

Introduction

1. The following submission is made by Friends of Cuba Against the US Blockade – Vancouver to the United Nations Human Rights Council Universal Periodic Review (UPR) regarding Cuba. In the last five years, FCAB-Vancouver organizers have traveled over ten times to Cuba including during the covid-19 pandemic. One of the recent trips was for 12-days visit with the Calixto Garcia Solidarity Brigade, Nov 28, 2022 – Dec 10, 2022. The Calixto Garcia Solidarity Brigade traveled to three provinces in the eastern part of Cuba: Holguin, Santiago de Cuba and Guantanamo.
2. Part of the program of the Calixto Garcia Solidarity Brigade included:
 - Meeting with leaders and members of Cuban civil society organizations such as the Federation of Cuban Women (FMC), the Federation of University Students (FEU), National Union of Writers and Artists of Cuba (UNEAC)
 - Meeting and exchange with LGBTQI+ and human rights activists
 - Visiting Cuban educational institution such universities, schools and exchanging with students and teachers
 - Visiting health care facilities and hospital and exchanging with staff
 - Visiting rural and remote communities and neighborhood in the eastern provinces of Cuba
 - Participating at cultural and musical events with Cuban youth and artists

Women's Rights

3. In Cuba the Federation of Cuban Women (FMC) continue to work to advance the human rights of women and push for further gender equality. The FMC is a non-governmental organization (NGO) and is an active participant in the United Nations' annual Commission on the Status of Women. While in Cuba, we visited with leaders and members of the FMC in the province of Guantanamo. We learned about their local campaigns to fight for human rights and against gender discrimination and to offer support to mothers and children in rural and remote areas.
4. Since the UPR 3rd cycle, Cuba has passed a new Constitution in 2019. The new Constitution went through a participatory process where the Cuban people were consulted and had the right to debate and discuss it. The Constitution was overwhelmingly ratified by the Cuban people with 86.85 percent voting in favor. In our trips to Cuba, we have met with women leaders who explained to us how the FMC helped guide the discussion around gender equality ahead of the constitutional referendum. We have also heard from Cuban women we met about how this new constitution expands on the human rights of all Cubans. Through our visits to different neighborhoods, we have witnessed firsthand how the FMC organizes women at local community level to empower them to debate political issues and be an active member

of society.

5. Article 42 of the Cuban Constitution broadens the bases of equality and non-discrimination of all people before the law. It establishes the same protection and the same treatment by the authorities and the same rights, freedoms, and opportunities, without any discrimination.
6. Article 43 of the Cuban Constitution establishes equal rights and responsibilities between women and men in economic, political, cultural, labour, social, family and any other field. We have witness this in our trip to Cuba when we visited a Nickel mining company in the province of Holguin. We saw firsthand the involvement of women at all levels of work and specially leadership at the company. The women we spoke shared with us how empowered they felt as they played leading roles in the administrations and functioning of the company. We also learned that in addition to their leadership roles at the economic front, lots of these women are also leaders at their community level.
7. Based on our experience firsthand in Cuba and looking at Cuba's new Constitution, particularly Article 42 and Article 43, we feel confident in concluding that Cuba takes very seriously the recommendation from the 3rd UPR cycle in the advancement of human rights and is in the process of implementing the following recommendations:

Theme: F12 Discrimination against women

24.290 Continue to implement a gender perspective in its national policies aimed at achieving equality for women (Zimbabwe); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.311 Continue to encourage and promote greater access for women to leadership positions in all sectors of society (Viet Nam); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.288 Continue with the efforts to promote equality between men and women (Ghana); Source of position: A/HRC/39/16/Add.1 - Para. 7

Theme: F11 Advancement of women

24.294 Pursue its efforts to promote the status of women and gender equality (Benin); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.289 Continue making progress in the empowerment of women in all sectors (Ghana); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.293 Intensify efforts to empower women politically and economically (Bahrain); Source of position: A/HRC/39/16/Add.1 - Para. 7

8. In one of our trips to Cuba we visited a maternity home in a rural area of the country. Maternity homes create a home-like environment for expectant mothers with high-risk pregnancies. They are staffed with around-the-clock health care staff and provide care and close monitoring of the health of the mother and fetus. Maternity homes are community-based and are coordinated with the local chapter of the Federation of Cuban Women and local neighborhood organizations. Through this visit and exchanging with expecting mothers we saw how Cuba puts forward the human rights and well-being of women and children. We also witnessed the shortages and hardships that the economic blockade of the United States against Cuba creates. The blockade impedes the access to adequate health care for expecting mothers and children.
9. During our recent visit to Cuba, we had extensive discussions with FMC leaders and Cuban lawyers and jurists that were part of developing the new Cuban families code. We learned how the code further consolidate the human rights of the Cuban people and provides for new legal protections for the rights of all. We also met and exchanged with neighborhood organizations that were part of promoting the engagement of the Cuban population in this political process in their country.
10. The Cuban families code is the first of its kind to be subject to debates, discussions, and a referendum. 6.4 million people in 79,000 meetings participated in discussing this new families code. This indicates the empowerment of the Cuban people to participate in the process to expand their human rights and for the progress of society as a whole in Cuba. The code was overwhelmingly passed by the Cuban population in a referendum with 67% in favour. The code expands the human and legal rights in Cuba of women, children, people with disabilities, LGBTQI+ people and the elderly.
11. The families code establishes the right to a family life free from violence. It codifies domestic violence penalties and promotes comprehensive policies to address gender-based violence. The families code build in addition to other national strategies and laws that Cuba has been putting forward to further fight gender-based and domestic violence.
12. Article 85, and Article 43 from the Cuban Constitution addresses the issue of gender-based and domestic violence and sets the perimeters for protecting women.
13. In 2021, Cuba approved the "Comprehensive strategy for the prevention and care of gender-based violence and in the family setting". It is intended to improve the national legal framework in coherence with the international legal framework, and with the Constitution of the Republic of Cuba and the National Program for the Advancement of

Women in the area of gender violence.

