

Report on the Humans Rights in Cuba

China Society for Human Rights Studies---UPR Report--Cuba---February 2009

Key words: Social Justice and Equality, Juridical Protection

1. During our exchanges with Cuban NGOs we have been able to observe that the Republic of Cuba is a State of Law, where the juridical protection and human rights are guaranteed by law in Cuba.

2. The Cuban government has designed its own economic, political and social model- which is an expression of the people' s will---that suits the characteristics of the country. The Constitution of the Republic of Cuba guarantees the enjoyment of human rights proclaimed in the Universal Declaration, including those of opinion, expression, press, association, religion, democracy, equality, and social justice.

3. The juridical protection of human rights in Cuba is ensured by means of the proper development and guarantee of these by law. The Penal Code, the Act of Social Security, the Family Code, The Code of Youth and Childhood, among other laws, establish guarantees to the full exercise of all human rights, including the civil and political rights.

4. According to the Cuban White Paper on Human Rights, the Cuban citizens have access to different and effective means which facilitate the impact of their opinions and viewpoints on the processes of formulating, deciding and executing the policies and programs of the country. Among these means they have: the parliamentary debates; the assemblies where Parliament members inform their county electorate of their performance; the various participation possibilities provided by more than two thousand political, mass, student, social, professional, religious, cultural and fraternal organizations which play an important role in the nation' s life; the numerous existing ways of participating and having academic, cultural and intellectual debates; the systematic meetings of the workers in their unions, as well as with their managements; the mechanisms created in the political, administrative and judicial spheres to give way to the complaints, suggestions and problems of the people. Therefore, there are

also other means aimed at satisfying the individual, material and spiritual needs of the Cubans.

5. As a result of our exchange with Cuban experts, we have observed that there is not unanimity in the opinions of the Cubans. There is a great diversity of ideas and initiatives, as well as different ways to realize them. Besides, there are constant debates at different levels on various political, economic, social, and cultural topics of the nation and the world.

6. In its article 54, the Cuban Constitution acknowledges the rights of reunion, manifestation, and association exercised by the manual workers and intellectuals, peasants, women, students and other sectors of the people. The mass and social organizations have means to develop their activities, and their members have freedom of expression based on the full respect to the individual initiative, the freedom of opinion, and the free exercise of criticism.

7. We have had the chance to notice that in the intellectual, cultural, and academic spheres the freedom of creation and debate is encouraged. This is reflected in the variety of publications and artistic works shown to the public. In Cuba one can watch varied movie productions; one can listen to various music from different origins and played by different artists. Moreover, there are many information centers and libraries open to every Cuban, and all kinds of authors are published, no matter their philosophical principles or aesthetic tendencies. In Cuba one can find that numerous foreign press reporters are registered, including those belonging to the main international news agencies.

8. We have obtained news informing that Cuba has voluntarily received visits from members of the United Nations human rights institutions. Likewise, Cuba has responded positively to the information requests from reporters, independent experts, and work teams from the former Human Rights Commission and the present Human Rights Council.

9. It is evident that the Cuban Government enjoys very active support from Cuban citizens whose living conditions are improving with each passing day.