

## **Human rights report on Cuba**

General information:

To:

**The Office of the United Nations High Commissioner for Human Rights (OHCHR)**

From:

**Cebrapaz – Brazilian Center of Solidarity to the Peoples and Struggle for Peace**

Country being object to this report:

**Republic of Cuba**

Universal Periodical Examination Session (UPE) where the country will be subject to consideration:

**February 2009**

### **Report**

By means of the present report, **Cebrapaz (Brazilian Center of Solidarity to the Peoples and Struggle for Peace)**, a member of the **World Peace Council** currently occupying the presidency of that organization, an international organization that fights for peace with a consultant status in the United Nations Economic and Social Council (Ecosoc), would like to address the United Nations High Commissioner for Human Rights (OHCHR) in order to assert that can be acknowledged in the Republic of Cuba in face of the examination made by this Office on that country for the following period.

Our assertion is based on the following aspects:

1. It has been almost 50 years – to be completed on January 1<sup>st</sup> 2009 – which the Cuban people, by means of a popular insurgence against a dictatorship that was politically and economically connected to the United States government, established a new government according to the rights granted to a country as regarding its right to self-determination and national independence. In retaliation to the new government and as part of the “cold war” that was effective in the world, the United States of America, while acting unilaterally and in a clear case of violation of international law, imposed an economic blockade that is maintained in an obsolete and illegal fashion until now with a view to forcibly overthrow the political and social system that was established by the Cubans with sovereignty on January 1<sup>st</sup> 1959. That blockade has caused a series of economic damages to the country.
2. According to the most recent Report on the Government of Cuba to the United Nations General Secretary, issued in 2007, “the direct economic damage caused to the Cuban people by the application of the economic, commercial and financial blockade by the USA against Cuba surpassed 89 billion dollars according to estimates”. Such amount heavily penalizes the Cuban people

and severely violates their right to choose their political, economic and social system in a sovereign manner;

3. However Cuba is one of the countries where the respect to the human rights can be more clearly observed. Even as a developing country, it is the Latin American nation that displays the best social, life quality indicators, such as right to health and education. Therefore, in face of the results achieved, one can say that the Government of Cuba has freed, saved and strengthened the Cuban nation in its search for sovereignty, social and economic development;
4. Cebrapaz considers human rights in its most humanistic and broad sense, viewed as a set of rights that capitalism, such as right to work, education, health, food and housing. In Cuba, there is not a single child in dire need or living in the streets – much to the contrary as compared to the absolute majority of the countries in the world, including the developed nations;
5. Similarly, freedom of speech, to us, is not only the free right to propagate hegemonic ideas of the great oligopolies and monopolies of international media. Freedom of speech must also be understood as the right to divulge progressive and critical thinking – and Cuba stands out in stimulating anti-hegemonic, humanistic and progressive ideas of the time. Likewise, one cannot consider “political freedom” just as one that lets a minority impose measures that are against the interest of the majority or that violate sovereignty and national independence by means of economic and media power and, as a last resource, force.
6. The United States oppose the Cuban political and electoral system defending the existence of a single standard of democracy that is, unsurprisingly, much similar to its own political and electoral system. In the opinion of Cebrapaz, there are different forms of exercising popular sovereignty and democracy, while definitely no country should impose on others universal forms and mechanisms of democracy, regardless of national and social realities and trajectories. The Cuban political system is the legitimate expression of the will of its people in the exercise of their legitimate right to self-determination, sovereignty and independence;
7. The fact that the government of the United States tries to stimulate and support, even financially, a group of mercenaries in Cuba’s backland at its service and currently in action with the objective of destabilizing the Cuban government and sabotaging the Cuban economy – including the manipulation of diplomats for that end – constitute an extremely grave situation. That fact is aggravated by the explicit participation of the government of the United States and its security organization in supporting and promoting terrorist activities in Cuba, causing the death of thousands of Cuban citizens since 1959 according to several pressing denouncements made in the last years;
8. As for that issue – promoting terrorism – the government of the United States is in clear contradiction to the defense of concentrating the “fight against terrorism” – a position maintained with great emphasis since the attacks on September 11, 2001 –, for it supports, sponsors and promotes terrorism against Cuba. Examples are numberless and are abundantly presented and documented by the Government of Cuba to the OHCHR. One of the most emblematic cases – for it clearly contradicts the position held by the United

States – is the defense and shelter secured to well-known international terrorist of Venezuelan origin, Luis Posada Carrilles;

9. In like manner, the “fight against terror” is blatantly contradicted by the fact that the government of the USA keeps five Cuban anti-terrorist agents arrested and held in US territory since 2001 – they were dedicated to preventive actions against the attacks on Cuba from the United States, which were perpetrated so often in those five decades. Given the symbolism of the cause maintained by the five prisoners and its clear contradiction to the discourse claimed by the United States government, the imprisonment of those five Cubans turned into an international cause supported by many human rights activists in all parts of the world. The five Cuban citizens are the following:
  - a. Antonio Guerrero (Miami, 1958), airport engineer, poet, father to two children;
  - b. Fernando González (Havana, 1963), married, a graduate from the Institute of International Relations (ISRI), of the Ministry of Foreign Relations in Cuba;
  - c. Gerardo Hernández (Havana, 1965), married, a graduate from ISRI, caricaturist;
  - d. Ramón Labañino (Havana, 1963), married, father to three daughters, an Economics graduate from the University of Havana;
  - e. René González (Chicago, 1956), married, father to two daughters, pilot and flight instructor.
10. The democratic regime in Cuba is exercised by means of the broad and full participation of citizens, either by country management based on regional Popular Assemblies or by the regular electoral processes that result in the election of representatives in local, regional and national levels.
11. The Republic of Cuba is characterized by full rule of the law based on the Constitution of 1976. In that country, one can perceive the full operation of the State, including its law structures, while observing the broad right to defense and the exercise of appeals as regarding the legal system;
12. The unlawful blockade maintained by the United States against Cuba is facing increasing and justified political condemnation by means of the members of the United Nations as shown by the table below:

<b>Votes en UN of proposal of Resolution against the blockage imposed by the United States on Cuba</b>				
<b>Year</b>	<b>For</b>	<b>Against</b>	<b>Absence</b>	<b>Abstention</b>
1992	59	3	46	71
1993	88	4	35	57
1994	101	2	33	48
1995	117	3	27	38
1996	137	3	20	25

1997	143	3	22	17
1998	157	2	14	12
1999	155	2	23	8
2000	167	3	15	4
2001	167	3	16	3
2002	173	3	11	4
2003	179	3	7	2
2004	179	4	7	7
2005	182	4	4	1
2006	183	4	-	1
2007	184	4	-	1

13. In face of the facts exposed above, Cebrapaz appeals to OHCHR to arrive at a favorable appraisal regarding the full application of human rights in the examination of the situation of the Republic of Cuba.

**São Paulo, Brazil, August 2008**

**By the Cebrapaz Board of Directors**

**Socorro Gomes**

**Chairwoman of the Cebrapaz – Brazilian Center of Solidarity to the Peoples and Struggle for Peace and of the WPC – World Peace Council**