

To: Office of the High Commissioner for Human Rights, United Nations

Universal Periodic Review – Support for the Republic of Cuba 44th Session

Resolution from the Executive of ACFS WA branch on the situation of Human Rights in Cuba

The WA Branch of the Australia-Cuba Friendship Society (ACFSWA), submits this submission to the Universal Periodic review in support of Cuba. We also take this opportunity to support the Cuban bid to run for re-election as a member of the Human Rights Council for the 2024-2026 term.

1. The ACFSWA was formed in April 1994 out of concern at the effect of the United States blockade on Cuba. The impact of the blockade is not haphazard. It is an Institutionalized process aimed at asserting U.S. domination involving laws, administrative decrees, regulations, officials' interpretations of regulations, and caution on the part of third-country traders and financiers. Under the Trump administration it was further strengthened through the implementation of a raft of new measures against Cuba including re-designating Cuba as a "state sponsor of terrorism,". These measures create many obstacles against the Cuban economy which seeks responsible development built on prioritizing social development and sustainability. Despite Biden's comments before the 2020 election that the Trump changes have inflicted harm on the Cuban people Biden has done little to wind back the changes to alleviate that hardship even during the worst part of the COVID pandemic where the health of Cuban people was threatened by the lack of access to syringes. To this day the blockade makes access to many essentials such as medicines, food, school supplies and building materials very difficult.

Our society organises, among the people of Australia, brigades to Cuba with the message go, have a look and come back and tell people whatever you think about what you have seen in Cuba. What we witness are people returning from Cuba, joining our friendship society and our ongoing campaign for the US blockade to be lifted from Cuba. We now also call for Cuba to be removed from the list of countries sponsors of terrorism. We have seen first-hand a government that works on a democratic system with the principle of "government of the people, by the people and for the people".

2. Today the world faces instability, environmental and economic crisis, yet Cuba continues to prioritise its attention to both to its own people and to many others globally in areas of healthcare, education, scientific and technical research, culture and sports. An article in the Lancet (Burki T, 2001) acknowledged that Cuba's long-standing commitment to health has led to a successful COVID-19 pandemic response, but was threatened by financial and supplier issues. Despite the hardships, Cuba did not turn away from its belief that healthy populations are the bedrock of global

society and by the end of April, 2020, more than 1000 Cuban health-care workers were helping foreign countries respond

to COVID-19. The island's successful response to COVID-19 was largely a result of years of investment in primary care and assiduous attention to population health. The country has comprehensive universal health care and one of the highest doctors to patient ratios in the world.

3. The Cuban government continues to work with the Cuban people to make further advances and progress. A recent advancement in Cuba's development of the socialist model of cultural, social and economic development, was the 2019 free and universal referendum which adopted a new Constitution with the secret ballot of 87% of citizens. The new constitution strengthens the guarantees and the legal-institutional framework for the protection and promotion of human rights for all Cubans. Also, the country has implemented its National Program for the Advancement of Women, the Comprehensive Strategy for Prevention and Attention to Gender Violence and in the Family Scenario; and the National Program against Racism and Racial Discrimination, and the new Family Code, approved in a referendum with 62% support. These advancements further enhance the existing legal system which included provisions to the right to life, liberty and inviolability and integrity of the person; the right to work with rest and leisure and to social security; the right to inviolability of the home and confidentiality of correspondence; the right not to be tried or convicted except by a competent court under laws that existed prior to the offence and with the procedure and guarantee established by law; the right to a defence and the right not to be subjected to violence or coercion of any kind to be forced to testify.

