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Excellency Navanethem Pillay, **UN High Commissioner for Humans Rights.**

October 5, 2012.

RE: UNIVERSAL PERIODIC REVIEW CUBA, APRIL-MAY 2013

There can be no doubt that over the period of review Cuba has stepped up their efforts to update and strengthen the freedoms, human and religious rights, liberties and social security of all its citizens.

During this period of review which coincided with a most serious world recession, it is refreshing to note, as outlined following, the advances made resulting in the economic, social and human rights being advanced.

Cuba recognizes the human rights and freedoms of all its citizens which are included in the country's Constitution. The right to life, liberty and the inviolability of persons and their personal integrity is recognized, along with the right to work, time off and social security, the inviolability of the home and correspondence, the right to not be prosecuted and convicted without having access to a competent court by virtue of laws prior to the crime and with the formalities and guarantees established therein, the right to legal defense, the right to information, among others.

Cuba maintains a high level of cooperation and interaction with United Nations Human Rights procedures and mechanisms of non-discriminatory nature and of universal application. Cuba is a State party to numerous international instruments dealing with In February of 2009, it ratified the International Convention for the Protection of All Persons from Enforced Disappearance. More recently it has adhered to: the International Convention for the Protection of Persons from Enforced Disappearance (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).

Since the last report presented by Cuba to the Universal Periodical Review (2009) the island has suffered some changes and transformations from the human rights point of view, which are within the economic and social update process. The new norms regarding the transfer of land to peasants and other citizens, as well as those referring to social security, employment, housing, etc., are concrete examples. In Cuba, food security constitutes a matter of national security.

These examples are framed within the new Economic and Social Policy Guidelines that were debated and approved by all the population, which is consistent to the State effort to elevate the quality of life of Cubans and move forward towards a fairer society. In Cuba the people choose their own political, economic and social system and the State makes possible that the election of the people guarantee a sustainable economic growth and a sustainable development and promote, as humanly as possible, the democratic character to its institutions, laws, policies and programs, with a clear, popular and participatory nature.

The Cuban political system is an expression of the people's will. It is a genuine and autochthonous project, with an historical tradition of struggle for equality and solidarity between men and women, for independence, sovereignty, no discrimination, unity, participation, people's power and social justice.

Cuban health system is at hand for all the Cuban citizens. They have free of charge and universal access to public health, from primary health care to surgeries and very complex treatments. In 2011, that small island reached an infant mortality rate of 4.9, the lowest rate in Latin America and the Caribbean. Also Cuba has trained human resources, placing doctors in countries with fewer resources. The Latin American School of Medicine (ELAM) it's an example of that; they have graduated 9,960 doctors from 58 countries from 2005 to 2011. Moreover, Cuba is helping to train health professionals in 11 countries.

An example of the Cuban humanitarian help and its labour to defend the human rights in the international arena is the Cuban cooperation in Haiti since 1998. More than 3,774 Cuban cooperators have travel to that country. This cooperation was strengthen after the January 12, 2000 earthquake, with the presence of 5,490 Cuba cooperators from the "Henry Reeve" International Contingent formed by doctors specialized in disasters situations and major epidemic diseases. These actions are part of the Cuban cooperation programs with other nations in order to help facing and reducing risks in the event of natural disasters.

Currently, in more than 40 countries the Health Comprehensive Program is implemented. Also, the Operation "Miracle" is fostered to give the sight back to thousands of citizens around the world. Since its very beginning, July 8, 2004 up to January 2012, 2'261,987 surgical interventions have been performed.

The education in Cuba is available for everyone and is free of charge at all teaching levels. Cuba is highly international acknowledged in training human resources. The UNESCO Report on Lifelong Learning for All (2011) acknowledges Cuba to have high educational development and is placed at number 14 in the world in their Education for All Rating (IDE).

The Cuban international cooperation on Education has broadened in the processes of literacy and post-literacy campaigns using the Cuban methods called "Yes, I can" (Yo, sí puedo) (UNESCO King Sejong Literacy Prize), "I Can Read and Write Now" (Ya puedo leer y escribir) and "Yes, I Can Continue" (Yo, sí puedo seguir). At the end of

May 2012, the number of graduates of the *Yo, si puedo* program totals 6'775,332 and of the *Yo, si puedo seguir* program, the total number is 853,088.

In Cuba Culture is a grass roots phenomenon, every citizen can have access, with no distinction, to opportunities for the development of their potential and abilities, as well as to the consumption of cultural products. Artists and creators in Cuba are part of several nongovernmental organizations on the country (dance, music, design, plastic arts, etc.), among them is the "Hermanos Saiz" Association, joining, voluntarily, the most important writers, artists, intellectuals and Cuban promoters with less than 35 years of age; as well as the National Union of Writers and Artists of Cuba (UNEAC) with thousands of members.

Cuba has fostered many actions and initiatives in the last four years that make their citizens fully enjoy human rights and freedom without any discrimination due to sexual orientation or gender identity.

In Cuba the discrimination for religious reasons does not exist. The Cuban State protects the freedom of cult and the separation of Church from the State is established in the Constitution. There are about 400 religions and religion institutions based on their membership's credo, which have temples and cult houses in order to perform their activities that are carry out with no impediment.

The Cuban judicial system allows a wide people's participation while making justice. The justice has a popular nature. It also has 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 according to stipulations established by law in each case; every accused party has the right to legal defense.

In Cuba no man has been sentenced to death since the latter report to the Universal Periodic Review in 2009 and all sanctioned to death sentences received 30-year sentence or life imprisonment. The decision was adopted in accordance with the humanitarian conduct and ethics of the Cuban Revolution from its beginnings.

All citizens have the right to work and the fundamental workers' rights are protected by the Constitution and by the current Labour Law. It is stipulated that the working conditions should be fair, and must have right to social security and a proper standard of living. The full exercise of the workers right is written in the Labour Code. Cuba has also ratified 88 ILO Conventions.

Yours Sincerely,

Bert Paterson,

General Secretary.