Code, standardizes the procedures for handling and resolving civil, family, commercial, labour and social security matters. It provides for the nullity of proceedings in the event of violation of due process guarantees, non-compliance with legal formalities, impairment of the right to a defence or irreparable harm to any of the parties.

30. Act No. 156 of 2022, the Family Code, underlines the importance attached by the State to the institution of the family.¹⁴ It recognizes various kinds of family structure and broadens the definition of kinship relations; it promotes gender equality within the family; it widens the scope of the section on family violence and sets forth provisions on protection; it endorses the constitutional principle of the best interests of the child; it enhances the regulation of the structures of care and protection in the family environment; among other things.

31. The National Ombudsman's Office was created for the urgent protection of the interests of persons in situations of vulnerability in civil, family, labour and commercial contexts.¹⁵

32. Act No. 149 of 2022, the Personal Data Protection Act, gives substantive recognition to individuals' right to personal and family privacy, to their own image and voice and to their personal reputation and identity. It regulates the use and treatment of personal data.

33. Act No. 153 on the *amparo* procedure for protection of constitutional rights protects the rights recognized in the Constitution. Claims may be made in respect of all the rights recognized in the Constitution that are not subject to specific remedies in judicial proceedings on other matters.

34. Act No. 148, the Food Sovereignty and Food and Nutritional Security Act, establishes a general legal framework for the protection of the right of every person to healthy and adequate food.

35. Cuba is committed to international human rights standards. It has ratified 44, or 72.13 per cent, of the 61 international human rights instruments, which makes it one of the countries with the highest number of such ratifications.

Effects of the economic, commercial and financial blockade imposed by the United States on the exercise of the human rights of Cuban nationals

36. The economic, commercial and financial blockade imposed by the United States Government constitutes a gross, flagrant and systematic violation of the human rights of Cubans. It is the main obstacle to the country's economic and social development and to the implementation of the 2030 Agenda. Its aims, to provoke hunger and despair among the Cuban people, are illegitimate, inhumane, illegal and in violation of the Charter of the United Nations and international law.

37. In the period since the previous universal periodic review cycle, Cuba has had to face an unprecedented tightening of the blockade, with the imposition of additional coercive measures that have a negative impact on the Cuban people's enjoyment of their human rights.

38. From April 2018 to February 2023, the blockade caused loss and damage to Cuba estimated at around US\$ 24,731.8 million.¹⁶

39. It is estimated that, in the absence of the blockade, the country's gross domestic product (GDP) could have grown by 9 per cent in 2022.

40. At current prices, the accumulated damage incurred over more than six decades of the application of this policy amounts to US\$ 159,084.3 million. Taking into account the movements of the dollar against the value of gold on the international market, the blockade has caused quantifiable damage of more than US\$ 1,337,057,000,000.

41. Since 2019, the blockade has escalated to a qualitatively even more harmful and inhumane level. Among the provisions and actions that directly affect the Cuban people's enjoyment of their human rights are the following:

- The arbitrary and unjustified inclusion of Cuba on the United States Department of State's unilateral list of State sponsors of terrorism,¹⁷ which hinders the enjoyment of human rights¹⁸
- The blocking of all sources of revenue and foreign currency inflows into the country, the intimidation of third parties and the stepping up of pressure on governments, banking institutions and entrepreneurs worldwide
- The systematic persecution of companies, ships and shipping companies that send fuel supplies to Cuba¹⁹
- The creation and maintenance of the Department of State's list of restricted entities and subentities associated with Cuba, which hinders foreign trade and income from tourism, resources needed to subsidize basic public services²⁰
- The lawsuits filed under title III of the Helms-Burton Act,²¹ for the purpose of intimidation in order to isolate Cuba
- Obstacles to international medical cooperation by Cuba, with sustained pressure campaigns to distort the nature of these actions. Through its medical services, Cuba purchases costly supplies to guarantee free universal access to health care for its population²²
- Action to discredit and hinder international medical cooperation by Cuba, which impairs the exercise of the right to health of the peoples who receive such cooperation
- The impossibility of importing products made up of more than 10 per cent United States components, regardless of the market of origin²³

42. During the coronavirus disease (COVID-19) pandemic, the blockade was reinforced. The entry of donations into the country was hindered; the purchase and transportation of indispensable materials for the prevention, diagnosis and treatment of the disease, as well as for research into vaccine candidates and Cuban vaccines, and their production and evaluation, was hindered and impeded.

III. Results and challenges in the promotion and protection of human rights in Cuba since 2018²⁴

A. Cross-cutting issues

Right to equality and non-discrimination

43. The Cuban Constitution recognizes that all persons are equal before the law; they receive the same protection and treatment; they enjoy the same rights, freedoms and

opportunities, without discrimination of any kind that would entail differentiation that might impair human dignity.²⁵

44. Everyone has the right to enjoy the same public spaces and services. They receive equal pay for equal work.

45. Violation of the principle of equality is prohibited and is punishable by law.

46. The new Criminal Code incorporates a chapter (VIII) entitled “Offences against the right to equality”, to address all forms of discrimination or differentiation that might impair human dignity. It allows for aggravated offences where discriminatory motives are involved in the commission of an act.²⁶

47. In the family sphere, the Family Code establishes that all matters involving discrimination and violence may give rise to urgent custody measures. The victim has the right to file a complaint and request immediate protection.

48. In the period January–May 2023,²⁷ no urgent custody applications were filed on grounds of discrimination. With regard to family violence, 200 proceedings were conducted and the relevant measures imposed.²⁸

49. Between January and May 2023, the courts sanctioned 13 perpetrators for aggravated offences related to gender violence.²⁹

50. In 2022, in offences tried by the courts involving the intentional death of women, gender-based or family violence was found to be a factor in 18 of them. Those responsible were sentenced to more than 25 years’ imprisonment and, in some cases, life imprisonment.

51. In the area of education, 47.43 per cent of the graduates of teacher training colleges in 2021 were black or mulatto; 35.3 percent of pre-university students and 42.8 per cent of students in technical and vocational training are black or mulatto. The proportion is representative of Cuban society today.

52. Awareness campaigns have been stepped up to combat stereotyping and discrimination on any grounds. Public officials are being trained to deal with these issues.

53. From 2018 to 2022, the National Sex Education Centre provided support and advice in 352 cases of alleged discrimination on grounds of sexual orientation or gender identity.³⁰

Access to information and information and communication technologies (ICT)

54. Cuba is making progress in digital transformation in all areas of society and in accordance with the National Plan for Economic and Social Development to 2030.³¹

55. There has been comprehensive growth in Internet development and access, and in the penetration rate, with an estimated 7.8 million Internet users by the end of the first quarter of 2023.³²

56. Internet provision in homes has expanded: in 2022 alone, 23,079 households connected to the service, an 8.38 per cent increase over the previous year, bringing user numbers to 275,230, i.e., a 7.1 per cent penetration rate for this service.

57. The number of cell phone users has gone up by around 600,000 lines a year since 2017, to cover more than 87 per cent of the population. By the end of 2022, the number of mobile phone users was 7,600,092; 68 per cent of them use the Internet. There are now 5,660,131 Internet service users.

58. By the end of the first quarter of 2023, all municipalities in the country had public Internet access, with more than 674 shared spaces for browsing the Web and 1,143 public Wi-Fi areas.

59. By the end of 2022, 42 per cent of educational institutions were connected to the Internet.

60. Electronic Government,³³ one of the mainstays of government administration in the country, continues to expand.

61. E-commerce is diversifying with new services. It has been extended to other sectors, including non-State forms of management. There has been an increase in digital payments.³⁴

62. All this has been done in spite of the blockade imposed by the United States on Cuba, which continues to limit access to broadband Internet links. This restricts the flow of information and the spread of mass Internet access in Cuba, hampers connectivity and makes it more expensive, and affects Cuban users' access to various virtual platforms.³⁵

Combating corruption

63. The policy of the Cuban State and Government to prevent and address acts of corruption is based on compliance with the law, transparency in the exercise of public functions, accountability and citizen participation, as well as compliance with the State's obligations as a party to the United Nations Convention against Corruption.

64. The Office of the Comptroller General of the Republic has constitutional status, as the State body charged with ensuring proper and transparent administration of public funds and oversight of administrative management.³⁶

65. The development of values at all levels of society is encouraged in order to help fight corruption.

66. Cuba is strengthening its cooperation with international organizations in this area. The evaluation for the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption was successfully completed with a visit to the country in 2019.

Disaster protection

67. Improvements to the Cuban Civil Defence System, early warning of natural disasters and the allocation of ample resources for that purpose, make it possible to protect the life and health of the population. The mortality rate from natural disasters is very low.

68. The legislative basis governing the civil defence system has been improved to emphasize the functions of preparedness, recovery and the enhancement of people's perception of risk.³⁷

69. Early warning systems for natural, technological and health hazards continue to be strengthened. There are 23 surveillance systems, 138 disaster risk reduction management centres and 381 early warning points.³⁸ The Cuban experience has been replicated in Caribbean countries.³⁹

70. There is close collaboration with the Cuban National Red Cross Society, the International Red Cross Society and the International Committee of the Red Cross, which takes the form of, among other things, annual high-level dialogues, cooperation in disaster risk management, and training activities.

B. Civil and political rights

Right to life and human dignity

71. In Cuba, the protection of the right to life, liberty, physical and moral integrity, justice, security and peace is a high priority. It is expressly recognized in article 46 of the Constitution.

72. Criminal law establishes severe penalties for conduct that violates these rights.

73. The Criminal Code establishes several new offences as crimes against human dignity, namely torture, enforced disappearance and forced or compulsory labour. Article 97 (5) recognizes that the statute of limitations does not apply to crimes against humanity or to offences under international treaties in force for Cuba.

