



Contribution of the National Union of Jurists of Cuba (UNJC) to the Report presented by Cuba at the Committee on the Elimination of Discrimination Against Women, CEDAW.

CEDAW Committee, 55th session, July 8th to 26th, 2013

Name of the NGO: National Union of Jurists of Cuba, a non-governmental organization with special consultative status.

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Title: Vision of the National Union of Jurists of Cuba on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in Cuba.

The National Union of Jurists of Cuba, (UNJC) is a social organization of legal professionals, founded in June 8th, 1977, under Article 7th of the Constitution, self-financed, with professional scientific profile, governed by its own statutes and with official recognition of the Cuban state. It brings together most of the jurists of the country, about sixteen thousand members voluntarily, both trial lawyers, judges, prosecutors, public notaries, police investigators, academics, consultants and legal advisors and agencies and companies, indeed to those who works in the field of law in Cuba.

The objectives of UNJC are: to associate lawyers in Cuba, according to their scientific, professional, academic and cultural contexts; contribute to scientific development and practice of law, contributing to the production of legal literature; boost membership participation in scientific research and professional development activities, provide a space for analysis of current problems and projections law nationally and internationally and represent the national jurists in Cuba and abroad. It has special consultative status in ECOSOC and because of this, respectfully addressed to the Committee of Experts of the CEDAW, in order to contribute modestly to the review process of the Cuban government. To this end it commits the following considerations:

1. In Cuba policies to ensure the advancement of women are part of the Social Development Program since the triumph of the Revolution in January 1959. Thus, the Cuban policy of promoting this population, is not a consequence of

sporadic events or campaigns, but, from a dynamic engages with the aspirations the movement for women's rights has at worldwide. Consequently Cuba was the first country to sign and the second one to ratify the Convention on the Elimination of All Forms of Discrimination against Women and has been active in all World Conferences on Women.

2. Throughout this process the Federation of Cuban Women, an organization created by the will of the women themselves and officially constituted on August 23, 1960 and whose work and reputation has been considered by the Cuban government as the national machinery for the advancement of women has played a key role.

3. From a legal and social perspective, the principle of gender equality has been consolidated, expanded, strengthened and defined in Cuban society. Our organization appreciates and considers as very positive that the state apparatus has gained in sensitivity, visibility and experience everything that relates to the protection of women's rights as an expression of the essential values that upholds our social project.

4. The impact of more than five decades of implementation of plans, programs and affirmative action, accompanied by advanced legislation aimed at empowering women as part of the social equity has caused a radical change in the position and condition of the woman, who exalted to herself and to society, is present in all areas and at all levels of the nation. Women in Cuba are, 46% of the workforce in the civil state sector, 66% of professionals and middle level technicians, 62% of college students, 65.4% of teachers, 48.9% of scientific researchers, and over 70% of personal health, education. Finally, in the recently concluded elections, women have achieved 48.86 of the seats of our National Assembly and 41% in the State Council.

5. In the legal sector, 78% of prosecutors and 60% of its leaders, 66.3% of professional judges, 71.4% of the Presidents of Provincial Courts and 47% of the Judges of Supreme Court. The Ministry of Justice is headed by a woman and 40.4% of the leaders at the central level and 42.8% of the Provincial Directors are women.

6. In the period 2009-2012, new laws related to the new economic and social policies have been adopted that strengthen the legal framework on equality between women and men in the country. These would include the Decree Law 288/2011 and Decree 292/2011 that have made viable the transfer of ownership of housing and motor vehicles, whether inter alive or mortis acts, Decree Law 278 / 2010 on the self-employed, the Decree Law 259/2011 on the distribution of land in usufruct, among others.

7. It may be considered relevant by the Governing Council of the Supreme People's Court of Instruction 216/2012, which undoubtedly marks an important

step forward to ensure high quality in the administration of family justice and the Cuban families that will be benefited. Further work is being done in the amendments to the Labor Code, the Penal Code and the Family Code. Of the latter, we are speakers of the Draft, the Federation of Cuban Women and the National Union of Jurists of Cuba, by using legislative initiative under the Constitution, Article 88 subsection d.

8. However, these favorable conditions, supported by laws and social policies advanced by the existence of a strong women's organization that promotes and guide these purposes, does not mean that you have removed all the stereotypes, prejudices, behaviors and sexist value judgments because they are rooted in the patriarchal culture and we know the complexity of the processes of transformation of social consciousness.

9. That is why on April 7th, 1997 the National Action Plan for Follow up to the Beijing Conference" was adopted by resolution of the Council of State of the Republic of Cuba which implementation - explicit in its content - is a responsibility of the Cuban State with the participation of all organizations and the contribution of NGOs related to this work.

10. This Action Plan and subsequent Seminars have been conducted to evaluate the progress of compliance, also constitute a tangible example of permanent and adequate gender reading our public policies and our laws. In each seminar a committee has been created in order to specifically evaluate the achievements and obstacles in legislation, demonstrating interest in perfecting it.

11. As a clear manifestation of the political will to overcome any expression of discrimination in our society, the First National Conference of the Communist Party of Cuba drew fundamental objectives to follow, of which we would like to highlight the No. 57, which refers to: "Facing the prejudice and discriminatory behavior by skin color, gender, religious beliefs, sexual orientation, planning and others that are contrary to the Constitution and laws, undermine national unity and limit the exercise of the rights of the people. "

12. Hence, there is still much to do to overcome the obstacles and challenges that lie ahead and continue the fight against discriminatory culture remainders that persist in our society. So in all instances and mechanisms, we performed a systematic hard work and clear these cultural, ideological, and psychological level not only society, but also in the family, where it is necessary to rethink roles.

