

ALL INDIA AGRICULTURAL WORKERS UNION

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The All India Agricultural Workers Union is the largest organization of rural labour in India, with the membership of over 5.1 million in 2011-12. This membership is renewed every year to ensure the democratic participation of members over a period of time apart from the natural expansion our organization has seen since its inception in 1982 from a membership of just over 1 million. The organization has had over the years, outstanding leaders of the Indian people, as its office bearers many of them elected representatives in Parliament, like Comrades Dasrath Deb, Harkishan Singh Surjeet, M. Basavapunniah, L.B. Gangadhar Rao, N. Varadarajan and P.K. Kunjachan. Of its present leadership, its General Secretary A. Vijayaraghavan and Joint Secretary Hannan Mollah have been Members of the Indian Parliament while its President P. Ramayya was a member of the Andhra Pradesh Legislative Assembly. This reflects our genuine mass influence not only among agricultural labourers but also among the people. This influence has been the result of countrywide struggles for land, wages, social justice and legislation to protect agricultural labourers in an unequal society through important legislation like the Comprehensive Agricultural Workers Act of Kerala and the National Rural Employment Guarantee Act which our union fought for and is working to implement as fully as possible.

Our union has been in the forefront of struggles to eliminate the disabilities of untouchability, extreme poverty and attacks of the feudal and capitalist landlords, communal forces and sectarian elements as such, we are concerned with the questions of human rights, social discrimination and the exercise of democratic rights not only in our own country but also in the world.

This is the basis of our submission to the Office of the High Commission for Human Rights in respect of the Republic of Cuba to be submitted before the Universal Periodical Review in April-May 2013.

Our submission to the Universal Periodic Review on Cuba is based on our understanding that the triumph of the Cuban Revolution permitted the Cuban people to attain their genuine independence and allows for the full, universal enjoyment of all human rights in every sphere of social life. Moreover, they have vindicated their support for the revolution that allows them the right to self determination, development, peace and the capacity to contribute to a fair, democratic and equitable international order. This has been further vindicated by the position of respect acquired by the Republic of Cuba among its neighbouring states in Central and South America and the failure of the USA to isolate it despite an illegal and inhuman blockade that it has imposed on Cuba more or less consistently since 1960. The fact that regularly the vast majority of the member countries in the UNO have consistently voted in favour of ending this blockade proves the global support to the present regime of Cuba despite billions of dollars spend by the USA in trying to force an undemocratic regime change in that country even through supporting terrorists and murderers, like Posada Carriles, whose acts of terror have brought about 3478 deaths and 2099 serious injuries so far.

What is worse is the fact that five patriotic Cubans who were successful in exposing these acts of terror have been held in jail for 14 years. The USA must be questioned by the commission on its support of terror against innocent people of a fellow member of the UNO, and granting asylum to terrorists facing charges for a number of crimes including murder in near by countries. The evidence provided by the Cuban five about such activities must be accepted and supported as a prime example of Cuba's serious attempt to conduct a genuine war on terror which the USA talks a lot about, but implements its opposite in practice. This inconsistency of the USA must be nailed down and noted.

We also support the steps undertaken by Cuba between 2009 -2012 to ensure important transformations in its codes and laws to improve the functioning of the socialist system that has continually been endorsed and expanded by its people with the object of advancing towards a society that is moving consistently towards ensuring justice that increases the realm of freedom and independence encouraging social and global solidarity, equitable access to social and material benefits and an environment to develop creativity and productivity for all without discrimination on the basis of race, gender, religion and origin.

This approach has developed a sense of social responsibility among the Cuban people to bring relief to those in need of it. Its outstanding success in the field of health is an example of this. In 2011 its infant mortality rate was 4.9 the lowest in the region. Maternal mortality was only 40.6 per hundred thousand births. The UNESCO Report on Lifelong Learning for All (2011) admitted that Cuba's

educational development was the 14th highest in the world. This is a considerable achievement for a country where the majority of the people were illiterate at the time of the revolution.

Cuba has given an international character to its concern for a healthy and educated world. Its Comprehensive Health Programme is being conducted in 40 different countries. Its Operation Miracle has brought sight to the sightless all over the world. From its inception on June 8, 2004 to January 2012 over 2 million surgeries have been performed. 5490 Cuban doctors have provided medical assistance to more than 3 million victims of disasters and epidemics. In countries as wide apart as Haiti and Pakistan winning international acclaim. In pursuing its goal of empowering those without access to adequate health facilities, the Latin American School of Medicine has trained 9960 medical doctors from 58 countries between 2008-2011.

Apart from training professional in health workers in 11 countries, Cuba broadened its cooperation in the processes of literacy and post-literacy campaigns using the Cuban method called “Yes, I Can.” The total number beneficiaries is 853,088. Cuba has provided its international cooperation to various Latin American and Caribbean countries in the reduction of disaster risks. It also participates with agencies and bodies in the United Nations system on projects interested in reducing disaster risks, allowing for safer lives for those most in need of them.