74. Penalties are increased if the offence is committed by a public official or authority, or their agents or assistants.⁴⁰

75. No prisoner may be subjected to cruel, inhuman or degrading treatment. The adoption and application of measures that humiliate or undermine their dignity is prohibited. These are rights enshrined in article 51 of the Constitution.

76. In Cuba, the use of firearms is strictly controlled by the competent authorities and their use is limited to the defence of the country and law and order.

77. The necessary measures are in place to ensure public safety, maintain a climate of peace, internal order and public confidence in the authorities. The level of insecurity is very low, particularly the homicide rate.

78. The courts resolve 85 per cent of the cases filed within a year and 92.5 per cent of court decisions are executed the same year.

79. Since 2003, no Cuban court has applied the death penalty, even in the case of criminal acts in which it forms part of the range of penalties. Today there is no one in Cuba under sentence of death and it has never been applied to women. The Criminal Code reinforces its exceptional nature. It is maintained for terrorist activities and crimes aimed at destroying the Cuban State or creating terror among citizens.⁴¹

80. Cuba is in favour of eliminating the death penalty when conditions are right. In April 2019, a successful visit by the President of the International Commission against the Death Penalty, Navi Pillay, took place.

Justice system

81. Work continues to enhance the organization and operation of the Cuban justice system as a public service.⁴²

82. The principles and guarantees of the judicial function are reaffirmed:⁴³ supremacy of the Constitution, independence, impartiality, legality, respect for due process, effective judicial protection, effective equality of persons before the law and the right of access to justice, among others. Non-compliance may make judicial proceedings or decisions null and void.

83. The legislative reform has strengthened the procedural guarantees of the justice system. Among other things, arrested persons should be informed promptly of the reasons for their arrest and should have access to legal representation of their choice from the time of arrest, proceedings should be launched within 24 hours of arrest, there should be reasonable time limits for hearings, and the individual should be presumed innocent until finally sentenced.

84. The detention of any person and the precautionary measure of pretrial imprisonment are exceptional in nature. The right to challenge detention before competent courts has been introduced.⁴⁴

85. Between 2018 and 2022, the use of this measure declined. Of the cases brought to court in 2018, 15,291 involved defendants subject to the precautionary measure of pretrial detention; in 2019, the figure was 12,786; in 2020, 10,330; in 2021, 8,857; and in 2022, 7,666. Most of these cases concerned very serious crimes such as murder, homicide, drug trafficking, corruption of minors, migrant smuggling⁴⁵ and human trafficking, among others.

Treatment of prisoners

86. The criminal law recognizes the dignified treatment of persons deprived of their liberty. It provides for their physical, psychological and moral integrity and for the exercise of their rights.

87. They are guaranteed the right to legal assistance from the outset of proceedings;⁴⁶ to file complaints and petitions with the authorities and receive answers; and to appeal against the decisions handed down.

88. In prison, the right to free medical care to the same standard as other citizens is guaranteed,⁴⁷ as well as education,⁴⁸ culture,⁴⁹ recreation⁵⁰ and religious support, upon request by the prisoner.

89. Forty per cent of the prison population is enrolled in training courses with employers, which offers them opportunities for employment and social rehabilitation. More than 34 per cent of the prison population has access to some form of institutional occupational activity, always on a voluntary basis.⁵¹

90. The Act on Criminal Procedure expands the remedy of habeas corpus as immediate protection against the violation of the constitutional right to liberty. Between 2018 and 2022, the courts dealt with 254 habeas corpus applications. In 6.7 per cent of the cases, the request was granted and the detainee was immediately released.

91. In the period from 2017 to 2021, there were more than 30,000 inspections of penitentiary establishments and local detention facilities.⁵²

Right to file complaints and petitions

92. Article 61 of the Constitution recognizes the right of all persons to file complaints and petitions with the authorities, who are obliged to deal with them and provide pertinent responses in accordance with the time frame and procedure established in law.

93. The Office of the Attorney General of the Republic has provided ten modalities for this purpose.⁵³

94. In the period 2017–2021, 658,534 persons were served in the Attorney General's Office, an increase of 174,534 over the period 2012–2016.⁵⁴ A total of 103,592 complaints were received, an increase of 33,065.⁵⁵

95. Legal advice services on the protection of human rights are provided. Since 2018, 50,991 citizens have been advised.

Right to participate in the conduct of public affairs. Freedom of opinion and expression. Association and peaceful assembly

96. In Cuba, the exercise of all individual freedoms and citizens' rights is promoted in strict compliance with the Constitution and the laws.

97. The 2019 Constitution made important changes to the structure of the State. It ensures a proper balance among the organs of State and better functionality. It establishes the President of the Republic as Head of State and the Prime Minister as Head of Government.

98. Term limits are set for the President and Vice President of the Republic, in order to guarantee a turnover in the exercise of power. There has been a shift of model, from one of indefinite re-election to one of limited immediate re-election.⁵⁶

99. The autonomy of municipalities is recognized as a primary component of the territorial organization of the State. Guarantees for people's participation at the local level are strengthened, as a genuine expression of the exercise and democratic control of power.

100. Article 204 of the Constitution establishes the right of all citizens with legal capacity to take part in the management of the State.⁵⁷

101. In December 2022, municipal elections were held, in which 12,422 delegates were elected to the People's Municipal Assemblies. A total of 5,728,220 voters exercised their right to vote, representing 68.56 per cent of the citizens registered in the updated voter lists.

102. One hundred and sixty-eight municipal assemblies were formed. Of the total number of elected delegates, 5,478, or 44.10 per cent, are women. Almost half (48.96 per cent) of those elected by general suffrage (6,082) were re-elected.

103. In the 2023 general elections, of the 470 deputies elected, 55.74 per cent were women and 45.11 per cent black or mulatto. The average age of the deputies is 46 and 94.04 per cent are university graduates.⁵⁸

104. In the Council of State, which has 21 members, the average age is 47 and 20 members have completed higher education.

105. The permanent link between the people and the organs of State, elected representatives and public officials continues to be reinforced, as does oversight of the

administration by the organs of people's power. Act No.135 of 2020, on the recall of persons elected to the organs of people's power, was adopted.

106. Participation by the people and their consultation in decision-making processes is promoted and guaranteed at the various levels and in all areas.

107. Attention is drawn to the active participation of young people in decision-making bodies: 19.79 per cent of deputies to the National Assembly of People's Power are young people aged between 18 and 35.

108. The constitutional right of individuals to freedom of thought, conscience and expression is recognized, respected and guaranteed, as are the rights of assembly, demonstration and association and the freedom of the press for lawful and peaceful purposes.⁵⁹

109. The population is guaranteed access to accurate and timely information on all topics.

110. The Social Communication Act,⁶⁰ adopted in June 2023 by the National Assembly of People's Power, has the basic objective of protecting people's rights to information and communication as contained in the Constitution.

111. Freedom of peaceful assembly, demonstration and association, for lawful and peaceful purposes, are recognized by the State, provided that they are exercised with respect for public order and comply with the principles set forth in law, such as respect for the rights of others and the protection of national security. These rights are recognized in article 56 of the Constitution.

112. Because of their broad membership, representative nature, legitimacy and capacity to mobilize, civil society organizations participate directly in the design and implementation of public policies in Cuba. They have wide-ranging powers and are qualified to put forward proposals, advise and make decisions.

113. There is ever greater coordination and collaboration between government agencies and civil society associations in pursuit of increased protection for human rights.

114. As part of the ongoing legislative activity in the country, an Act on forms of association is being drafted.

Freedom of religion

115. The Cuban State recognizes, respects and guarantees the freedom of religion and belief, without discrimination. Every citizen has the right to change his or her religious beliefs or to have none at all.

116. Guarantees of freedom of worship in Cuba include protection under criminal law. The offence of incitement to violence on grounds of religion or belief incurs severe penalties.

117. Close relations are maintained with the country's religious institutions through a free-flowing, respectful and systematic dialogue. Meetings are held between government authorities, religious leaders and the representatives of a range of institutions and fraternal associations.

118. There are 1,850 religious institutions, with a membership of approximately 1.5 million.⁶¹ Four of the country's religious leaders are deputies in the National Assembly of People's Power, the supreme organ of State power. Many people who profess beliefs are members of various decision-making structures in Cuba, including elected bodies of the People's Power.

119. At the international level, Cuba has maintained a consistent position of promoting respect for diversity and interreligious dialogue, combating religious intolerance and combating terrorism and Islamophobia.

