

QUICK GUIDE TO ADDRESSING SEXUAL RIGHTS ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON CUBA[1]

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- The full text of those paragraphs
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.
- In all cases, we have included suggestions for questions and recommendations

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted, while **recommendations** are in bold and underlined.

All sexual rights issues that do not relate specifically to women are referred to in this Guide. Sexual rights' issues referring specifically to women -as well as other women's issues- are referred to in the Guide on Women's Issues

OP-CRC-SC (Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography) ratified without reservations- Palermo Protocol not ratified.

Issues	National Report	Compilation	Summary
Child sexual exploitation		Need for legal protection to children; including addressing sexual exploitation of children through tourism (17)	
HIV/AIDS		Universal free access to ARVT, new infections on the rise, effectiveness of mother to child transmission program (40)	Free access to medicines for AIDS patients (42)

Child sexual exploitation

- In 1997, while noting that **trafficking and child prostitution** were not major problems in Cuba, the Committee on the Rights of the Child (CRC) **recommended that the Criminal Code protect children up to the age of 18 from sexual exploitation. Further measures should address matters relating to the sexual exploitation of children, particularly through tourism** (Para 17, Compilation)

HIV/AIDS

- According to a WHO/Pan American Health Organization (PAHO) source, as regards access to antiretroviral treatment, Cuba exceeds 80 per cent in treatment coverage, according to a 2005 UNAIDS/WHO report. **Universal and free access to antiretroviral therapy** has kept the number of AIDS cases and deaths low (Para 40, Compilation). Foro de la Sociedad Civil Cubana (Cuban Civil Society's Forum - Foro) reports that patients in Special Prioritized Programs, including AIDS patients, have free access to medicines (Para 42, Summary)
- According to a WHO/Pan American Health Organization (PAHO) source Cuba's epidemic remains by far the smallest in the Caribbean but **new HIV infections are on the rise**, and preventive measures appear not to be keeping pace with conditions that favour HIV spread, including widening income inequalities and a growing sex industry (Para 40, Compilation)
- According to a WHO/Pan American Health Organization (PAHO) source prevention of **mother-to-child transmission programme remains highly effective** (Para 40, Compilation).

Suggested Questions/Recommendations

- While congratulating Cuba for their impressive achievements in treatment of HIV/AIDS, ask what measures are being taken/recommend that measures be taken to address the challenge posed by the growing sex tourism industry, particularly in terms of children being exposed to sexual exploitation and abuse and the rise in new HIV infections in some sectors of the population.
- Unfortunately this issue has not been raised in any of the reference documents but currently Cuba is discussing to ground-breaking measures to address discrimination based in sexual orientation and in gender identity: recognition of civil unions for same-sex couples and the option to change the sex and name in a persons' identification papers without genital surgery as a requisite. If possible, it would be good to congratulate Cuba for these advances, ask about the state of the discussions and recommend that Cuba moves forwards with both projects.

[1] These Guides were produced by the Sexual Rights Initiative, a coalition of organizations based in Africa, Asia, Eastern Europe, Latin America and North America whose mandate is to advance women's issues broadly and sexual rights issues in the Human Rights Council. For questions, comments, suggestions please contact Alejandra Sardá-Chandiramani at alejandra@mulabi.org