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### 在世界任何地区人权和基本自由遭受侵犯的问题

#### 2005 年 4 月 18 日古巴常驻联合国日内瓦办事处代表团 致联合国人权事务高级专员办事处的普通照会

古巴常驻联合国日内瓦办事处和瑞士其他国际组织代表团向人权委员会秘书处——联合国人权事务高级专员办事处致意，并谨就 2005 年 3 月 14 日的第 90 号照会，随照附上题为“古巴与人权”(第三部分)\* 的文件的英文、法文和西班牙文文本。

古巴常驻代表团谨请将上述文件列为人权委员会第六十一届会议议程项目 9 下的正式文件。同时，我们还要求将这份文件分发给人权委员会的所有特别程序，并刊登在高级专员办事处为人权委员会第六十一届会议所设的网站上，供所有有兴趣者查阅。

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\* 附件不译，仅以英文、法文和西班牙文印发。



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**CUBA AND HUMAN RIGHTS  
(THIRD PART)**

**CUBA HOLDS ITS GROUND IN THE FACE OF ADVERSITY AND  
FOREIGN CHALLENGES AND CONTINUES TO BUILD A MORE  
DEMOCRATIC, JUST, PARTICIPATIVE EQUAL SOCIETY  
IMBUED WITH SOLIDARITY**

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## **CHAPTER I: THE DEMOCRATIC SYSTEM THE CUBAN PEOPLE, EXERCISING THEIR SOVEREIGNTY, HAVE ESTABLISHED**

### ***The Cuban political and electoral system***

Casting doubt upon the Cuban political and electoral system is one of the fundamental pillars of the US-led anti-Cuban campaign about democracy and human rights.

In this campaign, the United States is supported by some of its allies, most of which are former colonial powers, who also find it in their interests to impose on developing countries a model of political organisation which allows the former to continue controlling and dominating the latter.

Washington's spokespersons seek to demonstrate the alleged incompatibility of the political system established by the Constitution of the Republic of Cuba with internationally accepted standards of democracy and human rights. They do this to create a false image of an intolerant, static society which does not permit plurality and political participation.

The manipulation of the concept "democracy" by the major western powers has reached dangerous heights. Any country which does not follow the one model they advocate, the patterns and values they promote is not only subject to questioning and to having their legitimacy challenged through the international institutions the Western powers control, it also runs the risk of becoming a potential "target" for a pre-emptive war, as per an aggressive imperialist doctrine.

Attempts are made in the great power centres in the North —whose resources and tools of oppression grow daily thanks to the unjust neoliberal globalisation process that is taking place—to impose a biased, unbalanced and selfish view of human rights, a view which minimises and ignores their social, economic, cultural facets and denies the very existence and collective way some rights belonging to whole nations are enjoyed, rights such as self determination, development and peace.

They want to make the end goal of international cooperation the individual enjoyment of certain civil and political rights which they call substantive (inalienable) thus belittling a whole range of rights which they consider to be adjectival (developing, progressive, non essential, simple aspirations for the future) without taking into account that eradication of poverty hunger, illiteracy, curable diseases, and the survival of hundreds of millions of people in the world depends on the full realisation of the latter.

The motive behind creating this unfair, selective and cynical hierarchy of rights is simple: if all categories and generations of human rights were evaluated with equal rigour and if their intrinsic interdependence were acknowledged, most of the governments which today claim to champion, promote and protect those rights would inevitably be identified as their worst and cruellest violators. The major western industrialised powers have not only progressively dismantled the limited social benefits which their people used to enjoy — these arose in the soi-disant welfare states which were set up to face up to the challenge from socialism during the Cold War— but their transnational corporations are also chiefly responsible for the poverty and underdevelopment of the South countries, their imperialist aggressions and smart bombs kill and maim tens of thousands every year, their pharmaceutical companies, hiding behind selfish intellectual property rights, prevent access to medicines needed by hundreds of millions of low income people.

So-called bourgeois liberal democracy based on representation has been severely criticised since it first arose and was conceived of because some were certain that it was impossible to have a system of representation in societies where inequality reigned. The point was reached where some said that only egalitarian societies could have systems of government which entailed people trusting others to represent their interests. The point was reached where some rightly said that where inequality reigned, where some had a lot and others had nothing, the whole system of government and all the laws would benefit only those who had everything and work against the well being and progress of those who had nothing.

One of the features of international cooperation in the last few years has been the way the most important powers in the North have manipulated the concepts of democracy and human rights for the purpose of political domination and, in this endeavour, have been able to rely on the complicity of some



government that are subordinate to them and behave as their client states supporting their schemes for geo-strategic influence.

This state of affairs runs counter to the spirit and the letter of the most important international instruments on human rights and to the consensus reached at the International Human Rights Conference in Vienna in 1993.

The International Covenants on Human Rights recognise that “all peoples have the right of self-determination, including the right to determine their political status and freely pursue their economic, social and cultural development”.

In the declaration and action plan adopted at Vienna in 1993 it was established that: “democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives”.

The Cuban political system is the expression of the will of the Cuban people.

The Cuban political system is genuinely authentic and autochthonous and is based on the experienced handed down by its rich history of struggle for equality and of solidarity between men and women, of independence, sovereignty, non-discrimination, unity, participation, people's power and social justice.

The Cuban people themselves had suffered the disastrous consequences of the political model that the United States is trying to force them to adopt again. They have already lived through the sorry experience of the “multiparty” , “representative” system that the United States prescribed for them which went hand in hand with foreign dependence, corruption, political and administrative fraud, poverty for vast sectors of the population, discrimination and racism, in a word, a complete absence of the most elemental individual and collective rights, including the right to really free, democratic elections. In Cuba, that system not only bred corrupt, thieving rulers but also gave birth to brutal tyrannies, promoted and supported by the US government.

The country had to buckle down to designing a model that would allow them to solve these inherited evils; to do this it dug down into its roots and turned for help to the social, humanist, patriotic thought of the Cuban nation's most illustrious heroes.

When explaining the Cuban political system the first thing that must be stressed is that our model is not imported, it was never a copy of the Soviet model, nor of that existing in the then socialist countries in eastern Europe, as the enemies of the Revolution would have it seem.

When the socialist Constitution was passed in a popular referendum in 1976 —it had the backing of 95% of the electorate— an important process of institution building in the country took a step forward , the People's Power bodies such as the National Assembly, the Supreme Court and the Council of State were founded , among other things.

There were significant constitutional and electoral reforms in 1992 which made it possible for deputies to the National Assembly and delegates to provincial assemblies to be elected by direct and secret ballot; delegates to municipal assemblies were already elected in this manner.

### ***Characteristics of the Cuban political and electoral system:***

- 1- Organisation of periodic elections where suffrage is universal and equal and voting is secret.
- 2- Universal registration in the electoral rolls, as a matter of course and without charge, for all citizens 16 and over who have the right to vote.
- 3- Direct nomination of candidates for delegates to the municipal assemblies by the voters themselves at public assemblies in which no less than 2 and no more than 8 candidates must be proposed. (In many countries the leadership of the political parties nominates candidates.)
- 4- The municipal assemblies propose candidates for delegate to the 14 provincial assemblies and for deputy to the National Assembly, approving or rejecting the suggestions from the nomination

commissions which are composed of representatives from union, social, student, peasant, women and other organisations. Although, when all is said and done, the people have the last word, through their direct secret vote at the ballot box.

For the most recent general elections in January 2003, the aforementioned organisations held 860 plenary sessions and, on average, over 87% of their membership attended. These meetings proposed 57,340 candidates for delegates to the provincial assemblies and for the National Assembly deputies. These were taken into consideration by the nomination commissions.

Consultations were held with candidates for delegate to the provincial assemblies and National Assembly deputy to discuss the nominations for president and vice-president of the municipal and provincial assemblies, and for the positions of president, vice-president, secretary and the other members of the Council of State. 3,068,878 people took part in these consultations in work places, educational institutions, in the cooperative and agricultural sector, in military units, communities, etc.

11,102 meetings were also held to introduce the candidates in the aforementioned places; 2,161,159 people attended.

As part of our democratic process, in the 2003 general elections, the nomination commissions in two municipalities had to nominate two different candidates for the National Assembly and the provincial assembly since the candidates first nominated were not approved by the corresponding municipal assemblies.

5- The absence of million-dollar election campaigns where resorting to insults, slander and manipulation is the norm. All candidates receive the same treatment. The only advertising allowed is the publication of the official biography listing the personal qualities and history of the candidate.

In Cuba the personal qualities of each candidate are what decides the outcome of the vote, not money. In the United States, a country which claims to be a champion of democracy, getting elected senator can cost as much as \$3,000,000.

6- The elections are completely clean and transparent. The ballot boxes are guarded by children and young pioneers, they are sealed in the presence of the voters, the votes are counted publicly, and anyone interested in doing so may attend including the domestic and foreign press, diplomats, tourists and anyone else who want to.

7- Anyone elected must receive a majority of the votes cast. The candidate is only elected if he or she obtains more than 50% of the valid votes cast. If this does not happen in the first round of voting for delegates to municipal assemblies, then the two candidates who received most votes move on to a second round. If the voting is for a delegate to the provincial assemblies or deputy to the National Assembly and a candidate does not receive enough votes to be elected, then a new candidate must be nominated for a second round of elections.

8- The vote is free, equal and secret. All Cuban citizens have the right to elect and be elected. Since there are no party lists, one votes directly for the candidate one wishes to elect. In elections for delegates to the provincial assemblies and for deputies to the National Assembly, one may vote for one, several, all or none of the candidates.

9- All of the representative bodies of state power are elected and renewable.

It is not a requirement that one be a member of the Communist party of Cuba — which is not an electoral party— to be elected to any position. In fact 22 % of the more than 30 000 candidates nominated to next partial elections for the People's Power Municipality Assemblies are not members of the Communist Party. The party neither proposes nor elects candidates. It acts as a guarantor for the cleanliness, order and transparency of the elections.

In the January 2003 elections for deputies, there was a turnover of 62% of the members of the National Assembly. 21 of the 31 members of the Council of State, who are elected by the National Assembly, were re-elected and 10 new members were chosen.

In 2003, 8 incumbent provincial assembly presidents and 6 incumbent vice-presidents were re-elected and 6 new presidents and 8 vice-presidents were elected.

In October 2002, the 169 municipal assemblies re-elected 95 incumbent presidents and 72 vice-presidents which accounted for 43.8 % and 57.3 % continuity respectively.

10- All those elected have to render account of what they have done to the electorate.

11- All those elected can be recalled by the voters at any time during their term in office.

12-. The deputies and delegates are not professionals and therefore are not paid a salary for performing their duties.

13- There is a high turn out for elections. There has been over 95% turn-out in every election held since 1976.

In the January 2003 elections for delegates to the provincial assemblies, there was a 97.64% turn-out. Of the votes cast in the elections for deputy, 96.14% were valid, 3% were null and void and only 0.86% were blank.

Elections are always held on a Sunday, — not a working day— and there are enough polling stations to ensure that it is not difficult for voters to get to them. Voting is not obligatory; it is a civic right and duty.

14-. Representatives from the widest variety of sectors in Cuban society make up the Cuban Parliament.

219 of the 609 deputies in the National Assembly are women, which is 35.96% and 8% more than in the previous legislature; 99% are university graduates or graduates from senior secondary school; only 5 left school after ninth grade and one has only primary school education; 32.84%, 4% more than in the previous National Assembly, are black and mixed race people and almost a quarter are workers in productive or service industries.

15- A deputy is elected for every 20,000 inhabitant or fraction greater than 10,000. All municipal territories are represented in the National Assembly. Each municipality elects at least 2 deputies and, based on this figure, they proportionally elect as many deputies as there are inhabitants. Up to 50% of the deputies have to have been elected as delegates from the constituencies, thus ensuring that they have been directly nominated by the electors themselves and that they live in the district for which they have been nominated.

16- In a secret, free and direct ballot, the National Assembly elects the Council of State and its president from among its deputies. The President of the Council of State is the Head of State and Head of Government. The Cuban Head of State and Government must go through two elections: he or she must first be elected as a deputy by the population of his or her constituency by free direct and secret ballot and obtain more than half the vote, and then by the National Assembly, also by free, secret and direct ballot.

17- Since the National Assembly is the Supreme Organ of State Power and since the legislative, executive and judicial branches are subordinated to it, the Head of State and Government cannot dissolve it.

18- The power to propose laws belongs to many social actors and not only to the deputies, the Supreme Court and the Attorney General's Office but also to unions, student, women's and social organisations and to the citizens themselves. In the latter case, if citizens wish to propose a law, the proposal must be supported by at least 10,000 who have the right to vote.

19- Laws are passed by a majority vote. A specific feature of the Cuban method is that a draft law is not discussed in a plenary session of the National Assembly until, through repeated consultation with deputies and taking into consideration the proposals they make, it has been clearly shown that there is a majority in the Assembly who consent to discuss and pass it.

We should point out that the most important laws, those that may affect the population as a whole or those that may be of concern to them or to workers and their families are discussed with them and consultations are held all across the country in factories, peasant cooperatives, schools, in the neighbourhoods, bodies and institutions before being a law is analysed, debated and passed in parliament.

Cuban deputies tend to spend many more hours on this kind of work than those spent by their counterparts anywhere else on earth. An example is apropos here: discussions were held in factories, peasant cooperatives and educational centres when the National Assembly set out to discuss the measures that had to be taken to deal with the serious economic crisis caused by the rupture of economic and trading ties with the defunct Soviet Union and other previously socialist Eastern and Central European countries and by a US blockade made more severe once the Torricelli Act was passed. The discussion process lasted for four months and more than 3.000,000 workers were involved in it.

Can the United States and other countries that go along with its anti-Cuban policies cite practices such as these?. It is well-known that many of the decisions that affect a country's future economically or socially speaking or which affect an individual's personal or family life are not even discussed in parliaments and sometime not even in public meetings of the executive branch itself.

On 17 April, the first round of partial elections to elect the delegates to the municipal people's power assemblies will be held. Their term of office is two and a half years. On 24 April a second round will be held in those constituencies where no candidate received more than 50% of the valid votes cast.

The National Electoral Commission, the provincial, municipal and constituency electoral commissions have been set up and are working to organise the elections, to guarantee that the provisions of Cuban electoral law are fully complied with.

The electoral commissions must guarantee that every thing is ready for millions of Cubans to take part in proposing candidates for delegate. They have to draw up the Electoral registers, oversee the whole process of nominating candidates in the constituencies in their areas, assure that everything is in place so that those nominated can be voted on by direct and secret ballot, check the validity of the elections and organise the way the municipal assemblies are constituted and perform many other important tasks.

### ***Why is there only one political party in Cuba?***

The Republic of Cuba's Constitution, by the people's sovereign choice and decision, recognises the existence of only one political party in the country, The Communist Party of Cuba (PCC). Nevertheless, this is not a political party in the traditional bourgeois liberal democracy sense. It is not an electoral party. Because of legal restrictions and because of the very fact that the PCC is not an electoral party, it does not decide on the formation or composition of the Government. It neither proposes nor elects any candidates. It does not take part in nor interfere in the elections for the National Assembly of People's Power (the highest body of the Cuban State) for the People's Supreme Court nor for the President of the Council of State.

The PCC's role is one of guidance, supervision and of guarantor of participatory democracy and of sustainable development with equity, and social justice in Cuban socialist society.

The Party —because of its moral authority and the exemplary nature of its members— carries out its work through persuasion, by convincing people and in a close, constant association with the citizenry. Its ranks are filled with outstanding workers, agricultural workers, intellectuals artists, scientists, chosen for their personal qualities and their commitment to the common good. The decisions it takes are binding only upon its members. This concept and practice guarantee that in a system where there is only one party, the largest possible plurality of opinions is empowered and can prevail. The party has 896,119 members

The PCC is the party of the unity and independence of every Cuban. It is the heir to and embodies the historical continuity of the Cuban Revolutionary Party founded by our national hero, José Martí, also as a the only party of all Cubans to fight for his revolution.

The aims that gave rise to José Martí's party—to liberate Cuba, to prevent it from being annexed to the United States and to unite all pro-independence sectors and forces in a single political organisation, conscious of the fact that division was the principal cause of the failures of the previous independence wars—these same aims are present today when the Cuban people is suffering from a harsh economic, trade and financial blockade and other aggressive actions from the United States whose goal is to divide the country, overthrow the government and destroy the system installed in Cuba by the sovereign decision of all Cubans.

The Party is the result of the integration and voluntary union of revolutionary Cubans from several organisations that fought against the dictatorship and the neo-colonial system forced down the throats of the Cuban people by the United States. A common goal brought various revolutionary forces together to found the PCC six years after the Revolution: unity, a prerequisite for democracy, solidarity, independence and development for the Cuban nation, whose objective is to build socialism in Cuba.

The Cuban people are perfectly familiar with the characteristics and "bounties" of the multiparty system that the United States praises so much; it lived with it for more than half a century. What is paradoxical is that the superpower wishes to impose on others what it has not been able to achieve itself. In the United States, a one party system is, in fact, in place, the party of capital and the transnationals, which putting on a different hat every now and then, has managed to stay in power for more than 200 years.

The United States pushed for the annihilation of the Cuban Revolutionary Party and in 1902 imposed on the Cuban people a political system with several parties as an instrument of neo-colonial control and division; this only served to exacerbate poverty, corruption and the surrendering of the country's wealth to US capital. Those political parties, created by the neo-colonial metropolis, demonstrated their inability and lack of will to go up against the bloody Batista dictatorship, indeed, quite the opposite, many of them received money and grew rich on the crumbs which the savage dictator dispensed.

When the Cuban Revolution was victorious one of the first demands the peoples made was that an end be put to the politicking and corrupt ways of the traditional political parties. There was a unanimous call for unity. The traditional parties in existence dissolved themselves and their top brass ran off to Miami of their own accord.

A multiparty system is not a synonym for democracy, neither is the existence of multiplicity of parties a prerequisite for democracy. There are more than a few cases where there is a multitude of political parties and yet no democracy nor real popular participation, where abstention is the major voter. Neither in international law nor in the main legal instruments and resolutions of the Assembly General is there any principle which postulates a multiparty system as a prerequisite for democracy. Quite the contrary, human rights conventions state that a nation freely decides for itself what kind of political system it will have and provides for its own social, cultural and economic development. Similarly, in the Vienna Declaration and Action Programme it states that democracy is based on the will of the people, freely expressed when it comes to deciding what kind of political, economic, social and cultural regime it will have.

The Cuban political system recognises, respects and encourages the greatest possible plurality of ideas and points of view, guaranteeing channels and places for debate. Really important decisions are only taken when the broadest possible social consensus has been reached.

There are no political upper echelons in Cuba which designate or nominate candidates. In our country this is done through an extremely popular, participative process.

In the rich industrialised world, and especially in countries in the South, there are many people who question the model of bourgeois, liberal democracy that some are attempting to install in Cuba. There are signs of a chronic crisis and in some of these countries this has produced a collapse of the traditional political party system.

A recent study made in 18 Latin American countries revealed that 40% of the region's inhabitants think that democracy without political parties is viable. The study also revealed that 64.5% of voters believe that electoral promises are not kept by those in power because they lie to win the election. The United States or the US embassy was cited as the most important extraterritorial actor when it comes down to exercising real power in the area.

Although the Cuban system too, has a representative nature, this does not end with formal representation, it encourages direct participation by the population in representative bodies.

Democracy means real, daily participation in the exercise of power and the decision taking process in all social arenas and it cannot exist without freedom, without popular participation, social justice, individual and collective well-being or without human solidarity.

### ***Cuban Civil Society***

The process of revolutionary transformations undertaken by the Cuban people from the moment of their triumph in 1959 fostered solid, broad-based, representative, active participation by the citizenry.

Cuban civil society makes possible and feasible and guarantees direct participation by all Cubans in all discussions, proposals for laws and decision taking about all matters of importance to the Cuban nation: its political life, its economic development, its defence, its identity and cultural development, its foreign relations, the distribution of its wealth and the protection of its tangible and intangible heritage, etc.

Many of the social, grassroots, scientific, cultural and even religious organisations that have been founded in the last four decades have become part of Cuban civil society. These are joined by the organisations founded before 1959 which were not involved in nor supported the outrages and crimes of Fulgencio Batista's dictatorial regime, whose rights were respected; most of them are still functioning actively in the country.

Civil society in Cuba comprises more than 2000 organisations, some of the most prominent of which are the social and grassroots organisations and the technical, scientific, cultural, artistic, sports, friendship and solidarity organisations or associations and any others which operate by virtue of the Associations Act (Law 54).

Social and grassroots organisations have hundreds of thousands of members, some even have millions and in view of their importance are even recognised in the Cuban Constitution in particular in Article 7. Because of their broad-based membership, representativeness and ability to mobilize, the Cuban political system ensures that these non-governmental organisations are given broad powers and the capacity to propose legislation, to be consulted, to give opinions and even to take decisions as they put into practice the participative democracy instituted by the existing constitutional order. These organisations are:

The Committees for the Defence of the Revolution (CDR) founded in 1960. They have more than 7.5 million members. Area residents over the age of 14 voluntarily join these committees. As well as making sure areas residents cooperate to combat terrorism, and crime, their social tasks include encouraging care and attention for young people, blood donating.

The National Association of Small Farmers (ANAP) founded in 1961 has 200,000 independent peasant farmer members who own their own land thanks to the Agrarian Reform Law. It helps Cuba peasant small farmers and orients their participation in the social and economic transformation of rural society; in the implementation of the agrarian programme; in boosting agricultural production and so they can achieve a sustained increase in their contribution to domestic agro-industry and to feeding the population.

The Federation of Cuban Women (FMC), an organisation founded in 1960 after a number of women's organisations merged. It has 3.6 million members over the age of 24 and develops political programmes designed to help women achieve full equality in all spheres and at all levels of society.

The University Students' Federation (FEU) a grassroots organisation which represents the interests of and enforces the rights already won by students. More than 100,000 students are members of the FEU.

The Federation of Senior Secondary School Students (FEEM) is the national organisation for senior secondary school students. Its main objectives include looking after student rights and obligations. It also represents them before and channels their concerns and worries to schools, state bodies, the government and elsewhere. It was founded on 6 December 1970 and has more than 300,000 members.

The Central Workers Organisation of Cuba (CTC) which has approximately 3,000,000 members is heir to the best traditions of struggle and combat of Cuban workers. More details will be given about the CTC below.

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

In addition to the foregoing, it should be pointed out that the initiative for most recent amendment to the constitution —it was made in 2002 as an answer to President Bush's threats, declared Cuba's socialist social and political system to be irrevocable and banned the negotiation of any agreement under aggression, threat or coercion from a foreign power— came from a joint request from several social and grassroots organisations and was signed by more than 8 million registered voters, that is to say, by more than 98% the Cuban electorate who did so of their own free will.

As per the provisions of the Electoral Law, the members of the commissions which nominate the candidates for election to the provincial and National assemblies of people's power are representatives from the Central Cuban Workers' Organisation (CTC), the Committees for the Defence of the Revolution (CDR), the Federation of Cuban Women (FMC), the National Association of Small Farmers (ANAP), the University Students' Federation (FEU) and the Senior Secondary Students' Federation (FEEM). They are appointed by the municipal, provincial or national, (whichever is relevant) executives of these organisations.

Some grassroots and social organisations, such as the Cuban Central Workers Organisation (founded in 1939 and the umbrella organisation for 19 unions) and the University Students' Federation (founded in 1922), have a long history. Several others emerged with the Revolution because there was a need to provide broad sectors of the population with the opportunity to become direct actors in the process of change underway. This, for example, was the case with the Federation of Cuban Women (more than 50% of Cubans are women), the Cuban National Union of Artists and Writers, the National Union of Cuban Jurists and the Union of Cuban Journalists.

As was said, there is another type of non-governmental organisation or association in Cuba which generally has a much smaller membership. They are scientific, technical, cultural, artistic or sports organisation or friendship or solidarity organisations and include culinary, medical and technical associations, associations of sugar workers, architects and engineers, of agricultural and forestry technicians, environmentalists, philosophers, historians, of social and political scientists, associations for protecting nature, and association for members or descendants of various different nationalities.

Today in Cuba there are 2217 non-governmental organisations or associations of this type, of these 1104 are fraternal, 175 scientific, 142 friendship, 52 cultural, 395 athletic and 356 for social interest.

This second group of organisations or associations function in accordance with Law No. 54 of 1985, the Law of Associations and their Regulations. This establishes the requirements for creating, registering and running such organisations.

The conditions which must be met before a non-governmental organisation can be registered in Cuba are the same as exist in most countries: they must be non-profit, their finances must be transparent and available for auditing by the competent governmental body, they must have a minimum of 30 members, their activities must not be harmful to public well-being or to that of other individuals or private entities, they must respect the constitutional order and legality, must not be against the principles of humanism, independence, solidarity, non-discrimination, equity, and social justice which hold sway in Cuban society.

One of the essential requirements for constituting any civil society organisation in Cuba, and this includes social and grassroots organisations, is that members join voluntarily.

Another two of their distinctive characteristics are their structure and their rules for democratic operation. All of their officers, at all levels, must be elected. They hold meetings of members periodically which makes it possible for them to debate and take decisions on any question of interest to the organisation.

Most of them include in their by-laws that assemblies of the members, at grassroots, municipal and provincial levels be held every four or five years, as must congresses at the national level.

The aim of these assemblies or congresses is to elect the executive by secret, direct ballot, to have the previous executive give account of its performance, to evaluate the organisation's work during the term in office of the previous executive and to discuss, formulate and approve the organisation's programmes, tasks and action plans for the coming period.

Washington's lying allegations that there is no independent civil society in Cuba does not bear scrutiny. The United Nations Economic and Social Council itself (ECOSOC) has granted consultant status to more than 10 Cuban non-governmental organisations and these contribute regularly to the work of its subsidiary bodies.

The requirements and information needed for legally registering and monitoring a Cuban non-governmental organisation are consistent with those demanded by ECOSOC's Non-Governmental Organisations Committee and contained in the Council's Resolution 1996/31 for granting consultant status to and monitoring the activities of NGOs.

Included among the Cuban non-governmental organisations that have consultative status (with ECOSOC) are: The Cuban United Nations Association (ACNU), The National Association of Cuban Economists and Accountants (ANEC), The Cuban National Union of Writers and Artists (UNEAC), The Centre for European Studies (CEE), The Centre for Studies on Young People (CESJ), the José Martí Cultural Society, The Federation of Cuban Women (FMC), the Cuban Movement for Peace and the Sovereignty of Peoples, the Nation Union of Cuban Jurists (UNJC), the Félix Varela Centre and the Centre for Asian and Oceanian Studies.

There are other international organisations headquartered in Havana which have also received consultative status with the Council, these include: The Organisation for Solidarity with the Peoples of Asia, Africa and Latin America (OSPAAAL) and the Latin American Continental Students' Organisation (OCLAE).

The law guarantees that Cuban NGOs are able to operate independently. The Cuban government does not interfere in any way whatsoever 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 specific communities. They are also involved in channelling and administering a significant portion of the financial aid the country receives as foreign development assistance.

Moreover, Cuba has relations and keeps in systematic contact with more than 398 NGOs from 18 countries, 127 of which are from North America and 271 from Europe. At least 147 NGOs from various countries are engaged in cooperation programmes and 52 foreign cooperants are temporary residents in our country working on various cooperation projects.

All non-governmental organisations in Cuba have legal personality and their own property. The law stipulates that their property is obtained using membership dues, donations and other authorised economic revenue, such as the sale of publications, organisation of events, etc.

The Government receives not only support from the organisations in Cuban civil society but also opinions, suggestions and criticisms which are not always in favour of the projects, measures or actions designed and conceived by government bodies.

