
Translated from Spanish

The Permanent Mission of Cuba to the United Nations

NV 6/7/2013

The Permanent Mission of Cuba to the United Nations presents its compliments to the Office of the Secretary-General of the United Nations and has the honour to transmit herewith Cuba's comments on the formation and evidence of customary international law, an issue referred to in the report of the International Law Commission (A/67/10).

In this regard, the Republic of Cuba wishes to state that, pursuant to Cuban procedural legislation, the following are considered evidence: a statement made by an accused; witness statements; statements made during the confrontation of witnesses and defendants; expert opinion, documentary evidence and inspection of the crime scene. None of these take precedence over any other; rather it is left to the court to determine their value, and to reflect in the judgement the critical and rational examination of each piece of evidence presented during the trial.

Official statements made before legislative chambers, courts and international organizations and the decisions of national, regional and subregional courts may be considered as documentary evidence and may be admitted if, in a specific case, they meet the requirements of relevance and value, or if they are used to prove the main facts or circumstances of the case and serve the interests of the trial, while remaining subject to the rules of free evaluation of evidence.

The Permanent Mission of Cuba to the United Nations takes this opportunity to convey to the Office of the Secretary-General of the United Nations the renewed assurances of its highest consideration.

New York, 10 June 2013

Office of the Secretary-General

United Nations