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**Committee on the Elimination of Discrimination
against Women****Concluding observations on the ninth periodic report of
Cuba***

1. The Committee considered the ninth periodic report of Cuba (CEDAW/C/CUB/9) at its 2106th and 2107th meetings (see CEDAW/C/SR.2106 and SR.2107), held on 18 October 2024. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/CUB/Q/9, and the responses of Cuba are contained in CEDAW/C/CUB/RQ/9.

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report. It also appreciates its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by Her Excellency Ms. Ines Maria Chapman Waugh, Deputy Prime Minister of Cuba, and included representatives of the National Assembly of People's Power, the Ministry of Justice, the Ministry of Education, the Ministry of Foreign Affairs and the Federation of Cuban Women, as well as His Excellency Mr. Juan Antonio Quintanilla Roman, Ambassador and Permanent Representative, and other representatives of the Permanent Mission of Cuba to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2013 of the combined seventh and eight periodic reports (CEDAW/C/CUB/7-8) of the State party in undertaking legislative reforms, in particular the adoption of the following:

(a) The Constitution of 2019, which includes the obligation of the State to protect women from gender-based violence, and creates institutional and legal mechanisms to achieve so;

(b) Decree-Law 84 Amending Decree-Law no. 56 On the Maternity of Working Women and the Responsibility of Families, in 2024;

(c) Law 153 on the Process of Protection of Constitutional Rights, which considers matters of discrimination and violence in the family sphere for urgent protection, in 2022;

* Adopted by the Committee at its eighty-ninth session (7 - 25 October 2024).

(d) The Family Code, which advances women's rights by promoting equality of women and men in family relations, in 2022;

(e) Law 143 on Criminal Procedure, which defines gender violence as “physical, psychological or patrimonial mistreatment, by action or omission, caused by reason of gender” and establishes protection measures for victims, in 2021;

(f) The Procedural Code for the resolution of family conflicts, in 2021;

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) The National Programme for the Advancement of Women (PAM) (Decree No. 198/2021) and the establishment of the National Governmental Mechanism and the Observatory on Gender Equality to monitor its implementation, in 2021 and 2023 respectively;

(b) The Comprehensive Strategy for the Prevention of and Attention to Gender Violence and Violence in the Family (Decree No. 9231/2021), in 2021;

(c) Resolution 58, on regulations for the opening and operation of childcare facilities “Casitas Infantiles” in workplaces, in 2021;

(d) The National System for Comprehensive Care of Life (Decree No. 109/2024) as a tool for intersectoral coordination, and the orderly and flexible advancement of care, of 15 October 2024, which will enter into force 60 days after its approval.

C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Cuba and to adopt relevant policies and strategies to that effect.**

D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Assembly of People's Power, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Context

8. The Committee recognizes the efforts made by the State party to protect and promote women's human rights and advance gender equality. It notes with concern, however, the socioeconomic impact of the United States's sanctions imposed on the State party over the past 60 years, recognized by the United Nations General Assembly in its resolutions on the “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba” (see General Assembly resolution 77/7 of 3 November 2022), and its re-designation as a state sponsor of terrorism in 2021, which have exacerbated the deterioration of the national economy. In particular, the Committee notes with concern that the State party currently suffers from shortages of food, medicines, medical supplies, fuel, and construction materials and that it has intermittent access to electricity,

disproportionately impacting women and girls. This has also resulted in large-scale migration of over one million persons aged 15-59. It notes that the situation has been intensified by prolonged blackouts that has further limited access to healthcare, education, food, hygiene, transportation and other basic services for women, girls and the population in general. The Committee is however concerned at the extreme responses by the state party to persons participating in street protests in relation to these circumstances and the resulting reprisals and detentions especially after the 2019 protests.

Visibility of the Convention and the Committee's general recommendations

9. The Committee notes the efforts of the State party to disseminate and raise awareness of the Convention, particularly targeting State officials. However, it notes with concern women's limited awareness of their human rights under the Convention and the remedies available to claim them, in particular among rural women, women living in poverty, women with disabilities, women of African descent, and lesbian, bisexual, transgender and intersex women.

10. The Committee recommends that the State party further intensify its efforts to widely disseminate and raise awareness of the Convention and the Committee's general recommendations, in particular among rural women, women living in poverty, women with disabilities, women of African descent and lesbian, bisexual, transgender and intersex women, and educate women on their human rights under the Convention and the legal remedies available to claim those rights.