Nevertheless, these organisations have no need to resort to confrontation in order to achieve their aims. The Government, at all levels, is constantly consulting them and respects their broad legal authority to participate in formulating policies and programmes and take decisions about them. This was even the case during difficult times on such complex matters as the adoption and implementation of the economic restructuring measures that the country found itself obliged to take to deal with special period from 1990 onwards.

Civil society in Cuba exists as a complement and not in opposition to the state. The latter creates the institutions and represents the power of the overwhelming majority of the Cuban people, namely the labourers, agricultural workers, and all workers, intellectuals, artists and researchers in the education, health, science service and other sectors.



This harmonious relationship does not favour the United States' interests; it needs to foster division in and disintegration of Cuban society in order to advance the aims of its imperialist policy. By the way, where has it been written or said that in order to be independent, civil society organisations must confront and oppose their country's government? This might be unavoidable in plutocratic societies like the United States but not when there is popular and participatory democracy as there is in Cuba.

### ***Exercising the right to unionise***

In Cuba, the current legislation and daily practice in all workplaces in the country guarantees all union activity and the fullest enjoyment of the right to unionise. The foregoing is corroborated by the existence of 19 national and industry unions which are organised municipally and provincially. These unions also have 169 municipal and 14 provincial organisations which have 128,285 union branches or locals under them. The 869,534 union leaders at all levels are elected by secret ballot. 69,616 of these are provincials leaders (of 7,674 union locals)

The existence in Cuba of a single central union umbrella organisation which brings the 19 national unions together has not been something the government imposed, nor does it stem from any regulation other than the sovereign will of Cuban workers. The battle for unity in the union movement in Cuba has a long, deep-rooted tradition. It was in 1938, long before the triumph of the Cuban Revolution, and following a free decision by Cuban workers themselves, that the Confederation of Cuban Workers, which the following year became the Cuban Central Workers' Organisation, was founded.

The unity of the Cuban workers' movement has been decisive in its struggle and demands in defence of the power it currently exercises.

Fulgencio Batista's bloody dictatorship (1952-1958) made one of the priorities of its tyrannical regime the destruction of the union movement's unity which the CTC had created. He never succeeded. In spite of creating artificial "yellow" unions led by criminals paid by the tyrant and neo-colonial countries' companies, Cuban workers never allowed themselves to be tricked and remained united in their one and only central organisation.

Neither the Labour Code in effect in Cuba nor any complementary legislation place restrictions on the creation of unions. All Cuban workers have the right to freely join and to set up union organisations with no need for prior authorisation.

All unions in Cuba and the Cuban Central Workers' Organisation go about their activities and programmes in a completely independent manner. The unions themselves draft and pass their by-laws and regulations, decide on the structure of their organisations, their own work methods and style in accordance with their interests.

The workers affiliated with each union nominate and elect their own officials at the various levels, from grassroots assemblies of workers up to the respective congresses which are held regularly and at all levels the strictest respect for union democracy is observed. The union officials who are democratically elected by the workers take part with full legal authority in management board meetings, where they take the decisions which affect them both at the company level and even at the level of Central State Administration bodies and institutions.

The Labour Code establishes the guarantees necessary for unrestricted union activity to exist in every workplace in the country and for the workers and their representatives to participate fully in the process of taking decisions which most affect their many interests.

One of the principal goals of workers all over the world, full employment, was achieved in Cuba during 2004. (The unemployment rate is less than 2%)

### ***The electronic and print media***

Cuba bestows the greatest importance not only on protecting but also on promoting the right to freedom of opinion and expression, both of which are included in the Constitution; the legal regulations governing them have been improved.

From its inception, the Cuban Revolution has always given priority in its programmes and policies to overcoming the structural and institutional obstacles to the full exercise of these rights in Cuba. One of the first acts of the revolutionary government was to stamp out illiteracy. Similarly, it fostered and encouraged the establishment of many people's and social organisations which have shown how effective they are in fostering the free flow and exchange of ideas.

The revolutionary transformations allowed the Cuban people to take control of the means of information and communication when the latter were nationalised. All Cubans are guaranteed access to the widest spectrum of information. Even though the US blockade limits our access to resources and opportunities, Cuba has broad range of electronic and print media serving the Cuban people and they have a clear public function.

Private, national or transnational monopolies of information and communication are forbidden by law. The use of the media for commercial advertising, inciting racial hatred, pornography, inciting violence and other evils that afflict the media in the West are forbidden by law.

Cubans have the opportunity to receive broadcasts and to be the subjects who create the programming and contents of both the electronic and written media; this guarantees the fullest possible plurality. The media are used 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.

Nevertheless, the situation affecting Cuba, a country suffering from a foreign power's policy of hostility and undeclared war, cannot be ignored. Under such circumstances, disinformation and the manipulation of the news can be an instrument of aggression. A careful examination of the source and veracity of the information becomes a national security imperative. Punishing those responsible for spreading enemy propaganda is unavoidable if we are to defend ourselves.

In societies based on the neo-liberal model, which they are trying to impose on the whole world, whether or not an individual or group of individuals has access to the means of information and communication and the dissemination of opinions is determined by the economic resources of that individual or group of individuals interested in exercising this right.

Providing universal access to basic social services and meeting the population's basic needs is a basic premise of the Cuban model of development. This includes access to information and communication services. In Cuba, information and communications technologies are assets at the service of the entire population. Education and training in their use are free. Use of and access to their services 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, are determined by the maxim that the scarce resources available must benefit the highest possible number of individuals. That is why priority is given to access through social and community settings, such as schools, universities, hospitals and health centres, libraries, research centres, local, provincial and national administration offices and arts and cultural centres. At the individual level, priority is given to connecting doctors, intellectuals, researchers, academics etc.

The widespread use of computers to teach adults, adolescents and children from the pre-school level on is being extended.

Cuba today has around 300,000 computers (this will double in three years), more than two thirds of which are connected in networks. There are 1,209 domain addresses ending in dot cu, more than 1,500 web sites on the Internet and more than 790,000 email accounts and 150,000 Internet users.

Hundreds of thousands of people in Cuba have access to the Internet, and this number will increase daily, if the country's economic situation permits this to happen. Using INFOMED alone —this is Public

Health's Internet service— around 30,000 health care professionals, doctors and paramedics have access to the Internet. At the higher education level, almost all the professors and most students use the Internet, the only restrictions being the computer time available and the speed of our networks.

Similarly, all the national and local press is available on the Internet. Several radio stations broadcast in real time over the Internet, as does Cubavision International.

In a developing country that is blockaded, and given the impossibility of devoting more resources to developing television service, 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 and community. In addition to these there is one short wave international radio station.

There are four national TV channels. We have 15 provincial television centres including one on the special municipality of the Isle of Youth and a telecentre serving those living in the hills and mountains.

Television programming includes foreign-made documentaries, soap operas, series, films and educational, scientific and news material. Approximately 20% of programmes shown on TV is not produced in Cuba.

The opening of two television channels devoted essentially to education has been especially effective in increasing the conduits available for the free flow of information and opinions. These channels are received by over 85% of the population and are on air for an average of 15 to 20 hours a day. Their broadcasts represent 62.7% of the total hours of Cuban television broadcast domestically. Cuba broadcasts to the world via Cubavision International.

In 2004 Cuba had a total of 577 print publications. Occupying a position of great importance among these are the 26 newspapers, 3 of which are national in scope (including the union newspaper "Trabajadores" (Workers) and the paper directed at young people "Juventud Rebelde" (Rebellious Youth), 14 are provincial, 8 are territorial and one is international.

355 of the other regular publications, most of which are magazines, are aimed at the general public. 37 of these cover the arts and literature, 21 cinema, 76 medicine and public health, 30 the sugar agro-industry, 23 technology and construction, 15 social sciences, 17 the economy and finances, 15 education and educational philosophy, 17 economics and finance, 15 education and educational philosophy, 17 biological sciences and biotechnology, 22 standards and intellectual property and 12 industry, transport, etc.

There are also 32 regular publications put out by religious institutions, 11 by private entities, 9 by social and grassroots organisations, and 63 by other non-governmental organisations and 17 by political organisations.

There are 78 publications which appear in digital as well as paper format and 127 which only exist in digital format.

Given that there are such a wide range of editors, producers, journalists and reporters, so many possibilities and guarantees for citizens to participate directly in the programming and broadcasting of the public media, and, considering that we are a very small country, such a large number of radio stations, Web sites, magazines and newspapers, who can seriously and objectively claim that there is no plurality in the Cuban electronic and print media? And, in fact, if there are not more of all of the above it is basically because the availability of paper is limited as are the resources needed to broadcast more hours of radio and television because of our underdevelopment and the U.S. blockade.

***The right to petition and defence of human rights when there are violation of the latter.***

By virtue of article 63 of the Fundamental Law of the Republic, any citizen has the right to lay complaints and address petitions to the authorities and to receive adequate attention or responses in a reasonable time, as per the law.

These provisions are echoed the legislation concerning central state administration which protects and develops this right by establishing the ways and procedures that the bodies of which it (central state administration) is composed must follow to respond to the complaints received directly from the population or those that the population sends via their elected representatives.

Any Cuban or his or her representatives can lay complaints or denounce violations of their rights and demand a reply from such institutions as:

The Office of the Attorney General of the Republic and in particular its department for the protection of citizens' rights. The Attorney General's Office, in article 8, paragraph c) of Law No, 83 of 1997 was made responsible for attending to claims laid by citizens about alleged violations of their rights. In Article 24 of the same law, paragraph 2) it was given the responsibility of settling claims through resolutions issued by the attorney general which re-establish legality.

- Social and grassroots organisations
- The National Revolutionary Police
- The departments which attend to the public in the office of the secretary to the executive committee of the council of ministers and in each one of the bodies of central state administration.
- Delegates to the municipal assemblies of people's power and the municipal and provincial administration councils and the permanent committees of the National Assembly.
- The Council of State
- Municipal, provincial and central committees of the Communist Party of Cuba.

There are legal guarantees in Cuba so that anyone — whether that person is a Cuban citizen or a foreigner— can have recourse to the courts or the competent authorities to exert their rights or, if these rights have been violated, to demand that they be defended.

Access to the courts in Cuba is free and in cases that need representation or the services of a lawyer, citizens may go to any lawyer, no matter how famous this person may be, and contract him or her for a small fee, established by law and a priori, which is not beyond the reach of any average citizen. Justice is dispensed swiftly, in contrast to some other countries where any case, civil, criminal or other can take years. The Cuban system gives the first court's verdict within a matter of months.

Equality of all before the law and the uniform application of that law by judges prevent practices that are common elsewhere, especially in the United States where economic power can cause imbalances that lead to bribery and unevenness when justice is handed down.

The deep respect for human dignity, the principle of equality and the spirit of humanism and solidarity that infuses our society are what guide the administration of justice in Cuba.

Cuban judges are independent and do not owe obedience to anything other than the law. Those who allege that Cuba courts are cannot make independent rulings are lying. The professional judges are elected for an indefinite period and can only be removed for reasons set forth in our laws. This contributes to the autonomous, independent manner in which they do their job.

Cuba has demonstrated the veracity of the premise that an cultured, prepared and educated people will never be oppressed and will exert its full, complete independence and freedom.

The Cuban people is moving ahead with a revolutionary process of permanent transformations to firmly establish democracy and participation by the citizenry. The changes have been and will continue to be multiple: all, nevertheless, lie within the framework of the socialist constitutional order whose

irrevocability was decided on by the overwhelming majority of the Cuban nation. We are not trying to show there is unanimity, far from it, there is a broad diversity of opinions and ways to channel these.

It is only because they have a government of the people, with the people and for the people and permanent, genuine and participative democracy that the Cuban people has been able to overcome the challenges, threats and aggression levelled at it by successive US administrations. This includes the genocidal blockade which has lasted for more than forty years.

## CHAPTER 2: THE GUARANTEES CUBAN DOMESTIC LAW PROVIDES FOR CIVIL AND POLITICAL RIGHTS.

### *Some basic presuppositions*

In order to discuss the institutional protection for human rights in Cuba and with that the question of the protection of civil and political rights, one must first look at some basic presuppositions:

1. The Universal Declaration of Human Rights is not a legally binding legal instrument even though its general acceptance has made it the document universally referred to on the subject of promoting and protecting human rights.

By virtue of the last paragraph of its preamble, the Declaration was pronounced as “the common ideal towards which all peoples and nations must strive, so that both individuals and institutions, constantly seeking inspiration in the declaration, promote, respect for rights and freedoms through education and teaching”.. The Declaration itself does not contain any international obligations that are binding on states; it is a foundation for a plan of action to follow in order to reach this “common ideal” through dialogue and cooperation.

The universality of the rights and freedoms enshrined in the Declaration stems from the respect for diversity concerning the ways and means of guaranteeing they are respected and enforced. This universality goes hand in hand with the indivisibility and interdependence of the various categories of human rights.

The Universal Declaration would have no force nor reason to exist outside of the general framework of international law and especially the respect for the sovereign equality between states.

2. There are no privileged categories of human rights.

In the Declaration and Action Programme adopted at the Vienna World Human Rights Conference in 1993, it was reaffirmed that human rights are universal, indivisible and interdependent and that all categories of human rights must be treated in a fair and equal manner, on an equal footing and giving all the same weight.

Freedom of expression and opinion cannot exist in the fullest sense if there is no right to education. On the other hand, denying rights as basic as that to food, and access to health services would limit the enjoyment of the right to life and therefore any political or civil right.

3. Human rights are universal, but their specific content and the way the rights and freedoms of individuals are exercised and enjoyed depend on the particularities and needs of each individual society and are subordinate to the will of the people.

The protection and promotion of the rights and freedoms of all men and women was established as the responsibility and task of all states with the adoption of the UN Charter — cornerstone of our international law framework— at the San Francisco Conference. It is the responsibility of every state to provide —on the basis of the people’s sovereign will— the guarantees and resources which the exercise and protection of these rights and freedoms require. States must ensure that the laws, policies, programmes and other instruments needed to promote and protect the rights recognized in the aforementioned international documents are in place.

By virtue of article 29 (2) of the Universal Declaration of Human Rights, the specific content that the rights recognized by the Declaration have in each individual society is determined by that society’s legal framework<sup>1</sup>.

Human rights are neither eternal nor *sui generis* and cannot be analyzed in the abstract or as separate from social or class categories. Domestic legislation and every state’s freely and explicitly adopted

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<sup>1</sup> That said, national legislation cannot contradict the international obligations towards other international actors that are freely and expressly contracted by the state, be they adopted within the United Nations framework or other multilateral or bilateral fora.

obligations lay down the legal framework within which the rights and freedoms of every individual in every society are exercised and enjoyed.

That is to say, the legal protection that these rights and freedoms enjoy in each state is central to their exercise and promotion. It would be misguided, however, to analyze a given country's human rights situation by studying that country's legislation alone. A decisive element in the protection and promotion of these rights and freedoms is the implementation of government policies and programmes aimed at advocating and supporting these.

The principle of the sovereign equality of states—at least *de jure*—bars any government from foisting its laws and legal frameworks on other nations.

National and regional particularities and the many historical, religious, legal and cultural legacies which characterize different political, economic and social systems cannot be overlooked when analyzing the human rights situation in a particular country.

4. The bourgeois conception of human rights emphasizes civil and political rights, downplaying the significance of economic, social and cultural rights.

Bourgeois human rights theory prioritizes the protection of civil and political rights. Economic, social and cultural rights are presented as goals to be reached progressively; some go as far as describing them as mere dreams for the future.

Article 22 of the Universal Declaration of Human Rights clearly establishes that “everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality”.

The preamble to the International Covenant on Economic, Social and Cultural Rights establishes that “the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights”.

There is no real dichotomy between civil and political rights, on one side, and economic, social and cultural rights on the other. They are an indivisible whole.

5. Human rights cannot be promoted and protected if strictly individualistic mind-sets prevail.

An unequivocally individualistic conception is pushed by bourgeois ideologues in the field of human rights. Over-insistence on the development of an individual's potential overlooks that individual's duties to society and even ignores the collective ambit within which some rights are enjoyed, as that of the rights of peoples to peace, development, self-determination and international solidarity.

An objective and just conception of human rights would promote and protect individual rights and freedoms and every human being's fullest self-realisation with the understanding that individuals cannot fulfil themselves and exercise their rights outside the scope of social relations and to the detriment of society's interests.

The recognition of rights and freedoms also delineates individual duties to society.

In article 29 (1), the Universal Declaration of Human Rights establishes that “everyone has duties to the community in which alone the free and full development of his personality is possible”.

6. Western industrialized powers manipulate human rights in order to dominate others and impose their ideology on them.

Led by the United States, Western nations have manipulated international human rights cooperation mechanisms and made them instruments to serve their foreign policy and spearhead their campaigns of domination.

The distortion of Cuba's human rights record and campaigns of misinformation and lies against the Cuban people's revolutionary changes have been at the core of the US' hostile policy towards the Cuban nation's assertion of its right to sovereignty.

### ***Human rights in Cuba's constitutional tradition***

As explained in other chapters of this document, calling Cuba's political system into question constitutes a pillar of the United States' anti-Cuban campaign about democracy and human rights.

Washington representatives want to prove that the political system established by Cuba's Constitution is incompatible with internationally recognized democratic and human rights precepts; they aim to fabricate the image of an intolerant and rigid society which leaves no room for plurality and political participation.

In fact, Cuba's democratic system is based on the people's broadest and most genuine political participation, on plurality of opinion —opinions which influence the consensus that determine the nation's political, economic, social and cultural course—and on every Cuban citizen's participation in the exercise of power. Each citizen not only participates in the exercise of political power; he or she also benefits from and co-owns the nation's resources, wealth and main means of production. All have access to non-discriminatory basic services in education, health and social assistance and security.

Cuba's democratic system is authentic, legitimate, just and effective.

The rights and freedoms of Cuban citizens which the Constitution of the Republic and other national legislative instruments protect and guarantee are not only compatible, in nature and scope, with the rights and freedoms enshrined in the Universal Declaration of Human Rights. In many aspects, the recognition and protection of those rights is much broader and more encompassing.

Apart from those contained in the Universal Declaration, the Cuban Constitution recognizes other rights for Cubans, as those established in article 8 (b), namely:

- That there be no man or woman, capable of working, who does not have the opportunity to obtain employment with which he/she can contribute to society and to the satisfaction of his/her own needs;
- That there be no person unable to work without decent means of sustenance;
- That there be no ill person denied medical attention;
- That there be no child denied schooling, food and clothing; that there be no young person denied the opportunity to study;
- That there be no person without access to study, culture and sports.

Approved with an overwhelming majority of votes in 1976, Cuba's Constitution enshrines the ideals of democracy, freedom, equality and social justice which have guided the Cuban people in their struggle for over 150 years.

This constitutional human rights hierarchy has roots which go deep into Cuba's history. Article 28 of the Guáimaro Constitution of 10 April 1869, the first to be adopted by the Republic of Cuba in Arms, established that "the House cannot encroach upon freedom of religion, press, peaceful assembly, petition or upon any of the people's inalienable rights". The Yaya Constitution of 10 October 1897 also included an extensive declaration of individual and political rights, including freedom of thought and religion, the right to claims and complaints, the right to vote and freedom of opinion, expression and association.

Cuba's current Constitution, whose text was long debated and amended a number of times by the Cuban people before being voted on in a referendum, is based on the thought of national independence hero José Martí, who once expressed: "I want the veneration of Man's full dignity to be enshrined as the first law of the Republic".



This vision distances itself greatly from the individualistic reading of human rights which prevails in bourgeois thought. José Martí's understanding of human rights bases itself on a vision of solidarity, a republic which would be founded by everyone and for the benefit of everyone.

Through clearly and precisely formulated articles, the Constitution of the Republic of Cuba, promulgated on 24 February 1976, recognizes and protects each and every human right proclaimed by the Universal Declaration.

Enshrined in Cuba's Constitution is the principle of the indivisibility and interdependence of all human rights categories. No analysis which sets out to evaluate the promotion and protection of civil and political rights in Cuba as independent categories can be encompassing or complete. However, since these are the categories which the anti-Cuban lies and disinformation campaigns undertaken by Washington authorities emphasize, this chapter will mostly limit itself to explaining how the Constitution and other Cuban laws regulate civil and political rights.

### ***Civil and political human rights in Cuba's legislation***

An analysis of Cuban legislation immediately reveals that the Constitution is not the sole instrument which legally protects human rights; these are duly formulated and guaranteed by domestic substantive law. The Penal Code, the Social Security Law, the Family Code, the Youth and Childhood Code and many other instruments complement and guarantee the exercise of all human rights, including political and civil rights.

What follows is a summary of the constitutional and other laws in Cuba which legally guarantee the civil and political rights recognized by the Universal Declaration of Human Rights. The list is not exhaustive, nor could it be in a document of this nature. The information is presented in the same order as the articles of one of the most universal international human rights instruments. The various articles in the Declaration referring to civil and political rights are compared with the corresponding articles of Cuban legislation which recognize and protect the latter.

#### *Article 3 of the Universal Declaration of Human Rights:*

*"Everyone has the right to life, liberty and security of person".*

Provisions establishing and protecting this right in Cuban legislation:

- Article 58 of the Constitution
- Article from 261 to 278 and from 279 to 286 of the Penal Code.

Respect for the right to life, freedom and security of person is a guiding principle of Cuban society and the way its authorities function.

There is no true freedom to speak of in a society where exploitation by classes and oligarchies prevails, where inequality and subjugation are conditions for survival and progress, where a person's full self-actualization does not depend on merit, talent or effort.

Cuban law ordains severe measures to prevent any arbitrary deprivation of freedom and to judge and punish those responsible for any such action.

Although the law punishes all conduct that places human physical integrity and life at risk, the Cuban Penal Code in fact establishes harsher punishments for those who commit such crimes in abuse of their power or authority or take advantage of a person's defencelessness.

In addition to being an offence, violence against human beings is prevented through education and restrictions on the use of any instrument that could encourage extreme violence or put the lives of human beings at risk. In this connection, it is worth mentioning that rigorous controls and far-reaching restrictions on the use of fire arms—declaring their purchase or sale illegal and considerably limiting their possession—are in place in Cuba.

Members of the armed forces, since they are not responsible for maintaining the country's internal social order, for instance, are permitted to carry and use their weapons only in the performance of their duties within military units, in situations and in the way established by the regulations.

With respect to the penal code, members of the Ministry of the Interior, including police officers, are considered military personnel and subject to military penal and procedural law.

With respect to the death penalty, it should be mentioned that, even though it is included in Cuba's national legislation, it is and has been applied only in highly exceptional cases. It is handed down by the competent court only for the most serious cases of those crimes for which this sentence has been established (See: Title III, Section I, article 29 of the Penal Code and Law Against Acts of Terrorism).

In 1999, the National Assembly of the People's Power modified the Penal Code with the adoption of Law No. 87, prescribing life imprisonment for various crimes with the chief aim of replacing the death penalty more and more with this alternative form of punishment.

Both at a legislative and practical level, Cuba respects and rigorously complies with UN safeguards designed to protect the rights of death row inmates (Resolution 1984/50 ECOSOC); among these, we could mention the exoneration of individuals because of age or mental state, the handing down of life sentences as alternative punishment, the right to appeal, etc.

It is well worth emphasizing that the death penalty has been resorted to in Cuba to defend its national security, not only against numerous external acts of aggression but also against terrorist actions and crimes aimed at destroying the Cuban state or the lives of its citizens.

An important factor which has discouraged the Cuban government from abolishing the death penalty has been the continuation and redoubling of the policy of aggression and terrorist actions against the Cuban people, which the United States has either promoted or tolerated.

Article 4 of the Universal Declaration of Human Rights:

*"No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms".*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 1 and 9, sub-article a) of the Constitution
- Articles 116 and 120 of the Penal Code

No one can be enslaved in Cuba. Slavery, or any form of servitude, are vehemently repudiated at the political and social level. Cuba was the last Spanish colony to achieve independence in the American continent, and slavery was abolished only in 1886.

Articles 116 and 120 of the Penal Code prescribe ten to twenty years imprisonment or the death penalty for those who attempt to partially or completely destroy a national, ethnic, racial or religious group or to subject the group to conditions which threaten to exterminate the group or some of its members. Article 120.1 establishes a sanction of ten to twenty years imprisonment or death for those who, aiming to establish or maintain the domination of one racial group by another, promote policies of extermination, segregation and racial discrimination.

Cuban law safeguards the dignity of prisoners and prevents conditions of servitude from being imposed upon them or any other person. Article 30.11 of the Penal Code states that the "prisoner cannot be the object of corporal punishment nor may any measure which entails humiliation or undermines his dignity be taken against him".

Cuban legislation does not envisage any prison sentence involving forced labour.

Prison regulations establish the right of prisoners to receive technical and professional training and schooling and to perform socially useful labour, receiving the same salary they would earn for that labour were they not in a penitentiary institution.

It is well worth clarifying the circumstances surrounding the work of young people who are members of the Youth Work Brigades and students in country boarding schools, as these have been the target of numerous anti-Cuban campaigns of disinformation and lies promoted by the United States.

To ensure that a citizen's conscientious objection to military service is respected, Law No. 75 of 21 December 1994 (or the Law of National Defence) establishes alternatives to military service in the Armed Forces which take a citizen's particular situation into account.

Legislation stipulates that every young person who is conscripted must be given a preliminary interview to assess his/her opinions, his/her inclinations and preparedness and to offer him/her the opportunity to voice any moral objections. This mechanism is in place to ensure a timely decision regarding their case is made and an appropriate assignment within the national service is guaranteed, sparing the conscript the use of weapons (if he/she objected to this) and respecting his/her religious and moral obligations.

In the case of the Youth Work Brigade—one of the alternatives to military service— Recruitment Commissions (Article 70 of Law 75) makes use of a consultation mechanism to find out which of the 11 specialties offered appeal to the young conscript.

The Youth Work Brigades offer young people advantages such as high salaries and the right to paid holidays, making these an especially attractive and highly popular way of doing military service. The work carried out by the Youth Work Brigades chiefly consists in the gathering of fruits and agricultural products during the peak harvest season. These products are used primarily to supply the troops; all excess products are sold to nearby populations at reduced prices.

Country boarding schools were conceived following the teachings of Cuba's independence hero. José Martí always insisted on the importance of linking study and work in the education of the young. The Cuban government developed a model designed to prepare and educate its citizens from the earliest age. Wherever possible—and provided students (7<sup>th</sup> grade and up) are fit in this connection— work is linked to free education which is accessible to everyone.

Article 5 of the Universal Declaration of Human Rights:

*"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".*

Provisions establishing and protecting this right in Cuban legislation:

- Article 8, sub-article a), third paragraph and Articles 59 and 60 of the Constitution.
- Articles 141, 272 to 274 and 286 of the Penal Code.

Cuba's revolutionary government has never resorted to the violent or humiliating treatment of a single prisoner or citizen.

The Cuban revolution was born as a struggle against injustice and tyranny. A deep-seated hatred towards all forms of abuse and arbitrariness, towards physical and psychological violence against people or prisoners, took shape in Cuba.

To never subject a prisoner to violent or humiliating treatment was a principle which, in the strictest sense, guided the Rebel forces who fought in Cuba's liberation struggle. This precept continues to stand as an inviolable norm for Cuban authorities.

The more than 1,200 mercenaries who were taken prisoner during the Bay of Pigs Invasion were tried by revolutionary courts in April 1961. Not one of them was able to claim ill-treatment or torture by Cuban troops. On the contrary, Cuban authorities returned the mercenaries to US soil in exchange for a shipment of food and medicines which were distributed to the Cuban people.

No one can point to a single case of torture, extra-legal execution or forced disappearance in the history of the Cuban revolution. Neither can anyone speak of a single public demonstration attacked or repressed by the police, or the use of tear gas, fire arms or rubber bullets on the population by Cuban authorities.