C. Economic, social and cultural rights

Right to health

120. In Cuba, public health is a constitutional right.
121. The National Health System is public, free of charge, accessible to all and non-discriminatory. There are three levels of care, built on a foundation of primary health care⁶² and active community participation.
122. In the period 2018–2020, life expectancy at birth in Cuba was 77.7 years.⁶³ At the end of 2022, the infant mortality rate was 7.5 per thousand live births and the rate of survival to five years of age is 99.1 per cent.
123. There is a ratio of 8.5 physicians to 1,000 inhabitants.⁶⁴
124. Cuba developed and produced the first vaccine against coronavirus disease (COVID-19) in Latin America and the Caribbean.
125. Three proprietary COVID-19 vaccines were developed and approved for emergency use by the national regulatory authority: Abdala, Soberana 02 and Soberana Plus.⁶⁵
126. By close of business on 6 May 2023, 44,133,616 doses of Cuban vaccine had been administered in the country. A total of 10,013,496 people, or 90.7 per cent of the Cuban population, have been fully vaccinated.
127. The Abdala and Soberana 02 vaccines demonstrated a high level of efficacy (92.28 per cent and 91.2 per cent respectively). Both are among the first of their kind in the world.
128. Cuba was the first country in the world to roll out a mass vaccination campaign against COVID-19 in the paediatric population over 2 years of age.
129. During the pandemic, the immunization schedule for children against 13 diseases was maintained, one of the highest immunization coverage programmes in the world. Fourteen infectious diseases have been eliminated. Another 29 communicable diseases and clinical forms are under control, with rates lower than 0.1 per 100,000 inhabitants.
130. Disease prevention and treatment actions have been strengthened, including for cholera, dengue and HIV. The National Programme on STD/HIV/AIDS has been updated for the period 2019–2024. The prevalence of HIV in the population aged 15–49 is 0.4 per cent.
131. In the last seven years, the rate of mother-to-child transmission of HIV has been equal to or less than 2 per cent. In 2015, the World Health Organization validated Cuba as the first country in the world to eliminate mother-to-child transmission of HIV-AIDS and syphilis.
132. The National Health System provides family planning and sexual and reproductive health services. Sex education has been strengthened, particularly for adolescents and young people.⁶⁶
133. Action has been stepped up to reduce teenage pregnancies, an indicator that has decreased slightly, down from 18 per cent in 2021 to 17.8 per cent in 2022.
134. For 2023, public health and social assistance expenditure account for 23 per cent of the country's total budget.
135. Cooperation activities are carried out with other countries in the area of health. By May 2023, as a result of "Operación Milagro" (Operation Miracle), 3,249,487 free eye surgeries had been performed. The Operation reaches 14 countries in the Caribbean and 13 in Latin America.⁶⁷

Right to education and culture

136. In Cuba, education is a universal right.
137. Free, affordable, quality education services are guaranteed, from early childhood through university postgraduate education.

138. The third round of improvement to the National Education System, which promotes participation by multiple actors in the education process, including the family and the community, is ongoing.

139. There are 6,955 primary schools in Cuba, most of them in rural areas (4,849 in all).⁶⁸

140. The technical and vocational training system has been strengthened. In the current (2022/2023) school year, the number of students enrolled is 123,018, of whom 40,738 are female.

141. The national system of artistic and sports education at various levels has been strengthened.⁶⁹

142. The Cuban people's access to culture has been expanded. In 2022, 926,976 cultural activities were carried out, reaching an average of 8.6 million people. In 1,262 communities in transformation, 17,360 activities were carried out with the participation of 1,120,450 people, mainly children, adolescents and young people. This is a 53.8 per cent increase over the previous year.

143. At the international level, Cuba has continued to develop cooperation projects, such as the "Yo Sí Puedo" ("Yes I can") literacy programme, now in a new digital version, which has benefited more than 10,620,913 people in 30 countries in Latin America, Asia, Africa and Oceania.

144. Strengthening human rights education at all levels, including for law-enforcement officials, is a priority for Cuba.

145. A comprehensive, cross-sectoral human rights training system is in place. Content related to gender equality and human rights has been expanded in master's programmes and courses for public officials and authorities.⁷⁰

Right to work, social security and social assistance

146. Equal pay for work of equal value, without discrimination, is a constitutional principle. Violation of this principle is prohibited and is punishable by law.

147. The national legal framework, and the Labour Code in particular, is under review.

148. The protection of workers' rights has been enhanced. The offences of workplace harassment, malicious impairment of labour and social security rights and illegal use of the work of minors have been incorporated into the Criminal Code.

149. In 2021, the Social and Labour Observatory of Cuba was established to monitor social and labour questions that impact on Cuban society. This institution gathers, processes, evaluates and produces information on social and labour indicators around the country, and assists in formulating public policies.

150. At the end of 2022, of the 4,505,900 persons in employment, 1,327,300 were women working in the State sector and 380,100 were women in the non-State sector. Of these, 93,100 were in cooperatives and 287,000 were self-employed.

151. Policies are being adopted to expand opportunities for young people to enter employment. Of the total number of persons in employment, 38 per cent are under 35 years of age.

152. Legal standards for the non-State sector⁷¹ have been enhanced and approval has been given to new actors in the economy such as micro, small and medium-sized enterprises and non-agricultural cooperatives. In addition, Decree No. 33 of 11 March 2021, on the strategic management of territorial development, makes provision for local development projects.

153. The State budget devotes 21 per cent of total social expenditure to social security. Such protection benefits 1,703,614 persons, including pensioners.

154. By the end of 2022, there were 317,878 beneficiaries of social assistance, at an accumulated cost of 741 million pesos, financed by the State budget. Action for social improvement was carried out in 1,104 communities, protecting 19,000 families.

155. A total of 624,978 workers have opted for telecommuting.⁷² Wage protection was provided to workers responsible for the care of their children,⁷³ and 8,776 people in preventive isolation received wage benefits.

156. Training activities on labour rights and social security have been enhanced. Between 2018 and 2022, 63,639 people were trained.

Trafficking in persons

157. Cuba maintains its policy of zero tolerance of any form of human trafficking, reinforcing its measures to prevent and combat this crime and related offences.

158. The Criminal Code now explicitly incorporates human trafficking as a criminal offence. It provides for aggravated offences when the victims are minors.

159. The updated National Plan of Action to Prevent and Combat Trafficking in Persons and Protect Victims is in the process of adoption. It provides for prevention, communication, training, criminal investigation and victim support.

160. Each year since 2013, Cuba has published a national report on preventing and combating human trafficking and on assistance to victims.

161. In 2021 and 2022, 331 professionals and workers from various bodies received training on human trafficking. The Federation of Cuban Women trained more than 855 women grassroots leaders.

Tackling the world drugs problem

162. Cuba maintains its policy of zero tolerance of drugs production, trafficking and abuse. As a result, this is not a social or public health problem and has no significant impact on public safety and the country's internal order.

163. In the last five years, 89.3 per cent of those tried for crimes related to illicit drugs or substances with similar effects received prison sentences, which in more than 46 per cent of cases exceeded 8 years' imprisonment.

164. The National Programme for Prevention and Control of Addiction has been implemented, with multidisciplinary and intersectoral participation and with special emphasis on children and young people. Actions include care, rehabilitation and social reintegration.

165. Between 2018 and 2022, a total of 88,280 calls were received by the free, confidential and anonymous telephone counselling service.⁷⁴ The majority of people who contact the service are aged between 20 and 49. Women account for 57.9 per cent of users of the service.

166. In the education sector,⁷⁵ preventive actions are carried out to enable early detection of young people involved in drug use. Multisectoral action protocols are being developed to address these issues.

D. Rights of specific persons and groups

Women's rights

167. Cuba has made significant progress in the promotion and protection of women's rights.

168. The Constitution reinforces the protection of women and equal rights and responsibilities in all areas, and guarantees the exercise of women's sexual and reproductive rights without discrimination. It protects them from gender violence and promotes their comprehensive development and full participation.⁷⁶

169. The National Programme for the Advancement of Women⁷⁷ has been adopted as the agenda of the Cuban State in developing policies in favour of women and gender equality in the country.

170. The implementation and evaluation of the Programme is directed by a government deputy prime minister and coordinated by the Federation of Cuban Women, as the national mechanism for the advancement of women.

171. Women enjoy full rights to work and social security, on a basis of equality. They receive equal pay for equal work. They have the right to own property, to access land and natural resources and to obtain bank loans.

172. Women's access to free, quality education and health care is guaranteed.

173. They have the right to free and responsible choice in respect of fertility and to the full realization of sexual and reproductive rights, including the right to scientific information about sexuality and family planning. The right to abortion is established and backed up by a safe, free medical-legal procedure.⁷⁸

174. Women's participation in decision making is expanding. Women occupy 52.3 per cent of decision-making positions. In the tenth legislature (2023–2028), 182 women were elected presidents or vice-presidents of the Municipal Assemblies of People's Power (54.49 per cent); in the Cuban parliament they account for 55.74 per cent of seats and in the Council of State,⁷⁹ 52.38 per cent. Cuba ranks second in the world in terms of the percentage of women in parliament. In 2023, one woman holds the position of government deputy prime minister⁸⁰ and five women are ministers.⁸¹

175. The economic activity rate for women is 52.7 per cent and the unemployment rate is 2 per cent, the lowest in the region. Of women in employment, 86.7 per cent work in the State sector and 34.9 per cent in the private sector.⁸²

176. Women account for 63 per cent of union leaders and university graduates.

177. Campaigns to raise awareness of patriarchal and gender stereotypes are being reinforced.

178. In June 2023, the Gender Equality Observatory⁸³ was launched to strengthen the gender perspective in the construction of indicators and the collection of statistics and, at the same time, enable the production of comprehensive quantitative and qualitative analyses of gender equality and women's empowerment in Cuba.⁸⁴

Gender-based violence

179. The Constitution explicitly provides for protection against gender-based violence of any kind, anywhere.⁸⁵

180. Criminal law now makes special provision for preventing and tackling gender-based and family violence, in accordance with constitutional principles and the National Programme for the Advancement of Women. Specific modalities have been included in 36 criminal offences, with aggravated penalties when a crime involves gender-based or family violence, or discriminatory grounds of any kind.⁸⁶

181. The comprehensive strategy on prevention and support in relation to gender-based and family violence has been adopted, providing for prevention, protection and recovery measures in relation to gender violence and violence in the family context. It includes measures to raise awareness among the population and public officials.

Children's rights

182. Cuba has achieved remarkable results in the comprehensive protection and promotion of the rights of children and adolescents.

183. The principle of the best interests of the child now has constitutional status, being established in article 86 of the Constitution. Likewise, article 66 bans child and adolescent labour.

184. The Family Code expands the corpus of exclusive rights of children and adolescents in the family setting. In particular: recognition of their autonomy and the gradual development of their capacity; elimination of exceptions to the minimum legal age of marriage; the requirement for officials dealing with these matters to be specialists; urgent

protection of the courts in situations of family violence; parental authority replaced by the notion of parental responsibility; explicit ban on corporal punishment; among other things.