13. We still have practical difficulties that women access to leadership positions that are linked to non-traditional occupations, to achieve the shared responsibility of the couple in family relationships, to eliminate expressions of gender and domestic violence still reveal, among other difficulties.

14. Many of the forms of violence against women in the world, are not practiced in Cuba since some are specific to other regions, and others have been eliminated or attenuated under social transformations of women since 1959. The main ways to express the gender violence in the country, according to information provided by the available studies is the domestic violence in all ranges, with predominantly psychological violence and emotional. Other forms of violence such as sexual harassment in the workplace, in academia or elsewhere, and forced prostitution, are very limited.

15. To speak of the successes in the treatment of domestic violence and domestic violence we must start as part of the actions that promoted by the National Action Plan is created in the year 1997 at the proposal of the Federation of Cuban Women and coordinated by it, the National Working Group for the Prevention and Treatment of Domestic Violence, which had the multidisciplinary and inter sectoral integration efforts of all state institutions, NGOs and think tanks, in the care of social problem which until then had been investigating and taking timely and dispersed. Today the fight against gender violence and violence is expressly incorporated into the work priorities of the Party and the State. Given the importance it has been given full attention to the issue of violence at government level will be coordinated through the Commission on Crime Prevention and Social Care coordinated by the Department of Welfare, Ministry of Labour and Social Security.

16. Among the achievements of the work done in this area we have legislative changes in criminal matters in the years 97 and 99, the systematic training of Police personnel, public health, courts, prosecution, developing educational and outreach materials to be legal debated in communities, the development of research within the legal sector on socio-legal treatment to the problem and effectiveness of existing legislation, the implementation of family rooms in the People's Courts from 2008 and implementation in 2012 taxed precautionary measures to contain domestic violence situations that may detect during a family, care and guidance by the Houses of Focus on the Family Women and the Federation of Cuban Women victims of domestic violence and disclosure the mass media.

17. Regarding the challenges that lie ahead in the legal field, both substantively and procedural treatment is imposed to improve the legal issue to be developed in the family, labor and criminal; increase and consolidate training of educational, health, legal and community, improving the treatment of victims with specialized, multidisciplinary approach, improving outreach activities and presence of the issue of domestic violence in the media and ensure that Organization will include on their statistics the necessary aspects to build better gender analysis and assessment of the problem of violence.

18. Since the alliance of the National Union of Jurists of Cuba, the Federation of Cuban Women and the Law Faculties of the Universities of the country, we have made important actions aimed specifically at raising awareness and training on these issues to the legal profession and to develop its activity in the prosecution, the courts, the National Organization of Collective Law and the Ministry of Justice, as well as students, who form the pool of future practitioners.

19. We have developed a draft "Strengthening legal sector knowledge and mastery of CEDAW and other international instruments of the United Nations in favor of women and gender equality to support and contribute to its implementation in Cuba", with accompanying of the United Nations Program for Development (UNDP). With this initiative we fulfill one of the recommendations of the Committee of Experts of the CEDAW undertaken to Cuba in 2006 in the sense of strengthening "... education programs and training, particularly for judges, lawyers and personnel the application of the law, with respect to the Convention and its applicability in domestic law and with respect to the meaning and scope of indirect discrimination. " In this sense we have also developed important actions with the support of the UN Population Fund UNFPA United, the Swiss Agency for Development and Cooperation SDC, and the international organization Oxfam.

20. This work has provided important results: hundreds of lawyers across the country have received postgraduate courses on Gender and Law, Violence, Sexuality and masculinity, the Diploma "Mediation, Gender and Family", has been elaborated which goes through its third edition , communication products have been created, and in 2012 was introduced at the Faculty of Law of the University of Havana, optional undergraduate course "Gender and Law" for 2nd year students; experience that had already been developed years earlier in the Faculty of Law, University of the East. Since 2006 we celebrated the International Conference "Women, Gender and Law" in 2014 made its fifth edition, as a wide space for the exchange and discussion. At the same time, new challenges have been identified and will continue supporting our capacities strengthened for more effective gender mainstreaming and contribute to the implementation of CEDAW from the legal sector.

21. Finally, we would like to express that the biggest limitations that we have on the realization of the rights of women in Cuba, are due to the economic, commercial and financial embargo imposed by the United States to our people for 54 years. The policy of economic, commercial and financial U.S. government towards Cuba, which persists and intensifies despite the intense and growing demands of the international community. The embargo violates the human rights of an entire people, violates the rights of all Cuban families and qualifies as an act of genocide under the 1948 Geneva Convention. It is one of the causes besides significant increase in violence against women in the family as a result of the severe crisis that has faced the Cuban economy since the early

90s of last century and that has negatively affected the daily life and has worsened coexistence.

22. It also claims the United States must put an end to the suffering and anguish of 5 Cuban families for more than 14 years because of the long and unjust imprisonment in the United States of 5 men fighting terrorism that threatens the life of my people: Gerardo, Ramón, Antonio and Fernando, whom communication is hindered U.S. laws guaranteeing their mothers, wives and children (as), as well as the arbitrary separation of René of his country and his family, after his a long sentence.

Havana, Jun 7, 2013.