

## **ADVANCE QUESTIONS TO CUBA (SECOND BATCH)**

### **UNITED STATES OF AMERICA**

- What steps is the Government taking to ensure that members of the political opposition, including independent candidates, can participate freely and without threats in future elections?
- On July 8, 2016, the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Expression and Opinion, the Special Rapporteur on the Right to Freedom of Peaceful Assembly and Association, the Special Rapporteur on the Situation of Human Rights Defenders, and the Special Rapporteur on Violence Against Women wrote to your government to denounce the use of force against members of the Ladies in White (Damas de Blanco) during various demonstrations, or while they were en route to attend religious ceremonies, as well as the arbitrary detentions of its members. To this day, members of the Damas de Blanco continue to be subject to these degrading actions. On March 25, 2018, 91 Damas de Blanco were arrested or detained arbitrarily. Leticia Ramos Herrera, member of the Damas de Blanco, continues to live under a state of de facto house arrest as a result of her association with that organization. When will the Cuban government allow members of the Damas de Blanco and all other citizens to exercise fully their rights to peaceful assembly, and of freedoms of expression, religion, and association?
- In early 2017, the International Labor Organization wrote to your government to inquire as to the treatment of labor organizers affiliated with the Independent Union Association of Cuba (Asociacion Sindical Independiente de Cuba, ASIC). Specifically, the leader of this organization, Ivan Hernandez Carrillo, has reported being the target of multiple threats, arbitrary detention, and physical violence by the Cuban authorities for his work as a labor organizer on multiple occasions. As recently as March 25, 2018, Mr. Carrillo is reported to have suffered kicks and punches to the body and face, after which the police arrested and fined him 2000 Cuban pesos. What is the government of Cuba doing to ensure that those responsible for human rights and labor rights violations and abuses are investigated and held accountable by authorities, including when those responsible are members of the police, military, or security services? Will the government of Cuba respect the rights of peaceful assembly, and of freedoms of expression and association, of ASIC members and all other workers and representatives?
- What is the government doing to promote access to information and access to an Internet that is open, interoperable, reliable, and secure as well as affordable for all citizens?

## **LIECHTENSTEIN**

- What steps has Cuba taken to ratify the Rome Statute in its 2010 version?
- What steps has Cuba taken to join the Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes, as elaborated by the Accountability, Coherence and Transparency Group (ACT)?

## **BRAZIL**

- Qué medidas Cuba hatomado para garantizar los derechos de la comunidad LGBTI
- Cuáles medidas Cuba ha implementado para asegurar la independencia y la imparcialidad del Judiciario?

## **PORTUGAL**

- Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
- Has the State-under-review established a dedicated ‘national mechanism for implementation, reporting and follow-up’ (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?

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

- Cuba’s national report states that Cuba will build a society that is increasingly “just, free, democratic, caring, participatory and prosperous”. Will Cuba allow for the development of the role of independent political parties – including for them to legally register and participate in future elections?
- What steps is the Cuban Government taking to ensure that all Cubans are able to participate fully in political and electoral processes and end the use of laws and law enforcement measures that appear to give primacy to ‘the principle of national unity’ over international human rights law and fundamental freedoms?

- What steps are being taken to move towards international independent verification of the conditions in Cuban prisons and detention facilities, and would the Cuban Government welcome any assistance?
- What steps is the Cuban Government taking to protect the status of Cuba-based non-state media professionals, to allow them to work freely, and to welcome their voice in a more transparent, informed, and ultimately more effective public debate?
- Does the Cuban Government in its current review of the constitution have any plans to bring the domestic legal framework into line with international human rights standards on freedom of expression, association and assembly, and if so, would they welcome any assistance?

## SWITZERLAND

- **Political rights; participative democracy:** In view of the recent elections, what measures were taken by the Cuban government in order to guarantee free and open participation of all citizens in the election process? Does the Cuban government have a record of the number of citizens running as candidate without being member of an officially recognized Cuban institution?
- **Freedom of expression; economic rights:** In the context of the implementation of economic reforms (Lineamientos; Vision 2030), how is the Cuban government considering to broaden the list of legal private businesses (cuentapropistas) or to review the definition of non-agricultural cooperatives in order to recognize and include self-declared human rights associations, independent journalists and bloggers, community-based organizations and grant them a legal status?
- **Independence of the judiciary:** Is the planned constitutional reform considering reviewing article 121 of the Cuban Constitution (1976), which formally subordinates the Supreme Court to the National Assembly and to the Council of Ministers?
- **Habeas corpus:** To what extent do prosecutors interpret the concept of “pre-criminal social dangerousness” (peligrosidad social pre-delictiva) as defined in the Cuban Criminal Code? What are the existing mechanisms ensuring transparent and open information to families of temporarily detained alleged criminal?

## GERMANY

- When does Cuba plan to **ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights** signed in 2008?

- Which measures does Cuba plan to take in order to enable **independent journalism**?
- Can Cuba provide a list of the **blogs and websites currently blocked** for internet users, and the reasons for these measures?
- Are there any plans to **abolish travel restrictions**, namely for people on parole, as well as travel restrictions based on a person's profession, for example in the medical sector?
- What steps is Cuba taking to establish an **independent national human rights institution** in compliance with the Paris Principles?