Cuba has developed a penitentiary system which gives prisoners the opportunity to correct their behaviour and re-insert themselves into society. The features of this system and the new programmes that have been undertaken in this connection are dealt with in a chapter devoted to this topic.

Respect for a person's physical and mental integrity is a sacred principle of the Cuban social ethos. Violation of this principle is punished with the utmost severity. These guarantees appear in the Constitution in Articles 59 and 60.

Article 141.1 of the Penal Code states that any government official who implements or calls for a safety measure without an order issued by a competent court incurs a prison sentence. Similarly, articles 272 to 274 regulate sanctions to be applied in cases which result in injury to others. Article 286 deals with the crime of coercion, defined as compelling someone to do something through the use of violence or threats.

The Law of Military Offences establishes severe punishments for all crimes against a person's physical integrity, even those perpetrated in the guise of disciplining measures; it prescribes prison sentences for officers who use excessive force or perform their duties unbecomingly.

Cuba's penitentiary regulations strictly prohibit agents from using violence or coercion to obtain confessions from prisoners during interviews or interrogations.

Article 63 of the Constitution establishes that all citizens have the right to direct complaints and petitions to the pertinent authorities and to receive an answer within a reasonable period, as per the law.

In light of the sensitive nature of cases involving officers from the Ministry of the Interior, the latter has created a department, separate from the Military Public Prosecutor's Office and directly subordinate to the Secretariat, to handle complaints from the population.

All complaints must be verified and responded to within the established periods, justly and impartially. The individuals or entities about which the complaint is made cannot be involved in the legal procedures, investigation or decisions surrounding the facts or claims of the complaint.

Prisoners are also guaranteed the right to make claims or register complaints. The Penitentiary System's Regulations establish that all prisoners have the right to register verbal or written complaints with penal authorities and to receive a response to these. Prisoners also have the right to pursue legal procedures with a lawyer or the head of the penal institution.

#### Article 6 of the Universal Declaration of Human Rights:

*"Everyone has the right to recognition everywhere as a person before the law".*

Provisions establishing and protecting this right in Cuban legislation:

- Article 9, sub-article a), paragraph three of the Constitution.
- Articles 24, 25, 28, 29 and 38 of the Civil Code.

Cuba's legislation recognizes the human being's right to a legal status; article 24 of the Civil Code provides that this status is granted at birth and expires at the time of death. In the same fashion, article 25 of the Civil Code confers all rights and guarantees on newborns, with the proviso that they are born alive.

Citizens acquire full legal capacity at the age of 18 (article 29 of the Civil Code).

The law provides for those who have no legal capacity (article 31 of the Civil Code); these are children under 10 and elderly individuals who have been declared incapable of taking care of themselves or their property.

The inalienable rights of a citizen include the right to request an immediate end to a crime against one's person, the recanting on behalf of the offender and to repair for resulting damages or injury.

Article 7 of the Universal Declaration of Human Rights:

*“All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination”.*

Provisions establishing and protecting this right in Cuban legislation:

- Article 41, 42 and 43 of the Constitution.
- Article 295 of the Penal Code.

An entire chapter of Cuba's Constitution establishes equal rights and duties for all citizens, outlaws discrimination and makes it punishable by law.

All citizens are considered equal, regardless of race, skin colour, gender, religious beliefs, national origin or any condition affecting him/her as a human being. In this connection, all Cuban citizens enjoy rights such as:

- Access, according to merit and ability, to all government, public administration, production or services positions or jobs.
- The right to enlist in and be promoted to any rank within the Armed Forces and public order institutions, according to merit and ability.
- The right to receive the same salary others receive for the same work.
- The right to enjoy all levels of free, quality education.
- The right to receive free services in any medical institution.

Article 295 of the Penal Code provides for crimes against the right to equality, establishing that whoever discriminates another person or promotes or incites discrimination, incurs a prison sentence of six months to two years, a fine anywhere from two to five hundred quotas, or both.

Article 8 of the Universal Declaration of Human Rights:

*“Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 26 and 63 of the Constitution.
- Articles 393, 401 and 654 of the Law of Civil, Administrative and Labour Proceedings.

By virtue of the Constitution, anyone who unjustly suffers damages or injury because of actions undertaken by state officials or agents in the performance of their duties, has the right to register a complaint and to obtain the compensation that the law establishes. The Constitution also establishes the right to direct complaints and petitions to authorities and to receive the pertinent attention or response, as per the law.

Cuba's political system is not divided into the executive, judiciary and legislature; it is the people who wield the one, existing power. Consequently, the one body vested with constitutional authority is the highest government institution in Cuba: the National Assembly of the People's Power. There is no higher institution that can assess the constitutional validity of its actions.

In Cuba's political system, ordinary courts are not empowered to review or hand down a ruling in connection with cases involving human rights violations as such, unless such cases consist in crimes or infractions for which proceedings may be instituted and fall within the court's jurisdiction. Nevertheless, if the court is aware of any violation of these rights at the time it is to hand down a ruling, it is obliged to obtain testimony and to make it known to the Public Prosecutor's Office.

All Cuban citizens may resort to the following instruments in defence of their individual rights:

- I. Habeas Corpus, contained in the Law of Penal Procedure and handled by penal courts, designed to protect personal freedoms. Article 467 of this Law establishes that anyone who has been imprisoned without the formalities and guarantees stipulated by the Constitution and law, must be released on his/her request or that of any other person through a summary process of Habeas Corpus. Similarly, a ruling admitting a Habeas Corpus cannot be appealed. If the Habeas Corpus were turned down, this ruling may be appealed before the People's Supreme Court.
- II. The procedure to be followed in civil suits and, among these, that known as *possession*, of which proprietors or owners may avail themselves, established by the Law of Civil, Administrative and Labour Procedure and handled by civil courts.
- III. The forced expropriation procedure, established in the abovementioned Law and handled by civil courts. As its name indicates, it is designed to protect property rights, established in article 25 of the Constitution. This procedure is elucidated in article 425 of the Law of Civil, Administrative and Labour Procedure and may be pursued when the owner of the good in question does not agree with the manner in which it is administered and taking the matter to court becomes necessary.
- IV. The administrative procedure, through which state administrative procedures which are considered violations are challenged to obtain redress and compensation for damages caused. This procedure, first established in article 26 of the Constitution, is contained in the Law of Civil, Administrative and Labour Proceedings.
- V. The penal procedure, designed to protect human rights already protected by the Penal Code, including the right to life and physical integrity, the inviolability of the home, confidentiality, freedom of thought, peaceful assembly, demonstration, association, complaint and petition, religion, equality, etc. This instrument may be used provided the alleged violations do not entail crimes included in the Penal Code.
- VI. The labour procedure, regulated by the Law of Civil, Administrative and Labour Procedure, designed to protect the labour rights of workers, which is limited to matters which may be handled by the court and may be instituted after the labour institutions in place acted in this connection.

We can appreciate that a well-developed system for the protection of human rights is in place in Cuba. This system is complemented by legal provisions that, as we shall later see, bestow on the Public Prosecutor's Office of the Republic specific functions aimed at offering citizens wider-ranging protection of their rights.

Through article 8 (c) of Law No. 83 of 1997, the Public Prosecutor's Office was given the express task of attending to citizen complaints regarding supposed violations of their rights; article 24 (2) of the same Law empowered the public prosecutor to issue resolutions to restore legality. That is to say, in his capacity to act and decide, he is vested with more authority than an ombudsman.

In Cuba, anyone —citizen or foreigner— can resort to the courts or competent authorities to pursue the defence of his/her rights.

#### Article 9 of the Universal Declaration of Human Rights

*"No one shall be subjected to arbitrary arrest, detention or exile".*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 58 and 59 of the Constitution
- Articles 109 and 245 of the Law of Penal Proceedings
- Articles 279 to 283 of the Penal Code

Article 58 of the Constitution establishes that "personal freedom and inviolability are a guarantee for all who reside in the national territory. No one can be detained unless for a crime, in the way and with the guarantees prescribed by law. The personal integrity of the detainee or prisoner is inviolable".

Article 59 establishes that “no one can be tried or sentenced if not by a competent court, by virtue of the law in effect before the crime was committed and with the guarantees and formalities that it establishes”.

These constitutional precepts offer the highest level of legal protection to a human being’s right to personal inviolability and lay the bases for preventing the violation of people’s freedoms, making procedural law the sole instrument that can authorize their detention.

The Law of Penal Procedure establishes the cases in which officials or agents must proceed to detain a person.

The Penal Code complements regulations in this area; it prescribes imprisonment for anyone who carries out an arbitrary detention and a more severe sentence for cases in which this detention results in the death of the victim.

Any official or agent who does not release a detainee or hand him or her over to the competent authority within the legally established period, or who wrongfully delays implementing a resolution calling for this detainee’s release, is also subject to punishment for this crime. The head of a penitentiary institution who receives anyone as prisoner without an order issued by competent authority or court, or who does not see to the release of a detainee or prisoner requested by virtue of a writ of Habeas Corpus or any like instrument, is also guilty of this crime.

By virtue of article 109 of the Law of Penal Procedure, the Public Prosecutor’s Office must ensure that the dignity of the accused is respected and that, under no circumstances, his or her rights are encroached upon; the article makes this institution responsible for ensuring strict compliance with the law during the case’s investigative phase.

Article 245 of the Law of Penal Procedure establishes that the police cannot detain a person for more than 24 hours without presenting the judge with a full account of the case; the latter must see to the detainee’s release within the next 72 hours or have him/ her handed over to the public prosecutor.

Article 10 of the Universal Declaration of Human Rights:

*“Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 120 and 121 of the Constitution
- Article 2 of Law No. 82 of the People’s Courts

Cuba’s Constitution and Law of the People’s Courts establish that justice must be dispensed on the basis of the principle that all citizens are equal before the law and the courts and that the accused has the right to a defence. No one can be tried or sentenced if not by a competent court, by virtue of the law in effect before the crime was committed and with the guarantees and formalities that it establishes.

The Constitution establishes the fundamental principle that judges, responsible for dispensing justice, are autonomous and owe obedience to nothing except the law.

Collegial courts —rather than pernicious courts presided by only one judge— are the foundation of the Law of the People’s Courts. In the selection of the judges, no one can be excluded for their political affiliation. This sacred function can be performed only by citizens of proven moral and ethical standing and the required aptitude and ability.

In Cuba, the judicial function is above government and administrative functions, something guaranteed by the Constitution and law, which establish that court rulings and decisions —those they are empowered to hand down or adopt— must always be complied with by government entities and citizens.

Article 41 of the Constitution guarantees equality before the courts. It establishes that all citizens enjoy equal rights and have the same duties. The Law of Penal Procedure identifies the specific fora where

political, legislative, government and judicial authorities are tried —without encroachment upon the rights and guarantees they enjoy as citizens and without individual privileges— and which ensure no form of impunity prevails. No one in Cuba is outside or above the law.

The laws which make up Cuba's judicial system conceive of an accused's civil rights as separate from the criminal charges brought against them. Civil and political rights are thus legally protected, such that their violation constitutes a crime which is prosecutable as a matter of course or at the request of the offended party. An entire title of the Penal Code (articles 279 to 295) is devoted to mechanisms set up to protect these rights.

Article 305 of the Law of Penal Procedure establishes that trials are public unless, for reasons connected to state security, morality, public order or respect for the offended party or his/her relatives, make it advisable to hold a closed trial. Only the parties, their representatives, the defence, auxiliary personnel and individuals authorized by the court may participate in closed trials.

Rulings handed down by the courts are made public and notified immediately to the parties and their representatives. The Law of Penal Procedure protects all of the citizen's constitutional rights with respect to the dispensing of justice.

This law requires that the accused be presumed innocent until his or her guilt is proven. Proof separate from the testimony of the accused, his/her spouse and relatives (up to and including fourth-degree relatives), must be produced. The obligation to prove the guilt of the accused falls on the prosecution.

Article 305 of this law guarantees that witnesses testify in person and that proceedings remain open to the public during the trial.

Article 346 of the Law of Penal Procedure prohibits trials in absentia; it is a right of the accused to take part in his/her trial and no trial can be held in his/her absence.

The accused also has the right to challenge members of the jury for any of the reasons established by article 23 of procedural law.

Article 59 of the Constitution establishes the right of the accused to a defence. The law recognizes collective law firms as autonomous organisations that serve the people and establishes the right of the accused to designate his/her attorney; if the accused does not designate an attorney, the court appoints one for him/her.

By virtue of Cuban procedural law, all rulings may be appealed before higher courts. A special appeal process with additional guarantees exists for the death penalty.

Cuban penal legislation also allows for the review of rulings. Numerous factors justify the review of a ruling. This procedure may be initiated as a matter of course by the Ministry of Justice, the Presiding Judge of the Supreme Court or the Director of Public Prosecutions when an inspection or any aspect of the trial reveals reasons to review the ruling.

There are no courts for the trying of minors in Cuba. Cuba's Penal Code establishes that a person becomes legally accountable at the age of 16. Any minor responsible for an action which would constitute a crime were he/she an adult, or who manifests behavioural traumas, is attended to by the Ministry of Education or the Ministry of the Interior, through a system based on progressive pedagogical, sociological and juridical conceptions.

Article 17 of the Penal Code provides additional legal protection for young people by establishing that the minimum and maximum prison sentences for crimes committed by anyone between the age of 16 and 18 can be reduced by half; as for those between the ages of 18 and 20, the sentence may be reduced by one third, in the interests of re-educating the young person, giving him/her job or vocational training and teaching him/her respect for the legal order.

The law's general aim is to help minors and young people in the development of their personality.

Re-education centres run by the Ministry of the Interior take up recidivists and those who are very dangerous to society, are reluctant to participate in rehabilitation work and for whom family, school and



community-based efforts have yielded little results. These institutions are equipped with classrooms, workshops and areas for sporting and cultural activities.

Article 11 of the Universal Declaration of Human Rights:

*“(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.*

*“(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 59 and 61 of the Constitution
- Article 2.2c) of Law No. 82 of the People’s Courts
- Article 3 of the Law of Penal Procedure
- Articles 2 and 3 of the Penal Code

These are the *in dubio pro reo* and *nullum crimen sine previa lege penale* rights. According to Cuban penal doctrine, these constitute objective rights of the accused.

Cuban law ensures that the accused is presumed innocent until he is convicted. Proof of the crime separate from the testimony of the accuser, his/her spouse and relatives, must be produced. Consequently, declarations do not exempt the accuser from the obligation of producing the evidence needed to prove the facts.

Furthermore, as per the procedural law in effect, anyone who commits a crime is to be tried by a competent court (whose jurisdiction corresponds to the nature or seriousness of the crime), by virtue of laws which were in effect before the crime was committed and in observance of the guarantees and formalities these establish.

A constitutional precept of Cuban legislation establishes that no law can be retroactive. Article 61 of the Constitution establishes that the only retroactive effects of a law which are recognized are those which are favourable to the defendant or convicted.

Article 3 of the Penal Code lends further weight to this principle by establishing that the only penal law applicable is that which is in effect before or at the time the crime is committed and that a new law can be applied for a crime which was committed before it came into effect only when this favours the convicted. This means that if, by virtue of the new law, the action punished by law ceases to be punishable as a crime, the conviction and all its related effects are cancelled by right.

Article 12 of the Universal Declaration of Human Rights:

*“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 56, 57 and 58 of the Constitution
- Article 126 to 222 and 126 al 222 of the Law of Penal Procedure
- Articles 286 to 290 of the Penal Code

Article 57 of the Constitution enshrines the inviolability of the home. No one can enter a domicile against the will of the dweller, except when the law prescribes such an entry.

Article 57 establishes that the confidentiality of correspondence is inviolable and only in such cases as established by law can it be examined; this article also establishes that the motives for examining someone's correspondence are to be kept confidential as well.

Article 58 guarantees personal freedom and inviolability for all who reside in Cuba.

Articles 215 to 227 of the Law of Penal Procedure regulate the authority agents have to enter private domiciles. Agents may enter a residence only with the consent of the citizen; without said consent, they require a warrant from the Public Prosecutor's Office.

Internal order laws and regulations make respect for the dignity of people obligatory.

To establish mechanisms to protect these individual rights, the Penal Code refers to:

- Crimes against personal freedom (articles 279 to 282). Anyone who deprives another of his/her personal freedom incurs a prison sentence. The sentence is more severe if such an action is motivated by revenge or if it is committed against a civil servant or minor.
- Threats (articles 284 and 285)
- Coercion (article 286). Anyone who attempts to obtain a declaration through the use of violence or threatens another in order to compel him/her to do something, lawful or unlawful, or who tolerates this behaviour in another, incurs a prison sentence from six months to two years.
- Interference with the home and illegal searches (articles 287 and 288)
- Revealing contents of correspondence and breach of confidentiality (articles 289 and 290)
- Encroachment on freedom of thought (article 291)
- Violation of the right to assembly, demonstration, association and to issue complaints and petitions (article 292)
- Violation of the right to property (article 293)
- Encroachment on freedom of religion (article 294)

Article 13 of the Universal Declaration of Human Rights:

- “(1) Everyone has the right to freedom of movement and residence within the borders of each state.  
(2) Everyone has the right to leave any country, including his own, and to return to his country”.*

Provisions establishing and protecting this right in Cuban legislation:

- Article 43 of the Constitution
- Articles 2 and 15 of the Law of Migration, Law No. 1312 of 28 September 1976
- Articles 43 to 48, 57, 123, 124, 126, 131 and 135 of the Migration Law Regulations (Decree No. 26 of 19 July 1978)

As the listed articles and laws demonstrate, the Cuban Constitution and legislation provide the legal framework indispensable to the protection of the rights established by article 13 of the Universal Declaration of Human Rights.

We must bear in mind, however, that Cubans' freedom to travel has been irregularly and arbitrarily encroached upon as a result of the political manipulation of migratory relations with Cuba that different US administrations have been responsible for (an entire chapter is devoted to this topic).

The impunity with which Cuban-born terrorists residing in the United States operate has also forced Cuban authorities to establish special control mechanisms to regulate the entry of Cuban-born US residents into the country.

In spite of the enormous obstacles and challenges on the way —and thanks to the commitment of Cuban authorities— Cuba heads unstoppably toward the complete normalization of relations with its emigrants.

Since 1 June 2004, Cubans residing abroad must no longer request an entry permit to visit Cuba. All Cubans residing abroad who have a valid passport can visit Cuba as many times as they wish. Cubans residing in the United States, however, have been deprived of this freedom through new restrictions placed on travel to Cuba by President Bush.

Cuba recognizes the rights of its citizens to leave the country, temporarily or permanently, establishing only minimal restrictions for individuals who hold important secrets or highly sensitive information, professionals who provide vital health services to the people and must wait for replacements to be trained or those subject to court orders or sentences.

Article 14 of the Universal Declaration of Human Rights:

*“(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.  
(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations”.*

Provisions establishing and protecting this right in Cuban legislation:

- Article 13 of the Constitution

By virtue of the Constitution, Cuba is bound to give asylum to anyone who is persecuted for: struggling for the democratic rights of majorities and national liberation; against imperialism, fascism, colonialism and neo-colonialism; for the suppression of racial discrimination; for the rights and claims of workers, peasants and students; for progressive political, scientific, artistic and literary activities.

Hundreds of Latin Americans persecuted by dictatorships supported and promoted by the United States were given asylum in Cuba.

Article 15 of the Universal Declaration of Human Rights:

*“(1) Everyone has the right to a nationality.  
(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality”.*

Provisions establishing and protecting this right in Cuban legislation:

- Article 28 to 33 of the Constitution

Chapter II of the Constitution describes the ways through which Cuban citizenship is obtained, namely, through birth or naturalization.

The Constitution states that neither marriage nor its dissolution affects the citizenship of the spouses or their children. Similarly, it establishes that Cubans cannot be deprived of their citizenship unless for legally established reasons.

Double citizenship is not permitted and citizenship may be re-obtained in those cases and through ways established by law.

Article 16 of the Universal Declaration of Human Rights:

*“(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.  
(2) Marriage shall be entered into only with the free and full consent of the intending spouses.  
(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 35 to 38 of the Constitution
- Articles 2, 3, 6, 24 to 28, 48 and 43 of the Family Code

The right of the family to receive protection from society and the state is established and guaranteed in Cuba.

The entire title that Cuba's Constitution devotes to the family is an expression of the legal guarantees the Cuban state offers the latter. A reflection of Cuban society, the fundamental trait of family law precepts in Cuba is their progressive nature.

Article 35 of the Constitution establishes that the state protects the family, motherhood and marriage.

In addition to establishing divorce regulations, the Constitution establishes that all children have the same rights, be them born in or out of wedlock. Cuba has abolished the practice of characterizing filiation. Unlike in other countries, no remarks concerning the marital status of the parents are registered —neither in birth certificates nor any other like document— to differentiate births.

Though a marriage must be formalized at the registry office for legal purposes, Cuban law does not forbid the holding of religious ceremonies which respond to the convictions of the couple.

The law is clear with respect to the equality of spouses in their rights and responsibilities. The law protects both spouses by establishing equal rights with respect to the matrimonial estate, effective from the time the marriage is formalized to the time it is dissolved, if this ever came about.

In Cuba, a woman preserves her maiden name after marriage. Neither marriage nor its dissolution, as per the Constitution and legislation, affect the citizenship of the spouses.

Cuba understands that legal guarantees do not suffice and that ethical and moral values and principles must be promoted to bring about equality within the family; this has been progressively achieved through policies and programmes aimed at the full emancipation of women.

Article 17 of the Universal Declaration of Human Rights:

*“(1) Everyone has the right to own property alone as well as in association with others.*

*(2) No one shall be arbitrarily deprived of his property”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 15, 19, 20, 21, 22 and 23 of the Constitution
- Article 293 of the Penal Code
- Articles 156, 157, 158 and 161 of the Civil Code

When the revolution came to power in 1959, 8% of landholders owned 70% of the lands, including those which belonged to US transnational companies.

The First Agrarian Reform Law of 1959 handed ownership of the land over to more than 100,000 small lessees, tenant farmers, sharecroppers and squatters\_who worked it and placed vast expanses of land —which had not been divided into plots and were administered by landowners— in state hands, making them the property of the nation and people.

Small farmers were exempted from paying any kind of rent and freed from the exploitation of intermediaries; they received aid in the form of investment, repair and development credit and new roads, medical services and education.

Large stockbreeding estates and sugar plantations were transformed into people's farms and cooperatives which are still in existence.

With the Agrarian Reform Law of 1963, the state became the owner of 70 % of the country's agricultural surface.

Before 1959, the immense majority of Cubans had nothing except their misery, their illnesses, their hopelessness and their ignorance.

The Cuban people does not work to add to the riches of an exploiting minority. The surplus of their labour does not end up in the pockets of millionaires or transnational companies. It belongs to society, it is invested in the reconstruction of schools, production centres, hospitals, roads and public works, as part of a planned economy aimed at raising the standard of living of all Cubans.

With the Law of Foreign Investments, new forms of property are now recognized in Cuba and even enshrined in the Constitution. Article 23 of the Constitution establishes that the state recognizes the property of joint venture companies, societies and economic partnerships which have been legally incorporated. These new forms of property are added to already existing forms, which include cooperative and private.

The Penal Code establishes regulations for crimes against the right to property; these are designed to prevent a government official from ordering the forced expropriation of any property, making such an action punishable with a prison sentence of anywhere from three months to a year, a fine of anywhere from one to three hundred quotas, or both.

Article 18 of the Universal Declaration of Human Rights:

*"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance".*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 8, 42 and 55 of the Constitution
- Article 294 of the Penal Code

Cuba's revolutionary government has respected all churches and all religious beliefs, without any discrimination whatsoever. The Cuba state protects the freedom of religion and the Constitution enshrines the strictest separation between church and state.

Article 8 of the Constitution establishes that the state recognizes, respects and guarantees freedom of religion (the right to have religious beliefs or change them and to worship, or to have no religious beliefs and not to worship), validates the separation of religious institutions from the state and confirms that all belief systems are equally considered.

In 1992, any mention of scientific atheism as the guiding doctrine of the state and its institutions was eliminated from Cuba's 1976 Constitution when a number of its articles were modified. There was a transition from an atheistic to a secular state. Full guarantees for religious freedom were consolidated.

In 1997, 25 December was celebrated as a public holiday for the first time; it has been a public holiday since 1998.

In 1998, the Supreme Pontiff of the Catholic Church, Pope John Paul II was received in Cuba. In 1999, protestants had their own celebration in Cuba. The main religious activities of both celebrations were held in the open; the people gathered in the main squares of the nation, including Revolution Square, and their activities were followed live by radio and television.

Religious institutions freely choose their functionaries and assign them to different regions in the country; they organize an important number of religious activities, at the local, national and international level and systematically receive international representatives and religious literature.

A significant number of religious institutions publish journals which are officially registered at the Cuban Book Institute. The media provide information on the most important events of these institutions.

During religious festivities, the faithful hear messages from catholic bishops and protestant pastors over the radio.

Over 1,000 temples, chapels, parish and pastoral houses have been repaired during the last 10 years. More than a hundred buildings, to be used as churches and places of worship, and hundreds of vehicles and other facilities destined to religious activities have been allotted, an effort commensurate with the country's possibilities.

African religions, spiritualism, Judaism, and the church of the Jehovah's Witnesses, are other important religions that maintain relations with the Cuban state, even though they are not legally recognized.

**Christianity** is represented by Catholic and protestant churches (50 denominations across the country).

The **Catholic church** possesses 11 dioceses and 10 diocesan bishops, and an assistant bishop, one of whom was promoted to cardinal in 1994. One position is vacant due to death. It is made up of 1,123 diocesan priests, friars, nuns and deacons grouped in 24 male and 56 female religious orders. Approximately 60 % of religious functionaries are foreign, of 36 different nationalities.

The institution is made up of more than 600 temples and more than 500 missions, 2 seminaries for the religious education of diocesan priests and a number of similar centres belonging to religious orders.

A total of 50 **Protestant denominations** practice their faith in over 900 churches, more than 1,000 houses of worship (homes used as churches) and 9 seminaries, one of which is inter-denominational.

Cuba's Council of Churches, grouping 24 denominations, is Cuban Protestantism's most representative ecumenical organisation. It was founded in May 1941.

50 % of Protestant churches are Pentecostal. Of the thousands of pastors and ministers belonging to these churches, around 100 study or offer religious services abroad. The Cuban government places no obstacles in this connection.

**Jehovah's Witnesses**, who have a nationwide presence, practice their faith as do other denominations. Members gather, receive religious literature and have been visited by world religious leaders.

**The Cuban Jewish Community** is composed of nearly 1,500 members, though not all members practice the religion. It is made up of 5 synagogues, where religious and social activities are held. There being no Cuban rabbi (religious leader), an Argentine visits the country regularly to assist in religious matters.

In Cuba, there are three main religions of African origin: **Santería or Regla Ocha and Palo Monte or Regla Conga**, both practiced throughout the country. The third is the **Abakuá Society**, based in Havana and Matanzas and grouped into two provincial bureaus and a supreme council.

Some who practice the Santería faith are affiliated to the Yoruba Cultural Association of Cuba, currently creating managing committees to open provincial branches of this society. Before the revolution came to power, though having numerous followers, these religions were outlawed. The revolution recognized them and eliminated all precepts that prescribed punishment for religious beliefs.

We may assert that:

- Not one church has been closed down in the country.
- No church or religious belief has ever been persecuted.
- No priest or religious Minister has ever encountered obstacles in the performance of his religious functions.
- There hasn't been a revolutionary process as radical and profound as the Cuban revolution which has had less conflicts with religious institutions.

- Normal relations currently exist with the different religious institutions.
- Mutual respect and cooperation in social field prevail between the State, the churches and religious creeds.

The constitutional reforms of 1992 broadened the legal bases for the full protection of religious freedom in Cuba.