Definition of equality and non-discrimination

11. The Committee notes that the State party's Constitution of 2019 includes the principle of equality of women and men and of non-discrimination on the basis of sex (article 42). It remains concerned, however, about the absence of a comprehensive definition of discrimination against women in its legislation, in line with articles 1 and 2 of the Convention. It also notes with concern the limited implementation of existing laws and policies to address intersecting forms of discrimination against women, in particular rural women, women with disabilities, women of African descent, and lesbian, bisexual, transgender and intersex women.

12. The Committee reiterates its previous recommendation (CEDAW/C/CUB/CO/7-8, para. 11) and calls on the State party to adopt a comprehensive definition of discrimination against women covering direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of State parties under article 2 of the Convention, and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere and to develop and introduce intersectional legislation to address racial discrimination involving broad consultation with women and girls.

Women's access to justice

13. The Committee notes the efforts of the State party to facilitate women's access to justice through targeted laws and policies, including the adoption of the Integral Strategy for Prevention and Attention to Gender Violence and Violence in the Family and the Criminal Procedure Law. However, the Committee notes with concern:

(a) Barriers to access to justice faced by rural women and women with disabilities, such as limited accessibility of court structures for women with disabilities and the absence of courts in remote and underserved areas, legal and transportation costs and limited access to information on available remedies to complain about intersecting forms of discrimination, preventing women from bringing complaints about violations of their rights;

(b) The lack of information on the implementation of the new normative framework and whether there have been periodic assessments of the progress made, with a view to adapting its goals and targets.

14. The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:

(a) Strengthen access to justice for rural women and women with disabilities, including by ensuring that courts are fully accessible to persons with disabilities, deploying mobile courts to remote areas, providing free legal aid, reimbursement of transportation costs and disseminating information about the legal remedies available for women to claim their rights;

(b) Enhance transparency and communication regarding the implementation of the new normative framework on women's access to justice, including by providing detailed and publicly accessible information on the steps taken to conduct regular and periodic assessments of the progress made.

Women Peace and Security

15. The Committee notes with concern the lack of a national action plan for the implementation of Security Council resolution 1325 (2000) on women, peace and security in the State party.

16. The Committee recalls its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, and recommends that the State party, in cooperation with representatives of women's civil society organizations, consider the development of a national action plan on women and peace and security, in line with Security Council resolution 1325 (2000) and other subsequent resolutions, which is linked to the national security strategy and emphasizes the three pillars of the women, peace and security agenda – prevention, participation and protection – to promote the role of women, women's organizations and women human rights defenders as important agents driving resilient and peaceful societies, nationally and regionally.

National machinery for the advancement of women

17. The Committee reiterates its previous concern (see CEDAW/C/CUB/CO/6, para. 15 and CEDAW/C/CUB/CO/7-8 para. 16) that the Federation of Cuban Women, recognized by the State party as its current national machinery for the advancement of women, has the status of a non-governmental organization and functions as a mass organization rather than as a government institution, which limits its effectiveness in promoting women's enjoyment of their rights and gender equality. It also remains concerned about the lack of a governmental authority with adequate human, technical and financial resources and a broad mandate to coordinate the implementation of the Convention and ensure gender mainstreaming across all government departments.

18. The Committee recommends that the State party establish a national machinery for the advancement of women at government level, with sufficient authority and adequate human, technical and financial resources to coordinate the implementation of the Convention as well as gender mainstreaming across all government departments and ensure the integration of a gender perspective, an intersectional gender perspective and a human rights based approach in public policies, in cooperation with women's civil society organizations of pluralistic backgrounds, including those representing women of African descent, women with disabilities, and LGBTI women.

Non-governmental Organizations

19. The Committee remains deeply concerned about:

(a) The State party's "Law on Associations" (Law 54), which restricts the establishment of independent women's associations;

(b) The new provisions in the Penal Code that could pose serious threats to human rights organizations by retaining and increasing penalties for "public disorder," "resistance," and "contempt", contemplating imprisonment for "endangering the constitutional order" based on vague criteria, and criminalizing foreign funding for "activities against the State";

(c) Consistent reports that of non-governmental organizations continue to be charged with broadly defined offences as a form of intimidation.