14. Based on our exchanges with Cuban women while visiting the country and based on the above paragraphs (11, 12 and 13), Cuba is showing that it is in the process of implementing the following recommendations from the 3rd UPR cycle in the advancement of human and women's rights:

Theme: F13 Violence against women

24.305 Strengthen measures to combat violence against women and domestic violence, including through enhancing existing legislation to better ensure accountability for victims (Rwanda); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.307 Step up efforts to prevent violence against women (Georgia); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.309 Increase the efforts that have been made to combat violence against women, and strengthen mechanisms of prevention, protection and attention to the phenomenon of violence against women (Timor-Leste); Source of position: A/HRC/39/16/Add.1 - Para. 7

Theme: D29 Domestic violence

24.304 Continue efforts to combat gender-based and domestic violence (Nepal); Source of position: A/HRC/39/16/Add.1 - Para. 7

LGBTQI+ Rights

15. LGBTQI+ people in Cuba are protected from discrimination under the country's current constitution. Trans people in Cuba have had access to free, gender-affirming surgery and health care since 2008. Additionally, in Cuba, trans people can correct their legal names and gender on official documents without surgery since 2013. Cuba also has a national network of trans people and supporters called TransCuba, designed to provide support and family counselling and build social awareness about trans issues across the country.
16. The new families code expands on the human rights of the LGBTQI+ community and families by expanding the definition of family. It protects the rights of same-sex parents to construct a family, whether that is through marriage, adoption, or assisted reproduction.

17. Article 42 of the Cuban Constitution establishes the equality of all before the law without discrimination including for reasons of sex, gender, sexual orientation and gender identity. This furthers expands the human rights of the LGBTQI+ community in Cuba and offers them more protection before the law.
18. While in Cuba we visited with LGBTQI+ and human rights activists and leaders from the group Las Isabelas in the city of Santiago de Cuba. Las Isabelas, was the first group of lesbian and bisexual women to be founded in Cuba, in 2002. We learned about how they collaborate at a provincial and national level with the National Centre for Sex Education (CENESEX) in campaigns to combat homophobia and transphobia and fight against any discrimination.
19. While exchanging with LGBTQI+ and human rights activists in Cuba, we heard from them about the hardships and economical struggles that they to face living under the United States blockade on their country. We heard from them how the blockade makes it difficult for trans and non-binary people in Cuba to access gender affirming products and care.
20. Cuba is a leader in LGBTQI+ rights in Latin America and the world. Cuba has been supporting LGBTQI+ and human rights activists through laws and legislations to expand their rights and prevent discrimination based on sexual orientation and gender identity. Based on our experience in Cuba and the above paragraphs we feel confident to assert that Cuba is in the process of implementing the following recommendations from the 3rd UPR cycle in the advancement of human rights:

Theme: B31 Equality & non-discrimination

24.76 Maintain awareness-raising campaigns on the right to freedom of sexual orientation and gender identity (Plurinational State of Bolivia); Source of position: A/HRC/39/16/Add.1 - Para. 7

24.75 Continue actions to prevent manifestations of discrimination based on sexual orientation and gender identity (Plurinational State of Bolivia); Source of position: A/HRC/39/16/Add.1 - Para. 7

Health Care

21. While in Cuba, we visited provincial hospitals, local health care clinics, and polyclinics. During our visits we learned about Cuba's universal and excellent health care system. We also learned about the shortages in medicine and medical equipment that the health care system in Cuba suffers from under the United States blockade on the country.

22. In our exchanges with Cuban doctors, we met several doctors that were part of the Henry Reeve International Medical Brigade. We learned about their experiences travelling to different regions across the world to help countries improve access to medical health especially to remote and rural areas. We heard from them about how they vision access to health care as a basic human right for all.
23. Cuba has a long history of providing medical aid to countries in need. The Henry Reeve International Medical Brigade has been sending medical teams abroad after natural disasters and during pandemics. During the COVID-19 pandemic, Cuba was the only country to promptly extend medical collaboration to other countries in need.
24. Cuba sent over 3,800 medical professionals with the Henry Reeve brigade to assist over 39 nations to respond to the COVID-19 pandemic. Cuban doctors and medical staff provided humanitarian assistance to people around the world. Based on what we learned from travelling to Cuba and the above paragraphs we feel confident to assert that Cuba is fully implementing the following recommendations from the 3rd UPR cycle in the advancement of human rights:

Theme: A3 Inter-State cooperation & development assistance

24.105 Continue to provide humanitarian assistance, particularly in the health field, to countries affected by disasters and major epidemics and share the experience of the Henry Reeve International Contingent (Algeria); Source of position: A/HRC/39/16/Add.1 - Para. 7