

**SUBMISSION FOR THE UNIVERSAL PERIODIC REVIEW OF CUBA
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by

José Martí Association for Friendship with Cuba (JMKDD)



Address:

**Karanfil Sokak No: 58 Kat: 2 Kızılay
Ankara TURKEY**

Tel: +90 549 4305127

Email: kubadostluk@kubadostluk.org

Website: www.kubadostluk.org



1. This submission aims to reflect our institutional opinion on the position of Cuba with respect to human rights before the 2nd Cycle of Cuba's Universal Periodic Review.
2. Since the Revolution, based on the principles of equality, freedom and justice, Cuba's social, economic and political system has always maintained a solid stance for the continuous improvement of conditions of exercise of all basic human rights and freedoms by its citizens.
3. All basic human rights and freedoms are recognized and guaranteed by the Constitution of the Republic of Cuba.
4. Article 45 of the Constitution recognizes the right to work for all citizens; Article 46 guarantees the right to rest and vacations; Article 47 and 48 ensure social security for all citizens; Article 49 guarantees the right to protection, safety and hygiene on the job by means of the adoption of adequate measures for the prevention of accidents at work and occupational diseases; Article 50 provides that every Cuban citizen has the right to health, protection, and care; Article 51 recognizes every citizen's right to education through free and widespread system of schools; Article 52 ensures that everyone has the right to physical education, sports and recreation; Article 53 guarantees the freedom of speech and of the press; Article 54 recognizes the rights to assembly, demonstration and association and ensures that citizens, including workers, intellectuals, peasants, women, students and other sectors of the society, have the necessary means for this; Article 55 provides that the state, which recognizes, respects and guarantees freedom of conscience and of religion, also recognizes, respects and guarantees every citizen's freedom to change religious beliefs or to not have any, and to profess, within the framework of respect for the law, the religious belief of his preference; Article 56 guarantees that the home is inviolable; Article 57 recognizes the inviolability of mail; Article 58 recognizes freedom and inviolability of persons for all those who live in the country; Article 59 provides that nobody can be tried or sentenced except by the competent court by virtue of laws which existed prior to the crime and with the formalities and guarantees that the laws establish and that every accused person has the right to a defence, that no violence or pressure of any kind can be used against people to force them to testify, and that all statements obtained in violation of the above precept are null and void and those responsible for the violation will be punished as outlined by law; Article 61 provides that penal laws are retroactive when they benefit the accused or person who has been sentenced; Article 63 guarantees every citizen's right to file complaints and send petitions to the authorities and to be given pertinent response or attention; and finally Article 66 provides that strict fulfilment of the Constitution and the laws is an inexcusable duty of all.
5. In line with its Constitution, the Cuban state is an active party to many international treaties including the International Convention on the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination Against Women; Convention on the Rights of the Child; Optional Protocol to the



Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography; Optional Protocol to the Convention on the Participation of Children in Armed Conflict; International Convention on the Suppression and Punishment of the Crime of Apartheid; UNESCO Convention against Discrimination in Education; Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

6. During the time period elapsed since the last UPR, Cuba ratified the UN Convention against Corruption (2008), International Convention for the Protection of All Persons from Enforced Disappearance (2009), International Convention for the Protection of Persons from Enforced Disappearance (2009), and ILO Recommendation on HIV/AIDS and the World of Work (2012).
7. Under the framework of cooperation with UN human rights mechanisms, Cuba submitted three reports on human rights: the Second Periodic Report to the Committee on the Rights of the Child (2011), the Combined Reports of the 14th to 18th to the Committee on Elimination of Racial Discrimination (2011) and the combined second, third and fourth reports to the Committee Against Torture (2012).
8. Cuba also submitted a 7th and 8th Combined Periodic Report relating to the Convention on the Elimination of All Forms of Discrimination against Women (2010), an Initial Report relating to the Optional Protocol to the Convention on the Rights of the Child on the Participation of Children in Armed Conflict (2011) and an Initial Report relating to the Convention on the Rights of Persons with Disabilities (2012).
9. The Cuban state not only recognizes international conventions and basic legal provisions for the protection of human rights, but also offers substantial mechanisms and takes necessary measures for the real and effective exercise of them.
10. Cuba's judicial system is based on the principle of absolute independence of judges, both individually and as the entire system of courts. It is also based on popular democratic principles which ensure that all judges, including professional and lay judges, are elected and legal proceedings and hearings are open to the public. There is no room for impunity in Cuba.
11. Since the last UPR report period, no death sentence has been given in Cuba. Besides, in April of 2009, the Council of State decided to amend the death penalty and replaced it with a 30-year sentence or life imprisonment for any prisoner having received the death sentence. Currently in Cuba there is no single person sentenced to the death penalty.
12. In Cuba all prisoners are guaranteed to lead a life with dignity. The prison system has hospitals, health centres and medical posts and in every province there are ordinary



hospitals with special wards equipped for prisoners. Prisoners are guaranteed specialist care, including dental care, in any hospital in the country and medical teams comprising a range of specialists make regular prison visits.

13. Cuba continues to improve its prison system and, in line with reforms in the area of education, a collection of programmes, projects and activities have been developed within the prison system in order to attain new levels of development within the education system in relation to prisoners. It also aims to improve the rehabilitation of prisoners and their social reintegration.
14. Cuban laws protect human rights defenders in line with the provisions of the Declaration on Human Rights Defenders, adopted in UN General Assembly in 1998. Those who peacefully exercise their rights to expression, opinion and association along the lines of the liberties guaranteed by the Constitution, which is completely in accord with the international human rights instruments, are in no way prosecuted or penalized in Cuba. This also includes those citizens practicing their religion. There are around 400 religious institutions, including churches and other types of places of worship, carrying out their regular activities with absolutely no intervention by the Cuban state.
15. Cuba has been subject to numerous false accusations regarding its disrespect for human rights. Most of them were part of the overt hostile policy of the United States to discredit the Cuban authorities, a prominent element of which is the economic, trade and financial embargo, which constitutes an act of genocide under Article II (c) of the Convention on the Prevention and Punishment of the Crime of Genocide and an act of economic warfare, violating the human rights of all Cuban people.
16. The US government is not only maintaining the embargo but also strengthening its extraterritorial implementation. Just to give an example, according to the Annual Report published by the Office of Foreign Assets Control (OFAC) of the Treasury Department, the total of Cuban funds frozen by the United States amounts to 245 million dollars, hindering Cuba's economic, social, scientific and technological development and thus full enjoyment of the right to secure a prosperous life by the Cuban population.
17. Yet, despite all these unlawful actions, the Cuban government is dedicated to maintain its strict compliance with the human rights provisions set out in its Constitution and the undersigned international conventions.
18. Last year, based on an unprecedented level of popular participation and discussion, the Cuban government adopted the Economic and Social Policy Guidelines in order to strengthen its socio-economic and institutional framework to increase the welfare of its citizens. Under the framework of the Guidelines, new laws and practices have been adopted to distribute lands to peasants, to strengthen the social security, to improve the



efficiency of the economy. The Cuban state is now working on incorporating these changes into several spheres of law, including the Family Law, the Labour Law, and the Criminal Law. These changes aim at not only improving the life-quality of Cuban citizens, but also ensuring a freer, more egalitarian, and more independent society acting in solidarity.

19. We sincerely believe that Cuba is an exemplary country for all the world not only with its dedicated work and effort to provide all Cuban citizens with the right to free access to high-quality education, health, culture and sports, but also with its wholehearted commitment to create a country and a world of equality, freedom and justice respecting the human rights.