20. **The Committee considers the participation of women in civil society, especially in women's rights organizations, as essential for ensuring the equal and inclusive representation of women in decision-making systems, in line with its general recommendation No. 40 (2024), including in the development of gender-responsive legislation and policies. It urges the State party to:**

(a) **Repeal the Law on Associations to allow for the establishment of independent women's associations, including non-governmental organizations;**

(b) **Refrain from using provisions of the Penal Code to unduly restrict the legitimate work of women activists and independent non-governmental organizations;**

(c) **Protect women's civil society organizations, women human rights defenders and women activists from all forms of reprisals and create an enabling environment for them to freely carry out their legitimate work.**

National human rights institution

21. The Committee commends the establishment of the National Ombudsman's Office within the Ministry of Justice (2023). However, it notes with concern that the State party has not yet established a national human rights institution.

22. **The Committee recommends that the State party establish an independent national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles; see General Assembly resolution 48/134 of 20 December 1993), with a strong mandate to protect and promote women's human rights, and provide it with adequate human, technical and financial resources to enable it to effectively discharge its mandate.**

Temporary special measures

23. The Committee takes note of the State party's efforts to adopt specific measures to promote substantive equality of women and men by strengthening women's access to paid work, childcare services, and housing support for mothers with three or more children. However, it notes with concern the limited use of temporary special measures in the State party's normative framework in areas where women, particularly rural women, women with disabilities, women of African descent, and lesbian, bisexual, transgender and intersex women, are underrepresented and disadvantaged, such as in political, public, social and economic life, education, employment, medical professions and the social security system.

24. **The Committee recommends that the State party adopt temporary special measures, including quotas, special scholarships, affirmative procurement and financial incentives for hiring women, and establish time-bound targets to accelerate the achievement of substantive equality of women and men in all areas where women, particularly rural women, women with disabilities, women of African descent, and lesbian, bisexual, transgender and intersex women, are underrepresented or disadvantaged, including in political, public, social and economic life, education, employment, medical professions and the social security system, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures.**

Gender stereotypes

25. The Committee acknowledges the measures taken by the State party to address gender stereotypes, including educational and awareness-raising campaigns and measures to address gender issues in the media. However, the Committee notes with concern the persistence of patriarchal attitudes and stereotypes about the roles and responsibilities of women and men in the family and in society, which exacerbate the high levels of gender-based violence against women and girls, including sexual and domestic violence and sexual harassment, in the State party.

26. **The Committee recommends that the State party include education on women's human rights and gender equality at all levels of education, including for men and boys, and further strengthen awareness-raising campaigns to dismantle deep-rooted patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men in the family and in society, in cooperation with civil society organizations, community and religious leaders, teachers, academics, the business sector and the media.**

Gender-based violence against women

27. The Committee notes that the State party has strengthened its normative framework to protect women from gender-based violence, including by criminalizing "the death of a woman for gender-based reasons" in the Penal Code and enacting the Comprehensive Strategy for the Prevention of and Attention to Gender Violence and Violence in the Family. It is, however, concerned about the high prevalence of gender-based violence against women and girls in the State party. In particular, the Committee notes with concern:

- (a) The high number of femicides, cases of rape, assault and other sexual crimes, as well as cases of domestic violence, particularly of Afro-descendant women and girls;
- (b) The lack of government shelters for victims of gender-based violence, in particular domestic violence, including those accompanied by their children;
- (c) The lack of comprehensive legislation criminalizing all forms of gender-based violence against women, covering both the public and private spheres;
- (d) The high level of gender-based violence and police brutality against lesbian, bisexual, transgender and intersex women, including women of African descent, as well as their stigmatization, lack of protection and the low prosecution and conviction rates in such cases.

28. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 and target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, the Committee urges the State party to:**

- (a) **Incorporate "femicide" as a crime in the Penal Code to raise awareness and public recognition of this crime and strengthen measures to prevent, prosecute and punish perpetrators in cases of gender-based violence against women;**
- (b) **Establish sufficient shelters across the State party, including in collaboration with Civil Society Organizations, with adequate human, technical and financial resources, particularly outside urban centres, that include psychosocial counselling and legal aid for women and children victims of domestic or other forms of gender-based violence;**
- (c) **Promptly elaborate and adopt comprehensive legislation on gender-based violence that criminalizes all its forms, in consultation with women's rights organizations;**
- (d) **Prevent, investigate, prosecute, and adequately punish perpetrators of hate crimes and police brutality against lesbian, bisexual, transgender and intersex women.**

Trafficking and exploitation of prostitution

29. The Committee acknowledges reports about the increase in sexual exploitation and prostitution since the most recent sanctions and trade restrictions, due to poverty and hunger exacerbation. The Committee takes note of the National Action Plan for Preventing and Combating Trafficking in Persons and Protecting Victims (2022–2024). However, it notes with concern:

- (a) The lack of a comprehensive law on trafficking in persons and that existing unclear legal provisions may give rise to impunity of perpetrators, as children above the age of 16 years are not protected against sexual exploitation;

(b) The insufficient support services for victims of trafficking and the absence of specialized long-term shelters in the State party;

(c) The heightened risk of sex trafficking and exploitation of prostitution for Afro descendent women, rural women, women with disabilities and women living in poverty;

(d) The insufficient efforts to prevent the exploitation of prostitution of women and girls in tourist areas.

30. Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:

(a) **Expand the definition of the offence of corruption of minors to include children between 16 and 18 years of age and consider adopting a comprehensive law on trafficking in women and girls, covering all forms of trafficking, including for sexual purposes, with clear obligations for prevention, protection, prosecution of perpetrators and rehabilitation and reintegration of victims;**

(b) **Allocate sufficient funding to ensure adequate support services for victims of trafficking, including by establishing specialized long-term shelters and providing psychosocial counselling and reintegration programmes;**

(c) **Reinforce programmes and plans for alternative income-generating opportunities and decent work with a specific focus on Afro descendent women, rural women, women living in poverty and transgender women who are otherwise at risk of trafficking and/or exploitation in prostitution;**

(d) **Take measures to prevent and combat the exploitation of prostitution, particularly in tourist areas of the State party, provide protection and support services to women and girls exploited in prostitution, including alternative income-generating opportunities and exit programmes for those who wish to leave prostitution, address the root causes of prostitution.**

Equal participation in political and public life

31. The Committee welcomes the high representation of women in the parliament (55.7% per cent in 2024), as well as their increased representation in government bodies and in the judiciary, including the Supreme Court. However, the Committee notes with concern:

(a) That the Political Bureau, including its Executive Secretariat, as the governing body of the Central Committee of the Communist Party of Cuba, is currently composed of 17 men and only 3 women;

(b) That only 5 of the 25 Ministries of the People's Power are headed by women;

(c) The lack of temporary special measures to accelerate the participation in political and public life of disadvantaged groups of women, such as rural women, women with disabilities and women of African descent;

(d) That women continue to be underrepresented on governing boards and company boards in different economic sectors, particularly in the metal industry, engineering, transport and the sugar industry.

32. In line with its general recommendations No. 40 (2024) on the equal and inclusive representation of women in decision-making systems and No. 23 (1997) on women in political and public life, the Committee recommends that the State party strengthen its efforts to promote women's equal representation as Ministers and in decision-making bodies, such as the Political Bureau, in the public service and on governing boards and company boards in different industries at the national, state and local levels, with a particular focus on disadvantaged groups of women, such as rural women, women with disabilities and women of African descent by adopting targeted measures, including temporary special measures, such as gender parity quotas and preferential appointment of women, in particular at decision-making levels.

Women human rights defenders

33. The Committee notes with concern that the State party denies allegations of criminalisation against women human rights defenders. It remains deeply concerned at consistent reports from credible sources during the reporting period, including by other UN mechanisms and bodies, reporting about threats, attacks, gender-based violence, stigmatization, harassment, intimidation (including online), criminalization, cases of reprisals, arbitrary arrests and detention, and defamation campaigns targeting women human rights defenders, including women journalists and media workers, women protesting the current economic conditions and women advocating for the rights of lesbian, bisexual, transgender and intersex women in the State party.