185. In July 2023, the Policy on Comprehensive Support for Children, Adolescents and Youth in Cuba was adopted. It contains specific measures to guarantee a comprehensive system for the protection and promotion of their rights.

186. Work is under way to update the Children and Youth Code, to be adopted by the National Assembly of People's Power in December 2024.

187. The juvenile justice system has been strengthened, including reinforced guarantees to ensure more comprehensive protection of their rights, in strict compliance with the principle of the best interests of the child and international standards in this area.

188. The minimum age of criminal responsibility in Cuba is 16. Provision has been made for special treatment for persons aged between 16 and 18 who commit crimes. Guarantees have been reinforced and protection enhanced, in accordance with the principles of the Convention on the Rights of the Child.

189. Several new basic rights have been incorporated, such as the right of parents or legal representatives to be informed immediately and the right of parents to make a statement in the preparatory phase; to have legal assistance from the moment of arrest; the exceptional nature of pretrial detention; and to request that the trial be held in camera; among other things.

190. Prosecutorial discretion applies where an offence is committed through carelessness or, if intentional, the offence is one that carries a sentence of up to five years of imprisonment.

191. In the criminal proceedings filed in 2022, 1.1 per cent of the defendants were aged between 16 and 17. In most cases alternative non-custodial punishments were handed down, including for the most serious crimes, namely ones constituting threats to the constitutional order and national security.⁸⁷

192. The protection of children and adolescents from all forms of exploitation is guaranteed. Severe penalties are in place for offences of this nature.⁸⁸ Actions to identify and support families in vulnerable situations are reinforced in order to reduce the risks associated with such behaviours.

Rights of older persons

193. The system of protection for older persons in Cuba contains constitutional guarantees. Respect for their self-determination is recognized, and their social integration and participation is promoted.

194. In 2022, 22.3 per cent of the Cuban population was aged 60 or over⁸⁹ and, by 2030, that figure is estimated to reach 30.3 per cent, giving Cuba one of the most elderly populations in the region.

195. The Family Code strengthens the protection system for older persons. It covers de facto guardianship, the right to a dignified family life free of discrimination and violence, self-regulation of future protection and social participation and inclusion.

196. The National Programme on comprehensive support for older persons for an active and healthy old age has been strengthened. It pays special attention to abuse and neglect and to impairment of the rights of older persons.

197. The home care service is available to older adults with severe disabilities or restricted mobility. The service has 13,972 beneficiaries.

198. Cash allowances for the care of vulnerable older persons are paid for the protection of 2,634 beneficiaries in nursing homes, as well as to 1,897 older persons attending grandparents' centres.

199. There are 40 grandparents' centres for the care of older adults with intellectual disabilities; 158 nursing homes have been equipped, 10 more than in 2018.⁹⁰

200. There are 53 hospital geriatric services in the country, with 1,091 beds, 269 specialist doctors and 149 doctors who are training in this field.

201. By the end of 2021, there were 1,788 registered centenarians, most of them women. All of them receive quality monitoring and care.

202. Social security guarantees benefits for more than 1.7 million retirees and pensioners.

Rights of persons with disabilities

203. Cuba makes extensive efforts to guarantee and protect the rights of persons with disabilities.

204. The disability rate in the country is approximately 4.2 per thousand inhabitants, with a total of 466,957 people.⁹¹

205. The National Action Plan on Support for Persons with Disabilities is being implemented, taking a multisectoral approach to improve their quality of life, guarantee their active participation in society and develop their autonomy to the maximum extent possible.

206. In 2021, the National Commission for the follow-up and monitoring of the implementation of the Convention on the Rights of Persons with Disabilities was established, chaired by a government deputy prime minister.

207. In June 2023, the Cuban Association of Persons with Intellectual Disabilities was established to promote inclusive development and guarantee the full exercise of the rights of this sector of the population.⁹²

208. Children with disabilities receive comprehensive protection for their full development.

209. Their right to education is guaranteed.⁹³ In the 2022/2023 school year, a total of 30,610 children with disabilities are enrolled. Of these, 10,995, or around 35.91 per cent, are in mainstream education, a figure that has been gradually increasing.⁹⁴

210. The preparation of adolescents and young people with disabilities for entry into the labour market is a priority.

211. Efforts are made to ensure access for people with disabilities to educational and recreational materials in formats adapted to each type of disability, including information and communication technologies.

212. In 2022, a significant increase in cultural activities was achieved, with a total of 15,732 activities, 329 more than in 2019.

213. In 2022, 3,769 mothers of severely disabled children were protected by social assistance.⁹⁵

214. Support is given to the work of civil society organizations that bring together persons with disabilities,⁹⁶ as well as for the participation of Paralympic athletes in sports competitions at all levels.

Migrants, refugees, asylum seekers and internally displaced persons

215. Since the update of the Cuban migration policy in January 2013, there has been an increase in departures from the country for personal reasons.⁹⁷

216. Relations with the Cuban diaspora have been strengthened. Since 2018, 28,709 applications from Cuban emigrants (resettled) for residence in the national territory have been granted.

217. In 2018, the residence requirement was abolished to enable the children of Cubans living abroad who were born abroad to acquire Cuban citizenship without needing to live for a time in Cuba. This measure is in line with action 2, target 5, of the Global Action Plan to End Statelessness.

218. Between January 2018 and September 2021, 3,984 children of Cubans living abroad went through this procedure.

219. Cuba provides fair and dignified treatment to refugees and asylum seekers in the country.

220. In 2022, there were 201 refugees in the country, of whom 79 arrived spontaneously, 22 had started families in Cuba and 100 were students.

221. Refugees are guaranteed free access to education, health and the goods and services of the Basic Food Basket, on an equal footing with Cubans. In the context of the COVID-19 pandemic, children in this situation were vaccinated by voluntary consent of their parents or guardians.

222. Close cooperation is maintained with the Office of the United Nations High Commissioner for Refugees (UNHCR) in Cuba. Since the late 1980s, support has been provided to more than 11,300 refugees of 38 nationalities. In 2021, there were around 250 refugees and asylum seekers in the country, mostly from countries such as the Syrian Arab Republic, the Sudan, the Islamic Republic of Iran, Afghanistan and Yemen. These included 31 children, the majority of them of school age.

223. Between 2018 and March 2023, a total of 5,767 irregular migrants from other countries have been rescued in a total of 49 rescue operations.

224. Cooperation is maintained with other bilateral and multilateral counterparts to ensure the protection of migrants.

Promotion of international cooperation and solidarity

225. Cuba maintains close cooperation ties with countries in the region and the world. It runs multiple projects related to the promotion and protection of human rights, particularly in the areas of health and education.

226. By the end of January 2023, more than 2,184 million patients had been treated by Cuban doctors and health personnel in other countries; more than 9,788,000 lives had been saved; more than 5,056,000 deliveries had been performed; and more than 15 million surgical operations had been carried out.

227. Since the COVID-19 pandemic was declared in May 2020, until September 2022, support was provided to deal with the pandemic in 42 countries and territories, where members of 58 specialist Cuban Henry Reeve medical brigades went to join the more than 28,000 Cuban health professionals already working in 66 countries as part of the medical cooperation brigades sent by our country.

228. During this period, 5,838 Cuban health professionals, more than 58.5 per cent of them women, joined the specialist brigades deployed in other countries. These brigades have treated more than 4 million patients and saved more than 80,000 lives.

229. During this period, 40,243 students from 149 countries, mainly African and Latin American countries,⁹⁸ have graduated and, at the same time, support was provided for the training of medical professionals and technicians in the same countries where Cuban medical brigades work.

230. Between 2020 and 2022, 157 Caribbean undergraduates and 13 graduate students graduated.

231. Between 2019 and 2022, more than 60 patients from the Caribbean were treated free of charge in Cuba.

IV. Cooperation with the United Nations human rights system

232. Cuba has a long history of cooperation with human rights mechanisms of a universal and non-discriminatory nature.

233. A positive and flowing dialogue has been instituted with the international human rights treaty bodies. Since the previous universal periodic review, Cuba has defended its reports before the Committee on the Elimination of Racial Discrimination (August 2018); the Committee on the Rights of Persons with Disabilities (March 2019); the Committee against Torture (April 2022); and the Committee on the Rights of the Child (May 2022). A

country report has been submitted to the Committee on the Elimination of Discrimination against Women and other periodic reports are being prepared.

234. Cooperation actions have been carried out with the Office of the United Nations High Commissioner for Human Rights (OHCHR). Technical exchanges with OHCHR staff have been enhanced. OHCHR staff involvement in academic events on human rights and in bilateral exchanges on topics of common interest has increased.

235. In May 2023, an academic visit by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights took place at the invitation of the University of Havana. The Special Rapporteur had exchanges with Cuban authorities, government institutions and civil society organizations. Of particular note was her meeting with the President of the Republic of Cuba, Miguel Díaz-Canel Bermúdez.

236. In May 2023, the Vice-Chair of the United Nations Committee on the Rights of the Child participated in the First International Congress on Childhood and Adolescence, coordinated by the Cuban Centre for Youth Studies. It was the first visit to the country by a member of a treaty body. The expert was able to appreciate the country's progress and the challenges in promoting and defending children's rights and to have exchanges with authorities, government institutions and Cuban civil society organizations.

237. A meeting was held between the President of the Republic, Miguel Díaz-Canel, and the United Nations High Commissioner for Human Rights, Volker Türk. The importance of dialogue and cooperation in promoting all human rights worldwide was reiterated.

238. Cooperation with the International Committee of the Red Cross (ICRC) has been strengthened. In 2022, the eighth High-Level Dialogue between Cuba and ICRC took place in Havana. In the period since the previous report, three dialogues of this kind have taken place.