4. On a recent visit to Cuba in October 2022 we witnessed the impact of COVID-19 and the maximum pressure being applied by the US which has pushed the Cuban economy to limits that create a deterioration of the standard of living of families, inflation, prices, wages, the availability of food and medicine, and on the electricity service; and hits the country's income, financial transactions, industry, construction, services, trade, investment, health and education. Cuba is not alone, since 2008 and then the onset of the COVID-19 pandemic in 2020, many peoples around the world are experiencing the same problems. The difference is the devastating effects on Cuba are predominantly the result of external interference of U.S. imperialism to destabilize finances as part of their "regime change" operation. Cuba suffers slanders against their Cuban international medical cooperation, toxic uses of technological platforms and manipulation of large digital networks against Cuba aimed at encouraging illegal emigration, especially of skilled and working-age people. Despite the hardship created by the blockade and COVID-19 and external attempts to turn people against the government, we saw ongoing support for the Cuban government across the generations. We made a visit to one of many community projects aimed at improving living conditions through government community partnerships which are community directed and implemented. The project we saw in La Timba was making a real material difference to the life of the community and it was just one project of a number with new communities being added as resources become available.

5. As seen in the recent referendum, and vote on the constitutions Cuba has impressive participation in democratic processes with highly contested elections, voting participation over 95%; high life expectancy; low infant mortality; high participation in education to the highest levels.

Cuba's people are active participants in the shaping of the Cuban society with many grassroots and community-based organizations contributing to the internal discussion. It is only with the broadest social consensus that important decisions are taken. In this way Cuba builds and consolidates the principle of equality for all Cubans. It is also very evident everywhere in Cuba that there is progressive access to the Internet and extensive use of social networks. Since the introduction of the family code in Cuba the rights of LGBTIQ and access to marriage equality have been realised. The achievements in Cuba are a direct result of people's participation and the will of the government to listen and respond to its people.

6. It was acknowledged by UNESCO in 2015 that only Cuba reached global education goals in Latin America and the Caribbean. Cuba has delivered its literacy campaign to at least twenty-six countries around the world providing basic literacy instruction to over six million people. In Australia it has produced remarkable results with the application of the method "Yes I Can" on Australian lands, which from 2012 to 2019 has been applied in nine aboriginal communities in New South Wales and the Northern Territory, registering a promotion rate of over 60% and more than 200 graduate students. Joint efforts continue to extend the campaign to other remote areas of Australia, while reaffirming Cuba's solidarity commitment to continue supporting the implementation of this noble literacy program that is already part of the bonds of friendship and cooperation that join both countries. The literacy method "Yes, I Can" was created by Cuban specialists in 2001 and has allowed more than five million adults to read and write in nearly 30 countries, most of them from Third World or developing countries.

7. Cuba strives to facilitate attention on issues of the rights of people in the struggle against racism, racial discrimination, xenophobia and other forms of intolerance and to encourage frank and open dialogue on human rights matters. Cuba, as a founding member State of the Council defends dialogue and international cooperation and fully respects principles of universality, indivisibility, objectivity and non-selectivity in human rights matters and their treatment. Cuba will continue to raise its voice from the South in defence of developing countries, the poor and the excluded. In the current climate of environmental crisis, irrational and unsustainable patterns of production and consumption, destabilisation and military tension that threaten human existence we are confident Cuba has much

to offer to build a more supportive and cooperative world. The WA Branch of the Australia-Cuba Friendship Society has no hesitation in supporting Cuba in its bid to run for re-election as a member of the Human Rights Council for the 2024-2026 term.

7. No-one is forgotten in Cuba's pursuit for a better world. The revolutionary government has some advanced penitentiary laws and regulations and applying 95 Standard Minimum Rules for the Treatment of Prisoners; including adoption and enhancement of a graduated system; classification of the prison population in order to ensure better treatment for groups and individuals (based on legal situation, gender, age, nationality, personal characteristics, level of risk, etc.); Building of premises suitable for prison facilities (group and individual cells with air, light, ventilation, sanitary facilities and showers); voluntary participation in socially useful work, paid in accordance with national pay scales and with workplace health and safety guarantees; financial help to prisoners' families and social security for prisoners; introduction of an education subsystem in prisons for general and technical schooling. But even more importantly is the provision for the guarantee of work for all ex-prisoners to facilitate their progressive integration back into society; this is truly reflective of a system that understands people and respects their rights. Notable also from an Australian comparative, under Cuban law, the age of both civil majority and criminal responsibility is set at 18 years, whilst in all Australian jurisdictions, a child under 10 years cannot be found guilty of a criminal offence and a report on the youth detention population in Australia found that among the 819 young people in detention on an average night in the June quarter 2021, most were male (91%), aged 10–17 (83%) and unsentenced (72%). Half (50%) were Aboriginal and Torres Strait Islander. (AIHW 2021)