Article 42 of the Constitution states that discrimination because of race, skin colour, gender, religious beliefs, national origin or any condition affecting an individual as a human being is forbidden and punishable by law.

Article 55 of the Fundamental Law establishes that the state recognizes, respects and guarantees freedom of thought and religion, the freedom of every citizen to convert to any belief system or belong to none and to practice the faith of his/her choosing (while respecting the law).

Similarly, article 294 of the Penal Code establishes a prison sentence of up to two years as punishment for crimes against religious freedom, when the perpetrator is a civil servant.

The state provides general, free education based on the discoveries and contributions of science. Parents are free to give their children the religious and moral upbringing that they deem congruous with their convictions; this may take the form of religious instruction given at home or in theological seminaries.

Article 19 of the Universal Declaration of Human Rights:

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.*

Provisions establishing and protecting this right in Cuban legislation:

- Article 53 of the Constitution
- Article 291 of the Penal Code

The Constitution of the Republic of Cuba tacitly recognizes the right of citizens to freedom of speech and press, adjusted to ends determined by the Cuban people.

The social ownership of the press, radio, television, cinema and other media—or their control by social and political grassroots organisations— provides the material bases for the exercise of these rights. These media cannot, under any circumstance, be privately owned, something which guarantees they are used exclusively to serve the interests of working people and of society in general.

Article 291 of the Penal Code establishes sanctions for those who commit a crime against the right to freedom of thought. Whoever in any way encroaches upon another's freedom of expression or press as guaranteed by the Constitution and law incurs a prison sentence of anywhere from three months to a year, a fine of one to three hundred quotas, or both. If the crime is committed by a civil servant who abuses his/her power, the sanction consists of a prison sentence of anywhere from six months to two years, a fine of two to three hundred quotas, or both.

For Cuba, freedom of expression is indispensable to consensus-making, which guarantees the Cuban people's unity of action against the policy of hostility, aggression and blockade of the US government.

The Cuban people's unwavering confidence in and genuine commitment to their nation's leadership, the unequivocal sense it is participating in and being represented by this leadership, are the only things which have sustained the support of the overwhelming majority for a revolution which struggles for their independence and very existence as a heroic people, which has held its ground and continues to make progress in spite of the adversity of the most aggressive and powerful empire that has ever existed.

The sole limits to freedom of opinion and expression in Cuba are those which the Cuban people's right to independence, national sovereignty and self-determination impose.

The Cuban people only curtails the "freedom" of opinion and expression of the few mercenaries who sell their services to the government of the United States in its policy of hostility, aggression and genocidal blockade. Cuba imposes such restrictions not only by virtue of its national legislation but also of numerous international human rights instruments and successive resolutions adopted by the UN General Assembly, which have demanded respect for the self-determination of peoples and an end to the economic, commercial and financial blockade imposed on Cuba by the government of the United States.

As known, international human rights instruments themselves recognize the legitimacy of certain restrictions on the individual's right to freedom of opinion and expression.

Article 19.3 of the International Covenant on Civil and Political Rights states that the right to freedom of opinion and expression carries with it certain duties and responsibilities and that, consequently, may be "subject to certain restrictions, but these shall only be such as are provided by law and are necessary: 1. For respect of the rights or reputations of others; 2. For the protection of national security or of public order or of public health or morals".

The most diverse political, economic, social and cultural topics —relating to the nation and world— are debated on in Cuba.

Cuba's broad variety of publications and artistic productions attests to the freedom of creation and discussion which is promoted in the intellectual, cultural and academic spheres.

All Cubans have guaranteed access to institutions, mechanisms and media which ensure that their opinions and points of view have an effective impact on the process of formulating, deciding on and executing policies and programmes in the most diverse spheres.

Spaces for participation include: parliamentary and parliamentary commission debates; report assemblies headed by representatives of the people's power in different constituencies; the more than two thousand political, grassroots, student, social, professional, religious, cultural and fraternal organisations —to name only some— that have a decisive say in the nation's activities; diverse and numerous spaces for academic, cultural and intellectual participation and debate; regular union meetings and workers' participation in administration through production and services assemblies; numerous political, administrative and legal mechanisms designed to channel the people's concerns, complaints and suggestions.

Numerous foreign press correspondents —including representatives of the main international cable agencies— are accredited in the country. Films from many different countries, chiefly the United States, are shown in Cuba; music of every kind, produced by artists of every nationality, is disseminated; Cubans have unlimited access to numerous libraries, archives and information centres; the works of authors from all currents and of all philosophical standpoints and aesthetic tendencies are published. Radio and television broadcast informational segments from US and Hispanic stations, to mention only some.

Cubans have access to the best universal works. Any restrictions in this connection stem, from the most part, from the US policy of blockade towards Cuba. The Bush administration has deliberately and viciously curtailed academic, cultural and scientific exchanges between Cubans and their US colleagues and so-called "people to people contacts".

What's more, it has redoubled aggression through radio and electronic means and its campaigns of misinformation against the Cuban revolution, manipulating transnational media companies. The United States broadcasts over 2,200 weekly hours of radio and television programmes loaded with hatred and lies. These radio and television stations call for the overthrow of Cuba's constitutional order, terrorist actions and illegal emigration.



No one has ever been sanctioned in Cuba for merely expressing opinions or points of view that are different or even contradictory to those of the authorities. Penal law very precisely defines those actions which are punishable by law.

Penal law conceives of a political prisoner as a person who is detained or convicted for working for progress and social betterment and for struggling for social justice, freedom, equity, solidarity, democracy, human rights, in brief, for the well-being of people, the community and humanity as a whole. No one has been detained, tried or convicted for any of these actions in Cuba.

In today's world, they would have us believe that the freedom of transnational power centres—who control and own the press—to impose their interests and agendas on us constitutes freedom of the press. The so-called “free flow of information and ideas” conceals the enormous lopsidedness which prevails in the exchange of ideas and political, economic and cultural thought between and within nations. A handful of fat-pocketed individuals in a few Western industrialized nations supply and control the immense majority of ideological messages and schemes that circulate around the world.

The same few power groups who call for a supposed free flow of information and ideas in the sphere of ideology—in order to maintain the neo-colonial domination of the world's peoples through control of the media—are, however, vehemently opposed to the free flow of information, ideas and knowledge in the spheres of production, science and technology. In this field, they have forcibly set up an unfair international system of patents which blocks access to the knowledge and top achievements of South peoples.

The fanatically individualistic defence of freedom of opinion and expression cannot be a pretext for tolerating criminal behaviour such as racism, xenophobia and the activities of neo-fascist groups. Groups and opinions of this kind are prohibited by Cuban law.

Article 20 of the Universal Declaration of Human Rights:

- “(1) Everyone has the right to freedom of peaceful assembly and association.  
 (2) No one may be compelled to belong to an association”.

Provisions establishing and protecting this right in Cuban legislation:

- Article 54 of the Constitution
- Article 292 of the Penal Code

A distinctive characteristic of Cuban society is the highly communicative and sociable nature of its members; community ties and a deep-rooted spirit of cooperation prevail and find expression in the political, labour, social and family spheres, as well as in a broad range of organisations.

Article 54 of Cuba's Constitution recognizes the rights of manual workers, intellectuals, peasants, women, students and other sectors of the working class to gather, demonstrate and associate. Grassroots organisations have every resource at their disposal to carry out their activities and their members enjoy full freedom of expression, based on respect for individual initiative, freedom of opinion and criticism.

Article 292 of the Penal Code protects this right, prescribing a prison sentence or fine for anyone who prevents a legally constituted association from functioning or a person from belonging to one, or who prevents a legal gathering or demonstration from taking place or anyone from belonging to or participating in one.

Similarly, article 14 of the Labour Code establishes that workers have the right to gather and to freely discuss and express their opinions about all matters that affect them.

Article 209 of the Penal Code establishes restrictions on gatherings or demonstrations by illegal organisations.

Freedom of association in Cuba is limited in connection with matters surrounding the defence of national security, sovereignty and independence.

Like freedom of opinion and expression, freedom of association and peaceful gathering may be legitimately restricted by virtue of international human rights instruments.

Articles 21 and 22 of the International Covenant on Civil and Political Rights establish that these freedoms may be restricted in a democratic society —as per the law— in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

The triumph of the revolution in Cuba on 1 January 1959 brought a democratic system where all who are committed to the values of freedom, independence, social justice, equity and solidarity among Cubans participate actively.

The politicians of old, subordinate to and dependent from Washington, disappeared and one party emerged to unite all Cuban revolutionaries: the Communist Party of Cuba. The Party organizes fora for analysis and seeks to create consensus through social debate, ensuring that all sectors of the population and all citizens have the right to be attended to and heard. The existence of only one party does not represent an obstacle —nor does it establish limits—to democracy.

In Cuba's case, faced with an undeclared war waged by the United States, the unity of all revolutionary forces becomes a decisive factor for perseverance and victory. The political plurality of a country is not determined by the number of parties it has, but rather by the extent to which the most diverse sectors of society and the overwhelming majority of citizens participate and are represented in the administration of the nation's most important matters of public interest.

Cuba's own history clearly shows us that formal liberties can not only co-exist with social injustice indefinitely, but also promote and conceal the latter. At no point in Cuba's pre-revolutionary history was the multi-party system able to achieve democracy and social justice. The more parties Cuba had during its first 56 years of republican life, the more dependant was it from the United States and the more corruption, theft, frustration, unemployment, illiteracy, lack of medical services, inequality, racial discrimination and scepticism the country had —consequently, less political plurality.

The consensus of the majority legitimates the one-party system as the political representative of the workers' and the entire nation's vital interests. This party not only respects differences of opinion, but also dissent. It only asks for unity of action with respect to those decisions that are made.

The Constitution and law protects the country's more than two thousand associations.

The Law of Associations and its regulations, Law No. 54 of 27 December 1985, establishes that the Cuban state guarantees the right to association as a means to carrying out different activities which contribute to the development of science, culture, sports, creative initiatives, leisure and recreation activities and human friendship and solidarity associations, as well as other kinds of organisations which benefit society.

The reasons why the request to create an association can be turned down are described by law. This decision, however, can be appealed before the Ministry of Justice and the results of such an appeal can be legally challenged.

The right to unionize is fully protected by Cuban law; the Labour Code guarantees this.

In Cuba, there are 29 unions grouped under a central union, the Worker's Federation of Cuba (CTC), whose principles, statutes and regulations are democratically discussed and approved by workers in their assemblies, from the workplace level to the organisation's Congress. The Constitution recognizes the right of the CTC to legislative initiative.

Article 21 of the Universal Declaration of Human Rights:

*“(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.*

*(2) Everyone has the right of equal access to public service in his country.*

*(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures”.*

Provisions establishing and protecting this right in Cuban legislation:

- Articles 131 to 136 of the Constitution
- Article 4 of the Electoral Law, Law 79 of 2 November 1992

Down to the constitutional order, Cubans have created a society which befits their history, culture, idiosyncrasies and reality, wedding development to equity and transformation to social justice and aimed at achieving harmony between collective and individual interests.

What is being constructed is a society whose citizens produce more economically, participate more politically and show more solidarity socially.

Periodic electoral processes do not suffice to promote the people's true participation in democracy. Democracy is not achieved through illusory formal mechanisms that merely endorse a false system of representation, laden, many a time, with illegal practices such as fraud.

A more encompassing and unprecedented model of political participation has given the majority of Cubans the opportunity to express itself as a political majority and has made organic ties between government authorities and the people the basis of democracy in the island.

A state divided by functions —and not into the executive, legislature and judiciary— is the basis of this system. Power is indivisible and belongs to the people; it is exercised through a system that is organized to make citizens active participants in the nation's political life. All functionaries are subordinate to their electors and all executives to their collegiate organs.

Cuba's experiences during its existence as a republic all but discredited the presidential government as a form of political organisation; an assembly system which does away with political parties and gives the people and its social organisations the power to nominate candidates is thus promoted and developed.

Direct and universal suffrage characterizes the periodic elections of assembly organ members, who must receive more than 50% of the votes (every two and a half years for municipal organs and every five for provincial organs and the National Parliament), as per the Constitution and the Electoral Law.

The characteristics of Cuba's political system and the ways citizens participate in the nation's leadership are expounded on in Chapter 1 of “Cuba and Human Rights (2005)”.

A number of conclusions may be drawn from the comparative analysis we have undertaken:

- I. Criticisms levelled at Cuba with respect to restrictions on the civil and political rights of its citizens stem from the dogmatic and fundamentalist stances of ideologues in the world's power centres and Western industrialized nations.
- II. These criticisms ignore or trivialize the precarious nature of Cuba's existence as nation and the continuation and redoubling of the policy of hostility, aggression and genocidal blockade which the United States imposes on Cuba.
- III. There are enough legal arguments and practical examples at hand to refute such criticisms and the lies and distortions of those who attempt to conceal the truth about their own political systems and about the high levels of protection of civil and political rights that all Cubans enjoy.
- IV. The restrictions the law places on some political rights in Cuba are the minimal and fundamental restrictions which are needed to guarantee the people's right to self-determination, peace and life, in response to the empire's growing aggression towards Cuba.

- V. No democracy can exist without social justice. Cuban democracy is not a formal or abstract concept; it is guaranteed by the full participation of citizens in all public matters and through the satisfaction of the people's material and spiritual needs. Democracy is the government of the people, for the people and by the people. The Cuban people marches on in its revolutionary struggle to make democracy more profound and the people's participation more extensive.
- VI. We do not aim to portray a unanimity of opinion among Cubans; on the contrary, a broad range of different ideas and initiatives, and different ways to channel these, exist.
- VII. It has yet to be shown that a plutocratic and imperialist regime like the one in the United States can promote the democracy and human rights that it does not guarantee within its own borders to its own citizens, beyond those frontiers.
- VIII. The history of the Cuban people has been one of an unceasing battle to provide all human rights to all of its men, women and children. Perhaps no other people has had to sacrifice and suffer so much simply that its people may have the right to live in a free, independent and democratic country where justice and well-being prevail.
- IX. Cuba has had to battle against the obsessive attempts of successive US governments to create a fifth column of mercenaries in Cuba, which would serve its interests and facilitate the annexation of Cuba to the United States or at least serve as a pretext for a military invasion. Cuba will continue to unmask each and every of the anti-Cuban lies and false accusation concocted by the US government's infernal propaganda machine.

### CHAPTER 3: A PRODUCTIVE YEAR IN THE FACE OF SETBACKS AND CHALLENGES

During 2004, the Cuban people faced difficulties and challenges of various kinds and of exceptional magnitude. It is hard to image a scenario less propitious for progressing Cuba's plans for national development and security than that which prevailed during the last twelve months.

The more severely adverse influences included:

- ⇒ An active hurricane season marked by ten tropical storms and two hurricanes. These latter caused losses totalling 2,146 million pesos and damaged 100,266 homes, of which 5,360 were totally destroyed.
- ⇒ One of the worst droughts in living memory in the eastern provinces and Camagüey, which led to the loss of 28,160 hectares of crops and affected another 39,972 hectares. The corresponding financial loss in the year amounted to some 834 million pesos. The resulting emergency necessitated costly measures to ensure continuity of water supply to the major centres of population in Holguín, Las Tunas y Camagüey.<sup>2</sup>
- ⇒ Unpredictable breakdowns and vulnerabilities within the national electrical supply system resulted in a sharp drop in generating capacity, necessitating shutdowns at major industrial and service installations and more frequent interruptions in supply. The associated losses amounted to 200 million pesos.
- ⇒ Record prices in the international oil market, which touched \$56 a barrel and averaged over \$40.
- ⇒ Intensification of the Bush Administration's aggression towards Cuba. Absurd measures were adopted to sharpen the impact of the genocidal embargo imposed on the Cuban people. More explicit threats of direct military action led to increased spending on the country's defenses.

In the face of the many adversities, revolutionary Cuba again demonstrated its ability to rise above difficulties and limitations on resources, to undertake major programmes and even improve important indicators of its people's social and economic well-being.

General mobilization in response to the year's natural disasters involved absolute priority for saving lives and sought to protect essential material resources. Rehabilitation and recovery efforts were undertaken immediately.

Once again, revolutionary Cuba showed that in Cuba no-one is abandoned to their fate, even under conditions created by the worst disasters wreaked by nature or caused by Man. The sense of human solidarity that is deeply rooted in the Cuban character was especially apparent at the moments of greatest difficulty, when it was necessary to provide rapid aid to those hit by the fury of the hurricane winds and rain.

The same hurricanes which killed hundreds in the Caribbean and dozens in the United States, caused minimal human losses in Cuba, thanks to measures on a massive scale to prepare and mobilize, involving the entire population, under the guidance of the Civil Defense organisation, and to mass evacuations to safer areas in several provinces.

A set of measures based on experience obtained in dealing with the effects of these natural phenomena have placed the country in an even better position to react effectively to the exigencies and challenges of the next hurricane season. According to the forecasts, such tempests are set to worsen in frequency and intensity over the next few years. Since 2001, natural disasters of this kind have affected a total of 402,155 dwellings, including 45,198 which were totally destroyed.

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<sup>2</sup> According to National Statistical Office figures, as of 31<sup>st</sup> December 2003 the populations of these three cities were: Holguín 1,027,000, Las Tunas 529,200 and Camagüey 786,400.

During 2004, the Cuban state continued to focus on improving the dietary status of the population. The annual report of the UN's Food & Agriculture Organisation (FAO) published in December 2004, cited Cuba as the country that had made the most progress in Latin America in the campaign against malnutrition - despite the effects of a severe drought in various provinces and the hurricane-caused devastation of crops in some of the country's most productive agricultural areas.

Increases in agricultural output in both rural and urban areas and an upturn in food imports were associated with an average daily intake per capita of 3,305 kilocalories and 85.5 g of protein, exceeding the standard set by the FAO.

These are not abstract indicators or sterile statistical averages, as is the case in other societies characterized by inequalities of consumption. In Cuba, these figures are a reflection of the real effect of a school meal or snack provided free to 467,310 secondary-school pupils and 49,874 workers in this segment of the educational system; of special quotas to supplement the diets of low-income and the more vulnerable sections of society, including supplementary foods for 1,363,297 children under fifteen and for the over-60s in the eastern provinces; of the 444,019 quotas for expectant mothers, nursing mothers, the elderly and the disabled; of the supplements for 71,000 underweight or undersize children; of the extra food supplies to boroughs in the provinces of Pinar del Río and La Habana and the Isla de la Juventud, lashed by successive hurricanes, and the eastern provinces hit by drought; and of the provision of special diets for those with particular illnesses or conditions.

As regards economic performance, GDP grew by 5% in 2004, reaching 36,453 million pesos at constant prices. This was the product of enormous efforts by the Cuban people in difficult conditions, and showed the world how much can be done with scant resources, where these are used properly so as to meet the primary needs of the population and support development.

Of the 22 industrial sectors, 10 reported growth. The mining and non-ferrous metals industry increased output by 10.7%, while the electronics sector grew by 4%.

Sugar production was up by 14.4%, a performance accompanied by efficiency indicators that also improved on the previous year. The prospects for the present year are less encouraging however, due to the effects of the prolonged drought and other factors.

Output of nickel rose by 6.9%, while good prices were obtained in the international market. Cuba confirmed its position as the world's fifth-largest producer of the metal and holds reserves of nickel that are among the most substantial in the world.

The energy sector was again accorded priority status. Production of crude oil declined, while that of natural gas increased. Reflecting this situation, the proportion of total electricity generated using domestic crude declined to 81.7%, resulting in the need for increased fuel imports at high prices.

The volume of housebuilding remains unsatisfactory. Some 14,700 homes were completed during the year, including 8,000 built by the state. Conservation and refurbishment projects totalled 95,506.

In the transport sector, there were significant efforts to offset the restrictions on public transport by using alternative means. Given the difficulties faced by the railways and the trucking industry, financial and other resources have been committed to improve the situation.

Growth of 12.5% in the communications sector reflected a 58.5% increase in television-signal transmission power, coupled with the launch of a second educational TV channel.

The number of telephone lines in operation grew by 7.3%, while digitalization of the telephone system as a whole reached 84%. An additional 44,300 homes were connected to the electricity grid and progress was made in the national gasification programme.

2004 saw significant restructuring of Cuba's foreign trade. Changes included: a shakeup among the firms accredited in this connection; centralization of purchases of strategic goods; and review of the terms of trade with foreign firms, intermediaries and associations, aimed at maximizing efficiency. This process will be taken further during 2005.

Accompanied by an export promotion campaign and a search for the best market prices, these measures contributed to a 32.5% rise in exports, which passed the 2-billion dollar mark. Products whose export performance improved included nickel, lobsters, fruit juices, rum and honey.

Imports also grew, by 14.3%.

Tourism, the economy's most dynamic sector in recent years, grew by 7.6% in terms of the number of visitors, which reached 2.05 million. Revenues increased by 15%. These gains were achieved despite the measures adopted by the United States, imposing further restrictions on visits to Cuba by American citizens and US residents of Cuban origin, as well as the effects of natural disasters and interruptions to electricity supply during the second half of the year.

Structural and organizational changes within the sector, coupled with greater discipline and control, have led to improved efficiency and the identification of significant reserves, on which work is still underway.

All these economic advances were accompanied by the progress made in the fifth anniversary of the battle in the field of ideas being fought by our people. The associated programmes amount to a real revolution within the Revolution.

Important results were also achieved by Cuban athletes in the Athens Olympic Games in the summer of 2004. Cuba consolidated its position among the great sporting nations, finishing in an outstanding 11<sup>th</sup> place, having won 9 gold medals, 7 silver and 11 bronze.

2004 was marked by a sharp escalation of hostility towards the Cuban nation on the part of the United States. Two further attacks were launched on the national economy. The first was a set of additional restrictions on the sending of remittances and taking of trips to Cuba, involving arbitrary definitions of the classes of relative that may be visited or receive financial or other forms of aid (including medicines) from US residents of Cuban origin.

This perverse measure severely damaged personal and economic relations within Cuban families and confirmed the view that in pursuing its vindictive and aggressive policy towards the Cuban nation, Washington has no hesitation in overstepping the bounds of both rationality and humanity.

The second blow was the application of measures designed to prevent Cuba from depositing dollars - entirely legitimately earned from tourism and similar sources - in foreign banks, and using these for its international settlements. Washington threatened and fined foreign banks for their dealings in dollars with Cuba and unleashed an shameless campaign of lies about alleged Cuban participation in money-laundering operations.

The only significant effect of this hostile manoeuvre was to prompt a decision by Cuba to take the dollar out of circulation nationally, consolidate the convertible Cuban peso as the principal currency and confirm the country's monetary sovereignty. An operation was mounted to enable all citizens holding dollars to exchange these for convertible pesos - a large-scale exercise completed with great efficiency by the Cuban banking system, with the support, trust and understanding of the public.

The net result for the United States of its stratagem aimed at provoking a deep crisis in Cuba's financial reserves and purchasing power was pitiful. With the elimination of the dollar from circulation, they lost the weapon they planned to attack us with, while helping to bolster Banco Central de Cuba's capability for managing the money supply. They were also able to bear witness to the country's prestige abroad, reflected in the complete understanding and trust with which the decision to withdraw the dollar was received.

Economic growth is expected to be maintained during 2005 at a similar rate to that in the previous year; social and economic development are planned to continue.

Key forecasts for the present year include the following:

⇒ Upgrading of defense capability to meet a possible military intervention.

- ⇒ Maintenance of the dietary support system and a continued upward trend in consumer demand.
- ⇒ Guaranteed supply of fuels essential to the national economy and for consumer use; continued re-design of energy policy.
- ⇒ Continuity of support for the social programmes accompanying the Battle of Ideas.
- ⇒ Commitment of the resources needed to deal with any natural disasters that may occur.
- ⇒ Accelerated restructuring of national economic activity to reflect the country's needs.

As an expression of revolutionary Cuba's readiness to continue the process of improving its people's quality of life, keeping the human being as the focus of its strategy for development even in the most difficult times, the 2005 National Budget Law allocates 10.584 billion pesos, or 68% of total spending, to education, public health, social security and welfare, culture, sport and science and technology.

Cuba will be spending 4.117 billion pesos on continued implementation of educational programmes, 11.3% more than in 2004.

Keeping the ground gained in public health and funding new programmes in this sector involves planned expenditure of 2.355 billion pesos, up on the corresponding total for 2004 by 9.4%.

The total forecast for pensions under the social security and welfare system amounts to 2.306 billion pesos, higher than in 2004 by 7%. Given an estimated 1.680 billion pesos in contributions, the budget will need to cover a shortfall of 626 million (up by 6.6% on the corresponding estimate for 2004).

272 million pesos has been allocated to sports and related activities, both as practiced by our top athletes and those aimed at encouraging participation by the public at large. Funding for national competitions and international events in Cuba will be underwritten, as will that for participation by Cuban athletes in competitions abroad.

The sector representing science, technology and environmental matters will receive funding of 248 million pesos in 2005.

Increased budgets have been set for the defense and home affairs sector, with the aim of further upgrading the nation's defensive capability, given the imperative need for readiness to respond effectively to any act of aggression.

In 2000, a meeting at the UN of heads of state and of government adopted the Millennium Declaration, which set short-term goals for development. These included targets to be reached by the year 2015 in the fields of education, public health, nutrition and environmental protection and in other basic social indicators.

In a press interview in December 2004 to discuss progress on these goals, the UNICEF Regional Director for Latin America & the Caribbean commented that Cuba and Barbados were the only countries in the region making progress towards meeting these aims.

With honorable exceptions, Latin America's performance in matters of social development during 2004 was deplorable. Marked by neoliberalism, it remains the worst region in the world in terms of distribution of incomes, is burdened with a level of foreign debt (782 billion dollars) that involves constant re-negotiation by the countries concerned under the IMF rules and conditions, and has social indicators that include 60% of children living below the poverty line and 53 million starving inhabitants.

Latin America today is living proof of the bankruptcy of neoliberalism and of the need for true integration based on solidarity and cooperation that provide genuine mutual benefits to the participants

In this context, the Bolivarian Alternative for the Americas proposed by Venezuelan president Hugo Chávez, encapsulates the dream of integration and the ideals of the heroes of Latin America's historic struggles for independence. It is an alternative to Washington's plan for 'integrating' Latin America as an offshoot of the United States, through the operation of the FTAA mechanisms or bilateral free trade deals of a similar nature and with similar aims.



We are confident that *a Better World is Possible* and that this century will be the century of hope and of resurrection of the dream shared by Bolívar and Martí, of a Latin America revitalized in its struggle for democracy, for equitable development, for unity among its peoples, and for solidarity and social justice.

## **CHAPTER 4: EDUCATION -A REVOLUTION WITHIN A REVOLUTION. EDUCATION, CULTURE AND SPORT AT THE SERVICE OF ALL CUBANS**

Not even the most fanatical enemies of revolutionary Cuba have been able to deny what the statistics and the considerable benefits obtained by the Cuban people show for all to see: the dramatic progress, marked by conspicuous successes, in the guaranteeing of the economic, social and cultural rights of all Cubans.

Over forty years of revolutionary transformation have enabled Cuba to create the conditions for a more just, solidarity-promoting and equitable society, in which the human rights of every individual, without exception, are protected. And these gains have been achieved despite the enormous obstacles and other pernicious effects of the policy of hostility, embargo and aggression pursued by the United States towards the Cuban people.

### ***Education***

#### **The right of every Cuban**

One of the most conspicuous, extraordinary advances that have been made is undoubtedly the guaranteeing of the right to quality education for every Cuban.

Revolutionary Cuba has thus realized the maxim expounded by the national hero, José Martí: "To be educated is the best way to be free".

Cuba's education system seeks to inculcate in responsible citizens a sense of solidarity, respect for their peers, love and defense of peace and of human rights. It strives for the highest quality of teaching and the all-round education of the individual, while promoting respect for cultural identities and imparting principles and values conducive to solidarity, social justice, mutual respect, patriotism and a deep knowledge of humanity's historical, cultural and artistic heritage and of the customs of its peoples.

