

## **ADVANCE QUESTIONS TO CUBA**

### **CZECH REPUBLIC**

- We welcome the signing of Cuba to the ICCPR and ICESCR in 2008 and would like to know how the ratification procedure continues and how long it is expected to take?
- Has the government of Cuba considered issuing a standing invitation to the Special Procedures of the HRC?
- What specific measures are available to protect the rights of children of detainees/prisoners?
- What legal safeguards are in place to ensure protection against abuse of criminal provisions for persecution of human rights defenders?
- How is ensured freedom of expression and of peaceful assembly?

### **LATVIA**

- According to the information by the Office of the UN High Commissioner for Human Rights, 63 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering previous cooperation of Cuba with special procedures mandate holders (Special Rapporteur on violence against women, its causes and consequences (7-12 June 1999), Special Rapporteur on the use of mercenaries (12-17 September 1999), Special Rapporteur on the right to food (28 October – 6 November 2007)) - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

### **LIECHTENSTEIN**

- In 1997 the United Nations Committee on the Rights of the Child (CRC), while taking note of Cuba's efforts to deal with the issue of child abuse, including through the establishment of an early warning system for violence against children, expressed concern in relation to a child's opportunity to report abuse and other violations of his/her rights in the family, schools or other institutions and to have a complaint taken seriously and responded to effectively. CRC recommended that further measures to protect children from abuse and maltreatment be undertaken, in particular through the development of a widespread public information campaign for the prevention of corporal punishment and bullying of children, whether by adults or by other children. What measures have been taken to address this concern?

- In 2006 the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) expressed concern about the low percentage of women that own land in the rural areas and their limited access to credit and training. CEDAW recommended that Cuba pay special attention to the situation of rural women in order to ensure that women in the rural areas have effective access to, and control over, land and to credit facilities and training opportunities. How does Cuba intend to follow up on this recommendation?

## **NETHERLANDS**

- The announcement that Cuba would ratify the ICCPR and the ICESCR in the near future is considered an important positive step. Some national legislation seems to be contradictory to the spirit of these treaties, for example the law on “peligrosidad social pre-delictiva”.
- Which measures will the Cuban government take in order to adapt national legislation to the ICCPR?
- Could the government of Cuba elaborate on its timeline to ratify the ICESCR?
- Which measures is the Cuban government taking to deal with incidents of violations of the Standard Minimum Rules for the Treatment of Prisoners in its prisons?
- Would Cuba consider access by independent organisations like the ICRC to its prisons in the near future?

## **SWEDEN**

- Credible reports from 2008 show increased levels of arbitrary detentions of dissidents in Cuba, as well as continued restrictions on the freedoms of expression and the press, association, assembly and movement, and on the right to take part in the government of one’s country. Generally defined headings in the Criminal Code against crimes such as “ dangerousness, enemy propaganda and contempt of authority” are used to penalize the exercise of fundamental freedoms. Reports also note with concern harassment and intimidation of critics through acts of repudiation. Could the government of Cuba elaborate on its plans for press law reform and any other measures it is taking to ensure full respect for the freedom of expression, association and assembly in accordance with international standards?
- There has been a persistent call from several member states, NGO’s and the UN’s Human Rights system for the government of Cuba to establish a standing independent body mandated to receive complaints of human rights violations. Could the government of Cuba elaborate on any measures taken to establish such a body?

Credible reports show evidence of ill-treatment, torture and lack of food, medical

care and hygiene in detention and prisons in Cuba. The Committee against Torture and several UN special rapporteurs have urged Cuba to criminalize torture and establish a transparent permanent procedure for receiving complaints about torture and other inhumane and degrading treatment and punishment. What measures will the Government of Cuba take to ensure the well-being of prisoners and detainees in compliance with the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and other international standards?

## **UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

- Could you please elaborate further on the role independent civil society has played in the preparation of your national report for this process?
- Could you elaborate on the existence of a national human rights institution in Cuba and if it is in full compliance with the Paris Principles?
- What plans does Cuba have to ratify and implement the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)? What are the next steps planned?
- Given the statement in the national report that "Freedom of opinion, expression and the press" and "peaceful assembly, association and demonstration" are rights under the Constitution, can the Cuban government explain why they ask for assurances that official foreign visitors will not meet certain Cuban citizens who are legally at large and have been convicted of no offence?
- Will Cuba explain how the requirement for Cuban citizens to obtain compulsory exit visas in order to travel outside the country and its policy of refusing re-entry if a Cuban citizen overstays an exit permit will comply with Article 12 of the International Covenant on Civil and Political Rights (ICCPR)? Are there plans to reform this policy as part of ratification of the Convention?
- Given the Cuban Government's moves away from the use of the death penalty, what plans are there to remove it from national legislation?
- What steps has Cuba taken in response to CAT's 1997 recommendation of a revision of the rules relating to the organisation of the judicial system in accordance with international standards?