

HUMAN RIGHTS - DEMOCRACY, CIVIL SOCIETY AND THE MEDIA

A. DEMOCRACY

1. Successive United States governments have tried to paint a picture which suggests that the Cuban system is incompatible with internationally accepted norms concerning human rights and democratic institutions. According to the United States Cuba is an intolerant and rigid society that does not permit plurality and political participation. The reality is entirely different.

2. Article 1 of the UN International Covenant on Economic, Social & Cultural Rights states that:

*“All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”*¹

The Cuban government is a signatory to this convention and the International Covenant on Civil and Political Rights.

3. In a similar vein the declaration adopted at the UN World Conference on Human Rights in 1993 stated that

*“Democracy is based on the freely expressed will of the people to determine their own political, economic and cultural systems and their full participation in all aspects of their lives.”*²

4. The Cuban system is rooted in the rich historical experience of Cuba’s struggle for independence, sovereignty, social justice, equality and solidarity between men and women, non-discrimination, unity, participation and people’s power. Cuban democracy is suited to that experience.

5. The approval of the Cuban Constitution by referendum in 1976 set up, among other things, bodies such as the National Assembly, the Supreme Court and the Council of State which were an important step forward in the process of institution building in the country. Significant reforms of the Constitution and electoral system were implemented in 1992 which saw deputies to the National Assembly and delegates to provincial assemblies elected by direct and secret ballot. This enhancement of democracy was in addition to the direct election of delegates to municipal assemblies which was already the case prior to 1992.

6. Elections are regularly held every two-and-a-half years for municipal governments and every five years for the provincial and national bodies. The nomination of candidates is done directly by constituents for the municipal level and through their elected representatives for the provincial and national governments. Voter registration is automatic and voting non-

¹UN OHCHR International Covenant on Economic, Social & Cultural Rights

² UN World Conference on Human Rights 1993

compulsory. Nonetheless, turnout for national elections has typically hovered over 90 and in the 2008 parliamentary elections was 96.89%.³

7. Cuba's Constitution recognises the existence of only one political party in the country, namely the Communist Party of Cuba (PCC). In this respect it must be borne in mind that the role of the PCC does not equate to that of political parties in the traditional western sense, as the PCC is not an electoral party. It is not only forbidden to nominate candidates but also to be involved in any other stage of the electoral process and does not decide on the formation or composition of the Government. The PCC also has no participatory role in the elections for the National Assembly of People's Power (the highest body of the Cuban State), for the People's Supreme Court, or for the Presidency of the Council of State.

B. CIVIL SOCIETY

8. One of the most distorted and less known features of Cuban democracy is its thriving civil society, which comprises more than 2,200 NGOs. Among the most prominent of these are social and grassroots organisations, as well as technical, scientific, cultural, artistic, sports, friendship and solidarity organisations or associations. The provisions of the Associations Act (Law 54) are similar to that of many other countries and are consistent with the UN ECOSOC'S requirements under Resolution 1996/31. More than 10 Cuban NGOs enjoy consultant status in ECOSOC and contribute regularly to the work of its subsidiary bodies.

9. Cuban Law guarantees the independent functioning of Cuban NGOs. The government does not interfere in any way with their functioning, nor does it finance their administrative expenses. The government only gives financial support to specific projects that the NGOs carry out for the benefit of society or the community. Cuban NGOs are also actively involved in the channelling and administering of foreign development assistance.

10. Some social and grassroots organisations in Cuba have hundreds of thousands of members, or even millions. Given their broad-based membership such organisations are recognised in the Cuban Constitution (esp. Article 7). The Cuban political system guarantees these NGOs broad powers to take decisions, to be consulted on and even to propose legislation as they exercise their role in the framework of participative democracy.

11. In accordance with Article 103 of the Cuban Constitution, local government bodies must act in close coordination with grassroots and social organisations. Their ability to initiate legislation is constitutionally recognised.

12. A number of the grassroots and social organisations have a long history, such as the Cuban Central Workers Organisation, CTC (founded in 1939 and the umbrella organisation for 19 unions) and the University Students' Federation, FEU (founded in 1922). A number of others were founded after the revolution out of the need to provide broad sectors of the population with the means of expression and participation in the transformation of the

³ Granma International January 31st 2008

country. This, for example, is the case with the Federation of Cuban Women, FMC (more than 50% of Cubans are women), the Cuban National Union of Artists and Writers, UNEAG, the National Union of Cuban Jurists and the Union of Cuban Journalists. The Cuba Solidarity Campaign works directly with many of these NGOs to raise attention to highlight many of the social gains that have been achieved over the course of the last 50 years. Representatives of CTC, FMC, FEU and others have visited the UK on numerous occasions invited by sister organisations and exchange delegations have cemented excellent fraternal relationships.

