
The long journey of a Code for all people in Cuba

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Cubans will have the final say in a referendum to approve or reject a Family Code to be held on September 25, regarded as advanced by the island's authorities and by internationally renowned specialists.

Although one of the preconceived opinions of the Cuban government's critics calls for not voting because, according to what they allege, "it was already approved" by the island's unicameral legislature last June, it will not come into force until the majority of voters show their support.

The unanimous vote of the parliamentarians corresponded to what was included in the latest version of the document, number 25, whose drafting committee included all the additions, deletions and corrections that the population previously contributed during a broad consultation carried out in February, March and April of this year.

Referring to the resulting document, during the sessions of the National Assembly of People's Power, Oscar Silvera Martínez, Minister of Justice, described it as a worthy regulation, a reflection of the reality of Cubans and a guarantor of the Constitution of the Republic and its principles.

He pointed out that '*this Law is stronger as it is permeated with popular sovereignty, revolutionary essence, protection of rights and a high human value.*' Meanwhile, he insisted that the Code does not regulate rigid or pre-established family models -one of the controversial issues of debate of common people-, but it encourages everyone to access the protection of

family institutions.

The practice of democratic participation, it is worth remembering, is becoming more and more frequent on the island and has as its most immediate antecedent the broad popular debate that took place prior to the approval, also in a referendum, of the new Constitution, endorsed on February 24, 2019 with 86.85 percent of the votes cast in a nation with a historically high turnout at the polls.

In the case of the preliminary draft of the Family Code, data from the National Electoral Commission (CEN) indicate the participation in the popular consultation of 6,481,207 Cubans, 75.93 percent of those summoned, among whom 61.96 percent spoke in favor of the text.

To that end, also according to the CEN, 79,192 meetings were held mainly at the constituency level (basic instance of governance in the island) and another 1,159 with the participation of Cubans abroad, mainly diplomatic personnel and citizens who are on work missions.

Besides, Cubans residing abroad also had the opportunity to give their opinion on the draft code, submitting their observations in an open link for that purpose on the website of the Ministry of Foreign Affairs.

Over 434,800 proposals emerged from these assemblies and as a result, 47.93 percent of the general text and 49.15 percent of the total articles were modified, while ideas that represent 2.06 percent of the document were also incorporated.

This, on the text of version number 24, which was reached after a long and meticulous work in which each new version was slowly giving shape to the document that the voters debated during the first quarter of this year.

This process entailed a high number of specialized consultations and the collection of proposals at all levels of Cuban society, which included the participation in the drafting of the successive texts, of almost fifty government agencies, social institutions, mass organizations, communicators, journalists, psychologists, academics, trade unionists and religious people, among others.

All this work began basically from the moment the Constitution was approved in 2019, since this law responds to what is established in the two transitory positions of the Magna Carta and to the need to achieve coherence with the constitutional text and the rights established in several of its articles, related to family plurality, inclusion and affection as the basis of family relationships.

Beyond these steps, which were all perceived by citizens, the National Electoral Council (CEN)—responsible for organizing, directing and supervising the holding of the referendum—has carried out meticulous work throughout these years to guarantee the successful completion of each step, with the involvement of tens of thousands of people, and whose culmination will be on September 25.

Alina Balseiro Gutiérrez, president of the CEN, has insisted that Cubans aged 16 years or older, in full enjoyment of their political and civil rights, with effective residence in the country for a period of time not less than two years, registered in the Voters Registration and with no judicial restriction for the exercise of their legal capacity, will be able to go to the polls.

Over 39,900 young people will vote for the first time and they will be able to speak out for a

Code that seeks to protect vulnerable sectors, confronts discrimination and family violence, recognizes the rights of older adults, the right of people to found a family and get married in accordance with the international commitments signed by Cuba in these matters.

Translated by Sergio A. Paneque Díaz / CubaSí Translation Staff