34. **The Committee urges the State party to ensure that criminal law is not used to arbitrarily arrest and detain or retaliate against women human rights defenders especially during this critical period, and to protect women human rights defenders, women journalists and media workers and women advocating for the rights of lesbian, bisexual, transgender and intersex women from any threats, attacks, gender-based violence, stigmatization, harassment, intimidation, defamation, criminalization and other reprisals for their legitimate work. It also urges the State party to investigate all reported cases and prosecute and adequately punish perpetrators of such acts, including public officials, and to ensure that women human rights defenders, women activists and women journalists and media workers, including those who are critical of the government, can freely carry out their legitimate work and exercise their rights to freedom of expression, peaceful assembly and association.**

Education

35. The Committee welcomes the achievements of the State party in the area of women's and girls' education and that the right to education is universal and free at all levels of education. However, it notes with concern:

- (a) The high dropout rates among schoolgirls due to early pregnancy;
- (b) Persistent discrimination against girls and women with disabilities in educational institutions;
- (c) The limited Internet access for girls and women, in particular for rural girls, girls of African descent, economically disadvantaged girls and women and girls with disabilities;
- (d) That the Ministerial Resolution 16/2021 regulating the Sexuality Education Programme with a Gender and Sexual Rights Approach has not been implemented in the educational system.

36. **Recalling its general recommendation No. 36 (2017) on the right of girls and women to education and target 4.1 of the Sustainable Development Goals, to ensure by 2030 that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes, the Committee recommends that the State party:**

- (a) **Intensify efforts to ensure the retention and reinsertion of pregnant girls and young mothers into the education system, including by providing affordable childcare facilities and out-of-school educational and parenting support for young mothers;**
- (b) **Ensure that all women and girls with disabilities have access to quality inclusive education, seeking not only their access to, but also their retention in schools;**
- (c) **Take measures to remove barriers to girls' and women's access to the Internet, realize their equal right to access information and telecommunication technologies across the State party and increase the number of community centres with training programmes on information and communications technologies and digital skills targeting rural girls, girls of African descent, economically disadvantaged girls and women and girls with disabilities;**

(d) **Prioritize the implementation of Resolution 16/2021 that establishes the Comprehensive Sex Education Programme in the national education system and integrate age-appropriate gender and sexuality education, including education on responsible sexual behaviour, in school curricula to prevent early pregnancies and sexually transmitted diseases.**

Employment

37. The Committee welcomes the ratification by the State party of the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182) in 2015, the adoption of the Protocol for Action in Situations of Discrimination, Violence and Harassment in the Workplace (Decree 96/2023) and the approval of the National System for Comprehensive Care of Life. However, it notes with concern:

(a) The high unemployment and self-employment rates among women, their concentration in the informal economy and the limited employment opportunities for rural women, women with disabilities, women of African descent as well as lesbian, bisexual, transgender and intersex women in the State party;

(b) Women's disproportionate share of unpaid domestic, care and support responsibilities, preventing them from equally participating in employment, as well as their limited time to rest to maintain their well-being, despite recent legislation to address the issue;

(c) Reports that women who have expressed dissenting political views have been denied employment or have been laid off;

(d) That the State party has not ratified the Violence and Harassment Convention, 2019 (No. 190), the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Decent Work for Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization.

38. **In line with Sustainable Development Goals target 8.5, which is to achieve full and productive employment and decent work for all women and men, including for young people and person with disabilities, and equal pay for work of equal value, the Committee recommends that the State party:**

(a) **Adopt targeted measures to promote access for women to formal employment, with particular attention to rural women, women with disabilities, women of African descent and lesbian, bisexual, transgender and intersex women;**

(b) **Implement without delay the National System for Comprehensive Care of Life and ensure that it is gender, disability and age-responsive and addresses specific needs and rights of women. Additionally, strengthen efforts to promote equal sharing of family and domestic responsibilities between women and men, including by introducing paternity leave or equal parental leave, flexible working arrangements and increase the availability of affordable quality childcare services and care services for persons with disabilities and older persons;**

(c) **Explicitly prohibit employment discrimination on the basis of political opinion;**

(d) **Ratify, without delay, the Violence and Harassment Convention, 2019 (No. 190), the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Decent Work for Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization.**

Health

39. The Committee commends the State party on its universal and free healthcare coverage. It also notes that the exercise of sexual and reproductive health rights is protected by the Law on Public Health (165/2023), including access to safe abortion services. However, it notes with concern:

(a) Women's and girls' limited access to modern contraceptives and the high rates of early pregnancy in the State party;

(b) Shortages of essential medicines, hygiene products and medical supplies compelling women to procure them in the informal market at elevated costs or remain without;

(c) That the public expenditure on primary health care and medicines and the percentage of the national budget allocated to health has decreased.