13. There are also other types of NGOs in Cuba that generally have a much smaller membership. These are of a specialised nature: scientific, technical, cultural, artistic, sporting, friendship or solidarity, including professional and trade associations such as culinary, medical, sugar, architecture and engineering, agriculture and forestry, the environment, philosophy, history, social and political scientists, protection of nature, and descendants of various foreign nationalities. According to Cuban statistics of these, 1101 are fraternal, 175 scientific, 142 friendship, 52 cultural, 395 athletic and 356 are for social interest.

14. In light of all the above, the allegations spread by United States that there is no independent civil society in Cuba cannot be seriously sustained. It stands out as a mere pretext for their policies of hostility towards Cuba. Civil society in Cuba exists as a complement and not in opposition to the state.

C. THE MEDIA IN CUBA

15. Since the beginning of the Cuban Revolution, one of the priorities in developing programmes and policies has been to overcome the structural and institutional obstacles to the full exercise of people's human rights. Among the first accomplishments in this respect was the wiping out of illiteracy which stood at 30% in 1959. Similarly, the Cuban government fostered and encouraged the establishment of many popular and social organisations which have shown their effectiveness in fostering the free flow and exchange of ideas.

16. The Cuban people were able to take control of the means of information and communication when key elements, including newspapers and television, were nationalised. Today all Cubans are guaranteed access to the widest variety of information. In spite of the limitation on resources and opportunities stemming from the United States blockade, there exists mass media which is at the service of the Cuban people and has a clear public function.

17. The media are encouraged to foster discussion and criticism by the public, to disseminate information and to educate children and young people in a spirit of social justice, liberty, equality and human solidarity. Cubans have the opportunity to receive broadcasts and to be the subjects in creating the programming and contents of both the electronic and printed media; this guarantees the fullest possible plurality.

18. Nevertheless, the fact that Cuba suffers from the United States a policy of hostility and undeclared war cannot be ignored. Under these circumstances, disinformation and the manipulation of the news have become tools of aggression. For a small country under such pressure, a careful examination of the sources of information and their veracity becomes a national security imperative.

19. Information and communications technologies are assets at the service of the entire Cuban population. Education and training in their use are free. They are governed by clear policies and benefit from programmes aimed at expanding their use by all Cubans. The priorities established for these services, including the Internet, follow the rule that the scarce resources available must benefit the highest possible number of individuals. Hundreds of thousands of people in Cuba have access to the Internet, and their number increases steadily as economic and technical conditions allow. Even the CIA acknowledge that almost a quarter of a million Cubans have access to the Internet⁴

20. As the United States' economic blockade limits Cuba's possibilities of devoting more resources to developing television services, radio continues to play a vital role in citizens' participation. There are 76 radio stations which mostly broadcast on medium wave and FM; 8 of these stations are national, 16 provincial and 51 municipal & community. There are 5 national TV channels, 15 provincial television centres and a TV centre especially serving the mountainous areas. Approximately 20% of programmes shown on TV are of foreign origin.

21. Cuba has a total of 577 print publications, which includes daily newspapers, periodicals and magazines. This total include 3 national newspapers and 355 other regular publications, mostly magazines, which cater for subjects such as the arts & literature, cinema, medicine & public health, agro-industry, technology & construction, social sciences, the economy & finances, education & pedagogy, biological sciences & biotechnology, standardisation & intellectual property and other areas of industry and transport.

22. There are also 32 regular publications put out by religious institutions, 11 by private entities, 9 by social and grassroots organisations, 63 by other NGOs and 17 by political organisations. 78 publications appear in digital as well as paper format and 127 only exist in digital format.

23. The strength of plurality in Cuban media comes from the large number of participants involved in making and broadcasting a wide range of programmes. Cubans have the opportunity to participate directly in the programming and broadcasting in all spheres of the Cuban media.

24. The Cuban Constitution grants any citizen the right to lay complaints and to address petitions to the authorities. Article 63 also grants Cuban citizens the right to receive a response in a reasonable time. Any Cuban or his or her representatives also can lay complaints or denounce violations of their rights. In such cases they are entitled to a reply from the various levels and bodies of the State, the Government and the Party.

⁴ CIA World Factbook 2006