

that problems such as drug abuse and trafficking, child labour, child prostitution and suicide do not become more prevalent in light of the considerable social and economic problems facing the country.

The Committee recommended, *inter alia*, that: legislation be harmonized with respect to the age of completion of compulsory schooling and the minimum age for employment; special attention be accorded to the implementation of the civil rights and freedoms of children; further measures be undertaken to protect children from abuse and maltreatment, in particular through the development of a widespread public information campaign for the prevention of corporal punishment and bullying of children, whether by adults or other children; further resources and assistance be devoted to activities in the area of family planning and health education programmes, with a view to addressing the problem of teenage or unwanted pregnancies, changing male sexual behaviour, raising awareness of the incidence and treatment of children infected with or affected by HIV/AIDS and STDs and reducing the apparent recourse to abortion as a method of family planning. The CRC further recommended that: as a matter of urgency, the minimum legal age of sexual consent be reviewed with the aim of raising it; the problems of begging, drug abuse and trafficking and child prostitution be monitored closely with a view to their early prevention; the Criminal Code provide for the protection of children up to the age of 18 from sexual exploitation; and that further measures be undertaken in order to address matters related to the sexual exploitation of children, particularly through tourism.

The report also includes a summary of comments by the Committee against Torture (CAT) which considered Cuba's initial report at its November 1997 session (CAT/C/SR.314). The Committee viewed positively, *inter alia*: the provision in the Labour Code through which persons acquitted of criminal offences are entitled to compensation for any period in which they were deprived of their liberty as a result of pre-trial detention; the constitutional prohibition of the use of violence or pressure "against people to force them to testify"; the declaration that statements obtained in breach of this principle are null and void; the holding of those responsible for such violations as liable to punishment; and the criminalization of every form of complicity in crimes against humanity, human dignity and offences laid down in international treaties.

As with the CRC, the Committee acknowledged that deteriorating economic conditions, resulting in part from the embargo, made it difficult for the state to provide appropriate nutrition and essential medical supplies to prisoners. The subjects of concern identified by CAT included, but were not limited to: the failure to establish in law a specific crime of torture; information in various reports, including those of the SR and NGOs, on violations related to arrest, detention, prosecution, access to counsel and imprisonment; the failure of the authorities to respond to allegations made in these reports; the uncertainty attached to nebulous offences, namely "disrespect", "resisting authority" and "enemy propaganda"

and the room they provide for misuse and abuse; certain types of punishment primarily directed at the limitation of the liberty of citizens, i.e., internal exile and confinement at home; the absence of specific training about the norms of the Convention with regard to law enforcement personnel, civil and military, medical personnel and generally personnel involved in arrest, custody, interrogation, detention and imprisonment; the absence of adequate information about the investigation of complaints of torture and ill treatment and the outcome of any such investigations; and the absence of satisfactory information as to the rights of victims of torture and ill treatment to seek redress including satisfactory compensation.

The recommendations made by CAT included that: torture be criminalized as defined in the Convention; a transparent permanent procedure be established for receiving complaints about torture and ill-treatment, examining promptly such complaints and bringing to justice those responsible; a suspect's or detainee's right to silence at all stages of investigation be incorporated into law; a system of recurrent review of prisons be established with a view to improving conditions; the rules on the organization of the judicial system be revised in conformity with international instruments; a comprehensive programme of education and training be established for law enforcement and medical personnel, public officials and everybody involved in the interrogation, custody or treatment of any person arrested, detained or imprisoned; a central register be established containing adequate statistical data about complaints of torture and ill-treatment, investigation of such complaints, the time within which the investigation is conducted and any prosecution undertaken thereafter and its outcome; a compensation fund be established for victims of torture and other prohibited treatment; human rights NGOs be allowed into the country and the government cooperate with them in identifying cases of torture and ill-treatment; and the government address on an urgent basis complaints of torture and ill-treatment raised in NGO reports and the report of the SR.

The SR report cites comments by the Committee of Experts (International Labour Conference) related to Cuba's implementation of ILO Convention No. 87 on freedom of association and protection of the right to organize. The Committee referred to the need for the government to guarantee in law and practice the right of all workers to establish independent occupational organizations in full freedom, including organizations that are outside any existing trade union structure, and requested that the government, in the context of the envisaged revision of labour legislation, remove from the Labour Code and other legal texts the explicit reference to the "Central Organization of Workers".

The ILO Committee on Freedom of Association — in the context of its report on the complaint against the government by the International Confederation of Free Trade Unions (ICFTU), related to the refusal to grant legal personality to the Confederation of Democratic Workers of Cuba (CTDC) and the temporary detention of three of its officials — requested that the government guarantee the