40. In line with general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, to reduce global maternal mortality and ensure universal access to sexual and reproductive health-care services, the Committee recommends that the State party:

(a) **Increase affordable access to, as well as the use of, modern contraceptives with a view to reducing early pregnancies;**

(b) **Ensure the availability of essential medicines, hygiene products and medical supplies across the State party and regulate the informal market;**

(c) **Ensure that sufficient public expenditure is allocated to healthcare and medical supplies.**

Economic empowerment of women

41. The Committee welcomes the measures taken by the State party to promote women's economic empowerment, including through public policies that promote women's employment and the expansion of support services. It nevertheless notes with concern:

(a) That only four out of 10 formally employed persons in Cuba are women and women represent only 22.6% of the persons with land tenure;

(b) The low income of women in food production and industrial production especially in rural communities which discourages their involvement;

(c) The focus on food distribution to the tourism sector which affects the availability of local food to citizens;

(d) The disproportionately high poverty rate and limited access to economic resources and social benefits among disadvantaged groups of women, such as women with disabilities, rural women and women of African descent.

42. The Committee recommends that the State party:

(a) **Strengthen efforts to reduce the feminization of poverty, with a particular focus on disadvantaged groups of women, promote their access to land tenure and low-interest loans without collateral and other forms of financial credit;**

(b) **Review industrial and agro-processing joint ventures to ensure that women workers and producers are adequately remunerated and enjoy sustainable livelihoods;**

(c) **Increase local food production and ensure that it also reaches the local population, in addition to the tourism sector;**

(d) **Strengthen participation of disadvantaged groups of women in entrepreneurial initiatives to empower them economically and provide them with opportunities to acquire the necessary support and skills to fully participate in economic life.**

Rural women

43. The Committee notes the State party's measures to promote the rights of rural women such as the "Turquino Plan". However, it notes with concern that rural women have limited access to land use (10%), agricultural technology, education and health services, including sexual and reproductive health services, and that they spend 80 percent of their working time in unpaid work and perform "support" tasks for production, often without labour contracts and remuneration.

44. In line with its general recommendation No. 34 (2016) on the rights of rural women and target 5.a of the Sustainable Development Goals, to undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, the Committee recommends that the State party:

(a) Ensure that rural women have equal access as men to land ownership and use and conduct awareness-raising campaigns to dismantle patriarchal attitudes and gender stereotypes that are prevalent in rural areas;

(b) Ensure that rural women and girls have adequate access to agricultural technology, productive means, education, health and other basic services to prevent largescale migration to urban areas;

(c) Take measures to promote formal employment of rural women and ensure that they are adequately remunerated;

(d) Strengthen agricultural support services to women farmers including those who recently received land for beneficial use, including infrastructure, access to seeds, machinery, equipment, extension services and research information, as well as fair remuneration.

Disadvantaged groups of women

Women and girls of African descent

45. The Committee notes that Cubans of African descent make up 35.9% of the population and are central to the nation's identity. It notes with concern, however, that despite their important cultural role, women and girls of African descent face systemic and intersecting forms of discrimination, gender-based violence, higher poverty rates, higher detention rates and limited political representation.

46. The Committee recommends that the State party take urgent measures to address systemic and intersecting forms of discrimination, including racial discrimination, against Afro-descendent women and girls, protect them from gender-based violence and actively promote their meaningful participation in decision-making, especially in relation to issues affecting their communities and compile disaggregated and intersectional data related to women and girls who self-identify as of African descent to use as basis for policy and planning.

Women in detention

47. The Committee notes with concern:

(a) Reports that women deprived of their liberty for expressing dissenting views face violations of due process and fair trial guarantees, severe sentences, physical ill-treatment, psychological violence, including the arbitrary use of punishment cells with substandard conditions and for excessive periods of time. It also notes that women political prisoners are reportedly often denied family visits and face additional obstacles in accessing alternative forms of detention that would allow them to live with their children and families;

(b) That some transgender women in detention must share cells with male detainees, despite provisions recognising the respect of gender identity for persons in detention.

48. The Committee recommends that the State party:

(a) Ensure that the conditions of all women in detention are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);

(b) Ensure that they have access to regular family visits (particularly of detained mothers) and abolish the use of solitary confinement as a punitive measure. It

also recommends that the State party take measures to ensure in practice adequate treatment of transgender women in detention.