8. As a country that embodies true Internationalism, Cuba is party to many international human rights instruments, including the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Rights of the Child on the participation of children in armed conflict; the Convention on the Elimination of All Forms of discrimination against Women; the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education; the International Convention on the Elimination of All Forms of Racial discrimination; the International Convention against the Recruitment, Use, Financing and Training of Mercenaries; and the International Convention for the Protection of All Persons From Enforced Disappearance.

9. Cuba has a vast record of participation internationally in developing countries and when natural disasters have struck. When COVID-19 hit in 2020, Cuba responded to emergency requests for trained medical personnel by sending 53 health teams to 39 countries on four continents. The health teams were able to assist countries with fragile health systems that were ill-equipped to deal with COVID-19. In 2020 solidarity organizations from several nations, political forces, public officials, artists, writers and personalities launched a campaign to promote the awarding of the Nobel Peace Prize to Cuba's Henry Reeve Medical Brigade. This is the recognition of the many completed missions in more than 40 countries at times of disaster and need, most recently the earthquakes in Türkiye and Syria. While the Nobel prize was not awarded the magnitude of the effort is recognised and

respected throughout the world. Garcia J. 2023 reported a statement made to Prensa Latina by the Cuban Public Health Minister Jose Angel Portal saying that the best award for Cuba is the peoples' recognition of the humanistic work of its medical personnel at any latitude.

10. In Cuba there is no provision for the use of torture under any circumstances, so it is an offence and source of great sadness for the peoples of Cuba that these practices are carried out in territory illegally occupied by the United States naval base in Guantánamo Bay.

11. Cuba has been subjected for over 60 years to many forms of hostility and aggression by the United States, principally through the latter's imposition of an 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. Every day the Cuban people rise up together to face these attacks showing an unlimited capacity for resistance and creativity. The Cuban people daily activate democratic participation, particularly of young people and proceed on the path of changing "everything that must be changed." The US continues with this hostility and ignores the international condemnation of the blockade that has seen 30 years of votes being supported by a growing list of states in the UN General Assembly. In 2022 the vote in the 193-member General Assembly was 185 countries supporting the condemnation, the United States and Israel opposing it, and Brazil and Ukraine abstaining.

12. Despite the hostilities it has faced Cuba leads the world in sustainable development. Attention is given to environmental programs for renewable, non-polluting energy generation, the safe production of food, the conservation of wetlands and forests, the protection of threatened species to name a few exemplifies the altruistic commitment Cuba asserts for the human rights of its people, the peoples of the world and their right to a sustainable future.

In closing it is with the highest regard and admiration that we make this submission in support of the Cuban government and peoples. We commend the Cuban government for the ongoing advancements for enjoyment of political freedom, social justice, individual and collective wellbeing and human solidarity. The Cuban revolution has laid the foundations of a democratic, fair, inclusive, equitable and compassionate society and we encourage this review.

Elizabeth Hulm
Branch Secretary Branch Secretary

Vinnie Molina
ACFS WA Branch President

References:

AIHW 2021: Australian institute of Health and Welfare Youth Report DOI:10.25816/9qqw-c239

Burki T 2001 Lancet 21, 4 [https://doi.org/10.1016/S1473-3099\(21\)00159-6](https://doi.org/10.1016/S1473-3099(21)00159-6)

García J. 2023 Prensa Latina English Edition 11 March