239. Information has systematically been sent to the thematic procedures of the Human Rights Council.

Cuba's human rights priorities

240. For the next period, the country's priorities in the area of human rights will be:

(a) To press on with legislative updates in order to establish in law the rights and guarantees contained in the Constitution of the Republic of Cuba;

(b) To continue with consolidation of the Cuban Economic and Social Development Model and execution of the National Plan for Economic and Social Development to 2030;

(c) To continue to improve the legal and institutional framework for the protection and promotion of human rights;

(d) To further strengthen participation by the people in political, legislative, electoral and decision-making processes at all levels;

(e) To continue strengthening, on the basis of mutual respect and dialogue, cooperation with the Office of the United Nations High Commissioner for Human Rights, the thematic special procedures established on a universal and non-discriminatory basis and the treaty bodies, among other mechanisms, provided they do not join campaigns of political manipulation against Cuba;

(f) To continue denouncing the economic, commercial and financial blockade imposed by the Government of the United States as the main violation of the human rights of the Cuban people and the main obstacle to the country's socioeconomic development;

(g) To continue to play an active part in United Nations human rights forums, promoting dialogue and cooperation, in accordance with the principles of objectivity, impartiality and non-selectivity.

241. The problems and obstacles that impede greater promotion and protection of human rights in Cuba are:

(a) The unprecedented tightening of the United States blockade of Cuba that began more than 60 years ago, as well as the effects of the unjust inclusion of Cuba in the unilateral list of State sponsors of terrorism;

(b) Structural vulnerabilities stemming from conditions on an island developing country that is a net importer of food and fuel, from the negative impact of climate change and from the impacts of the multiple interconnected global crises;

(c) The existence of the United States naval base at Guantánamo, a portion of national territory occupied illegally and against the will of the Cuban people, and where there is a detention centre in which human rights are violated;

(d) The increase in political and media campaigns against Cuba to distort the true situation in the country and try to obscure its progress in human rights;

(e) The recruitment, financing and use of agents by the United States Government for subversion and regime change, in blatant violation of the Cuban people's right to self-determination and of international law.

V. Conclusions

242. Cuba is strengthening the protection and promotion of human rights for all persons, without discrimination of any kind.

243. The process of updating legislation is making headway and has led to the adoption of new robust and solid legal provisions.

244. Cuba is consolidating the socialist State based on the rule of law and social justice, on respect for legality and institutions and on the democratic, popular and representative nature of the economic, political and social order.

245. We continue to resist the hostility and aggression, and the blockade imposed against Cuba, by successive governments of the United States. This blockade constitutes the most serious obstacle to Cubans' full enjoyment of their human rights.

246. We continue to strengthen the mechanisms for participation by the people in decision-making processes in all areas of society. We count on the broad and active contribution of civil society organizations.

247. Cuba is reinforcing its cooperation and systematic exchanges with the non-discriminatory and universally applicable procedures and mechanisms of the United Nations human rights machinery. It reaffirms its willingness to maintain a genuine and transparent dialogue on human rights.

248. The Cuban people will continue to defend the development model that has been chosen and ratified by a large majority. We will continue to work to ensure a more prosperous and sustainable society and to achieve a just, democratic and equitable international order.

Notes

¹ Este acápite responde a las recomendaciones 24.46; 24.47; 24.48; 24.49; 24.50; 24.51; 24.52; 24.54; 24.55; 24.56; 24.57; 24.58; 24.60; 24.61; 24.62; 24.63; 24.64; 24.65; 24.100; 24.101; 24.102; 24.103; y 24.104.

² Los trabajos son dirigidos por la vice primera ministra Inés María Chapman, bajo la supervisión directa del Presidente de la República.

³ Decreto Presidencial 198/2021, de 8 de marzo de 2021. Los trabajos son dirigidos por la vice primera ministra Inés María Chapman, bajo la coordinación de la Federación de Mujeres Cubanas, como Mecanismo Nacional.

⁴ Se aprobó mediante Acuerdo 9231 del Consejo de Ministros, en noviembre de 2021.

⁵ Se incluyen los organismos de la Administración Central del Estado, Entidades Nacionales,

- Organizaciones sociales, estudiantiles y de masas.
- ⁶ Council of Ministers Decision 9040 of 2021. It is chaired by Deputy Prime Minister Jorge Luis Acuerdo 9040 del Consejo de Ministros de 2021. Es presidida por el vice primer ministro Jorge Luis Perdomo di-Lella, bajo la coordinación del Ministerio de Trabajo y Seguridad Social. Está integrada por: Ministerio de Educación, Ministerio de Salud Pública, Ministerio de Educación Superior, Ministerio de Cultura, Ministerio de Finanzas y Precios, Ministerio de Economía y Planificación, Ministerio del Transporte, Ministerio de Industrias, Ministerio de la Construcción, Ministerio de Turismo, Ministerio de Relaciones Exteriores, Ministerio de Comunicaciones, Ministerio de Justicia, Instituto Nacional de Deportes, Educación Física y Recreación, Instituto de Planificación Física, Instituto Cubano de Radio y Televisión y las Asociaciones de personas en situación de discapacidad.
- ⁷ Ello incluye a organizaciones, movimientos, redes y actores sociales como representantes de la sociedad civil.
- ⁸ Se realizaron 133 mil 681 reuniones de consulta popular, con una participación de 8 millones 945 mil 521 personas. Se registraron 1 millón 706 mil 872 intervenciones, de las que se derivaron 783 mil 174 propuestas (666 mil 995 propuestas de modificación, 32 mil 149 de adiciones, 45 mil 548 de eliminaciones y 38 mil 482 dudas). El 22 de diciembre de 2018, se aprobó la nueva Constitución y se dispuso someterla a Referéndum Popular, el que se realizó el 24 de febrero de 2019. De 8 millones 705 mil 723 ciudadanos con derecho electoral, se registró un 90,15% de participación y ejercieron el derecho al voto 7 millones 848 mil 343 ciudadanos. Votaron afirmativamente 6 millones 816 mil 169 ciudadanos, que representan el 78,30% del total de personas con derecho a ejercer el voto, y el 86,85% de los que lo ejercieron.
- ⁹ Entre las más relevantes se encuentran: la Ley No. 140, De los Tribunales de Justicia, publicada en Gaceta Oficial No. 137 Ordinaria de 7 de diciembre de 2021; Ley No. 141, Código de Procesos, publicada en Gaceta Oficial No. 138 Ordinaria de 7 de diciembre de 2021; Ley No. 142, Del Proceso Administrativo, publicada en Gaceta Oficial No. 139 Ordinaria de 7 de diciembre de 2021; Ley No. 143, Del Proceso Penal, publicada en Gaceta Oficial No. 140 Ordinaria de 7 de diciembre de 2021; Ley No. 145, Ley de Ordenamiento Territorial y Urbano y la Gestión del Suelo, publicada en Gaceta Oficial No. 116 Ordinaria de 24 de noviembre de 2022; Ley No. 148, De Soberanía Alimentaria y Seguridad Alimentaria y Nutricional, publicada en Gaceta Oficial No. 77 Ordinaria de 28 de julio de 2022; Ley No. 149, De Protección de Datos Personales, publicada en Gaceta Oficial No. 90 Ordinaria de 25 de agosto de 2022; Ley No. 151, Código Penal, publicada en Gaceta Oficial No. 93 Ordinaria de 1ro de septiembre de 2022; Ley No. 152, De Ejecución Penal, publicada en Gaceta Oficial No. 94 Ordinaria de 1ro de septiembre de 2022; Ley No. 153, Del proceso de amparo de los derechos constitucionales, publicada en Gaceta Oficial No. 74 Ordinaria de 15 de julio de 2022; Ley No. 159, De la Expropiación por Razones de Utilidad Pública o Interés Social, publicada en Gaceta Oficial No. 46 Ordinaria de 29 de mayo de 2023.
- ¹⁰ <https://www.parlamentocubano.gob.cu/sites/default/files/documento/2023-06/cronograma-legislativo-2023.pdf>.
- ¹¹ Protege el sistema político y estatal de acciones y actividades que se cometen contra el orden constitucional, y con el propósito de crear un clima de inestabilidad social y un estado de ingobernabilidad. Se introduce el “delito contra el orden constitucional”; se inserta una figura dentro de “otros actos contra la seguridad del Estado” para enfrentar el financiamiento de actividades subversivas o contrarrevolucionarias; se sustituye el delito de “propaganda enemiga” por “propaganda contra el orden constitucional” e incluye la “difusión de noticias falsas”; se agrega el delito de “desórdenes públicos”.
- ¹² Gender and family violence and all forms of discrimination are tackled under criminal law. These Se enfrenta desde el Derecho Penal la violencia de género y familiar y todas las formas de discriminación. Visualiza el enfrentamiento a estos fenómenos en 36 figuras delictivas, a las que se incorporan modalidades agravadas cuando el delito se comete con violencia por motivos de género y familiar. Se reformula el “delito con el derecho de igualdad”.
- ¹³ Incorpora como nuevas figuras delictivas el “crimen de agresión”, “tortura”, “tráfico de órganos humanos”, “desaparición forzosa” y “trabajo forzoso u obligatorio”; los “delitos contra el derecho internacional humanitario”. Reformula los tipos penales de “tráfico de personas”, “trata de personas”, “venta y tráfico de menores” y “privación ilegal de libertad”.
- ¹⁴ Se desarrollaron amplios procesos de consulta especializada y consulta popular en los que participaron más de 6 millones de ciudadanos, en 79 mil reuniones, con 336 595 intervenciones y 434 000 propuestas de modificación. Se adoptó mediante referendo popular con un 66.85% de votos a favor de la adopción del Código de las Familias.
- ¹⁵ Es un mecanismo subordinado al MINJUS, para la especial atención de los niños, las personas de edad avanzada o en situaciones vulnerables, de las víctimas de diversas manifestaciones de violencia o de otras circunstancias que puedan resultar en tratos discriminatorios y fallas en la garantía de derechos.
- ¹⁶ Datos desglosados: de abril de 2018 a marzo de 2019 el bloqueo causó afectaciones de 4 mil 343.6

millones de dólares; de abril de 2019 a diciembre de 2020 de 9 mil 157.2 millones de dólares; en los primeros 7 meses de 2021 de 2 mil 557.5 millones de dólares; de agosto de 2021 a febrero de 2022 de 3 mil 806.5 millones de dólares y de marzo de 2022 a febrero de 2023 de 4 mil 867 millones de dólares.