Cuba is party to numerous international instruments in these field of human rights, such as the International a 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, International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

Further it has adhered to: the International Convention for the Protection of Persons from Enforced Disappearance, in February 2, 2009; ILO Recommendation 200 concerning HIV and Aids and the World of Work (February 13, 2012); the UN Convention against Corruption (July 28, 2008) New norms regarding the transfer of land to peasant and other citizens have been adopted, as well as those referring to social security have been adopted , as

well as those referring to social security employment, housing, etc. At the same time, Cuba is working on amendments that it will incorporate into the Criminal Code, the Family Code and the Labour Code.

Cuba presented 3 reports to human rights treaty bodies, namely: 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 the Elimination of Racial Discrimination(2011) and the combined second, third and fourth reports to the Committee Against Torture (2012). Cuba also sent another 3 reports for corresponding consideration, namely: the seventh and eighth combined periodic reports by virtue of the Convention on the Elimination of All Forms of Discrimination against Women (2010), the initial report by virtue of the Optional Protocol to the Convention on the Rights of the Child on the participation of children in armed conflict (2011) and the initial report by virtue of the convention on the Rights of Persons with Disabilities (2012).

Cuba has promoted numerous measures and initiatives in the last four years with a view to continue moving forward in its effort to ensure broader enjoyment of all human rights and fundamental freedoms for all on an equal basis and without discrimination for any reason whatsoever. Those measures include boys and girls, youth, senior citizens, the disabled, prison inmates, etc. The Cuban government has also adopted measures to fight against forms of discrimination based on prejudices due to sexual orientation and gender identity.

Moreover, Cuba's contribution to the right to life, liberty and personal security can be summed up as follows: In Cuba no death sentence has been passed by the courts since the last UPR report. In April of 2009, the Council of State decided to commute the death penalty and replace it with a 30 year sentence of life imprisonment for any inmates having received the death sentence. The decision was adopted as a sovereign act, in accordance with the humanitarian conduct and ethics of the Cuban Revolution from its beginning. Today in Cuba there is no longer anyone sentenced to the death penalty.

Cuba had institutionalized a system of independent bodies, headed by the Supreme Court, acting collegially, composed according to their competency and with broad popular participation in the dealing of justice. The Cuban judicial system is based on the principle of absolute independence of judges individually and of the entire system of Courts in the function of dealing justice; the popular nature of justice; the elective nature of judges (both professional and lay judges); the absolute equality of all persons before the law; the presumption of innocence; all trials are public, except in cases excepted by law; all rulings of

the courts may be appealed against according to stipulations established by law in each case; every accused party has the right to legal defense.

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

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

In Cuba the freedom of opinion and expression has their fullest realization. Cuba attaches a highest importance to protecting and promoting the right to freedom of information. It is a right which is fully guaranteed and provided for in the Cuban Constitution. Cuba respects and stimulates conflicting views while debating ideas to find the best solutions to its problems. They are still engaged in perfecting the ways in which their citizens exercise democracy effectively and truly.

All Cubans have equal access to quality basic services like education, health care and social assistance and security. Education is universal and free at all levels of the education system. In Cuba, nobody is repressed by reason of thinking differently. One thing is to disagree, and another to be funded by an enemy state to promote subversion. There are projects encouraged by the state to protect minorities and respect sexual, racial, ethnic, and gender diversity. In 2009, Cuba was the object of the Universal Periodic Review of the Human Rights Council which had satisfactory conclusions. Cuba's progress in the field of human rights was recognized. Numerous international organizations, including UNESCO, have also recognized Cuba's achievements in ensuring the full enjoyment of human rights by the Cuban people.

Since then, a number of steps have been taken to deepen and broaden this trend. But the main reason for the USA's calling for a regime change in Cuba is its economic perspective based on two principles: First, the foundation of the economic system is the socialist ownership of all the people over the means of production, and secondly, the preponderance of planning to ensure that

everyone gets resources according to his or ability and its paid for according to his or her work. Unleashing the productive forces of the Cuban people on an egalitarian and just basis is the prime concern of the Cuban state, to ensure the continuity and development of their socialist society. Surely, to force regime change on such a state is a serious violation of human rights in the first place, involving the murder and maiming of innocents for imposing economic prejudices by force on people who palpably do not wish to accept them.

Moreover, the unilateral blockade of Cuba by the USA affects the sovereignty of other member states of the UNO, violating international law and the principles of the UN character, notably to the rights of peace development and security of a sovereign state. Economically till 2010 it has cost the Cuban economy over 975 billion dollars, and in human terms, it qualifies as genocide. In fact, as recently as August 2012, the Non Aligned Movement, in its final declaration at Tehran, has ratified once again its stance towards the blockade against Cuba that qualifies as a unilateral act, which violates the United Nations Character and International Law and reiterate its claim to the US government to return the illegally occupied territory of Guantanamo Naval Base likewise, the movement has urged the US government to suspend the radio and TV aggressions against Cuba.

We as citizens of a State that is one of the founders of this movement endorse this view and wish to communicate it to you unequivocally and without hesitation seeking action towards redressing these injustices being perpetrated against the Republic of Cuba and its people.

Forwarded on behalf of the All India Agricultural Workers Union:

P. Ramayya
President

A. Vijayaraghavan
General Secretary

Hannan Mollah
Joint Secretary

Suneet Chopra
Joint Secretary