The present state of education in Cuba is a far cry from that of pre-revolutionary days. In 1953, over half a million children had no school to go to, while over two million people were (entirely or functionally) illiterate, out of a population of barely 6.5 million. At that time, secondary education was available to only half the relevant population, there were 10,000 teachers out of work, and some 550,000 children - nearly half the total in the age range 6-14 - were without schooling. The average educational level of the population over age 15 was below third grade.

On the strength of a massive campaign with grassroots participation during the early years following the revolutionary triumph, illiteracy was eradicated from Cuba. The conditions for quality education in terms of premises, teaching materials and staff were progressively organized, achieving total coverage by an entirely free system at the various educational levels - now including that of higher education, thanks to the ongoing process of open access to university studies.

Progress was also made in applying the principles of real justice to eligibility for the benefits and potential offered by education, with the aim of ensuring true equality of opportunity of access and of attaining predetermined goals. The approach also involved banishing forever the apparent fatalistic attitude of the past which regarded the opportunity to study, better oneself and get a university degree as being almost exclusively reserved for the sons of the well-heeled and well-connected.

Every effort has been made to ensure ready access to every level of education without discrimination on grounds of age, sex, skin color, family income level, religion, political opinion or ideas of the pupils or their relatives, or where they live. A system of special benefits was set up to ensure that children and young people from low-income homes would have equal opportunities for education at every level.

Cuba has surpassed by a wide margin UNESCO's targets in the field of education for the year 2015. UNESCO ranks Cuba fourth in the world for performance in the field of education.

The country is in the throes of a radical process of improvement in the education system, with the aim of responding rapidly to the needs and challenges posed by the Information Society that will prevail in the near future. A key objective is a high level of all-round education for every Cuban. At the same time,

this process is aims at meeting the strategic challenge of educating human beings who will embrace the principles of solidarity and internationalism, based on deeply humanist ethics, which underpin also his or her participation in the struggle against poverty, discrimination and injustice.

The revolutionary programmes in the field of education have enjoyed the all the material support the nation has been able to afford. The budget for 2005 approved by the Cuban parliament included 4.117 billion pesos for continued development of the education system. The item relating to education spending was 11.3% above actual expenditure in the previous year. Over 26% of the funding budgeted by the Cuban state for 2005 has been committed to finance activities associated with the education sector.

The expenditure budget allocated to the Ministry of Higher Education for the academic year 2003-04 exceeds the corresponding total for the year 1957-58 by a factor of 29.

### **Basic principles of education in Cuba**

- The principle of the universal nature of education and equality of access to it: Education is a right and a duty of every Cuban citizen.
- The principle of the linking of education to work: This is the linking of theory with practice, with the aim of creating a productive, creative mindset among children and young people, eliminating the prejudices associated with making a distinction between manual and intellectual work.
- The principle of democratic participation by society as a whole in the tasks of education: Regards society as a big school and education as a lifelong process. Requires the participation of the social and mass-membership organisations and NGOs in the educational process, in the framing of education strategy, in matters of control and in decision-making, in ways that extend to all levels of society.
- The principle of coeducation and of schools open to diversity: Men and women are guaranteed access to centres of learning in all the specializations and professions offered by the system. There is no discrimination on grounds of skin color, family income level or the political opinions or ideas of pupils or their relatives.
- The approach to gender: Observance of girls' and women's basic right of access to the education system, bearing in mind the importance of the mother's educational level in the education of her offspring.
- The principle of differentiated attention and educational integration: Attention is differentiated according to the needs and abilities of each pupil.
- The principle of no fees: Education is free at all levels.

### **A revolution within the Revolution**

Recent years have seen a true revolution in educational conceptions, organisation, foundations, methods and aids, in which intensive use of new technologies has been accompanied by promotion of a more pro-active role for teachers, who interact and involve themselves more directly and effectively with smaller groups of pupils, to deliver personalized education that reflects the special needs and characteristics of each pupil.

The process of improving the education system has also included upgrading the school environment and sanitary conditions, and extending education about AIDS, smoking and drug abuse. The quality and quantity of the curriculum items concerned with human rights have also been enhanced.

Training in new technologies has been expanded, as has access to these by all pupils, notably in the cases of communication and information technology. Development of an audiovisual programme that includes the use of videos and television in the classroom has enabled a wider spectrum of subjects to be addressed, added to the armoury of teaching aids and raised pupil attention levels. Televised classes, designed for children and young people in consultation with psychologists and educationalists, covering a variety of cultural, scientific, judicial and social themes, are broadcast throughout the school day.

The use of the mass media, VCRs and computers in teaching students of all ages in classrooms or at home - the work of two TV channels has been consolidated with programming designed for exclusively educational purposes - has had a major impact on teaching at the various levels. It has also fostered a culture of learning and self-improvement as a continuous process that should accompany the individual throughout the various stages of life.

The more humanistic initiatives have included development of the 'University of the Third Age', enabling large numbers of older people to return to the classroom. Some have been able to fulfill longstanding ambitions or realise the dreams of a lifetime. There are 636 branch colleges where such higher education is available and by the end of this course 30 000 will have already graduated from these colleges.

To cope with the demands of this sweeping and deeply humanistic revolution, the education system as a whole enjoys the commitment of over 310,000 schoolteachers and professors. Their numbers are set to rise even further over the next few years.

### **A qualitative leap in primary education**

The aim of differentiation in education, a prerequisite of the qualitative leap that the Cuban school system has resolved to make, is supported by a programme that ensures a maximum class size of 20 in primary education. This enables more effective instruction, personalized attention for each pupil and his or her family and a more all-round education.

The basic premises on which this programme rests include the following:

#### *- Refurbishment and extension of school buildings*

Of the 5,810 projects involving building, conversion or extension completed since 2000 up to November 2004, as part of the Battle of Ideas being fought by our people, 1,732 were in the education sector. 913 schools were refurbished and 32 new schools were built. Cuba now has 5,270 new classrooms.

No child has been left without a classroom. There are 1,000 classrooms in Cuba that are used by less than five children, and 93 with an attendance of one. Provision of electrical supply to schools in remote rural areas has been facilitated by the application of solar power. Solar panels have been installed in such areas to provide current to a total of 335 classrooms.

#### *- Redoubling of efforts to train graduate primary and kindergarten teachers, to promote 30 pre-university vocational teacher-training establishments and provide intensive short-courses for new teachers.*

In just three years, 44,979 new teachers and professors have been trained, equating to 11 graduations from the normal day courses of the teacher-training colleges between 1988 and 2000.

#### *- Introduction of audiovisual aids in all classrooms; teaching of computing from pre-school level onwards*

The relevant statistics include one television per classroom, one VCR per 100 pupils and 24,000 computers for primary education. These teaching aids enable the knowledge levels of our children to rise dramatically. Not a single child in Cuba has lacked access to these modern aids. Schools formerly without electricity now have solar panels to supply current to computers, televisions and VCRs.

Instruction in computing now begins at the pre-school stage. 12,958 teachers of basic computing, trained via intensive short courses, are now in the classrooms. All primary school teachers have attended training courses in this subject.

Children with special educational needs have also benefited from new, modern teaching aids. The first school for autistic children - whose disability is ignored in almost every other country - was opened two years ago

Children start learning English in the third grade, with video-based classes. They learn chess at school en masse and benefit from the work of cultural instructors. All receive art appreciation and promotion classes thanks to the graduation last October of the first 3,271 art instructors under the new scheme. The numbers of these will increase annually by that figure or above, while these teachers will work in community cultural and social institutions as well as in the education system.

Midday meals have been improved at the schools providing this service - the vast majority of those where this is needed.

There is systematic follow-up of all cases of children with signs of nutritional problems. A programme to check the weight and height of all children up to age 15 is currently underway.

A recently-completed comprehensive survey of the Cuban child population provided data on changes in variables such as nutritional status, schooling, the home and living conditions. The results are being applied in measures to improve differential work at the levels of the individual child, classroom, school, neighbourhood, borough and province.

The system of double classes has been consolidated, while the quality of the teaching process has improved significantly. Compared with four years ago, our primary schoolchildren now learn more math and Spanish by factors of 2.2 and 1.5 respectively; these statistics are set to improve even further, in step with the planned continued development of the system. Equality of genuine access to knowledge and other opportunities for mental and physical development for all children has been achieved, regardless of where they live, the color of their skin or their social origins.

The transformations in primary education have been realized with a modest investment of resources, which have been applied intelligently, based on a sense of equality and fairness and, most importantly, in ways that ensure the same opportunities for children everywhere.

### **Successful response to the challenge of secondary education**

Substantial changes have been made in the secondary school system, involving departures from former notions about teaching children and adolescents at the seventh, eighth and ninth grades. This educational level is in the throes of global crisis.

The approach and model introduced seek to establish a closer link between the teacher and the pupil, as a basis for personalized attention for pupils at the difficult stage of adolescence.

The concept of the comprehensive teacher, able to teach all the subjects studied at these levels (apart from foreign languages and physical education), who stays with the same group for three years under a system that limits class sizes to 15, represents a significant advance.

The comprehensive teacher is tutor, educator and individual coach for each pupil. The pupil is freed of the burden of an excessive number of teachers of different subjects, which militated against logical integration of the knowledge acquired. The teacher can focus on a small group of pupils, which enhances his or her educational influence - highly necessary at this decisive stage in life.

This revolutionary approach has resulted in a better relationship between the school and the family, enabling closer cooperation and even prompting changed attitudes and behavior on the part of many parents towards their children.

Changes introduced include the double session, strengthening of the teaching process with the training of new teachers and support in the form of large-scale deployment of visual aids.

Videos prepared by the nation's most distinguished educators form the basis of teaching in mathematics, Spanish, history, English and physics. These provide substantial support to the teacher's efforts and increase the quality and breadth of the material being taught.

More classes are being devoted to math, computing, Spanish and history. Pupils thus receive more information in these spheres and increase their relevant knowledge.

In support of the programme, 567 new classrooms were built at 98 schools, while a total of 4,000 teachers graduated from the colleges providing intensive short courses in comprehensive general teaching. The total number of teachers instructed in the new teaching concepts nation-wide amounted to 33,281.

The new art instructors are also providing their services at lower secondary schools, promoting culture and introducing to our young people the best of Cuban and world art and traditions.

Measures planned included providing snacks or midday meals for lower secondary pupils, to ensure they can cope with the double session system and to improve safety arrangements by not obliging pupils at this level to leave the school premises before the end of the school day.

Free snacks or midday meals are now being provided for 356,521 pupils and 49,874 workers at 761 urban lower-secondary schools

Another 10,854 pupils at 29 schools have yet to join the scheme. Taking account of the 110,789 pupils at boarding centres who receive all meals, plus the large group mentioned who attend urban schools, the proportion of the 474,392 lower-secondary pupils receiving snacks or a midday meal currently amounts to 98%.

In the case of advanced secondary education (tenth, eleventh and twelfth grades), both general and technical or professional, current thinking is that the principle of specialized attention means that a combination of specialized teachers will inevitably be needed.

A revolution underway in the computing colleges is described in the chapter on the 'Digital City'.

### **Special schools for all the handicapped and other children and adolescents with special needs**

Special education in Cuba dates back 40 years. A Department of Special Teaching was created in 1962 to provide for children with special educational needs in the best possible way, taking account of their individual abilities. The aim was to teach them self-sufficiency and equip them to lead active lives within society. Teaching of this kind was non-existent in pre-revolutionary Cuba.

Since 1962, special education in Cuba has evolved into a complete system that ensures all-round teaching, psychological, physical and medical attention for every child with special educational needs. These presently total in excess of 55,000.

Considerable advances have been made in studies and research into genetic diseases, with the aim of diagnosing these from an early age, supporting carriers and sufferers and developing means of breaking the chain in certain of the 80 illnesses of this kind.

Cuba produces specialized equipment for this task, including 'video-voz', MEDICID and NEURÓNICA equipment and, more recently, the AUDIC apparatus. These are valuable aids in this type of teaching. AUDIC technology has demonstrated its effectiveness in Colombia, Mexico and China, countries where it was possible to establish laboratories for early detection of hearing loss.

The programmes covering audiovisual aids and computing now also contribute to this teaching sphere, providing excellent teaching support.

The *Centro de Referencia Latinoamericano para la Educación Especial* (Latin American Centre of Reference for Special Education) has been present in Cuba since 1990. Similarly, teacher training in the field at graduate level has been introduced; over 10,000 professionals have successfully completed the programme.

Cuba has 428 special schools, to which the upper limit of 20 per class also applies. There are also kindergartens, special centres and hospital wards for children with special educational needs. Over 1,000 pupils are taught at home by visiting teachers.

Special education for the handicapped has enabled resolution of critical situations as regards the care of these citizens and relations with their families. It has created the conditions for alerting the latter to

the risks associated with hereditary disorders and has enabled 6,052 mothers - by paying them an allowance equal to the wages they would receive in a normal job - to devote all their time to looking after their seriously disabled children.

In 2003, the first psycho-social, psycho-pedagogic and clinical genetic study conducted at national level covered 366,864 people with motor, sensory, organic and other disabilities, including the mentally retarded. More than 30,000 scientists, professionals and administrative and support personnel participated.

On 5<sup>th</sup> August 2003, the new National Centre for Medical Genetics was opened.

### ***Improved methods of care for pupils with behavioural difficulties***

Pupils at the *Escuelas de Conducta* (behavior schools) are looked after by social workers, who are tasked with organizing action by the community to change the causes and conditions behind the social disadvantages and behavioral disorders among these adolescents.

These young people (16 and over) have also been in the midst of the transformations underway within the education system.

Social Workers Schools have been set up, from which 21,215 young people have already graduated, forming a considerable force for social support and solidarity which operates within almost all the nation's People's Councils. In 2000, social workers numbered a meager 795. Based on the application of new teaching concepts, a further 7,000 young people are trained every year, not only in the specialized schools but also in 'home-schools' in their own boroughs, with the aid of televisions, VCRs and computers, under the guidance of experienced teachers and with direct links to the social realities of their communities. On graduation, all social workers are guaranteed direct access to a range of university courses in subjects related to their multi-faceted profession.

Comprehensive further education courses have been developed for young people aged between 17 and 30, who have left the education system or are unemployed after having completed ninth grade. They receive an allowance appropriate to their age and circumstances, while obtaining an advanced, all-round education. More than 150,000 youngsters have benefited from the scheme so far. 48,406 who successfully completed the course have gone on to university, achieving highly satisfactory results.

### **Open access to higher education**

In Cuba, higher education has been transformed to place it at the service of the people. At this level in the system, the contribution of scientific research has been stepped up and postgraduate education has been consolidated.

Recent months have seen a profound revolution in this type of education, aimed at bringing the university even closer to the citizen. There are now university lecture rooms in every borough in the country, covering an increasingly wide range of specializations.

In this way, the dreamed-of goal of universal access to tertiary education is being realized, making it available to all the young people from the revolutionary social programmes and to the workers in general.

This programme has provided unprecedented opportunities for young people and their seniors who formerly had no prospect of a higher education and who now identify with the revolutionary aim of creating a comprehensive general culture for all citizens regardless of their occupation.

Benefits of these programmes include the largest higher-education enrollment in our history: 380,000 students, including 233,011 at the 938 university centres in the nation's 169 boroughs (supplementing Cuba's 64 existing universities).

A firm and committed response to the considerable need for qualified teaching personnel is being provided by the 65,427 lecturers and tutors participating in the open access programme, drawn from the army of over 700,000 professionals trained all over revolutionary Cuba.

Further evidence of Cuba's solid support for democratization of access to higher education is provided by the fact that over 50% of those enrolled on daytime courses are grant-aided students.

58.2% of the undergraduate population is female.

### **University of the Future: the Digital City**

The desire to establish centres of excellence in higher education prompted the setting up of the University of Computing Sciences, the first institution of its kind to emerge from the programmes associated with the Battle of Ideas being fought by our people.

The mission of this new seat of learning, which took the number of Cuba's higher-education establishments to 64, is to train professionals to a high level of scientific and technical competence. It is conceived as a support for the computerization of the country, for software development and for industrial services.

Its roll currently numbers 4,000 interns. The planned capacity of the Digital City is 10,000 students, while the annual intake is forecast at 2,000.

In less than three years the student population of this already prestigious institution - studying in a regime that adopts innovative concepts and revolutionary working methods - has grown to over 6,000, drawn from all over the country. They have quickly made substantial progress in teaching and in production activity. This new installation is staffed with over 300 highly-qualified professors chosen from 27 Cuban universities.

The spirit and concepts applied to the University of Computing Sciences are to be extended to the polytechnics in this field, which train nearly 40,000 technical personnel in programming and other computing specializations.

This plan for the computing polytechnics could be described as the latest of a series of programmes that constitute the social transformation encapsulated in the Battle of Ideas. The material and other resources needed in this connection will be provided.

Those engaged in science and technological development numbered 78,497 nationwide in 2003, representing a ratio of nearly 700 per 100,000 inhabitants. The total includes 6,965 holders of PhDs.

These revolutionary changes in the education sphere have been enormously significant for all Cuban families. The prospects for the advancement, security and physical and mental development of their children, without exception, have been much enhanced.

The revolution now in progress in Cuba's education sector represents the main guarantee of a society increasingly marked by justice, solidarity and equity.

## **Culture**

### **Transformations and planned perspectives in the cultural sphere**

The ongoing process of radical change in the education sector has spread into the sphere of art and - in its widest sense - culture.

In remote hamlets with no electricity, solar-panel technology has been applied to power 905 'television rooms', enabling information, recreation and access to and enjoyment of educational, cultural and recreational programmes by over half a million Cubans living in these sole remaining areas where the service is otherwise unavailable.

Following expansion of the *Joven Club* scheme to 300 centres, the number of Cubans trained in computing techniques reached 436,753 since early April 2001 (when the new installations became operational and the number of computers allocated to the scheme rose to 3,000). The programme is



undergoing another phase of expansion, with the addition of a further 300 centres, of which 100 have been completed.

The annual book fairs have become a special treat for Cuban families. In 2002, they expanded from their traditional site in Havana to 19 provincial cities, and then to 34 with the fair's February 2005 edition. In the period 2002 - 2004, this cultural event attracted 9.5 million people. Sales in those three years at modest prices - far below those in any other country in the world - totalled over 15 million books.

The Family Library contributed to the Cuban public's access to the best of Cuban and world literature, at affordable cost. 100,000 collections of 25 titles were produced. A second collection extending the range of the Family Library has completed the final publishing stage.

Two new, modern, high-capacity presses have been acquired; one is in full operation, while the second is being commissioned. Funds have been made available for repairing and modernizing all the equipment operated by Unión Poligráfica Nacional.

The TV-based Open University, which was founded on 2<sup>nd</sup> October 2000, uses as teaching support lectures given by distinguished figures from the spheres of education, science, sport, art and culture, among others. It has become Cuba's largest and most eclectic university. A total of 43 courses have been staged, representing 721,000 hours of content. Six courses are being broadcast at present. Participating lecturers on past and present courses have totaled 775, including 265 with doctorates and 134 with master's degrees.

In just a year and a half, over 25 million teaching video cassettes have been produced, and a new production plant for these is being built.

Agreements reached with China involve the purchase of 100,000 computers annually, destined basically for teaching purposes (including adult education) and for advanced technical training among the large and growing number of senior technical and professional personnel nationwide.

The day of mass use of computing for world-wide dialogue is not far off. And no ethnic group has more to say or a better preparation for the purpose than the Cuban people, given its political culture and increasing efforts to master English and other foreign languages.

The first million television sets purchased from the People's Republic of China enabled the acquisition by a further 827,322 families of a high-quality, 21-inch color TV. This has a substantial and wide-ranging impact on the level of information and culture, and the scope for entertainment, among the Cuban people. The rest of the television sets were allocated to education, public health and similar services, including 80,000 used in the field of international cooperation. Another 300,000 21-inch sets are currently arriving from China. Also, some tens of thousands of 29-inch receivers, used for teaching purposes, have been purchased from other countries.

109,117 televisions and 40,858 VCRs are deployed in the classrooms of the education system and are proving to be excellent teaching aids.

The two new educational television channels that complement the *Cubavisión* and *TeleRebelde* channels, broadcast every week 394 hours of educational programming to all the provincial capitals and cities and much of the rest of the country. Their output accounts for 62.7% of national television broadcasting. 247 hours of the total mentioned are transmissions supporting the educational curriculum. Educational programming via these two channels amounts to 15-20 hours per day.

Over the last five years, production of books, newsletters, leaflets and other printed matter for the various programmes and missions has totaled 457,840,862 items, including:

- 41,025,778 books, newsletters and leaflets for the teacher training programme
- 15,979,198 books for the annual book fair
- 35,371,157 newsletters relating to televised round-table discussions
- 15,905,758 pamphlets produced by the 'Open University'.

In 1999, there were only eight colleges of art in Cuba. This form of education has now been extended to all the provinces, via schools of this kind in 17 cities. Apart from the recent construction of several such schools, major refurbishment has been carried out at premises in Trinidad and at the emblematic San Alejandro school in Havana.

Enrolment at the new National Ballet School (capacity 300 students) has been opened to candidates from all over the country.

There are now 4,021 children from every Havana borough attending twice-weekly at vocational workshops at the National Ballet School. Other schools of dance organize similar activities.

6,789 public and school libraries received collections of encyclopedias, dictionaries, atlases and other books to replenish their stocks.

2,365,234 children and young people received books as prizes on completing their course of study.

### **Cuba safeguards and promotes its cultural heritage, the nation's guarantee of sovereignty in a globalized world**

Culture and science in all their manifestations are fostered and promoted in Cuba, as are freedom of artistic creation, the defense of Cuban cultural identity and conservation of the nation's cultural heritage and artistic and historical wealth,

Culture in Cuba is also a popular phenomenon, which offers equal opportunities to every citizen for developing his or her full potential. The government sees culture as a mainstay of development, based on the spiritual, creative, emotional, moral and ethical richness which it lends to society and the nation's material and intangible heritage.

This conviction has led to promotion of the most diverse expressions of artistic, cultural and intellectual talent, an effort that has been accelerated in recent years via programmes developed with the aim of fostering a comprehensive general culture among all Cuba's men and women.

Since the time of the national literacy campaign in the early days of revolutionary Cuba, the conditions have been created for deeply-rooted cultural development, involving the founding to this end of important institutions. These initiatives included establishing: a national publishing system, which has promoted books and reading among the masses; a system of instruction in the arts at the highest level, with deep community roots; a system of local cultural institutions; institutes and other national bodies tasked with promoting the various branches of art.

A succession of progressively larger budgets for culture has reflected the high priority accorded to development in this sphere. The amount set aside for such purposes in 2004 was 552 million pesos, compared with 102 million in 1997.

The priorities currently defined by the Ministry of Culture and its provincial and municipal branches include:

- Creation and promotion of art and literature nationwide; participation by creative people in the life of the relevant institutions.
- Design and implementation of a wide range of quality cultural programmes in close consultation with national, provincial and municipal institutions, with the aim of meeting growing popular demand.
- Enhancement, preservation and dissemination of the cultural heritage.
- Fostering the work of cultural institutions within the community, with the participation of the various social forces that support community efforts in the cultural sphere.
- Focusing on the system of instruction in the arts and general development of the personnel concerned.

- Introduction and application of new information and communications technologies to the development and dissemination of culture.
- Maintaining good relations with the media, as one of the basic channels for informing the public and educating public taste.
- Promoting Cuban culture in the world at large.
- Encouraging production and marketing of culture-related goods and services.

### **Development of cultural institutions within the boroughs**

Cuba now boasts an extensive network of cultural institutions throughout the country. The vast majority of these are dedicated to the provision of basic services. They include 370 bookstores, 23 centres for Cuban 'trova' folk music, 239 'video rooms', 400 public libraries, 290 museums and two circuses.

An art-lovers' movement is developing, based on the 324 cultural centres ('Casas de Cultura'), which now have combined memberships of around 100,000.

Over 2,200 professional promoters of culture were practicing in 2004, at people's councils, in districts and other centres of population. In the period 1995-2002, 410 promoters completed training courses specifically designed for these purposes. Those enrolled for the 2003-04 academic year numbered 3,654, including 1,874 who had gone on from comprehensive further education for the young unemployed.

### **An unprecedented explosion in the teaching of the arts**

The foundation in 1962 of the National School of the Arts marked the beginning of one of revolutionary Cuba's most noble and important enterprises: the creation of the system of instruction in the arts. This educational programme has attained international recognition for the high quality of its graduates and for the originality of its conception, study programme, teaching staff and technical-artistic rigor.

Cuba currently has 20 basic-level colleges in the arts sector, 29 mid-professional level colleges and 15 centres for training young people whose talent for instruction has emerged thanks to the boost that has been given to this branch of education. Cuba's cultural successes are founded on a structure for instruction in the arts whose apex is the Higher Institute of Art (ISA). This seat of learning is a jewel of Cuban artistic culture; work is currently at the final stages on a major refurbishment of its premises.

Related measures include: the building of a new arts college in Bayamo with capacity for 500 students; the introduction of a school for training musical bands; the ongoing repair of 21 schools of various branches of creative activity.

A factor that has had a major impact on the Cuban arts education scene has been the high priority given to the new arts-sector teacher-training schools. There are fifteen of these nation-wide - one in each province and one on the Isla de la Juventud.

In 2000, when these centres were set up, the forecasts were for around 30,000 graduations by art instructors over the ensuing ten years. Today, the student roll totals 16,168, including 4,535 specializing in music, 4,202 in painting and sculpture, 3,692 in theater and 3,739 in dance. The first course was attended by 4,086 students while the total intake has reached 20,235. The initial staff of 1,111 professors compares with the current total of 2,852, including 715 providing general education and 2,137 specializing in particular branches of the arts. The latter have been drawn from various institutions and groupings within the culture system.

As mentioned earlier, 3,271 of the 4,086 students enrolled on the first course graduated in October 2004. They were awarded the title of Bachelor of the Humanities and Instructor in Musical, Visual, Theatrical or Terpsichorean Arts, having followed a course amounting to 7,000 hours in the case of music, 7,320 hours for the visual arts, 6,840 hours for theatre and 7,000 hours in the case of dance. In addition to knowledge of their specialty, each had acquired a wide-ranging familiarity with the other branches of the arts (including literature) as well as Cuban and world history.

Women outnumbered men among the graduates (accounting for 62.09% against 37.9%).

The new instructors took up posts in primary, secondary and special schools throughout the country. The actions to be developed in these educational establishments include staging creative and art-appreciation workshops involving all pupils, work with creative groups and art-lovers' associations, technical and methodological training of teaching staff, promotion of artistic culture in the school concerned and enhancement of the school environment.

Graduates from the colleges of art are entitled to go on to any of the specializations and similar courses in the humanities or the specializations and similar courses offered by the higher institutes of teacher training. In higher education, a bachelors degree in education, specialty Art Instructor, is now offered under a joint programme between the ministries of Education, Culture and Higher Education. Students currently following the course include 1,476 graduate instructors, some 45.5% of the total enrolments.

An important role is also played by the existing 2,531 art instructors who have been exercising their profession for many years.

Enrolments in the colleges of the arts amount to 10,722, compared with 5,978 in the academic year 1992-93. Thus, together with the 16,168 students at the arts-instructor training establishments, a total of 26,890 young people are set to enhance the creative and educational dimensions of the Cuban people's cultural-artistic preparation.

This process of upgrading the nation's cultural development has led to consolidated efforts to provide all Cubans with every possible opportunity to become a person of culture as defined by the high standards set by Cuban society.