- 17 Implica obstáculos a las operaciones en el sector bancario-financiero, el desenvolvimiento en el comercio internacional, la adquisición de fuentes de ingreso y energía, bienes e insumos fundamentales.
- 18 Un efecto adicional de la designación lo ha constituido el impedimento a viajeros de terceros países de acceder al programa de exención de visados mediante el sistema ESTA si visitaron Cuba en fecha posterior al 1ro de marzo de 2011, disposición que busca desalentar el turismo y obstaculizar los ingresos por esa vía. Esta medida también afecta directamente a los cubanos que ostentan otra nacionalidad.
- 19 Esto ha provocado serios daños a los ciclos productivos del país, el transporte y el sistema energético, con un severo impacto en el disfrute de los derechos humanos de la población.
- 20 Con afectaciones severas a otros sectores como el no estatal, privado y cuentapropista.
- 21 Esta constituye una acción sin precedentes en 23 años de sucesivas suspensiones de esta posibilidad por parte de los gobiernos estadounidenses.
- 22 Se incluyen pruebas diagnósticas, componentes farmacéuticos y para la industria biotecnológica en tratamientos contra enfermedades terminales.
- 23 Esto ha encarecido y dificulta las necesidades de importación de la economía cubana, los abastecimientos, el consumo de la población, el suministro de la industria y el aseguramiento de los servicios básicos en general.
- 24 Este acápite responde a las recomendaciones 24.53; 24.66; 24.74; 24.75; 24.76; 24.77; 24.78; 24.79; 24.80; 24.81; 24.82; 24.83; 24.84; 24.85; 24.86; 24.87; 24.88; 24.89; 24.90; 24.91; 24.92; 24.93; 24.94; 24.95; 24.96; 24.97; 24.98; 24.99; 24.105; 24.106; 24.107; 24.108; 24.109; 24.110; 24.111; 24.113; 24.115; 24.116; 24.119; 24.122; 24.123; 24.124; 24.126; 24.127; 24.128; 24.129; 24.130; 24.131; 24.134; 24.135; 24.136; 24.137; 24.138; 24.139; 24.140; 24.141; 24.142; 24.143; 24.144; 24.145; 24.147; 24.148; 24.149; 24.151; 24.153; 24.155; 24.156; 24.157; 24.162; 24.164; 24.165; 24.166; 24.169; 24.173; 24.176; 24.177; 24.180; 24.185; 24.188; 24.189; 24.190; 24.191; 24.195; 24.197; 24.200; 24.204; 24.205; 24.207; 24.211; 24.212; 24.213; 24.214; 24.215; 24.216; 24.217; 24.218; 24.219; 24.220; 24.221; 24.222; 24.223; 24.224; 24.225; 24.226; 24.227; 24.228; 24.229; 24.231; 24.233; 24.234; 24.235; 24.236; 24.237; 24.239; 24.240; 24.241; 24.242; 24.243; 24.244; 24.245; 24.246; 24.247; 24.248; 24.249; 24.250; 24.251; 24.252; 24.253; 24.254; 24.255; 24.256; 24.257; 24.258; 24.259; 24.260; 24.261; 24.262; 24.263; 24.264; 24.265; 24.266; 24.267; 24.268; 24.269; 24.270; 24.271; 24.272; 24.273; 24.274; 24.275; 24.276; 24.277; 24.278; 24.279; 24.280; 24.281; 24.282; 24.283; 24.284; 24.285; 24.286; 24.287; 24.288; 24.289; 24.290; 24.291; 24.293; 24.294; 24.295; 24.296; 24.297; 24.300; 24.301; 24.302; 24.304; 24.305; 24.306; 24.307; 24.308; 24.309; 24.310; 24.311; 24.312; 24.313; 24.314; 24.315; 24.316; 24.318; 24.319; 24.320; 24.321; 24.322; 24.323; 24.324; 24.325; 24.326; 24.327; 24.328; 24.329; 24.330; 24.331; 24.332; 24.333; 24.334; 24.335; 24.336; 24.337; 24.338; 24.339.
- 25 Ello incluye razones de sexo, género, orientación sexual, identidad de género, edad, origen étnico, color de la piel, creencia religiosa, discapacidad, origen nacional o territorial.
- 26 El artículo 388.1 penaliza a quien discrimine a otra persona o promueva o incite a la discriminación, sea con manifestaciones y ánimo ofensivo de su edad, sexo, género, orientación sexual, identidad de género, origen étnico, color de la piel, creencias religiosas, origen nacional o territorial o discapacidad o cualquier otra lesiva a la dignidad humana o con acciones para obstaculizarle o impedirle, por estos motivos, el ejercicio o disfrute de los derechos de igualdad establecidos en la ley. Del mismo modo, el artículo 388.2 sanciona a quien difunda ideas basadas en la superioridad u odio por el color de la piel o cometa actos de violencia o incite a cometerlos contra cualquier grupo de personas de otro color u origen étnico y el 388.3 a quien difunda ideas o ejecute actos o incite a cometerlos contra cualquier persona o grupo de personas, basado en relaciones de poder desiguales por motivo de género, con el fin de ejercer el control de las víctimas a través de la fuerza o la violencia.
- 27 El Código de las Familias entró en vigor en septiembre de 2022; por ello los datos que se ofrecen son del 2023 (enero-mayo).
- 28 En su mayoría relacionados con cuestiones de determinación de guarda y cuidado y régimen de comunicación. 20 asuntos han estado relacionados con discrepancias en el ejercicio de la responsabilidad parental, en los que se ha impuesto la medida cautelar de prohibición de acercarse o visitar en el hogar familiar y lugares de trabajo, estudio u otros similares, así como la designación de provisión de representantes o apoyos de personas, menores de edad, discapacidad, adultos mayores y víctimas de violencia.
- 29 Figuras agravadas de los delitos de corrupción de menores, abuso sexual, asesinato y amenazas. Del total, a 12 se le impusieron sanciones de internamiento y, de estos, a 11 se impuso la privación de libertad efectiva. A todos los condenados se les aplicó la accesoria de prohibición de acercamiento a

- la víctima.
- ³⁰ De ellos, 150 por motivos de orientación sexual; 82 por razones de identidad de género; 70 por violencia basada en género; 25 por violencia a personas trans y 25 por violencia a personas LGBTIQ+.
- ³¹ Entre 2021 y el 2022, se aprobaron dos Decretos-Leyes, tres Decretos y 46 resoluciones sobre tecnologías de la información y las comunicaciones.
- ³² Al cierre de 2018 accedían al servicio de Internet 1.6 millones de usuarios a través de la telefonía móvil.
- ³³ Para la implementación del gobierno electrónico en Cuba, se definen cinco fases: 1) Presencia: utilizar las TIC para ofrecer información básica al público; 2) Interacción: ofrecer servicios a través de las TIC y establecer contacto vía e-mail; 3) Transacción: realizar trámites completos en línea; 4) Transformación: integración total entre agencias, el sector privado y la ciudadanía, ofreciendo servicios más personalizados (ejemplo: ventanilla única de servicios compartidos); y 5) Participación democrática: utilizar herramientas de gobierno electrónico para el ejercicio de derechos ciudadanos (ejemplo: voto electrónico). Existen 31 portales gubernamentales con servicios o mecanismos de participación ciudadana en línea; 28 de ellos ofrecen en total 90 trámites en línea.
- ³⁴ Las plataformas nacionales de pagos electrónicos Transfermóvil y EnZona continúan su desarrollo, incorporando nuevos servicios y prestaciones, entre ellas la gestión de tiendas virtuales. Al cierre de 2022 se brindaban más de 60 servicios, algunos de los más recientes están relacionados con la mejora en la accesibilidad para personas con discapacidad visual, la incorporación del pago en cajas registradoras, la integración con pasarelas internacionales, entre otros. Estas plataformas cuentan con más de 4 millones de usuarios, y a través de ellas se realizaron, hasta septiembre del 2022, el 87% de los pagos del servicio telefónico, el 41% de la electricidad, y el 59% de los impuestos, elementos que muestran una tendencia creciente en el tiempo.
- ³⁵ Los representantes cubanos han enfrentado numerosas dificultades para participar en reuniones y otros eventos virtuales convocados por organismos del Sistema de Naciones Unidas, dado que Cuba tiene restringido el acceso a varias de las plataformas digitales que se utilizan para estos fines, como es el caso de Zoom.
- Varias plataformas dentro de los sitios oficiales de organismos internacionales se han visto obligados a buscar otras alternativas, pues aparecen restringidos para las IP de Cuba a tenor de las medidas impuestas por la Oficina para el Control de Activos Extranjeros (OFAC), lo que es discriminatorio e ilegal.
- ³⁶ Se adoptó la Ley No.158 de la Contraloría General de la República de Cuba y del Sistema de Control Superior de los Fondos Públicos y de la Gestión Administrativa, el 13 de diciembre de 2022.
- ³⁷ Los capítulos II y IV de la Constitución definen aspectos esenciales para la reducción de desastres, incluidos la función rectora del Consejo de Defensa Nacional y su facultad para decretar la situación de desastres, para un territorio determinado.
- ³⁸ 14 centros a nivel provincial y 124 a nivel municipal.
- ³⁹ Como parte de la cooperación Sur-Sur, Cuba promueve a través del proyecto “Iniciativa para el Manejo de Riesgos en el Caribe” (CRMI, por sus siglas en inglés), la creación de un centro piloto de gestión para la reducción del riesgo de desastres en 5 países: Jamaica, Trinidad y Tobago, República Dominicana, Islas Vírgenes Británicas y Guyana.
- ⁴⁰ Entre las figuras delictivas incluidas en el Código Penal en las cuales se incrementa el marco sancionador si el hecho se realiza por un funcionario público, autoridad, sus agentes o auxiliares, se encuentran la privación ilegal de libertad; sequestración; violación y revelación del secreto de correspondencia; delitos contra la libre emisión del pensamiento, conciencia y expresión, contra los derechos de reunión, manifestación y asociación, queja y petición; contra la libertad religiosa, y las figuras delictivas cuyos sujetos activos son autoridades o sus agentes que mantienen detenidas o recluidas ilegalmente a las personas después de haber sido orientada su libertad.
- ⁴¹ Se incluyen también los delitos de asesinato y tráfico de drogas en sus modalidades más agravadas.
- ⁴² Se aprobó la Ley 140/2021 “De los Tribunales de Justicia”. El Acuerdo 87/2022 del Consejo de Gobierno del Tribunal Supremo Popular, aprobó el Reglamento de esta Ley y fue publicado en Gaceta Oficial No.9 Extraordinaria, de fecha 27 de enero de 2022. La “Ley de Tribunales de Justicia” perfecciona el régimen de responsabilidad de los magistrados y jueces e incorpora la responsabilidad patrimonial del Estado, con cargo al presupuesto del Tribunal Supremo Popular por daños y perjuicios causados por los magistrados, jueces, secretarios y otros trabajadores, en el ejercicio indebido de sus funciones, con independencia de la responsabilidad disciplinaria o penal que corresponda en el orden individual.
- ⁴³ Los tribunales constituyen un sistema de órganos estatales estructurados con independencia funcional. Los magistrados y jueces, en su función de impartir justicia, son independientes y no deben obediencia más que a la ley.
- ⁴⁴ Una vez se arribe al año de permanencia en prisión provisional, el tribunal o el fiscal, según sea el caso, se pronuncia sobre su mantención, modificación o cese.

