

Comments on Notes ENAUN No. 970/2021 and ENAUN No. 973/2021 relating to the sessions to be held by the Open Ended Working Group on Ageing, from April 11 to 14, 2022

1. Area: Contribution to Sustainable Development

Cuba presented its first Voluntary National Review to the United Nations High-Level Political Forum on Sustainable Development in 2021. This report highlights the progress made in the implementation of the 2030 Agenda, as well as the main challenges the country faces for its fulfillment.

While it is true that the 2030 Agenda refers, only in a few cases, to the needs of the elderly, in the country their participation is guaranteed in all strategic matters and national priorities, as part of the social dialogue that takes place across the country on all issues.

The National Programme for the Comprehensive Care of the Elderly, applicable in Cuba since 1996, addresses the needs of this population group, promotes their inclusion in the economic, political and social tasks, as well as the large-scale employment of those individuals fit for work.

The Cuban civil society organizations, including the Cátedra del Adulto Mayor (Chair of the Elderly), systematically carry out awareness-raising activities on the subject of sustainable development, including publications and institutional communication actions regarding the targets and indicators of SDGs.

Established in 2000, this Chair has attained significant results in terms of well-being and quality of life. It is one of the projects that best contributes to active and healthy ageing in Cuba, where 21.3 percent of the population is 60 years old and over, and by 2030 it is estimated to reach 30.3 percent.

The Cátedra del Adulto Mayor is the Cuban version of the so-called universities of the third age around the world. To date, it has graduated over 18,000 senior citizens, and has been able to demonstrate the significance of the educational element for the development of this population group.

On June 5, 2021, on the occasion of the World Environment Day, and in collaboration with the Cuban Association of the United Nations (ACNU) and the PAHO-WHO office in Cuba, the Chair held the training workshop "*The Elderly and the 2030 Agenda for Sustainable Development*". The purpose of the activity was to foster knowledge about the Agenda in the classrooms and increase the involvement of senior citizens in achieving the goals and targets contained in this document.

At the same time, the country is working on strengthening statistical data collection mechanisms to monitor the progress made in the implementation of SDGs, including age-disaggregation. The aim is to significantly increase the

availability of appropriate, reliable and high quality data to clearly identify discrimination and vulnerabilities that may persist in society.

In this regard, it has been concluded that Cuba has 300 Adult Social Day Care Centers with a capacity of 10,258 beds, out of which 39 were allocated to those suffering from cognitive impairment, a health care service that has been extended to all health institutions.

Moreover, this made possible to identify an increase in the number of specialties linked to older adults, with 53 Geriatrics services and 1 071 beds, 286 specialists in Gerontology and Geriatrics and 149 more medical residents.

2. Area: Economic Security

The Cuban State ensures adequate protection to workers, their families and the rest of the population through the Social Security System, which comprises a general social security system and a social assistance program.

The general social security system provides protection to the worker, *interalia*, for disability and old age and, in the event of death, to their family.

The above system is complemented by the Social Assistance benefits, which are provided to the elderly without resources or protection, to individuals who are unfit for work and who lack family members in a position to help them, and to others who so require.

The social assistance system protects any individual unfit for work who have no family members in a position to help him/her.

The special regimes protect individuals who carry out activities which, owing to their character or by the nature of their productive or service processes, require adapting the benefits of social security to their conditions.

Social security in Cuba is not limited to the granting of pensions and benefits, but also undergoes profound changes in accordance with the improvement of the social work and the achievement of full justice.

In 2020, the State spent 9.6 billion pesos by way of the Social Security budget, which accounted for 19 percent of the GDP.

The budget assigned to Social Assistance amounted to 371 million 152 thousand pesos to benefit 191 472 people living in 124 006 households. Out of these, 64 722 were senior citizens. The budget expenditure amounted to 372 million 481 thousand pesos.

There are 157 nursing homes in the country. Out of the 2,324 older adults who stay in the centers, 1,811 receive subsidies from the Social Assistance program.

Out of the 7,440 older adults who attend the Adult Social Day Care Centers, 4,444 receive Social Assistance subsidies. A healthcare social worker performs social, emotional and medical support activities at these institutions.

On August 21, 2021, the Council of Ministers approved Agreement 9151 on the work performed by social workers and which strengthens the social prevention activity, in particular the care for people in vulnerable situations.

Actions carried out include the implementation of services for home assistance and out-of-the-house procedures and paperwork for individuals and families in situations of social vulnerability, with emphasis on adults aged sixty (60) years or older who live alone; promoting local development projects involving the creation of adult day care centers and implementing the courier service for families identified in situations of social vulnerability.