In the words of Cuba's Minister of Culture, Comrade Abel Prieto: "A cultured person nowadays is someone who has very solid cultural references and hierarchies, such that they cannot be deceived with fireworks or false idols; at the same time, it's someone who resists attempts to undermine their identity, their memory, someone who cannot be hypnotized or manipulated. It should be someone who understands the root of the contemporary world's problems, well versed in its traditions and history and with a determinedly universal vocation"

### **The use of information technology in socio-cultural development**

With its cultural development strategy based on community participation and fairness, Cuba has started to apply measures that turn information and communications technologies (ICTs) into tools of socio-cultural change.

As mentioned earlier, audiovisual aids and computers support teaching activity in all Cuban schools, including those in rural areas. As also previously stated, over 40,000 students are enrolled on programming and other technical courses in the field of computing. Creative use, aimed at securing maximum social benefit, is made of the Internet and other ICTs.

Cuba's late access to the internet resulted from a ban imposed by the United States until May 1994 on access by Cubans to websites. As is widely known, the administration of the Internet is subordinated to the US authorities, while the network itself is registered under American law.

As soon as it became possible to access the "network of networks", Cuba invested great efforts in exploiting it intensively, prioritizing access for social, scientific, cultural, academic and research purposes.

Internet access is made available at social, educational, cultural, academic, artistic and other establishments, in specialized or community contexts, to artists, intellectuals, writers and other creative Cubans.

Despite these efforts, the present connection does not provide the bandwidth needed to meet national demand. The US embargo obliges Cuba to use a satellite connection, which is both very expensive and

more prone to interruption. The problem could be solved by the use of the network of undersea cables that skirt the island, were it not for the opposition of the US authorities.

Cuba's ability to obtain Internet connection at a given speed with a given number of channels and providers does not depend on the will of the Cuban government - or even on whether it can afford the high fees involved. Every time Cuba attempts to add another Internet channel, the American firm concerned has to apply to the US Treasury Department for the appropriate license. Any US company prepared to provide a new service channel for Cuba, or to raise the connection speed on an existing link, must obtain a specific license for the purpose.

## **Sport**

### **A right of the people**

A guarantee of the ability to practice sport as a right of every citizen is another of revolutionary Cuba's more significant successes in the field of human rights.

Before 1959, sporting activity was an exclusive pastime, restricted to those able to pay the fees of private clubs, to which the public were not admitted. Only 15,000 people practiced sport under the auspices of the sports associations. Sporting activity made a minimal contribution to all-round development of the individual.

Nowadays, 30% of the population has achieved optimal physical fitness as a result of extending this practice nationwide. An important role in achieving the benefits has been played by physical education within the national education system. Some 300,000 pupils are enrolled in school sports programmes covering a total of 29 sports.

Free participation in sport is available to the entire population. Cuba is the only country in the world employing specialized physical education teachers who work with all pupils from first to sixth grade.

The extensive coverage of Cuba's sports education has depended largely on the work of specialized physical education teachers. Revolutionary Cuba has trained 52,314 specialists of this kind, the vast majority of whom are still providing their invaluable services. In the last two and a half years alone, 16,400 instructors have been trained, via revolutionary methods of rapid training; another 5,570 will complete the course in February 2005.

These statistics contrast sharply with those for 1959, when there were only around 800 such teachers, who provided their services to just 2% of the school population.

There are currently 31,300 students following first-degree courses in the subject. Following the introduction of open access to undergraduate studies generally, the number of centres offering such courses now numbers 240 nationwide. The relevant student population includes 370 convicts, who are following the course in 17 of Cuba's prisons.

The sports teaching system is supported by a Physical Education Faculty in each province, a national Physical Education Institute, physical education teacher-training colleges and an International School of Physical & Sports Education.

As part of the changes introduced in sports training, refurbishment work is currently underway on 15 Sports Initiation Schools (EIDEs) while a further two such schools are being built, in Guantánamo and Granma, neither of which provinces has ever before had such a centre. These schools are attended by primary- and secondary-school children who have done well in their physical education classes or inter-school championships. They take the same subjects as those taught in the other secondary schools, with extended time for physical education to develop their particular abilities.

Other plans include renovation of the Higher Schools for Athletes (ESPAs), attended by adolescents who have performed well at their EIDE and progress to the stage of refining their specialized technical skills. There is an ESPA in every province; they are attended by high-performing sportsmen and women from all over the country. These two types of school are the base of the pyramid of Cuba's high-performing athletes. Together with some 87 provincial sports academies, they provide the talents that

will represent the country at the various international sporting events. The most specialized and intensive training of the nation's top sportsmen and women is carried out at three 'High-Performance Centres'.

The basic schools are fully equipped with sports installations as officially prescribed. Work is being completed at certain of the EIDE's that lacked gymnasiums, indoor playing surfaces, running tracks and cycle tracks, while the swimming pool complexes at all these centres will be completed. The sports education system will be equipped with first-class centres.

Recovery operations do not stop there, however: there is a nationwide campaign to recover, improve, exploit, conserve and maintain our sports facilities. In 2003, 1,901 sports centres were renovated, including 370 covered halls. 100 new judo areas and a similar number of wrestling rings, fully equipped, will shortly be ready. 67 stadiums have been renovated.

The National Baseball Series, the championship of Cuba's principal sport, involved 103 boroughs in 2003, while the total is now 150. The country has 1,051 floodlit grounds for nocturnal sporting events.

Substantial investments in sports equipment (boxing gloves, gauntlets, balls for soccer, volleyball, handball, water polo and baseball, etc.) have aimed at ensuring the revival of our main gymnasiums and sports centres. It has also even proved possible to source most of these (generally expensive) items from the domestic sports industry. Sales by the latter totalled five million dollars in 2004, compared with 32,000 dollars in 1998.

On the strength of the guaranteed right of sport for all, Cuba has achieved considerable distinction at international level with its performances at the Olympic Games and at continental and regional events. During the 1990s, the country maintained an Olympic ranking among the top ten and won a highly-creditable 11<sup>th</sup> place at the latest edition of the Games, in Athens.

The 65 gold medals won in its Olympic history place Cuba among an elite of some 15 nations which have achieved that many first places. The country is the only Third-World nation in the privileged group mentioned. And it is, of course, the only country to have managed the feat under conditions of constant embargo, siege and other hostilities inflicted by the United States.

Cuba's entire tally of Olympic medals (gold, silver and bronze) numbers 170, a total achieved by only two dozen-odd countries (none a developing nation) out of the 202 represented on the International Olympic Committee.

### ***International Cooperation***

In spite of the obstacles and restrictions placed in its way, Cuba has taken steps to share the benefits of its modest gains in fields that include education, public health and sport, with others of the world's peoples. Cuban specialists disinterestedly contribute their knowledge and efforts, inspired by the doctrine 'Homeland is Humanity' promulgated by José Martí.

Revolutionary Cuba has prioritized, within its education and value-forming process, the promotion of convictions of solidarity and internationalism among all its people.

Over 42,000 young people from Third-World nations have studied in Cuba with the aid of grants. Tens of thousands are now undergoing training at the Latin American School of Medical Sciences, the International School of Physical & Sports Education and in colleges and higher-education centres all over the country. Currently, 16,000 youngsters from over 110 countries are studying in various specialties in Cuba, the majority at the higher level. Around 3,000 new grant-aided students from over 100 countries will be arriving in Cuba for courses commencing in the academic year 2005-6.

Cuba has similarly offered 2,000 annual grants to young Venezuelans, to enable these to follow advanced studies in any subject of interest to their nation, including those involving scientific research. Cuba has also undertaken to contribute to the training of over 20,000 doctors for deployment in the Venezuelan public health system.

Similar commitments include an annual grants programme with UNESCO, to be implemented as from March 2005. It focuses initially on African countries, but may be expanded later to other parts of the

world. The cost of the scheme is estimated at around \$500,000, Cuba covering the costs of enrolment, study, accommodation and medical services.

On the strength of the advances achieved through Cuba's programmes for education supported by audiovisual aids, the Cuban president has proposed a general literacy programme that would, over a 12-year period, enable 1.5 billion illiterate and semi-illiterate people worldwide to learn to read and write and complete their schooling to sixth-grade level.

Cuba would contribute the key technology and specialists required. The cost of the scheme would be trivial in relation to the world's annual financial flows: no more than 0.01% of the combined GDP's of the OECD nations. The sum involved would be far less than the 1,000 billion spent annually on commercial advertising, or the 800 billion dollars in defense spending, or the 400 billion absorbed by the purchase of illegal drugs.

Under a resolution of the UNESCO Executive Board, Cuba organized the first World Congress on Literacy on 31<sup>st</sup> January-4<sup>th</sup> February 2005. One of the issues highlighted at this gathering was Cuba's cooperation with 19 nations in the Americas, Africa and Oceania on literacy programmes, including valuable experience in Venezuela, where 1,371,595 people were taught to read and write in less than eighteen months.

Also noted was the contribution of the teaching and follow-up methods developed by Cuba with the aid of radio, television and videotape. These enabled elementary and secondary education to reach large numbers of people at a modest cost in human and material resources. The methods concerned - such as '*Yo si puedo*' ('Sure I can') and '*Yo si puedo seguir*' ('I can keep going') are highly appropriate for hundreds of millions of illiterate people, notably among older adults, indigenous black populations, women in rural areas and in the more inhospitable geographic zones, primarily in the developing countries.

Other aspects of Cuba's international cooperation include the admission of foreign students to the International School of Physical & Sports Education, opened in 2001. This higher-education centre currently accommodates 1,409 young people from 74 nations in Africa, Asia, Latin America and the Caribbean.

Between 1995 and 2004, over 10,000 Cuban sports co-workers provided their services in 97 countries. To quote a single example, at the Sydney Olympics, dozens of Cuban trainers accompanied foreign teams.

Today, there is more need than ever for solidarity and cooperation, if we really mean to remedy the current situation in which over 120 million children (one in five of school age) gets no primary schooling. This is a basic premise for meeting the goal identified at the Millennium summit, of universal primary education worldwide by 2015. Without urgent action, it will also be impossible to reduce the massive number (876 million) of the world's illiterates, or to alleviate others of the many ills suffered by a significant proportion of the developing world's population.

Cuba will continue to share its knowledge and experience with sister nations, without seeking economic benefit from the joint efforts undertaken in the process. Cuba is convinced that humanistic and internationalist solidarity are prerequisites for the development - and indeed the survival - of civilization.

## **CHAPTER 5: A HEALTH SYSTEM THAT IS INCREASINGLY EFFECTIVE, ACCESSIBLE AND ADAPTED TO THE NEEDS OF EVERY CUBAN**

In the wake of Cuba's revolutionary victory, the guarantee of free medical care for the entire population became one of the basic social paradigms.

Before the Revolution, hospital care and other forms of medical attention were marked by the predominance of private and insurance-based services. Health sector establishments and personnel were largely concentrated in the national capital (65% of the doctors and 62% of hospital beds). In the rural areas, which accounted for around half the population, there was virtually no medical care; there was just one rural hospital, with only ten beds and no doctor.

High incidences of parasite infestations (36.10%), tuberculosis (13.99%), typhus (13.25%) and malaria (30.03%) were accompanied by an infant mortality rate of over 70 per 1,000 live births. Life expectancy at birth was a bare 58 years. The state health service was inadequate; only 8% of the population got free medical care.

The Cuban health service improved dramatically after the Revolution, in stages:

- 1960: Setting up of the national health system. Creation of a rural medical service. Establishment of health areas and clinics. Vaccination with community participation.
- 1970: Devolution of education and the health sector to the provincial governments. Launch of the 'Mother & Child' programme.
- 1980: Inception of the 'Family Doctor' programme. Introduction of advanced technology. Accelerated development of the medical/drugs industry.
- 1990: Inception and development of scientific and technological breakthroughs. Confrontation of the double impact of the US embargo and the collapse of Eastern European socialism and the Soviet Union.
- 2000: Stage of consolidation, reform and modernization of the system. Increased community participation in health management and programmes.
- 2002 to date. New programmes building on the advances in medical care achieved. Programmes currently underway number twelve.

Cuba's results in the healthcare sphere have meant compliance with the 'Health For All' criteria set by the World Health Organisation (WHO) since as early as 1983.

The more significant achievements in the field of public health in Cuba over the last decade include the following::

- 67% of the drugs used are produced domestically.
- Programme for prenatal diagnosis of congenital disorders, which has prevented the births of over 4,000 children with congenital malformations.
- Medical genetics programme to reduce Dawn Syndrome and other diseases.
- Improvement of prenatal, pediatric and adult intensive therapy.
- Increase in organ transplants.
- Obtaining of the anti-meningococcal Group B virus, unique in the world.
- Preparation of a vaccine against hepatitis B.



- Obtaining of PPG (ateromixol), preferred therapy for high cholesterol, a principal coronary risk factor.
- Reduction in advanced-stage cancer cases and increase in survival rate. Obtaining of monoclonal antibodies for treatment of cancer. Preparation of vaccination products against the disease.
- More accurate classification of leukemia and its treatment.
- Cure or containment of pigmentary retinosis.
- Obtaining of melagenin, a drug produced from human placenta for treating leukoderma.
- Production of high quality, low-cost medicines.
- Production of 'Neuronic' equipment (for intra-operative monitoring), 'Medicid' equipment (digital encephalography), Ozomed equipment (ozone therapy) and the SUMA (ultra-microanalytical system).

In Cuba, when citizens enter hospital, nobody asks how much they earn, or whether they have medical insurance or a credit card. They are not required to produce a voting card or declare their political affiliations before they can receive care of the quality they need.

Neither do they have to travel large distances to obtain the service, nor pay exorbitant prices for medicines, or accept negligent treatment provided in a humiliating way as public charity.

For all these reasons, Cubans have no hesitation in saying that there is no other country in the world whose health system more consistently than that of Cuba adopts an approach marked by prevention, effective equality of access coupled with quality and positive health. An important battle is being fought on the health front, through both investment and drug manufacture, as well as the raising of medical services to standards of excellence, to reach the demanding goals we have set ourselves.

The conjunction of these factors, feasible uniquely under socialism, is the only possible explanation for the high performance indicators - comparable with those of the most advanced nations - associated with the service.

To maintain the achievements in public health and support new programmes designed to continue raising the quality of medical services, in the national budget for 2005 some 2,355 million pesos have been allocated to the service, 9.4% more than in the previous year.

The system's human resources include 68,927 doctors, as well as 149,708 nursing and technical staff. This vast potential, a product of the Revolution, has provided great benefits for our development and the quality of life of our people.

The biotechnology industry -of which the country is justly proud and which exemplifies how a small country with tenacity and an intelligent strategy can establish centres of scientific excellence - increased its exports and introduced new manufacturing technologies and medicaments. Twenty investment projects have been completed in this sector, increasing its capacity for industrial production.

New medicines launched in 2004 included:

- The Hemophilus vaccine
- The quadruple DPT-hepatitis vaccine
- Over 20 pharmaceutical generics, including three for treating AIDS.
- Innovative drugs for treating cancer, including a Cuban therapeutic vaccine against lung cancer. In this latter case, the design of the vaccine production plant, its construction and operation are 100% Cuban.

An important and highly-symbolic aspect is an agreement between the Molecular Immunology Centre and the US CANCERVAX firm for developing and producing anti-cancer vaccines based on scientific research at the Cuban centre. Only the high quality of the Molecular Immunology Centre's work and the prestige won by Cuban scientists can explain the fact that an American firm fought its way through the jungle of red tape and other obstacles created by the US authorities to complicate relations with Cuban institutions, in order to bring about this scientific-technical transfer in reverse. Unlike the usual pattern where less developed countries confine themselves to the role of passive recipients of technologies created by developed nations, in this case the technology originated in the small country and does not involve a brain drain or other one-sided means of knowledge appropriation.

### ***The main public health strategies***

#### **1. Realignment of the health system in favour of primary care and its cornerstone, the family medical practice**

Cuba's family doctor programme involves 381 health areas, covering the entire country and employing 32,921 doctors. At present, coverage by the family medical practice (doctor and nurse) system amounts to 99.2% of the population and is planned to reach 100% within the next few years. Maintaining a high level of medical care has been a target and strategic objective for the whole of Cuban society and the government.

Similarly, clinics were established as the first link in a public health chain rated by the WHO from 1997 onwards as one of the 28 most complete health services on the planet.

In 2004, an investment programme affecting the 444 existing clinics was planned; remodeling was completed on 109 of these and work was in progress at another 32. Similarly, services at these installations have been upgraded and augmented with the introduction of ultrasound, endoscopy, cardiology, life support, biliary drainage, comprehensive laboratory, child-allergy consultation, optometry, ophthalmology, stomatology and traumatology services, among others.

Changes have been made under a strategy aimed at moving medical care closer to where people live, while upgrading emergency services and aligning all services more closely to the nation's health pattern. Hemodialysis treatment has been expanded with the opening of 24 new installations, while 500 new ambulances will enter service during the next few months. In those boroughs without surgical hospitals, 118 intensive-care units have been opened, a measure that has saved many lives in remote parts of the country.

Other measures have included the opening of 88 optician's and 217 physiotherapy units, a service planned for extension to all clinics nation-wide during 2005.

#### **2. Revitalization of hospital care**

During the 1980s, the country dedicated great efforts to extending and modernizing the hospital services network, involving expansion of coverage and improvements in accessibility, capacity and comfort, as well as introducing state-of-the-art technology. Although considerable progress was made, the programme was cut short by the inception of stringent economic measures (the 'Special Period'). The enterprise is now being resumed, with renewed enthusiasm and more ambitious objectives. Cuba now has 267 hospitals and 55,428 hospital beds, representing a ratio of 4.9 beds per 1,000 inhabitants.

2004 saw the start of work on repairing and modernizing 35 large hospitals, aimed at providing excellent service to the public together with extra capacity for the health-related tourism activity, making the latter more sustainable and progressive.

#### **3. State-of-the-art technology programmes and research centres**

Cuba has set in motion a series of primary care programmes to ensure continuity of health services to the public. These include programmes for: cancer prevention, diagnosis and treatment; care of patients with renal insufficiency; cardiology centres; early diagnosis of congenital disorders; comprehensive prenatal services; blood donation and blood-derivatives production.

#### **4. 'Genetics & the disabled' programme**

This programme is staffed by 406 experts qualified as Masters of Genetic Counseling. Their mission includes advising sufferers from genetic diseases or congenital defects and working on prenatal and neonatal investigation programmes, as well as defining the clinical signs of specific genetic disorders among the members of a given family.

Based on an existing network that extends to the boroughs, Cuba is in a position to carry out complete epidemiological investigations, enabling identification of the incidence of genetic diseases (including the rarest) and use the results as the basis for action by the relevant agencies. The types of checks and surveys undertaken can be increased, while the specialty is well-placed to assimilate new technologies

#### **5. Medical training & internationalist aid**

In 1959, there was one medical school and one dental school in Cuba; now there are four higher institutes of medical science, 21 faculties of medical science and four of stomatology, plus over 50 medical colleges including 15 dedicated to the nursing profession. Most hospitals are teaching centres or medical science faculties. Thanks to the development of this educational infrastructure, Cuba now has 68,927 doctors and 149,708 nurses and technical personnel.

At time of the Revolution (1959), Cuba's doctors numbered 6,000, of whom 3,000 emigrated during the next few years to the United States, enticed away by Washington's blandishments designed to cripple Cuba's health services,

During 2005, the student roll at the Latin American School of Medical Sciences (ELAM) is expected to reach 10,000, including Latin American candidates representing some 66 ethnic groups and indigenous peoples, from remote corners of the globe that lack medical services. This year will see the graduation from ELAM of the first 1,500 doctors, who have undertaken to return to their countries of origin on completion of their training. Some hundreds of young people from the Caribbean and Africa are also undergoing medical training in Cuba.

The solidarity of the Cuban people in matters of health is not confined to training foreign students on Cuban soil. Since 24<sup>th</sup> May 1963 and the inception of medical cooperation in Algeria, the solidarity and humanism of this programme has spread all over the world.

There are currently 23,262 Cuban medical co-workers deployed in 69 countries. Also, the Comprehensive Health Programme(PIS) has been applied, to the satisfaction of the governments concerned and of the public directly benefiting from this system. It is being practiced by 2,838 of the Cuban co-workers (2,201 doctors and 537 technical personnel) in 24 countries.<sup>3</sup>

Within the PIS framework, three-way cooperation projects have been mounted with various countries. The programme is supported by 95 NGOs from various parts of the world, as well as PAHO/WHO, UNDP, UNICEF and other international agencies, whose aid in the form of money and medical equipment and supplies goes directly to the countries or places where the Cuban medical co-workers are based.

The Cuban medical teams undertake such tasks with enthusiasm and conviction. They have demonstrated this in the Sahara Desert, in the mountains of Guatemala, in the heights of Venezuela, in African villages and, more recently, in various Asian countries affected by the tsunami.

This approach has marked the care of Tsunami victims in Sri Lanka and Indonesia. The team that travelled to Indonesia comprised 23 members and was accompanied by a modest 9 tons of medicines and medical and sanitary equipment.

Also, based on experience at home in epidemiological control of HIV/AIDS and the availability in Cuba of personnel trained in the care of sufferers in this pandemic, at the UN General Assembly Special

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<sup>3</sup> As of December 2004.

Session on HIV/AIDS held in New York on 25<sup>th</sup>-27<sup>th</sup> June 2001, Cuba offered to help international efforts in this connection by contributing:

- 4,000 doctors and other medical workers to set up an infrastructure for supplying the populations of the countries in need with essential medicines, prescriptions and follow-up. These could train a large number of specialists, nurses and medical-technical personnel.
- Enough teachers to establish 20 faculties of medicine in various parts of the world, many of whom could be recruited from among the Cuban doctors already deployed under the Comprehensive Health Programme. These schools could train 1,000 doctors per year in the countries where they are needed most.
- Doctors, teachers, psychologists and other specialists needed as advisers and co-workers on campaigns to prevent AIDS and other diseases.
- Equipment and diagnostic kits for basic prevention programmes.
- Treatment with anti-retrovirals for 30,000 patients.

The international community would only need to provide the raw materials for the medicines, the equipment and supplies for these production and service operations. Cuba would obtain no economic gain and would pay the salaries of its workers in their national currency, which is the most expensive for the international agencies for cooperation on health, and the most difficult, which is the human being trained and ready to fulfill this mission in the most out-of-the-way places.

At the subsequent summit meeting of the Caribbean heads of state in Havana (8<sup>th</sup> December 2002), commemorating 30 years of diplomatic relations between Cuba and the CARICOM nations, Cuba proposed a programme in support of the existing Caribbean regional strategy for combating the HIV/AIDS epidemic. This involves:

- Deploying 1,000 medical workers, whose salaries will be paid by the Cuban government.
- A number of teaching and technical personnel for setting up, in a Caribbean country of CARICOM's choosing, a technical training centre for nursing and other medical specialties at that level. This institution will have the capacity to train up to 200 young people a year from all the CARICOM member states, who would be particularly well-qualified to provide services to HIV/AIDS sufferers.
- Supply free of charge at least 30% in value terms of the Cuban-manufactured equipment and diagnostic kits needed for the setting up of SUMA (ultra-microanalytical system) laboratories, to facilitate mass screening of the population. This operation includes equipment installation, commissioning and technical support, plus training of local personnel in the technology concerned.
- In the case of Haiti, Cuba would be prepared to bear up to 40% of the cost of the equipment and diagnostic kits, under partnership arrangements with other donor nations.

### ***Other aspects of the development of Cuba's Public Health System***

#### ***a) "Mother and Child" programme.***

A notable indicator is that for infant mortality: At the end of 2004, this stood at 5.8 per 1,000 live births, the lowest in the country's history and ranking Cuba 36<sup>th</sup> in the list of favorably-performing nations, according to UNICEF figures.<sup>4</sup>

This result derives from the work of a multidisciplinary team of specialists - family doctors, gynecologists, obstetricians, pediatricians, nurses, technical and other health service personnel - who monitor mothers-to-be from the first weeks of pregnancy. This care regime includes attention to the mother's nutrition, genetics and oral health, and rigorous surveillance of every minute of the prenatal development of every Cuban child.

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<sup>4</sup> Source: **The State of the World's Children**, UNICEF, 2005.

Every baby born is immediately tested to determine whether he or she suffers from hypothyroidism. A few days later a phenylketonuria examination is performed to detect the metabolic disorder that could cause mental retardation if it isn't treated in the early stages. All babies are also immunized during the first few months against 13 diseases.

**b) The National Vaccination Programme.** Cuba guarantees one of the most extensive vaccination programmes in the world. All Cuban children are currently vaccinated against 13 infectious diseases, and 95% of the population has been vaccinated. As a result of this strategy, 6 diseases have been wiped out over the last 40 years: poliomyelitis in 1962, diphtheria in 1979, measles in 1993, whooping cough in 1994, and rubella, mumps in 1995 and 2 severe clinical forms of meningitis tuberculosis and neonatal tetanus.

Furthermore, since 1988, all those under the age of 30 have been vaccinated against meningococcal meningitis type B —Cuba is the only country in the world producing this vaccine. They are also vaccinated against type C, the vaccine for which is domestically produced. Since 1991, all those under the age of 25, as well as high-risk groups such as diabetics, family doctors and nurses, blood bank employees, people working at institutions for the psychologically disturbed, prisoners, and those infected and in contact with sexually transmitted diseases have been given a Hepatitis B vaccine genetically engineered in Cuba. A hemophilus influenzae type B vaccine produced in Cuba by chemical synthesis, the only one of its kind in the world, is also administered.

It is significant that the 26 most developed countries in the world, with a per capita gross domestic product that is 20 to 40 times higher than Cuba's, have so far been unable to achieve similar results with their vaccination programmes and in developing such an extensive range of projects for other types of preventive and therapeutic vaccines for adults.

In 2004, the first Cuban tetravalent vaccine was used to protect people against four diseases (diphtheria, tetanus, whooping cough, and hepatitis). Research into the development of a pentavalent compound — which would add haemophilus influenza type B antigens to the abovementioned vaccine and, if successful, would be the first vaccine in the world to protect against five illnesses— has yielded encouraging results.

Moreover, remarkable progress has been made in the search for a therapeutic vaccine for the Human Immunodeficiency Virus, as well as four therapeutic cancer vaccines, which are currently at the clinical trial stage in Cuba and other countries.

**Chronic non-communicable diseases.** The predominance of deaths from chronic non-communicable illnesses defines Cuba's epidemiological profile. Heart disease, malignant tumours, cerebrovascular diseases and accidents are the cause of almost two thirds of all deaths in the country. Diabetes mellitus, hepatic cirrhosis, asthma and high blood pressure are also very common.

**d) Communicable diseases.** The main aim of this programme is to control communicable diseases so that the morbidity rate continues to fall and to control risk factors in order to avoid outbreaks and epidemics. Infectious diseases are the main cause of death worldwide; many of these diseases are vaccine-preventable. A significant number of these illnesses have been wiped out in Cuba<sup>5</sup>.

**e) Caring for the elderly.** Cuba's National Care for the Elderly Programme is adapted to the requirements and needs of people in the third age.

In Cuba, a country with a life expectancy of 77 years, there are more than 2,500 centenarians. 80% of the island's current population live to be over 60.

According to research carried out by geriatricians and gerontologists, the majority of these centenarians have an adequate diet and the rate of obesity and malnourishment is not high. Very few people in this age group suffer from depression.

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<sup>5</sup> See Appendix

f) **Smoking.** As an indication of the Cuban government and people's unequivocal commitment to promoting and protecting the right to health that all human beings share, Cuba signed the Framework Convention on Tobacco Control on 29 June 2004, the first international, legally binding instrument of the World Health Organisation (WHO).

It is well known that health institutions and other state bodies, political, social and grassroots organisations, as well as other Cuban organisations and institutions are endeavouring to confront the harmful habit of smoking. This has included efforts in the areas of education and prevention, health care, surveillance of areas where smoking is prohibited and even price increases as a means of deterring consumption.