Lesbian, bisexual, transgender and intersex women

49. The Committee notes the steps taken by the State party to raise awareness among public officials of the rights of lesbian, bisexual, transgender and intersex women. However, it notes with concern that they continue to face high levels of gender-based violence, intersecting forms of discrimination and stigmatization in the State party, as well as the insufficient measures in place to prevent, investigate, prosecute, and punish gender-based violence against lesbian, bisexual, transgender and intersex women.

50. The Committee recommends that the State party take urgent measures to prevent and protect lesbian, bisexual, transgender and intersex women from discrimination and gender-based violence, including by implementing legislation that recognizes such acts as hate crimes and criminalizing acts of lesbo/transphobia.

Women and girls with disabilities

51. The Committee notes the creation of the Cuban Association of Persons with Intellectual Disabilities and that social assistance is provided to mothers of children with disabilities. However, it notes with concern that women and girls with disabilities, especially those belonging to rural and/or afro-descendant communities, face intersecting forms of discrimination in the State party. It notes with particular concern:

(a) The limited access for women and girls with disabilities to physical infrastructures, information and communication technologies, justice, education, employment and health services;

(b) That specific measures to protect women from gender-based violence are not accessible to women and girls with disabilities.

52. The Committee recommends that the State party strengthen the legal protection of women and girls with disabilities, provide them with adequate access to physical infrastructures, information and communication technologies, justice, education, employment and health, and ensure that legal safeguards effectively protect women and girls with disabilities from gender-based violence.

Climate change and disaster risk reduction

53. The Committee welcomes the inclusion of references to the environmental risks and impact of climate change in its Constitution. However, it notes with concern:

(a) That the climate crisis has a deleterious impact on women, especially disadvantaged groups of women, who face natural disasters and extreme weather events, such as hurricanes, landslides and flooding and often lack the conditions to increase their climate resilience, which results in the loss of their ecosystems, community habitats, livelihoods and the disruption of food and water supplies;

(b) That the State party has not ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) of 2018.

54. Recalling its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party review its climate change and disaster response strategies, taking into account the negative effects of climate change on the livelihoods of women, and ensure that women and men are equally represented in the development, adoption and implementation of legislation, policies and programmes on climate change, disaster response and disaster risk reduction, in particular by:

(a) Ensuring the participation of rural women and other disadvantaged groups of women in decision-making related to development projects, economic initiatives, investment, tourism, climate change mitigation, adaptation programmes and conservation projects;

(b) **Integrate a gender perspective in national policies and action plans on climate change and disaster risk reduction and ensure the meaningful participation of women from diverse backgrounds in the formulation and implementation of such policies;**

(c) **Expedite the ratification of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) of 2018.**

Marriage and family relations

55. The Committee notes that the Family Code (2022) sets the legal minimum age of marriage at 18 years for both women and men, recognizes the rights of women as caregivers, strengthens protections for older women, women with disabilities, and lesbian, bisexual, transgender and intersex women, and recognizes marriage and unions for same-sex couples. However, it notes with concern the high prevalence of girls entering a *de facto* union before the age of 18, with serious negative consequences for their health and education and economic protection. It also notes with concern that reports of cases of early unions have not been criminally investigated.

56. **In line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, with article 16 (2) of the Convention and joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:**

(a) **Strengthen measures to eliminate *de facto* unions with children, including in the tourism sector and protect the educational, health and economic rights of girls in *de facto* unions, including by raising public awareness on the minimum age of marriage throughout the country and on the harmful effects of child marriage and early unions on the health, education and life choices of girls;**

(b) **Fully implement the Family Code and investigate and prosecute cases of early unions.**

Data collection and analysis

57. **The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals.**

Optional Protocol to the Convention

58. **The Committee encourages the State party to ratify, as soon as possible, the Optional Protocol to the Convention.**

Beijing Declaration and Platform for Action

59. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

Ratification of other treaties

60. **The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of**

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the

their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, to which it is not yet a party.

2030 Agenda for Sustainable Development

61. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

62. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the National Assembly and the judiciary, to enable their full implementation.

Technical assistance

63. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avails itself of regional or international technical assistance in this respect.

Follow-up to the concluding observations

64. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 18, 28 (c), 44 (d) and 48 (b) above.

Preparation of the next report

65. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

66. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.