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NETWORK CUBA – Information Bureau, GERMANY

Universal Periodic Review CUBA 2. Cycle

From the Board for the OHCHR

NETWORK CUBA in Germany represents more than 40 Cuba Groups, some of which have dozens of member groups themselves, and some of them were founded almost 40 years ago (i.e. in the year 1974). The Network itself was established in 1993 and has grown since. Our members represent an enormous and broad spectrum of people living in Germany.

All groups visit Cuba several times a year, members of our board also travel to Cuba on several occasions per year. We always have uncountable meetings with various groups, project teams, academics, journalists, NGOs, foreign experts and activists, as well as official representatives of the Cuban people from various levels and sectors. In addition, the 44 groups have different and manifold fields of special expertise and knowledge, and the geographical foci are also very different – altogether the groups in our Network cover the whole Cuban land.

We have therefore a long and thorough experience and expertise with Cuban society, politics and developments. Over the last three years many of us have been several times in Cuba.

In our latest national meeting (Cologne, September 29, 2012) we have discussed the issues concerned in the UPR.

On that basis we submit the following report to the OHCHR.

October 2, 2012

1 **(1) Context in Cuba for the Promotion of Human Rights**

2 During the last period (2009-2012) Cuba has started major socio-economic changes
3 and innovations. For instance, additional and innovative forms for the transfer of land
4 to peasants and other citizens have been established, as well as new provisions with
5 regards to social security, employment, housing, etc.

6 Here it has to be underlined, that those innovative measures and new programs have
7 been created in major parts by an expert commission and published for public
8 debate. In 2010 a broad discussion process started in all institutions, offices,
9 factories, NGOs etc. in Cuba where the citizens discussed in a vivid and clear
10 manner about the pros and cons of those “LINEAMENTOS”, about their own
11 experiences, their own expectations and scepticism etc. The commission received
12 hundreds of thousands of opinions and suggestions from these discussions and
13 incorporated most of them into the final draft of those lineamentos. They have then
14 been refined in the National Assembly after lively debates and adopted.

15 Several representatives of our 44 groups have visited such debates by citizens in
16 different neighbourhoods and institutions. They generally conform the scientific
17 research conducted by the Canadian political scientist Arnold August.

18 There are numerous international treaties and instruments of which the state of Cuba
19 is a party – such conventions against “All Forms of Racial Discrimination”, “All Forms
20 of Discrimination Against Women”, “Discrimination in Education”, “Torture” and
21 “Mercenaries”. In addition Cuba ratified in 2009 the International Convention for the
22 Protection of All Persons from Enforced Disappearance; in 2008 the UN Convention
23 against Corruption; and in 2012 the ILO Recommendation 200 concerning HIV and
24 AIDS and the world of work.

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26 **(2) Non-discrimination and Justice**

27 Latest international comparative studies show that Cuba is very advanced with
28 regards to representation of women in important professions – in the academic field,
29 in the political arena, in social and health sectors. This meets our own observations.
30 The same holds for the equalizing measures for young people, senior citizens, the
31 disabled, prison inmates, etc. We are extremely amazed by the high degree of
32 integration of disabled people as well as HIV-infected people. Due to hard work by
33 the Cuban institute SENESEX the Cuban government has now adopted additional
34 measures to fight against forms of discrimination based on prejudices due to sexual
35 orientation and gender identity.

36 Contrary to most of its neighbouring countries Cuban courts have not issued any
37 death sentences since the last UPR report, nor have there been any executions for
38 several years.

39 In April of 2009, the Council of State decided to commute the death penalty and
40 replace it with a 30-year sentence or life imprisonment for any inmates having
41 received the death sentence.

42 Cuba has institutionalized a system of independent bodies, headed by the Supreme
43 Court, acting collegially, composed according to their competency and with broad
44 popular participation in the dealing of justice.

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46 **(3) Freedom and Participation**

47 Cuba has been victim of a ferocious campaign to discredit its performance in human
48 rights matters and of ignorance of the existence of the rule of law in the country.
49 Spreading unfounded accusations only results in obscuring Cuba's reality and
50 performance in matters dealing with the promotion and protection of all human rights
51 for all, and it is part of a well organized and funded political campaign that is alien to
52 legitimate concerns over human rights.

53 As part of the hostile policy of the government of the United States, projects are
54 implemented that are directed to promote campaigns discrediting Cuban authorities,
55 with the aim of disrupting order, inciting violence and creating the image of a
56 supposed climate of destabilization and unruliness in the country. These activities are
57 financed by ultra-rightwing organizations in the city of Miami, backed by the US
58 government, whose declared aim is the destruction of the established political and
59 social system in Cuba.

60 The so-called human rights defenders acting in Cuba are mercenaries in the service
61 of the American government; their actions and purposes undermine and seek to
62 destroy the internal juridical organization of Cuba (national laws) within whose
63 framework all activities must be undertaken according to stipulations in Article 3 of
64 the Declaration on Human Rights Defenders adopted by the UN General Assembly
65 on December 9, 1998. None of these qualify under the concept of human rights
66 defenders as established in that Declaration.