However, Cuba has drawn attention to the fact that price increases could have a negative impact on the economies of several developing tobacco producing countries, including our own. During negotiations, Cuban representatives called for the creation of an international fund to compensate for the damage caused and to find alternative forms of development for tobacco producers in South countries. No definitive answer was given.

Cuba has urged the international community, and in particular the industrialized countries, whose big tobacco companies have benefited most from more than five centuries of worldwide cigarette and cigar sales, to mobilize new and additional resources in an international fund to compensate tobacco producers in developing countries.

### ***Main causes of death.***

At the time of the triumph of the Revolution, 14.2% of deaths were caused by infectious diseases. Today, deaths due to communicable and parasitic diseases has fallen so much that it is almost nonexistent. The main causes of death include heart disease, cerebrovascular disease and malignant tumours.

Although HIV and AIDS represent a real threat to the human race in many parts of the world, the fact the government reacted quickly and created a group to coordinate the national response to the epidemic has slowed down the spread of the disease in Cuba.

Since the first case was detected in 1986,<sup>6</sup> 6,073 people have been infected with the Human Immunodeficiency Virus (HIV) in our country. 1,222 people have died of the disease.

The epidemic has been classified as low level and as only 0.05% of people between 15 and 49 years are infected, it is qualified as the lowest rate in the Americas and one of the lowest in the world.

Thanks to the National Programme for the Prevention and Control of Sexually Transmitted Diseases and AIDS, every single person living with HIV or AIDS receives training, social security, free specialized medical care and their job is guaranteed. Therapeutic programmes ensure that 1,800 patients receive AIDS medication mainly consisting of six generic, Cuban-made antiretroviral drugs. The country also receives 6 other drugs as part of a cooperation programme financed by the United Nations World Fund for the fight against AIDS, Tuberculosis and Malaria.

Also under development is an educational programme which will include sex education in schools and programmes especially designed for vulnerable groups, adolescents and the general population placing particular emphasis on prevention.

Cuba has managed to contain the pandemic, despite the fact that the country has limited access to 50% of the new drugs produced around the world, due to the fact that they were created by American companies or their subsidiaries. This restriction is result of the rigid economic, trade and financial blockade imposed on the island by the United States.

Despite all of the obstacles and challenges, Cuba is making progress towards further strengthening an excellent health care system, adapted to the requirements and needs of every Cuban and equipped with a highly qualified and profoundly supportive staff.

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<sup>6</sup> December 2004 figures from the Hygiene and Epidemiology Department.



## CHAPTER 6: CONVERTING PRISONS INTO REAL CENTRES FOR EDUCATION AND HUMAN ENHANCEMENT

The US anti-Cuban propaganda campaigns have been fuelled by the most despicable lies and distortions. Deception has been the tool most frequently used by those who plan and benefit from the questioned policy of hostility, blockade and aggression against the Cuban people, and who have a host of powerful media tools at their service.

The Cuban penitentiary system has been the main target of US anti-Cuban propaganda campaigns. False accounts are spread around and reproduced, inventing details to describe a repressive and inhumane prison regime that infringes on the most basic human rights. False allegations of abuse and atrocities never committed by Cuban prison authorities are repeated ad nauseam, the aim being to reinforce the perception that prisoners are systematically and generally mistreated and tortured. Tales are told of terrible prison conditions, of a subhuman diet, shortages, restrictions and even cases where prisoners are denied medical care.

The main aim is to make people believe that Cuban prisons are a living hell and that they do not even meet the minimum international standards. Once this false image has been consolidated in people's minds by repeating it ad nauseam, it is easy to make any new, spiteful anti-Cuban remark seem believable.

The anti-Cuban propaganda campaigns about prisons seek to neutralize the impact of the important progress made by the Cuban penitentiary system as part of efforts to build a society ruled by the concept that no human being shall be excluded or forgotten.

### ***The transformations that have taken place in the Cuban penitentiary system inherited in 1959***

Before going into any detail about Cuba's current penitentiary system, it is essential that we mention the system that the Revolution inherited in 1959.

The pre-Revolutionary prison system – in which hundreds of brave young Cubans who were fighting against the Washington-backed tyranny were tortured and executed without trial – was characterized by promiscuity and overcrowding, legal and administrative corruption, ruthless crime, physical abuse and torture, disappearances, racial and social discrimination and the brutal treatment of inmates, to the detriment of human integrity and dignity. In this system, if it can be called that – there was also a total lack of social rehabilitation programmes. The prisons were veritable warehouses chock-a-block with people oppressed by the dictatorship and marginalized by a profoundly unjust society. In short, the prison regime was ruthless and brutal, a deformer of men and a creator of delinquents.

The Revolution had to destroy the prison regime that it inherited from the Batista tyranny. Since then, it has been building a revolutionary penitentiary system which is profoundly humane and based on respect for and rigorous control over application of laws and regulations that are inspired by the desire to re-educate and rehabilitate every inmate so they can rejoin society.

The old prisons inherited from the capitalist system were closed. One of these was the so-called "Presidio Modelo" (Model Prison) situated on the then **Isla de Pinos** (now known as Isla de la Juventud), and those located in the Castillos del Príncipe, El Morro, La Cabaña and San Severino, which were established during the colonial period. These establishments lacked even the most basic conditions necessary to house human beings. Both closed and open prisons were built based on humanitarian concepts and respect for the concepts and principles developed by international criminal science about the best methods for treating prisoners.

The revolutionary government abolished obsolete prison laws and regulations, many of which dated back to the colonial period. The staff that worked in the penitentiary centres were also replaced as a result of the high standards of humanism and respect for human dignity that began to be demanded and continues to be demanded today of these citizens who perform such an important social function.

Among the transformations that took place during the process of building a new penitentiary system in the country following the triumph of the Cuban revolution, particular mention should be made of:



The penitentiary legislation and its regulations were improved, using as a guide the rules of the 'International Standard Minimum Rules for the Treatment of Prisoners' passed by the First Congress on the Prevention of Crime and Treatment of Offenders, held in 1955 in Geneva, Switzerland.

A progressive system was adopted and enhanced, to allow the inmates to move through the various kinds of prison, and finally receive parole, according to how their behaviour and the minimum sentence they have to serve.

A classification criteria for the prison population was established which ensures better collective and individual treatment (rules that regulate the treatment given to various categories of inmates depending on their legal situation, sex, age, personal characteristics, level of danger, etc).

Buildings adequate for prison facilities were built (i.e. collective and individual cells, with air, light, ventilation, sanitary facilities and showers.)

Inmates now take part in voluntary work schemes that are paid and have a social function.

Families of inmates are given financial help.

A subsystem of primary and specialized medical and dental care for the inmates.

Art, sports and recreation activities, in which a large number of prisoners take part.

The prison staff are technically and professionally trained and their skills are continually improved (the staff comprises jurists, psychologists, education specialists, educators, defectologists, sociologists, in addition to prison guards and administrators).

This work carried out by the Revolution meant that prisoners were once again treated as human beings. It also encouraged society to respect them as legitimate children of the Cuban nation, regardless of the offences they had committed.

When analyzing the foundations of Cuba's actual prison system, one must bear in mind that these are not only laid down by the penitentiary regulations in use, but also by the country's most important laws.

Article 58 of the Constitution of the Republic of Cuba establishes that "every accused person has the right to a defence". Article 57 states that "the personal integrity of any person arrested or imprisoned is inviolable".

The Penal Code establishes alternatives to imprisonment; it acknowledges the possibility of granting parole to prisoners, promotes joint sanctions for whoever has been found guilty of having committed several offences, and differentiates between repeat offenders, recidivists and those in jail for the first time.

The Law of Criminal Procedure establishes procedural guarantees for those accused of committing an offence and ensures that they are defended by qualified lawyers. It also requires the accused to appear at the trial when summoned by the court, and the subsequent drafting of a document which is very important to define the legal status of those who have been sentenced. This is the document containing the sentence and how it is to be served, two important elements which define how the prisoner will be treated in the system.

There's not the shadow of a doubt that the Cuban prison system more than complies with the 95 rules adopted by the United Nations system in the 'International Standard Minimum Rules for the Treatment of Prisoners'.

The Cuban prison system, unlike systems in many other parts of the world, in particular in the Cuban territory in Guantánamo illegally occupied by the US Naval Base, guarantees prisoners due respect for their physical and psychological integrity and their human dignity. While serving their sentences, they are treated fairly and are guaranteed support to help them to reintegrate into society once they have completed their sentences or on being released before the full sentence is served.

### ***Points of interest about the Cuban penitentiary system***

The progressive prison treatment (which is mentioned above), offers prisoners the opportunity of two months per year time off for good behaviour, being transferred from higher to lower security prisons and to serve non-custodial instead of prison sentences.

An average of 40% of all those found guilty serve their sentences in open prisons that have no fences or other means of security and no prison uniforms. The prisoners work in conditions similar to those enjoyed by the general population. They are awarded passes or special leave for good behaviour.

82% of all prisoner are released without completing their full sentence.

Early release may be granted to first time offenders after half of the sentence has been served, this period is reduced to a third for young people and increased to two thirds for repeat offenders and recidivists.

Unlike the rest of Latin America, 90% of inmates have been given a definitive sentence.

Prisoners sentenced to less than 5 years may commute these sentences to non-custodial punishments after a third of the original sentence has been served.

Sentences given in Cuba have different levels of severity, some of which do not involve imprisonment in closed centres, namely:

The harshest punishment is given to those who have committed very serious crimes that have major social repercussions, such as acts of terrorism and piracy.

Harsh punishment is given to people sentenced to more than 5 years imprisonment for other types of offences.

Less harsh punishment is meted out to prisoners sentenced to between 3 and 5 years.

There is minimum security in open prisons, i.e. open work camps. Even people sentenced to up to 3 years in prison for offences committed with intent or up to 5 years for offences committed due to negligence may be sent to these prisons.

Parole in Cuba is one of the elements of the progressive prison system. Prisoners are freed on certain conditions: that they maintain legal contact with the penitentiary system until the time of the sentence is up.

Extra-penitentiary leave is granted to inmates who need it for physical or psychological health reasons, if it is found that their state of health is incompatible with prison life.

This concept is set forth in the current Penal Code.

The disciplinary rules and regulations on how they are to be applied expressly forbid the use of corporal punishment, cruel, inhumane or degrading treatment or punishment or the reduction in food supply for those who break said rules. On no account are chains, shackles or straightjackets ever used on inmates.

Violence and mistreatment, physical as well as spiritual, are totally forbidden and are considered to be a crime in the eyes of the law. This makes it obligatory to punish anyone who commits acts of this nature while carrying out their duties in the penitentiary centres. Force is only permitted when its use is strictly necessary to restore order. It should be stressed that the use of firearms by those working inside prisons is prohibited; their use is limited to the perimeters of closed prisons, and even there it is heavily restricted.

Each prison provides its inmates with clean drinking water and an adequate diet of at least 2,400 calories a day. Their families may also bring them up to 40 pounds of food products and other basic necessities every time they visit.

Inmates who are ill are given a medical prescription, prescribing the appropriate food for their complaint. Every prisoner is provided with personal hygiene necessities, underwear and uniforms at no personal cost.

All inmates are guaranteed free, primary and specialized medical and dental care. The National Penitentiary System has its own hospitals, care centres and medical points, and in every province there are ordinary hospitals that have wards for convicts, where inmates are guaranteed full access to our country's medical breakthroughs. Inmates have the right to be admitted to any department of the country's hospital network. They are also ensured specialized care by teams of specialists who visit the prison regularly. Prisoners also have the right to tertiary care wherever it is offered in the country.

The medical services of the Ministry of the Interior are an integral part of the health care improvement process which is taking place throughout the country. In this context, a very successful First Cuban Congress on Penitentiary Medicine was held; this allowed us to share fruitful experiences so we may continue to move forward and improve the excellent health care services provided to the Cuban prison population.

In Cuban prisons, pregnant inmates receive a special diet during pregnancy and until the child is one year old, a period during which the inmate is in permanent contact with her child, thus guaranteeing that the baby is breastfed. Once the year is up, the baby may be handed over to family members or boarded in a nursery free of charge. Pregnant inmates receive, as do all pregnant Cubans, highly specialized care and regular check-ups, including hospital consultations in gynaecobstetrics hospitals around the country, as well as in facilities in the prisons themselves.

This service is of the highest quality. One example that could be mentioned is the maternity home in the Western Women's Prison, the largest prison for women in the country, which was awarded the title of 'Friend of the Mother and Child' by the Ministry of Public Health and the United Nations Children's Fund (UNICEF).

Female inmates are housed in prisons exclusively for women, where all the staff are properly trained and female.

Young inmates also receive differentiated treatment. They are housed in prisons solely for young people or in areas separate from the adult prison and are attended to by a hand-picked staff.

Inmates keep in touch with their families through visits, the use of conjugal quarters (a benefit available to inmates of both sexes), telephone calls and correspondence. To encourage good behaviour, prisoners may also be awarded passes or special visits to their homes without a guard. They have the right to be taken to hospitals, funeral parlours or burials if a close relation is suffering from a serious illness or dies.

There are no obstacles, wire netting, bars, glass walls to prevent the inmates from having direct contact with their families during visits.

As part of the comprehensive treatment given to the prison population, and with a view to reducing the negative effects of social isolation to an essential minimum, supervised visits are made to cultural, sport, historical and economic centres, as a reward for good behaviour. The inmates also enjoy access to the media, especially tv, which can be watched until the day's programming ends. Prisoners also have the opportunity to interact with famous people from the world of art, culture and sport who visit the prisons.

While on the subject of the wide range of facilities available to allow inmates to stay in contact with the outside world, it is worth highlighting the importance of the conjugal quarters or visits. This benefit has been guaranteed to any inmate who requests it, from the early years of the Cuban Revolution, in compliance with one of the recommendations of the Minimum Rules adopted by the United Nations.

This contrasts with what takes place in many prisons in the United States, where inmates are deprived of this elementary right. In a large number of US federal jails, conjugal quarters are totally forbidden, which is a blatant infringement of this natural human right, whether they are imprisoned or not. In these

prisons however, rape and other forms of sexual abuse are frequent occurrences which are viewed with complete indifference by the authorities. Prestigious American sociologists estimate that 1 in 5 American prisoners has been the victim of rape and as a consequence of this, the spread of HIV and AIDS has reached worrying levels. According to these sources, 29% of inmates who die in American jails, do so as a result of AIDS, and not only because of the spread of the disease, but also due to a lack of treatment<sup>7</sup>.

The Cuban prison system allows inmates to receive visits from ministers of religion if they so wish but respects their freedom not to practice any religion.

Prison staff is chosen and properly trained to carry out their duties. Among those comprising the workforce are doctors, educators, jurists, psychologists and other behavioral science professionals.

Foreign inmates are housed in separate prisons or areas and are guaranteed consular aid, their cultural traditions are respected and they are offered the chance to acquire food, personal hygiene products and articles of personal use.

The accused who are held without bail are housed in prisons or other areas separate from the rest of the inmates. In coordination with the Public Prosecutor's Office and the People's Courts, it is policy to only use this measure when strictly necessary and a great effort is made to reduce the trial and sentencing period to a minimum in order to guarantee due process. Both in civil and criminal cases, those arrested are guaranteed legal aid and personal contact with legal representatives is ensured.

Only a small percentage, between 8 and 10%, of the Cuban prison population have either not yet been tried, or are undergoing trial. This figure contrasts with the average rates reported in Latin America, which vary from 50 to 95%, with the odd exception. It has also been reported that in several of these countries trials can be delayed anywhere between 2 to 10 years.

Besides the Ministry of the Interior, the following institutions also contribute to protecting and ensuring that the Cuban prison system is lawfully run: the People's Courts, the Republic's Public Prosecutor's Office and the Committees for Prevention and Social Care. The public relations bodies, departments or management offices of the abovementioned institutions channel, process and respond to any complaint about alleged breaches of law or violation of inmates' rights in the Cuban penitentiary system.

The supervision and control carried out by the Republic's Public Prosecutor's Office, an authority with the capacity to report the results of its inquiries and investigations directly to the Council of State, is of particular importance. The aim of this is to provide additional guarantees that the rights of inmates and their families are protected and that the law continues to be upheld.

In the Cuban penitentiary system, particular attention is also given to education. This comprises, among others, socially useful labour, academic education, technical training for a trade, civic and patriotic education and artistic, sporting and recreational activities. This broad and humane focus on rehabilitation is essentially aimed at changing behavioral habits, creating a sense of respect for the law and preparing the prisoners for their reintegration into society.

Labour represents one of the fundamental links in the chain of activities aimed at rehabilitating inmates in order for them to fully reintegrate into society. It is in no way distressing or punitive for the prisoners. The decision to take part in labour schemes is voluntary and all workers receive a salary, as per the legislation and regulations in force in the country for all citizens.

The difficulties brought about by the genocidal blockade have made it impossible to guarantee work for all inmates. In spite of the huge obstacles faced as a consequence of this veritable economic war imposed on the Cuban people by the US government, a great effort is underway to increase the availability of work for inmates who voluntarily opt for this right.

At the request of the families, social workers or the inmates themselves, the penitentiary system advocates that economic aid be granted to the families of inmates in need of this service, which is provided by the country's social security and assistance services.

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<sup>7</sup> For more information on this subject, see the book "Crime and Punishment" by American sociologist Elliot Curie.

### ***Improving the Cuban prison system***

Inspired by the idea that prisons should become schools, one of the changes and efforts aimed at creating a more just, educated, equal and supportive society—current social programmes are a big part of this— one of the country's top priorities is to revolutionize the prison system.

Since the year 2000, the Cuban government has undertaken a series of actions and programmes to bring about this improvement, placing special emphasis on education for inmates, the aim being to more effectively rehabilitate and ultimately reintegrate prisoners into society.

This process, which arose in the heat of the battle that the Cuban people face in the field of ideas, has been named 'Task 500'. The idea was not only to transform prisons into schools, but also to help rescue and guide young people and minors at risk of committing offences.

Which Cubans had the greatest tendency towards antisocial behaviour and committing offences? For whom was it necessary to ensure a socially useful life?

In order to answer these questions and effectively outline the actions and programmes that would be implemented, a thorough study on young prisoners was carried out. It sought to determine the reasons why and the age at which these young people began their criminal activities, their characteristics and social background.

This study showed that 58% of the young people said that they began a life of crime between the ages of 16 and 20. At the time of committing these offences, more than 64% of them were not studying and were out of work. It also showed that the majority of these young people had a low standard of general education and only 2% had a parent with a university education. The immense majority were from broken homes and their parents didn't generally pay them much attention. The study made it possible to characterize the type of young people who might end up in prison. Knowing this, The Cuban Revolution could not simply sit back and do nothing.

A plan was then conceived to recruit a group of young people as social workers, who would take an intensive training course, with the basic aim of mixing with young people who were not studying and were out of work at such an early age, after having left school after the ninth grade or even earlier. The job of the young social workers is to guide the lost youths' reinsertion into society. Since July 2000, more than 21,215 social workers have been trained throughout the country.

The social worker's first task was to find what was then known as 'the missing link'. It was known which young people were studying and which were working, but the exact situation, worries and needs of the "lost" young people, and who they were, what they were thinking and what their hopes were, was unknown. The social workers thus made an effort to get to know these young people in order to begin acting as their tutors and guides. Later, they also began to work with young people who had just left prison and, most recently, young people who are still in prison.

During the first training course for young social workers given in the capital in 2000, these young people carried out a study, after combing the neighbourhoods block by block in search for each and every "lost" youth. The results of the study were as follows: 70% of youths who had dropped out of school and were unemployed came from broken homes and lacked attention; 19% had not been raised by either their mother or father, but by another relative; 16.6% of the girls had given up their education due to pregnancy; only 2.5% of these youths had a parent with a university level education.

The social indicators for this group of "lost" youth was very similar to that of the youngsters in prison, and matched the profile of those who were most prone to commit offences and end up in prison.

Prioritized attention to this group of young people has been a cornerstone of the social programmes implemented by the Revolution over the last few years. We cannot allow anyone to be condemned by society and most probably to a marginal existence and a life of crime.

Top Cuban government officials decided to multiply crime prevention actions, measures and programmes, by supporting and guiding those most likely to commit offences. The work carried out by the social workers is part of this process.

Great efforts have been made to promote opportunities for wholesome recreation, so different from what is big business in many parts of the world and which has imposed itself as a profit model, associated with vice, gambling, prostitution and drugs. Cuban society does not assume or resign itself to this model, it builds its own model for young people.

As a result of the analysis of the situation of young people between 17 and 30 years old, with a ninth grade education but out of school and work, the Educational Improvement Course for Young People was created 3 years ago for young people in this situation. In 2004 the number of students enrolling was more than 150,000 students. 48,406 students who have graduated from these courses have gone on to enrol in various university courses, including Medical Science, and have done very well. Some study in the municipalities in which they live, through the opening of new university campuses, and others are enrolled in regular courses.

These young people, who at one time thought the doors of the universities were closed to them and that they would never have the chance to become professionals, and who perhaps wanted a certain jobs but were unable to get it to because they lacked the right education, view the Educational Improvement Course for Young People as a new opportunity to fully realise themselves as human beings.

The social workers, who have put such an effort into this preventive work, have been joined in their task by teachers, family doctors, members of the Federation of Cuban Women and all other Cuban social and community institutions.

After explaining all the effort that is being made to prevent young people and others from ending up in prison, it is essential to take another look at the concrete programmes and measures that are being implemented with the prison population in order to meet the requirements of 'Task 500'.

The Audiovisual Programme, which began on an experimental basis in October 2001 and is today underway in all prisons around the country, was created. Through this programme, courses from the very original Open University channel are taught, using video technology, closed circuit television, educational publications and additional teaching materials. Teachers from the Ministry of Education allocated to the prisons act as advisors and monitors selected from amongst the prison population and trained help with teaching tasks. By the middle of 2004, 1,076 televisions and 195 videos had been installed in 84 penitentiary centres as teaching aids.

Among the subjects taught in this programmes are world geography, Cuban geography, literature and cinematography appreciation, Cuban history, environmental conservation and English and Spanish (French is now also being introduced).

During the first stage of this programme, 91% of inmates graduated —enrolment was voluntary. It should be mentioned that inmates participate in this and all the other programmes aimed at raising their educational and overall cultural level of their own free will. During the first stage, in 2001, 88% of the inmates joined the programme, while during the second and third stages, beginning in September 2002, the figure exceeded 90%.

At the same time, in coordination with the Ministry of Education and other bodies of the State's Central Administration, free school education up to 12<sup>th</sup> grade is taught by the Adult Education subsystem and technical training in trades such as bricklaying, carpentry, plumbing, electricity, handicrafts, welding and male and female hairdressing continues to be developed. Computer technology courses have been added to the above.

With the active participation of the National Institute of Sport, Recreation and Physical Culture (INDER), courses for physical education teachers are taught in prisons in every province in the country. Once they have graduated, the students work in prisons and are paid a salary. They can also begin to study for a degree in Physical Culture, depending on their attitude, discipline and academic results.

In the National Prisoners' Hospital, the first nursing course is being developed on an experimental basis and in cooperation with the Ministry of Public Health, which, depending on its results, will be extended throughout the country. Graduates from the course will work in the penitentiary system's health facilities.

These basic programmes to convert the prisons into schools have had a great impact on the prisoners. They have contributed to improving the relationship and communication between prisoners and prison employees, allowing the inmates to become closer to the people who guard and rehabilitate them and vice versa. Similarly, they have created a prison environment conducive to human betterment. They have also contributed to instilling positive habits and values among the prison population and to raising their self-esteem. They have also brought about a considerable decrease in the number of incidences of indiscipline and breach of the peace.

The work of educating the prisoners is increasingly complex and demands better qualified educators. At the beginning of the Revolution, prison education was aimed at teaching the prison population, the majority of whom were illiterate, to read and write. Further down the line, prisons were included in the national effort to offer, in the first stage, a sixth grade education and, later, a ninth grade education to all Cubans. Nowadays the goals are much more ambitious; they aim at incorporating, one day soon, our prisons into the plan to make higher education available to all.

The differential treatment given to the young inmate is still a clear priority in meeting the goals of 'Task 500'. The young inmates benefit from two important programmes in the penitentiary centres.

The first, named 'Project Reincorporation', began in October 2001, with the creation of the San Francisco de Paula Youth Centre in Havana. The centre, created on an experimental basis, has 150 inmates aged between 16 and 21, selected for their behaviour in prison, are first time offenders, and were chosen no matter what their social background, the type of offence they committed or sentence they are serving.

The daily work of the centre's teachers is outstanding, as are the efforts of a group of social workers, who use the knowledge obtained in their university studies on psychology, sociology and the humanities, to organize participative activities, attend to individual differences and, above all, forge a very close human link with the centre's young inmates. The connection that the social workers have with the families of the young inmates is also very important.

Besides the educational programme, psychotherapy and group work sessions contribute to the development of the young people's personality and improve their self-esteem. The work done with these young people gives individual attention to each of them.

Thus, the aim is to give hope to those who had once lost their way. Culture, participation and education are becoming the antidote to the hate that can accumulate after being harshly treated and locked up for years.

This centre was founded to become the advance guard of the endeavour to convert prisons into schools which will provide inmates with the education they need to reintegrate into society. By October 2004, 364 young people had passed through the centre. In the 3 years since its creation, 114 of them have been granted parole and only 5 have re-offended. Eleven of the current inmates are going to university. These figures prove the validity and the effectiveness of the new methods being used in the centre.

The other programme directed at young inmates involves improving the differential treatment in prisons for young people located in every province of the country. Drawing from the experience gained in the San Francisco de Paula Experimental Project, these centres have the minimum resources they need to guarantee differential education, which allows these young people to fully and effectively reintegrate into society.

Another of the general programmes that is part of 'Task 500' is a plan to improve the libraries in prisons, by enriching them with hundreds of titles from the best of national and world literature. Inmates have been trained in library science and now work in the prison libraries.

This boost to library services has provided important support to the Audiovisual Programme, school education and technical training and has been gradually improving the prison population's reading habits, thus broadening their cultural level.

Other areas that continue to be developed are sporting and cultural activities, in view of the positive effect they have on the health of the prison population, discipline, mood, and the creation of positive values such as collectivism and camaraderie.

In coordination with INDER, provincial, regional and national sporting events are organized. In 2004, a national baseball championship was held and national games, which include a national aerobic gymnastics championship for female inmates, are currently being organized for the beginning of 2005.

In coordination with the Ministry of Culture, numerous cultural events, festivals and literary competitions have been organized.

The inmates and their families have taken part in all of the sporting and cultural activities, as both participants and as spectators, and the impact has been very positive.

Another very important programme included in 'Task 500', is the food plan. Its aim is to improve the inmates', prison guards and security staff's diet. This plan stimulates the prisons' productive capacities to develop food production. It is important to bear in mind that Cuban prisons suffer the same hardships and food shortages as the rest of the Cuban population, owing to the prolonged and intensified US blockade on Cuba.

Overcoming the effects of the blockade in prisons has been another reason for developing all of the abovementioned programmes, especially the food programme. The government is maintaining and redoubling its efforts to guarantee the logistic supplies to improve the living and working conditions of the inmates and those of prison employees.

The positive work that is underway in Cuban prisons compare very favourably with the way in which the increasingly numerous, large, repressive and dehumanizing American jails function.

Private jails are rapidly spreading in the United States. They function as veritable businesses and their administrators are more interested in increasing profits than in the inmates' rehabilitation or respect for their dignity. In extreme cases, some prisons have even sold shares on the stock exchange. It has justifiably been said that the second most important industry in the United States is the prison-building industry. More people are employed to build prisons than the total number of people working for gigantic transnational corporations such as General Motors. Powerful financial empires such as Merrill Lynch or Goldman Sachs receive between \$ 2 and 3,000,000,000 each year in bonds for the construction of jails.