- ⁴⁵ De acuerdo con el Código Penal cubano, este delito se reconoce como tráfico de personas en el Capítulo III.
- ⁴⁶ La Ley No. 143 del Proceso Penal, en su artículo 130, establece el derecho del imputado o acusado a comunicarse privadamente con su defensor en cualquier etapa del proceso cuantas veces lo solicite, y el tiempo que resulte necesario. En su artículo 2.2, define que todo imputado tiene derecho a la defensa y a designar defensor una vez instruido de cargos, acto que da inicio al proceso correspondiente. Se establece que si el imputado está detenido o asegurado con medida cautelar de prisión provisional o por otra causa y no designa defensor dentro de las 48 horas, se le tramita uno de oficio por la autoridad actuante para la toma de la declaración inicial. La Ley 152 de Ejecución Penal reconoce el derecho del recluso a recibir asistencia jurídica y comunicarse con sus abogados, el que de igual modo se reconoce en el Reglamento del Sistema Penitenciario Cubano.
- ⁴⁷ Se garantiza el tratamiento médico a los reclusos enfermos con el Virus de la Inmunodeficiencia Humana y el Síndrome de Inmunodeficiencia Adquirida (VIH SIDA), los cuales reciben una alimentación reforzada y medicamentos que contribuyen a aumentar su calidad de vida.
- ⁴⁸ El tratamiento educativo se sustenta en el principio del régimen progresivo y del tratamiento en el colectivo, dirigido por personal altamente calificado.
- ⁴⁹ Los reclusos participan en la práctica del deporte y el desarrollo de manifestaciones culturales. La población penal accede al visionado de la televisión y a la comunicación con sus familiares a través de la telefonía pública. Existen programas educativos diferenciados para la población penal femenina, jóvenes, adultos mayores y en condiciones de vulnerabilidad.
- ⁵⁰ La Ley No. 152 de Ejecución Penal, aprobada en 2022, reconoce el derecho de los reclusos a practicar o participar en las actividades deportivas y culturales. El artículo 64 del Reglamento del Sistema Penitenciario establece los procedimientos de tratamiento educativo.
- ⁵¹ Son protegidos por la legislación laboral y reciben remuneración de acuerdo con las tarifas salariales vigentes. El tiempo de trabajo se acredita a los efectos de las prestaciones por concepto de la seguridad social y son protegidos ante enfermedad, accidente de origen común, maternidad, discapacidad y envejecimiento. Tienen derecho a solicitar asistencia social.
- ⁵² En más del 70% participaron especialistas de otras instituciones para la atención especializada e individualizada a los reclusos. La Fiscalía General entrevista a los reclusos sobre la protección de sus derechos y garantías, así como sus quejas, peticiones o denuncias. Son investigadas y se ofrece respuesta individual a cada caso. Cuando se detectan violaciones de la legalidad, se realiza pronunciamiento para su restablecimiento y se exige la aplicación de medidas a los responsables. De existir posibles hechos delictivos, se investigan conforme a la Ley del Proceso Penal vigente.
- ⁵³ Atención presencial en todas las unidades organizativas, línea telefónica, correo postal y electrónico, entrega personal de documentos, buzón, portal web, perfiles de la Fiscalía General de la República en Facebook y Twitter, plataforma bienestar y redes sociales. La Fiscalía General de la República cuenta con 184 oficinas en todo el país.
- ⁵⁴ En el período de 2012 a 2016 se atendieron 483 mil 960 personas.
- ⁵⁵ Se reciben comunicaciones de personas privadas de libertad y sus familiares, mujeres, niñas y niños, adolescentes, adultos mayores, personas en situación de vulnerabilidad, entre otros.
- ⁵⁶ Se limita el mandato del candidato reelecto a un máximo de 10 años, tiempo tras el cual no puede volver a proponerse y nominar como candidato. En el caso de Cuba, la reelección para otro período es por habilitación constitucional expresa, es decir, la Constitución de forma literal contiene una disposición referida a la posibilidad de reelegibilidad inmediata y por una segunda ocasión (artículo 126 constitucional, véase también el artículo 11 de la Ley No. 136/2020). El Vicepresidente de la República es elegido de la misma forma, por igual período y limitación de mandato que el Presidente.
- ⁵⁷ Bien directamente o por intermedio de sus representantes elegidos para integrar los órganos del Poder Popular y a participar en las elecciones periódicas, plebiscitos y referendos populares, que serán de voto libre, directo y secreto.
- ⁵⁸ Ejercieron el derecho al voto 6 167 605 electores, lo que representa el 75.87% del padrón electoral.
- ⁵⁹ Los artículos 53 al 56, contenidos en el Capítulo II del texto constitucional, refrendan estos derechos.
- ⁶⁰ De julio a octubre de 2022, se desarrollaron consultas especializadas del Anteproyecto de Ley. Se registraron más de 60 reuniones en las que participaron de 7 mil 496 personas, entre ellas estudiantes y profesores universitarios, periodistas, artistas, comunicadores sociales y otros profesionales, delegados a las Asambleas Municipales del Poder Popular y diputados, dirigentes políticos y gubernamentales, empresarios y nuevos actores económicos. Del proceso se derivaron 1 426 opiniones, que generaron transformación en el 79.71% de los artículos originales del Anteproyecto consultado.
- ⁶¹ Instituciones religiosas cubanas forman parte de estructuras internacionales homólogas y algunos de sus miembros desempeñan responsabilidades en ellas. Por ejemplo: el Consejo Mundial y Latinoamericano de Iglesias, Acción Conjunta de Iglesias, Alianza Bautista, Federación Universal de Movimientos Cristianos, la Asociación de Iglesias Presbiterianas y Reformadas en América Latina, entre otras.