67 In Cuba, human rights defenders are protected, in equal conditions, according to the
68 postulates of the Declaration on Human Rights Defenders. Nobody in Cuba has been
69 persecuted or penalized for peacefully exercising their rights, including those of
70 expression, opinion and association, within the framework of the broad liberties
71 guaranteed by the Constitution of the Republic and its laws, completely compatible
72 with international human rights instruments. Ethics has been an important protective
73 shield for the Cuban Revolution in the face of a policy of aggression and hostility by
74 the greatest power in the world.

75 Discrimination for religious reasons does not exist. There are around 400 religions
76 and religious institutions based on the credo of their membership; they carry out their
77 activities with no interference whatsoever by the State. All religions have their
78 churches and places of worship for their activities which regularly take place without
79 any impediments.

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(4) “Socialist Achievements”

83 Despite severe economic problems Cuba continues – in contrast to many other
84 countries, even rich OECD-countries – to ensure universal access, free of charge, to
85 public health. In 2011 the infant mortality rate reached 4.9, the lowest rate in Latin
86 America and the Caribbean. In 2011, the maternal mortality rate was at 40.6 per
87 100,000, a very low rate on an international scale.

88 The UNESCO Report on Lifelong Learning for All (2011) acknowledges Cuba to have
89 high educational development and is placed at number 14 in the world in their
90 Education for All Rating (IDE). Notwithstanding the recognized achievements in this
91 area, Cuba is working to attain greater quality at all levels of teaching.

92 For Cuba, having all people enjoying the right to food and food security constitutes a
93 matter of national security. The government’s political will has been steadfast in order
94 to attain advances in the subject of the right to food, in spite of the economic
95 blockade against Cuba by the United States and its specific impact on availabilities of
96 funding for the importing of foods and investment of capital and technology in that
97 field. New measures have been promoted to implement the recommendations of the
98 Special Rapporteur after their visit in 2007.

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(5) International Cooperation of Cuba

101 Cuba has promoted various cooperation programs and projects in health matters.
102 The Comprehensive Health Program is being developed in 40 countries.
103 Furthermore, Operation “Miracle” is being promoted to return sight to thousands of
104 citizens in the world. From its inception on July 8, 2004 until January of 2012,
105 2,261,987 surgeries have been performed.

106 On the other hand, the international contingent of doctors specialized in disaster
107 situations and serious epidemics, continues with its work (the Henry Reeve Brigade
108 made up of 5,490 Cuban collaborators who have provided medical assistance to
109 more than 3 million victims). It is highlighted the cooperation in Haiti. Since 1998,
110 3,774 Cuban collaborators have been at work in Haiti. The Latin American School of
111 Medicine (ELAM in its Spanish acronym) has graduated 9,960 medical doctors from
112 58 countries between 2005 and 2011. Also, health professionals in 11 countries are
113 being trained.

114 Cuba broadened its cooperation in the processes of literacy and post-literacy
115 campaigns using the Cuban methods called “Yes, I can” (*Yo, sí puedo*, in Spanish)
116 (UNESCO King Sejong Literacy Prize), “I Can Read and Write Now” (*Ya puedo leer y*
117 *escribir*, in Spanish) and “Yes, I Can Continue” (*Yo, sí puedo seguir*, in Spanish). At
118 the end of May 2012, the number of graduates of the *Yo, sí puedo* program totals
119 6,775,332 and of the *Yo, sí puedo seguir* program, the total number is 853,088.

120 Cuba has provided its international cooperation to various Latin American and
121 Caribbean countries in the reduction of disaster risks. It also participates with

122 agencies and bodies in the United Nations System on projects interested in reducing
123 disaster risks.

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(6) Special Problems for Cuba

126 Despite the worldwide annual support for the UN-resolutions to end the blockade
127 (“embargo”) against Cuba, the U.S. continues this violation of the U.N. Charta and
128 other provisions of international laws and principles.

129 In addition, the current U.S. administration prolongs the long-ongoing policies of
130 hostility and aggressions, subversions and financial manipulations, and even the
131 illegal occupation of Guantanamo Bay (a portion of national territory).

132 Furthermore, the U.S. and groups based mostly in Florida are recruiting, financing
133 and using mercenaries and terrorists for the anti-Cuban US policy. The explicit goal is
134 a “regime change” and the U.S. government has even established a “Coordinator for
135 the Transition in Cuba” under U.S. President Bush Jr.

136 The current government has earmarked 20 million US\$ per fiscal year for USAID and
137 the State Department, for public operations directed to create a “regime change” in
138 Cuba. Much more financial resources have been mobilized for U.S. intelligence
139 service undercover activities (in the U.S. Interest Section in Havanna more than 400
140 persons are working!). One of the publicised cases is the U.S. citizen Alan Gross who
141 delivered in clandestine manner manifold high-tech equipment into Cuba, some of
142 which is only used be CIA etc.

143 Based on such U.S.-provoked and -constructed cases the U.S. dominated mass
144 media conglomerates inside and outside the U.S. conduct many media campaigns
145 against Cuba in order to produce a negative image and in order to hinder foreign
146 investment, tourism and further development – in the final consequence to destroy
147 the socialist Cuba. In Germany we have also detected such examples of media
148 manipulations by fundamentalist groups like IGfM (Internationale Gesellschaft für
149 Menschenrechte, Frankfurt/M.).