In the richest country in the world, with a government that, reportedly, is trying to claim the title of world champion of freedom and democracy, 3,500 children are shut away in high security prisons with adult inmates. Twenty of the fifty states allow children to be imprisoned with adults.

The situation in Cuban jails is far from the living hell of jails in the United States, which sponsors a motion unjustly censuring Cuba in the Commission on Human Rights.

In Cuba, we are working hard in the penitentiary system and in society as a whole to achieve the highest levels of justice, to greatly increase everyone's chance to truly develop, and to put human beings at the centre of its efforts.

No concession is made to impunity in Cuban jails and promising opportunities are arising to improve the human condition. Little by little, the prisons are becoming schools; sport and culture create possibilities for the inmates to grow on a personal level; quality medical care is a guarantee in all of the establishments and, amid the difficulties caused by the economic blockade, the aim is to improve the living conditions in prisons.

Cuba believes that the penitentiary system should serve to rescue human beings, to make them feel useful and dignified under the strict conditions of a prison. This system has established, and continues



to improve, mechanisms to control and eradicate human aggressivity and the most serious infringements of legal regulations.

The Government and people of Cuba draw inspiration from Martí's maxim: "teaching virtue is nobler than the useless study of deep social ills".

## **CHAPTER 7: FULL EMPLOYMENT AND THE GUARANTEE OF SOCIAL ASSISTANCE AND SECURITY FOR ALL CUBANS**

The socio-economic transformations undertaken by the Cuban Revolution since 1959 have made it possible to design and apply a development strategy which harmonizes economic growth with social policies. From the outset, the employment strategy has been to secure paid labour for every citizen fit to work and to wipe out the high rates of unemployment and underemployment inherited from the regime of neo-colonial domination imposed on the island for more than half a century.

The labour policy, social assistance and security occupy top place among the achievements of the Revolution, as they contrast markedly with the situation that the country was in prior to 1959. At the end of the 1950s, there were 600,000 Cubans out of work; 500,000 agricultural labourers only worked for 4 months of the year and went hungry the rest of the time; the pensions of 400,000 industrial and temporary farm workers had been embezzled by one government after another and corrupt administrators, and 10,000 young professionals, doctors, engineers, lawyers, veterinary surgeons, teachers, dentists, pharmacists, journalists, painters, sculptors, etc, graduated without hope of finding work.

The employment policy that was put into practise after the Revolution aimed to turn this situation around, incorporating the masses into the nation's social and economic development by creating jobs that paid decent wages. Right from the beginning, the Revolution did away with the sugar worker's "dead time"; slave-like domestic labour; the tragic situation of having 10,000 classrooms without teachers; lack of sanitation in rural areas; embezzled social security funds; and the general social vulnerability of the workers and their families.

When the people came to power, there was a substantial reduction in unemployment due to the increase in programmes for agriculture, industry, construction, health programmes, education and sports, among others, which began to change all of Cuba's geography. The 80s was a decade when there was a boom in job creation as a result of heavy investment in the country's infrastructure.

A labour policy that promotes social justice and real opportunities for all.

During the time known as Special Period, marked by the loss of Cuba's main trade partners, the 34% drop in GDP between 1989 and 1993, the abrupt 78% decline in exports and the brutal redoubling of the blockade with the adoption of the Torricelli and Helms-Burton Acts, exacerbated domestic financial imbalance, and dissatisfaction in the workplace and reduced efficiency to a marked degree, with the unemployment rate reaching 8.3% in 1995.

Despite these difficulties, The Revolution maintained its unchangeable principle that no worker would be made redundant, no pensioner or person receiving social security would be denied their monthly payment and nobody would be abandoned to their fate.

Through the economic recovery that began during the second half of the 90s —never before had a country been able to overcome such a profound economic crisis with such adverse and hostile conditions in such a short time— the employment policy directed its effort towards: reducing unemployment, increasing incentives in the workplace and contributing to greater efficiency by putting countrywide programmes into practise; redistributing the redundant workforce; protecting the income of vulnerable workers and groups; guaranteeing jobs to university graduates; prioritizing the creation of jobs for young people, women, people with disabilities and graduates of professional technical education; as well as increasing self-employed labour and the cooperative sector.

The state continued to generate thousands of new jobs in vitally important productive and service sectors, such as education, health, culture, tourism, construction, the steelwork industry and agriculture, as well as many others.

Cuba was classified as a country with full employment according to the concepts and indicators of international organisations, when it registered a rate of 2.3% in 2004 and 1.9% in January 2005. However, this extraordinary success in terms of figures, still causes a profound feeling of dissatisfaction as it reflects the fact that there are still people without jobs.

The Cuban labour policy is guided by the principle that in a socialist society no man can be superfluous and that unemployment has to disappear. There can be no superfluous people and any society in which this is the case is an unjust society, does not bear ethical scrutiny and is therefore condemned from the viewpoint of human rights and values.

In Cuba, employment, and particularly youth employment, are a strategic priority. Through economic recovery, and especially as part of the battle taking place in the field of ideas that our people is waging, labour policy has been strengthened, and has had a very positive impact on the increase in the quality of life enjoyed by the Cuban people. In this framework, new social programmes, now totalling 167, have arisen, some of which enshrine the revolutionary concept of study as a form of work, such as the Educational Improvement Course for Young People.

Other social programmes have made it possible to increase the number of primary school teachers, all-round secondary school teachers, information technology teachers, nurses and social workers who are trained and graduate, with free access to further study — all of this is an increased investment in human capital.

Thousands of people with disabilities are now working through a special programme designed for them. Dozens of Centres for Labour Training have been created in the country to develop the knowledge and work skills of these people, particularly of those with slight to moderate mental handicaps.

Cuba is implementing a National Action Plan for female employment, as part of the follow-up to the agreements made at the Fourth World Conference on Women (Beijing 1995). This has translated a mere political willingness into concrete measures and activities aimed at incorporating more women into the workforce, education and social tasks.

In Cuba labour is not forced, the free choice of every citizen is respected. There is no child labour. Education is obligatory until after grade nine.

The high levels of employment are the principal guarantee of the social security that all Cubans enjoy, regardless of age, race, sex, nationality, religious belief or political ideology.

The application of the concept of having study and training count as forms of work whenever this is necessary has allowed many young people who were neither working nor studying to leave unemployment behind and improve their training in order to find better jobs or simply take their education to a higher level. This investment in the training of human capital currently benefits 107,923 young people, 30,000 of whom have enrolled in university courses.

Using study as a form of work has also benefited tens of thousands of sugar workers, because this sector is in the process of an urgent and unavoidable restructuring due to the current state of the market, low sugar prices and the increased sale of sweeteners.

In addition to the above, the development of urban agriculture since 1996 which, as well as ensuring that the population receives an annual supply of more than three million metric tons of vegetables and fresh condiments, has had a notable social impact with the creation of around 326,000 new jobs.

The active participation of women in society is an essential component of the Revolution's employment policy. Whereas in 1953, only 17.6% of the working population were women —30% of whom worked in badly paid domestic jobs—in 2003 more than 44% of workers in the state sector and 66% of the technical workforce were women.

As a result of all the efforts made, Cuba has higher employment indicators than many industrialized and developed countries. The labour force participation rate — the percentage of the general working age population who are currently employed or are actively seeking employment— rose to 70% last year. The number of people of working age actually employed, or the employment rate, has risen to 68%. We should point out that the employment rate in the European Union is currently 64.3%.

The employment levels attained by Cuba have had a favourable effect on the nation's economic, political and social life. Since the second half of the 90s, 288,973 new jobs have been created.

***Job creation and unemployment rates during the years of economic recovery***

YEAR	Amount of jobs created	Unemployment Rate
1996	186 203	7.6
1997	139 986	7.1
1998	131 410	6.2
1999	113 331	6.3
2000	140 852	5.4
2001	195 625	4.1
2002	158 339	3.3
2003	123 227	2.3
2004	100.000	1.9 (at the end of the year)
TOTAL	1 288 973	

All these new productive, permanent and high quality jobs have helped to increase the production of material and spiritual goods for the Cuban people, to raise, both the quantity and quality of basic services and to develop the country's human capital.

An example of this contribution is the fact that in the eastern provinces, the region most affected by unemployment, the unemployment rate fell from 10.4% in 1995 to 2.7% at the end of last year.

As a result of the Revolution's social programmes, over the last three years jobs have been created and the following have started working in their new jobs: around 15,000 social workers; more than 13,000 Information Technology teachers; more than 8,000 primary school teachers; 1,053 Physical Education teachers; 2,713 nurses; 1,055 health technicians; 3,142 projectionists for the new television and video rooms set up in neighbourhoods and communities, as well as tens of thousands of jobs in other services requiring great social and human awareness.

This huge effort has lead to more and improved health facilities for the people; greater and better access to education, knowledge, sports and cultural activities; more training and self-fulfilment opportunities for our young people, more benefits for Cuban women in terms of participation, economic independence and emancipation, greater social prevention of factors which cause crime and antisocial behaviour, more public safety, in a word, an appreciable increase in the quality of life for all Cubans.

***Social security and assistance***

Full employment is the most important guarantee of the social security that Cubans enjoy, regardless of race, sex., religious belief or political ideology. It was conceived of as an integrated system which includes job, income and work condition security, security of education and training and prioritized and differential care for pregnant women and new mothers, people with disabilities, the elderly, victims of natural disasters, and anyone else in need

The Cuban social security system doesn't just hand out pensions and benefits, it is also undergoing profound changes consistent with enhancing social work and struggling to achieve full justice. The social security programme in Cuba is implemented on three basic levels: the community, the institutions and the hospitals.

***The legal framework***

Chapter 1, Article 9 of the Constitution of the Republic of Cuba, establishes that the state is responsible for ensuring that all those unable to work due to disability are provided with suitable means of subsistence.

Chapter 7, Article 47, states that, through the social security system, the state shall guarantee that workers impeded by age, disability or illness are given suitable protection, and if a worker passes away, his family is guaranteed similar protection.

Article 48 establishes that the social security system shall help the elderly who have no means of support or protection, as well as any person unable to work who has no family able to help.

Article 49 states that anyone who suffers an accident in the workplace or contracts an occupational disease, is entitled to medical care and sickness benefit or retirement pension depending on whether the inability to work is temporary or permanent.

Social Security Law 24/79 qualifies the following as Protected Persons: paid workers of the public, cooperative or private sectors; paid workers of political, grassroots organisations and associations; Cuban workers who, with due authorization, are on diplomatic and consular missions, in delegations to international organisations and commercial offices recognized in Cuba and in foreign companies located or with representation in the country, or who provide services to their staff.

This definition equally benefits Cubans who work abroad with Cuban companies or in Cuban government jobs; Cubans who have been appointed or authorized by the Cuban Government to work in international organisations; and the soldiers who are carrying out their compulsory military service and are paid wages through the wage systems in force for the country's workers.

This law defines the family of the worker and the prisoners and their families as beneficiaries in the event of total disability or death caused by an accident in the workplace.

The text of the law recognizes inactivity due to any kind of illness or accident, as time worked, as well as the time effectively worked. It also recognizes the time paid and not worked due to reasons beyond the worker's control, that have been duly proved and justified; the period in which the worker is paid a salary as compensation for having been available to work; custody, when the accused is not sentenced; time not worked due to definitive or temporary illegal dismissal, as long as a competent authority has reached a final decision ordering the worker to be reinstated.

Articles 65 and 66 of the Decree Law establish that every worker has the right to draw a retirement pension according to years of service, which is classified as either ordinary or extraordinary, in accordance with pension requirements. Article 67 classifies the working conditions that determine the age at which one receives an ordinary pension, acknowledging the diverse range of jobs. Article 68 establishes that, after at least 25 years of service, male workers in normal conditions may retire at the age of 60 and female workers at the age of 55 or later, provided they have worked for 25 years.

### ***Social security benefits***

The security benefits established by law, to which all workers and their respective families are entitled, are classified as: service benefits, benefits in kind and financial benefits.

The service benefits, which are available at no personal cost, are medical and dental care, preventive and curative care, general and specialized hospital treatment and physical, psychological and work-related rehabilitation.

100% of the Cuban population enjoys social protection. More than 1,800,000 citizens receive financial benefits, benefits in kind and service benefits from the social security system, 1,464,049 of whom are retired pensioners while 395,821 receive social assistance benefits. Health and education are free and available to all.

Social consumption in Cuba includes: the school snack, which is provided for hundreds of thousands of students and employees of the education system free of charge, special supplies of food for 1,363,297 children up to the age of 15 and elderly people over 60 in the eastern provinces; 444,091 supplies for pregnant women, breastfeeding mothers, elderly people and people with disabilities; food supplements for 71,000 underweight and undersized children; delivery of additional food supplies to the hurricane-

swept provinces of Pinar del Río, La Habana and Isla de la Juventud and the provinces of Holguín, Las Tunas, and five municipalities in Camagüey which are suffering from a severe drought.

In 2005, 2,306,000,000 pesos were allocated to pay those on social security benefits, 147,000,000 million more than in 2004 (a 7% increase). For its part, the income from social security benefits is estimated at 680,000,000, the deficit to be covered by the state budget will rise to 626,000,000, 6.6% higher than the estimate for 2004.

The state budget for 2005 will make it possible to increase the level of education, health, social security and assistance, culture, sport and technical and scientific research. To do this, 10,584,000,000 pesos have been assigned, 68% of the total amount of budgeted expenditure.

2,722,000,000 pesos will also be allocated to support the country's investment process, the majority of which will be spent on work connected to the social programmes.

The increased life expectancy of the Cuban people and an aging population are seen as fundamental achievements of our revolutionary process. Although these accomplishments create important challenges, they do not pose any problem for society.

Social work is once again on the rise, through the work of the more than 22,000 social workers who have graduated from four specialized schools, who work in the community directly attending to families, young people and other citizens in need of advice, support and an effective solution to their problems. Caring for the elderly is prioritized through work aimed at improving their health and physical, psychological and social well being through extended social services at an institutional, community and household level.

Through the enactment of new legislation, social protection has been extended to cover the working mother until her child turns one, and maternity benefits have been increased.

### ***Care for the working mother***

The current legislation on maternity protection is one of the most advanced in the world. Decree Law No. 234, the Working Mother, increased the rights of the working woman and maternity protection, guaranteeing medical care for women during pregnancy, pre and postnatal leave, the breastfeeding period and care for small children, as well as differential treatment for any children with disabilities.

On 23 October 2003, Resolution 22, which recognizes the shared responsibility of the mother and the father to care for and attend to their children and the sole duty of the father if the mother dies, was added to the abovementioned Decree Law which was enacted in 13 August of the same year.

In order to make this protection effective, the Cuban state took certain actions, specifically the granting of financial benefits for 18 weeks and social benefits until the child's first birthday. Complimentary paid leave was also established, which allows a certain amount of paid days-off which the worker may use to seek medical care for herself and her child and breastfeed the child during its first year of life. Unpaid leave was also established to care for children under 16 years of age.

Above all, Decree Law No. 234 protects the working woman. Protection of the children of non-working mothers is given through social benefits whenever they require it.

Six days or twelve half-days are given as complimentary paid leave for medical and dental visits up to the 34<sup>th</sup> week of pregnancy; if these are not enough, the management will accept any extra days as justified leave of absence. Until the child's first birthday, one day of paid leave is given every month so that mother and child can go to the paediatric hospital. All working mothers who return to work at the end of their maternity leave are allowed to breastfeed their child for an hour a day, until the baby's first birthday.

When a child goes to nursery school and receives medical care there, the working mother is allowed to take one day off a month to take her child to the pediatrician. In these two situations, the medical care has different purposes, that is to say, one doesn't replace the other.

The female worker has to stop working at 34 weeks of pregnancy and at 32 if she is expecting twins. Economic benefits are given in the form of 18 weeks full-paid leave, 6 weeks before the child is born and 12 after.

She also receives economic benefits if the birth does not take place during the period established for the maternity leave and this can be extended up until the date that the baby is born. This new period is paid for up to two weeks.

When the birth is early or late, the adjustment in payment of the financial benefits is made per full week in favour of the worker and always during the period of maternity leave, which begins to be paid from the day that the baby is born.

If the mother dies, the father or a working relative chosen by him to collect the social benefits will receive 60% of the average monthly salary that the mother earned during the 12 months prior to her death.

If the female worker falls ill after the payment of the postnatal leave period has expired, she may receive the social benefits established in the aforementioned Decree Law until the child turns one. If after this time, the worker is still ill, she is entitled to subsidy payments.

Once the postnatal period enjoyed by the worker has come to an end and within a period of 60 subsequent calendar days, both parents can decide which one of them will care for the child during its first year of life.

If the female worker falls ill before 34 or 32 weeks and has to rest, she will be paid a sickness benefit up until the 32<sup>nd</sup> or 34<sup>th</sup> week of pregnancy, when the payment of the financial benefits begins.

When a female worker receives social or financial benefits due to pregnancy and motherhood, the days are recorded as if she were working and the money she is given is the salary that she would have been earning. The period in which she receives social benefits is acknowledged as if she was working and the salary allocated serves as a basis on which to calculate the benefits paid.

### ***Care of the elderly, retired and pensioners***

The state allocates 11% of its Gross Domestic Product to running the social security system alone, not including the expenses run up by health, education, care of the victims of natural disasters, and other eventualities.

A Council of State decree created a National Institute of Social Security which has branches in every province and municipality in the country. Particular attention is paid to the direct contact with pensioners and retired people aimed at finding out about their living conditions, worries, habits and difficulties, so that it can be guaranteed that their needs will be suitably tended to.

Around 14% of the country's population is over the age of 60 and according to some studies, by the year 2025, one in four Cubans will be a senior citizen, meaning that we will be ranked one of the countries with the largest elderly population in the world.

This is a feature characteristic of developed countries, and is relatively new for Cuba. The population in Europe, for example, has been aging since the 19<sup>th</sup> century. In Cuba, this phenomenon has been stepped up by the development achieved by the Revolution, the concomitant increase in the population's life expectancy and the reduction in the birth rate, the latter being the result of the increase in schooling and the incorporation of women into the workplace.

In order to deal with matters associated with an aging population, the Programme for the Elderly, which places particular emphasis on caring for people who cannot face life alone, was created. In Cuba, social assistance has three aspects: economic protection (which may be temporary or continual, depending on the case at hand); protection in kind (through which items ranging from footwear and clothes to electrical appliances are donated); and service protection (in which provisions are made to

guarantee the supply of food, a laundry service, a domestic cleaning service and cultural and recreational activities).

In 1995 the Programme of All-Round Care for the Elderly was conceived as one of the priorities of the Ministry of Public Health. Today there are 432 multidisciplinary gerontology teams, one in every polyclinic in the country, whose mission is to look after the elderly in a fragile state of health or others in need of long term care due to biomedical, psychological, social or economic reasons or because they have been abandoned by their families.

These teams do not replace the work carried out by family doctors in the community, but rather support it, offering more direct and specialized care to the elderly community. Their duties also include teaching the families of the elderly about the important aspects of caring for them.

The community programme also includes community groups for the elderly, community houses (where help is given to those unable to wash themselves, socialize and even speak on the telephone) and house care, which is given to 59,000 old people who live alone.

There are 127 residential homes for the elderly around the country, which care for around 9,000 elderly people. Here they are provided with food, clothing and the help they require.

There are geriatric wards in all of the country's clinical and surgical centres. There are 34 in total and 11 of them are teaching hospitals.

Internationally known geriatricians such as Robert Butler, president of the International Longevity Centre of the United States, have publicly acknowledged the priority given to the elderly by the Cuban government. The distinguished American geriatrician said that he was pleasantly surprised to discover that the Cuban people have such a positive attitude towards the family, something that he considers to be very important for the elderly. He highlighted the importance of the creation of elderly people's groups and societies whose aim is to make sure that their members socialize and are involved in useful activities.

The Community Groups for the Elderly currently have 500,000 members, who make up the 11,000 affiliate groups which work to promote health issues and health prevention.

Today, we also have Guidance and Recreation Groups which are made up of elderly people, both members and non-members of the Community Groups for the Elderly, the purpose of which is to involve the elderly in recreational, cultural or educational activities or to help them rejoin the labour force, either as paid or volunteer workers. Educational courses were created for the elderly as were especially designed information technology classes. We are striving to ensure that all Cubans have an active, healthy and happy old age, by promoting the full integration and participation of all elderly people in society.

### ***Care of people with disabilities***

Over the last four decades, the Cuban state has taken on the task of attending to the various factors that could cause disability, and with ensuring that all those affected by any disability are fully protected and have a wide range of opportunities to develop their potential in the areas of health, education, employment and complete social integration.

Permanently improving the quality of life for the differently-abled is an aim that has been fulfilled, thanks to the continuous improvement of completely free, specialized health services; the design and organisation of differential rehabilitation programmes; top quality care for mother and child; the promotion of general all-round education—including sex education; the prevention of drug use and rehabilitation of drug users and alcoholics; the development of a complete system of specialized schools attending to various disabilities; the extension of plans to rehabilitate the differently-abled people from anywhere in the country and incorporate them into the workforce; the increase in measures to control epidemics and the development of specialized research; the facilities and support given to associations for differently-abled people, etc.

The achievements made in this area of social policy have been based on:



- ⇒ Providing free medical, hospital and dental care to all.
- ⇒ Developing specialized medical services for the differently-abled.
- ⇒ The work of more than 27, 000 family doctors and nurses, 281 hospitals, 11 health research institutes, 440 polyclinics, 168 dental clinics and 208 maternity homes.
- ⇒ Creating 26 homes to care for the physically and mentally disabled.
- ⇒ Taking measures to prevent diseases by developing plans to increase sanitary services and improve health education.

Various programmes are being developed to care for and guide people with disabilities. Work is guaranteed for those who are interested in working and possess a skill—identified in the nationwide in-depth psycho-pedagogical, social and clinical-genetic study, which is the only one in the world of its magnitude and social importance—making it easier for them to obtain ordinary employment, work in special workshops or social labour training centres.

For several years now, a group of genetics, immunochemistry, neonatology and intensive therapy programmes have made it possible to reduce the incidence of some congenital diseases and other perinatal traumata that cause disabilities. Some examples are:

The discovery of Alfa-feto proteins in pregnant women, developed to prenatally diagnose defects in the neural tube. Over the last few years this has proved to be a useful way to diagnose some types of malformations of the nervous system, with the aid of ultrasounds.

- ⇒ The hypothyroidism programme means it is now possible to make an early diagnosis and give treatment to reduce the number of children with cretinism.
- ⇒ Prenatal, congenital diagnosis has made it possible to detect a high percentage of patients with Down's Syndrome.
- ⇒ Phenylketonuria is detected in 90% of neonates suffering from the disorder.
- ⇒ Early detection of pigmentary retinosis.
- ⇒ Early detection of those who are deaf and hard of hearing.
- ⇒ A programme providing the deaf and hard of hearing, the blind and visually impaired and people with congenital and/or acquired neuromuscular disorders with care and early stimulation.
- ⇒ A programme providing the severely mentally disabled with care in 26 institutions founded for this purpose and the development of a Community Programme in 60 polyclinics.

Several community rehabilitation programmes have been created and are now up and running and are equipped with:

- ✓ Thousands of rehabilitation specialists (physiatrists, orthopaedists, ophthalmologists, etc)
- ✓ More than 4 000 people technically trained in rehabilitation work.
- ✓ 260 therapeutic areas where physical rehabilitation programmes are offered.
- ✓ A rehabilitation centre for the blind and visually impaired.
- ✓ Physical rehabilitation wards in provincial hospitals and in 120 municipalities around the country.
- ✓ The expansion of rehabilitation capacities in hospitals as well as primary care, residential homes for the elderly and physically and mentally disabled, institutes and spas.

There is an extensive system of schools, semi-boardings and boarding schools and university accommodation, which are equipped with:

491 special teaching centres.

17, 000 psychologists, speech therapists and special education specialists.

Thousands of children with disabilities or behavioural problems attend special schools which cover:

- Schools for pupils with behavioural problems.
- Schools for otherly-abled pupils.
- Schools for pupils with slow psychological development.
- Schools for pupils with limited motor functions.
- Schools for the deaf and hard of hearing.
- Schools for blind and visually impaired pupils.
- Schools for strabismus and amblyopic pupils.
- Classrooms for speech therapy sessions.
- More than 400 peripatetic teachers who teach the students in their own homes.

All persons with disabilities are guaranteed the right to a salaried employment, through a special employment programme (named PROENDIS), designed to qualify and provide work for people with disabilities. This programme includes:

- 134 special workshops for people with disabilities, in which 4 600 differently-abled people currently work.
- A programme in support of work in ordinary workplaces, which currently benefits 10 292 differently-abled people.
- Facilities that allow people with disabilities to work at home, which has made it possible for 1 800 differently-abled people to work.

*Disabled workers who can no longer work due to illness, pregnancy and motherhood, partial or complete disability or age are also guaranteed protection. In the event of their death, this protection is given to their families.*

Protection is guaranteed to people with disabilities who are in need of service benefits or benefits in kind.

Differently-abled people have the possibility of getting actively involved in sport; specialized coaches are available to them who give differential attention to the requirements of the various disabilities. Cuban athletes have taken part in the World Paralympics and have done extremely well.

The right of differently-abled people to sport and recreation is promoted through:

Provincial and national sporting events.

Regional games in various sports.

Large-scale sporting activities for differently-abled people in the community.

Activities organized for people with disabilities by the Cuban Federation of Sport and Recreation.

Differently-abled people have founded various associations with a view to making their participation in the design and application of policies and programmes around the country more effective, to channelling their initiatives, and concerns and to having a greater influence on finding solving their problems, to strengthening their ties with foreign organisations for people with disabilities and to deal with any other matter of interest to them.

Among the main non-governmental organisations for differently-abled people are:

- The National Association for the Blind (ANCI), with 19,000 members.
- The Cuban Association for the Physically and Motor Limited (ACLIFIM), with 42 000 members.
- The National Association for Deaf People in Cuba (ANSOC), with 14 ,000members.

The Cuban associations for differently-abled people maintain relations with equivalent organisations in the region and around the world. Some of their leaders have responsibilities in international associations and regularly attend their meetings.

*The gradual elimination of architectural barriers has been another aim proposed in programmes to promote and protect the rights of the differently-abled. To do this, Cuban regulation 53-199:90 was drafted. All building projects are reviewed by state inspectors and inspectors from the Associations of Persons with Disabilities. Affirmative action programmes exist in areas around the community in order to eliminate these barriers.*

Extensive work is underway to raise public awareness of the specific needs of people with disabilities, using methods such as:

- Radio and television programmes.
- Televised news items for deaf people.
- News in the written press.
- Publicity about events, conferences, seminars, etc on issues related to disability.
- The International Day of Disabled Persons (3 December)

Among the governmental programmes and plans that are underway and which are having a especially positive effect on differently-abled persons, are: training home care givers to attend to disabled people in their own homes; helping mothers of severely disabled children, which includes paying a salary to those who have to stay at home and care for young children with severe disabilities; broadening and enhancing specialized and complementary services that offer laundry and hairdressing services, etc.; increasing the ration allowance and paying subsidies for food to differently-abled people in need, according to their specific requirements; creating facilities that make it possible for them to eat in local restaurants and cafeterias.

A new, free social service, teleassistance, is being tried out to connect people in need with a call centre that guarantees them permanent support in any situation. Studies are being carried out on elderly people's living conditions and social support networks.

In short, despite the serious effects of the genocidal blockade imposed on Cuba and maintained by successive US administrations for more than 4 decades, and the fact that it is an underdeveloped country with scarce resources, the Revolution has converted the goals that continue to be veritable chimeras for most peoples around the world into a reality for all Cuban men and women: full employment and the application of an effective system of social security and assistance, which ensures that no-one will be left to any unlucky twist of fate.

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