3. Area: Right to work and access to the labor market

Article 31 of the Constitution of the Republic of Cuba establishes that work is a primordial value in society and a right.

Paid labor must be the principal source of income that sustains decent living conditions, allows for the improvement of material and spiritual well-being and the realization of individual, collective, and social projects.

On the other hand, article 42 stipulates that all people are equal before the law, receive the same protection and treatment from the authorities, and enjoy the same rights, liberties, and opportunities, without any discrimination for reasons of sex, gender, sexual orientation, gender identity, age, ethnic origin, skin color, religious belief, disability, national or territorial origin, or any other personal condition or circumstance that implies a distinction detrimental to human dignity.

Article 64 recognizes the right to work; any person who is able to work has the right to get a decent job according to their choice, qualifications, ability, and the demands of the economy and society.

In Cuba, the principle of equal access to employment is respected, without any discrimination whatsoever, and no distinction is made between different sectors of the population. Older adults have the same access to equal conditions as other workers.

The social assistance system specially protects the elderly, people who are unfit for work and, in general, all those individuals whose basic needs are not guaranteed or who, due to their living or health conditions, require protection and cannot solve their difficulties without help. It is a system of social protection.

Social Security Law No. 105/2008 and Decree No. 283/2009, Social Security Regulations, increased benefits for the elderly population, particularly those with

low incomes and/or special situations. These extend beyond the framework of pensions and retirement and include employment security, occupational health, safety, and income security, workplace security and safety training, nutrition security, physical activity, individual development and social participation of older adults.

In Cuba, retirement is not mandatory and all workers are entitled to it, without any distinction.

It is regulated that old-age pensioners may return to work. It is stipulated that old-age female pensioners who are 60 years of age or older and those who are 65 years of age or older, in the case of men, and who can prove 30 years of services rendered, may return to paid work and earn the pension and salary of the position they held, provided that they work in a position different from the one they held at the time they obtained their pension, although it may be included in their occupational profile.

The National Economic and Social Development Plan until 2030, under the heading Human Development, Equity and Social Justice contains programs, including the Decent Work program, which includes Promotion of and access to quality employment.

The design of social and sectoral policies in Cuba is aimed at organizing actions and resources according to the people, rather than organizing people around the services available. This presupposes a higher level of timely information and greater accuracy for differentiated social and sectoral programs.

In the case of older adults, Cuban statistical systems, with an acceptable coverage and quality level, are generating specific databases. Along with traditional continuous statistics, population censuses and research projects, randomized surveys are conducted, such as the national ageing survey. In addition, classifications are established to make the caregiving service and at patient-level more effective. The primary care network, whose primary link is the family doctor and the community outpatient clinics, allows for the continuous assessment and risk evaluation of the entire population.

4. Area: Access to Justice

In Cuba, justice is served on the constitutionally recognized basis of the equality of all citizens before the law. Article 42 of the Constitution of the Republic of Cuba, adopted in April 2019, recognizes that "all persons are equal before the law, receive the same protection and treatment from the authorities and enjoy the same rights, freedoms and opportunities, without any discrimination for reasons of (...) age.

Article 46 enshrines the right of all persons to justice. This effective access is provided for on equal footing, with their full inclusion in legal proceedings, the investigation stages or other criminal pre-trial stages, and it is subject to the same guarantees as the rest of the citizens.

The Cuban State outlines strategies, policies and programs, in the various sectors, which help promote the autonomy and full participation of the elderly to appear in court, with equal guarantees in legal proceedings of any kind.

In this regard, and in accordance with Article 10 of the Universal Declaration of Human Rights, Cuba guarantees that, under conditions of equality, all persons have the right to a public hearing and access to justice before an independent and unbiased court, for the determination of their rights and obligations or for the examination of any accusation against them in criminal matters.

On the other hand, the draft Code of the Families, which is currently in the popular consultation phase, recognizes that the protection of the elderly includes their full development and the satisfaction of their needs (...), as well as the (...) legal aspects of their lives (...) in accordance with the principles of proportionality, subsidiarity and respect for their autonomy.

It also states that older adults have the right to an accessible, safe, healthy and adaptable environment that allows them to live independently and fully participate in all aspects of life, on an equal footing with others.

To this end, families, society and the State, pursuant to their respective responsibilities, make the necessary reasonable adjustments and create a system of support to enable older adults to exercise and defend their rights to which they are entitled, taking into account their dignity, autonomy and choices.