- ⁶² Se sustenta en una red de servicios integrada y coordinada para la promoción de la salud, la prevención, atención y rehabilitación.
- ⁶³ La esperanza de vida al nacer, en el periodo 2018-2020, es de 77,70 años para ambos sexos. Para los hombres 75,36 años y para las mujeres 80,15 años.
- ⁶⁴ Cuba cuenta con 450 policlínicos; 11 mil 305 consultorios del médico y enfermera de la familia; mil 215 servicios estomatológicos, 149 hospitales; 149 hogares maternos, 301 casas de abuelos; 158 hogares de ancianos, 30 centros médicos psicopedagógicos y 12 institutos de investigación, entre otros.
- ⁶⁵ Se encuentran en etapa de ensayo clínico otros dos candidatos vacunales. El 85% de los productos empleados en el protocolo de tratamiento son de producción nacional.
- ⁶⁶ Cuba cuenta con 12 hospitales ginecobstétricos y 4 materno- infantiles, a la vez que 450 policlínicos prestan servicios de atención a la salud sexual y reproductiva, con sus correspondientes consultorios y 149 hogares maternos.
- ⁶⁷ Hasta mayo de 2023, la Operación Milagro se continúa desarrollando en 9 países (Angola, Argentina, Venezuela, Haití, Guatemala, Guyana, Jamaica, Santa Lucía y Uruguay), con la participación de 194 colaboradores de la salud cubanos.
- ⁶⁸ Se prioriza la atención a las zonas más alejadas o de difícil acceso, con énfasis en las que están comprendidas en el Plan Turquino, mediante una estrategia para la atención a las zonas montañosas que establece un sistema de acciones intersectoriales que favorecen su desarrollo.
- ⁶⁹ Se dispone de 9 520 instructores de arte distribuidos por especialidades: 2 494 de Artes Plásticas; 2 389 de Danza; 2 638 de Música y 2 140 de Teatro. Existen 16 escuelas de iniciación deportiva (EIDE) y dos escuelas nacionales de formación de atletas de alto rendimiento (ESFAAR). Están matriculados en el curso escolar 2022-2023, un total de 16 934 estudiantes atletas.
- ⁷⁰ En los programas de superación de la Escuela de Formación Judicial se incluye, con un carácter prioritario, la formación en temas de derechos humanos. En el primer semestre de 2022, se ejecutaron 24 acciones que tributan a la formación y capacitación, con un enfoque de derechos humanos, desde su protección, promoción y garantías, que beneficiaron a 12 121 personas (magistrados, jueces, secretarios judiciales, diputados, estudiantes, niños y niñas). La Fiscalía General de la República realizó 29 acciones de preparación solo para los fiscales que atienden procesos que involucran niños en situaciones de vulnerabilidad o son víctimas de delitos.
- ⁷¹ Se aprueba el Decreto Ley 44, “sobre el ejercicio del Trabajo por cuenta propia”, de 6 de agosto de 2021, el cual no limita las actividades a ejercer, sino que establece proyectos de trabajo más abarcadores. Se aprueban los Decretos Leyes 46 y 47, “de las Micro, Pequeñas y Medianas Empresas” y “de las Cooperativas No Agropecuarias”, también del 6 de agosto de 2021; en ambos se ratifican las bases para el funcionamiento de estas estructuras, así como la protección a los trabajadores que en ellas se emplean.
- ⁷² Entre ellos 71 409 adultos mayores en riesgo por la COVID 19 y 53 530 trabajadores vulnerables.
- ⁷³ Se beneficiaron un total de 78 301 trabajadores encargados del cuidado de sus hijos en edad escolar y 10 955 trabajadores encargados del cuidado de menores desde 1 hasta 5 años.
- ⁷⁴ Este servicio funciona las 24 horas y es atendido por personal calificado y especializado.
- ⁷⁵ Resolución 15/2019 “Programa educativo para la prevención del consumo de drogas en el Sistema Nacional de Educación”.
- ⁷⁶ Artículo 43. La mujer y el hombre tienen iguales derechos y responsabilidades en lo económico, político, cultural, laboral, social, familiar y en cualquier otro ámbito. El Estado garantiza que se ofrezcan a ambos las mismas oportunidades y posibilidades. El Estado propicia el desarrollo integral de las mujeres y su plena participación social. Asegura el ejercicio de sus derechos sexuales y reproductivos, las protege de la violencia de género en cualquiera de sus manifestaciones y espacios, y crea los mecanismos institucionales y legales para ello.
- ⁷⁷ Se adoptó por Decreto Presidencial 198 de marzo de 2021.
- ⁷⁸ Cuba cuenta con 167 servicios de regulación menstrual. Existe una tendencia a la disminución del aborto y regulación menstrual. Por ejemplo, en 1985 la tasa fue de 55,0; en 1990, de 45,6; en 2015, de 30 y en 2020, de 22,1 por cada mil mujeres de 12 a 45 años de edad.
- ⁷⁹ Órgano que representa a la Asamblea Nacional del Poder Popular entre uno y otro período de sesiones.
- ⁸⁰ Viceprimera ministra Inés María Chapman.
- ⁸¹ Ministerio de Educación, Ministerio de Trabajo y Seguridad Social, Ministerio de Ciencia, Tecnología y Medio Ambiente y Ministerio de Comercio Interior.
- ⁸² Son mujeres el 49,7% de los dirigentes, el 66% de los técnicos y profesionales del país, el 81,9% de los profesores, maestros y científicos, más del 70% de los fiscales, presidentes de Tribunales Provinciales, jueces profesionales y de la fuerza laboral en los sectores de la salud y la educación. En el sistema de las Ciencias, la Innovación y la Tecnología, son el 49,3% y el 53% de los científicos. En el sector de la salud pública son el 70,9%, el 62% de los médicos, el 64,2% del personal que presta servicios de colaboración en varios países del mundo y el 72,2% de los médicos especializados. En el

- Sistema de Tribunales, el 59 % de los cargos de magistrados son mujeres. De 531 plazas de directivos cubiertas, 412 son mujeres, lo que significa el 77.5% del total y, de ellas 324, o sea el 78.6%, son judiciales.
- ⁸³ Esta herramienta recopila información relevante sobre el empoderamiento económico de las mujeres, la educación, prevención y trabajo social; el acceso a la toma de decisiones; los marcos normativos y los sistemas de protección contra todas las formas de discriminación y violencia o la salud sexual y reproductiva.
- ⁸⁴ <https://www.genero.onei.gob.cu/>.
- ⁸⁵ Artículo 43 de la Constitución de la República de Cuba.
- ⁸⁶ En el Código Penal se incorpora la posibilidad de imponer sanción accesoria de prohibición de acercamiento a la víctima o perjudicado, sus familiares y personas allegadas, la que también se contempla como medida cautelar en la nueva Ley del Proceso Penal y en el Código de Procesos para la solución de los conflictos familiares. Se establece una regla especial de adecuación para los delitos cometidos con violencia de género o familiar. Se añade la pareja de hecho afectiva en el ámbito de protección de la ley penal, tanto en la correspondiente circunstancia agravante como en las figuras delictivas en las que el cónyuge está concebido como sujeto pasivo del ilícito penal, y en los delitos de atentado, asesinato, amenazas, acoso y ultraje sexual y chantaje. Replantea el “delito contra el derecho de igualdad”, con especial atención en los aspectos relacionados con las diferentes formas de discriminación que proscriben el Artículo 42 del texto constitucional.
- ⁸⁷ En el delito de Sedición en el 2022 se juzgaron a 29 acusados que tenían 16 y 17 años de edad, sancionándose a todos a penas alternativas de la privación de libertad, de ellas, el 86.2% se extinguen en condiciones de libertad.
- ⁸⁸ En el delito de tráfico de personas y trata de personas, la sanción es de privación de libertad de diez a treinta años cuando entre las personas a transportar se encuentra alguna menor de dieciocho años de edad. En los delitos de desaparición forzada, privación ilegal de libertad y secuestro, se agravan los marcos sancionadores cuando se trata de personas menores de dieciocho años de edad. Se creó el delito de “actos contra la intimidad personal y familiar, la propia imagen y voz, identidad de otra persona y sus datos”, que agrava el marco sancionador cuando la víctima es menor de edad. La sanción de muerte y privación perpetua de libertad no se pueden imponer a las personas menores de 20 años de edad.
- ⁸⁹ El 17% de ellos viven solos.
- ⁹⁰ Cuentan con una dotación de 12 643 camas -872 más- y 301 Casas de Abuelos - 25 más-, con 10 303 capacidades -3 642 más que las reportadas en el informe anterior.
- ⁹¹ Las personas en situación de discapacidad intelectual son atendidas por equipos multidisciplinarios, desde la Atención Primaria de Salud y a través de la red de 30 centros médicos psicopedagógicos, que disponen de 3 290 camas. Las personas en situación de discapacidad auditiva son atendidas desde una red de 37 servicios de Otorrinolaringología-Audiología, de ellos, 19 en hospitales pediátricos y 18 en hospitales de adultos. Además, se cuenta con centros auditivos en todas las provincias, 421 servicios de rehabilitación en los policlínicos, un servicio especializado de implante coclear y cirugías complejas de oído, entre otros. Se integra a esta red el Centro Nacional de Neurociencias de Cuba y los 15 centros del Ministerio de Educación que logran la estimulación y rehabilitación auditiva. Desde 2019, se extendió el pesquisaje activo de las pérdidas auditivas a toda la población infantil. El Programa de Implante Coclear es gratuito y se articula con la red de servicio en todo el país, que incluye la rehabilitación del lenguaje y la audición. Se han beneficiado 543 personas. Las personas con discapacidad visual también cuentan con una red de servicios en todos los niveles de atención del Sistema de Salud, el cual está dirigido a la prevención, habilitación y rehabilitación. Se implementa el pesquisaje visual a todos los recién nacidos.
- ⁹² En 2023, más de 133 000 personas viven con discapacidad intelectual. Se considera la mayor situación de discapacidad en el país.
- ⁹³ En particular en el sistema de Educación Especial. Estas constituyen un sistema de instituciones educativas, modalidades de atención, recursos, servicios especiales, soportes profesionales y vías de extensión en función de los niños, adolescentes y jóvenes con necesidades educativas especiales, sus familias, educadores y otros agentes educativos.
- ⁹⁴ Se dispone de 357 escuelas de educación especial, con 35 607 educandos y 15 278 docentes. Se cuenta con 608 maestros ambulantes para la atención a 1 651 infantes; se han creado 560 salones de educación especial para la primera infancia. En los últimos diez cursos escolares han optado por carreras en la educación superior 1 411 estudiantes con discapacidad.
- ⁹⁵ Son protegidas con el reconocimiento de los años dedicados al cuidado de su hijo, como años de servicios para la jubilación.
- ⁹⁶ Asociación Cubana de Personas con Discapacidad Físico-Motora (ACLIFIM), la Asociación Nacional de Sordos de Cuba (ANSOC) y la Asociación Nacional de Ciegos de Cuba (ANCI).
- ⁹⁷ En el periodo 2018-2022, se realizaron más de 3.5 millones de viajes por parte de 2.1 millones de nacionales, cuyo nivel máximo se alcanzó en 2019 al sobrepasar la cifra de 1 millón de viajes

realizados por 650 mil personas. El 7% del total de viajeros que salen por asuntos particulares, son menores de 18 años de edad, y como destinos principales se registran los Estados Unidos (74 mil 613), México (26 mil 705) y España (16 mil 234). La mayor incidencia hasta el momento fue en el año 2019, con 67 mil 023 salidas.

⁹⁸ De 1959 al 2021, en Cuba se han graduado 405 mil 271 estudiantes en la carrera de Ciencias Médicas, de los cuales 198 mil 992 son médicos.