COSATU

The Congress of South African Trade Unions
Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet:
http://www.cosatu.org.za
E-mail: Bheki@cosatu.org.za
/ Zanele@cosatu.org.za

October 5

2017

THE CONGRESS OF SOUTH AFRICAN TRADE UNIONS SUBMISSION TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW (UPR): CUBA

COSATU

CONGRESS OF SOUTH AFRICAN TRADE UNIONS

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

COSATU SUBMISSION TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW (UPR): CUBA

Background

1. The Congress of South African Trade Unions – COSATU was formed on 1st December 29185 and is the largest trade union federation in South Africa and on the African continent.

2. COSATU currently prides itself with 17 affiliates from all sectors in the economy and a membership of 1.7 million.

3. COSATU is the only South African trade union federation that embarks on strikes in support of our members' rights to fair wages and fair working conditions.

4. The objectives of COSATU's international mission include among others:
5. Fighting for global economic justice

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

6. Fighting for human and trade union rights, an end to all forms of oppression, and the pursuit of social justice all over the world
7. Building, promoting and defending working class alternatives to neo-liberalism and capitalism.

8. In this ssubmission we address the following issues;

   8.1 The role of Cuba in the establishment of SA's democracy
   8.2 The socio-economic and political context of Cuba in relation to her human rights obligations.

   8.3 The concerns on Cuba's practices relating to human rights challenges and achievements.

   8.4 Recommendations on areas of concern.

The role of Cuba in the establishment of SA's democracy

9. COSATU established its relations with Cuba during the height of the South African struggle against apartheid. Cuba was one of the countries that offered its solidarity to the Tripartite Alliance (The African National Congress, The Congress of South African Trade Unions and the South African Communist Party) and since then the relations between the Cuba's Confederation of Workers of Cuba (CTC) and COSATU have strengthened.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

10. Cuba was the only country that provided its personnel and arms in Angola to fight the apartheid government and its stooges. The 1988 Cuban victory at Cuito Cuanavale in Angola against the South African National Defence Force and its allies, which came at a heavy costs of Cubans who lost their lives gave rise to the independence of Namibia and later led to the unbanning of political parties in South Africa and negotiations relating to the transition to democracy. It is through Cuba's efforts that modern South Africa has a strong democracy where civil and political rights including worker's rights are protected by the law.

11. The Cuban political system which is based on communist values is an inspiration to the working class and the poor in the whole world and it is held in high esteem as an alternative to the current global system of neo liberal capitalist democracy.

12. We submit that the Cuban system and its commitments to uphold human rights should be seen in this context.

13. Cuba has undergone two previous UPRs, 2009 and in 2013. In the 2013 review, the Cuban Government presented the work being done by the country, their experiences, achievements and challenges in promoting and

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

protecting human rights. The work presented was well received earning Cuba over-whelming recognition for their work on human rights and advocacy work as well as noted for good practice on human rights.

14. Cuba was further urged to maintain its efforts in respect to observing, promoting and protecting human rights. The Cuban delegation acknowledged the struggles and challenges ahead and still committed to work towards the full realization of all human rights, for all in Cuba.

The socio-economic and political context of Cuba In Relation to her human rights obligations

15. The Cuban Government is a signatory to a number of human rights agreements including the United Nations Human Rights Council Universal Periodic Review.

16. Cuba's human rights obligations must be understood in its historical context. As a small country it has been subjected to sabotage and harassment by the former world power[1] and the largest capitalist state in the world - the US.

[1] The biggest world economy by price comparison is China.

COSATU

CONGRESS OF SOUTH AFRICAN TRADE UNIONS

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

17. For more than half a century Cuba has been faced with the US economic sanctions which have no legal basis in international law. The state terrorism committed by the US on Cuba in respect of different acts of sabotage and attacks including the Bay of Pigs invasion and Operation Northwoods, justifies Cuba's position to protect its security and sovereignty and to implement its human rights obligation to the extent that they do not endanger the revolution.

18. As a result, Cuba has to take extraordinary measures to protect its security and preserve the gains of the revolution and in this process it has been exposed to both internal and external anti-revolutionary forces.

19. In order to advance the living standards of Cubans and the working class and the poor in the world, Cuba should be given space and time to address its security concerns. Even the most advanced countries have at some point in their history suspended human rights during World War II. However, we are not calling for Cuba to be exempted from her human rights obligations.

20. The Cuban Society is characterised by the principles of social justice, equality and solidarity. Cuba is a good example to the world when it comes to human rights, health, education, culture and sports and these have always been priorities in Cuba. The Cuban revolution which started in 1959 has grown from strength to strength based on social justice and practical international solidarity, proving that another world is possible.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

21. We submit that the country has taken bold measures towards realising maximum human rights taking into account the recommendations of the 2013 review. Free social services have been assured for all Cubans, including education and public health. Cuba guarantees universal and free access to public health.

22. Cuba was the first country to send medical teams to countries such as Liberia, ridden by the deadly virus of Ebola when the super powers particularly the G7 were retreating.

23. South Africa is one the beneficiaries of the Cuban solidarity. This solidarity has continued post our struggle for freedom in that Cuba still has cooperation programs not only with the South African Government but communities, mass democratic movement, business and workers. These solidarity programs include knowledge sharing, exchange programs, training, research, agriculture, water, medicine, and education.

24. Cuba has sent its doctors to South Africa and these doctors are servicing the poor in the most remote rural areas of South Africa contributing to better access to quality health care. Cuba is also involved in training SA students in the health sector.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

25. Cuba supports all the peoples of the world that are facing social injustice not only by word but in practical terms as well. In this way, Cuba has given a substantive meaning to civil and political rights as enshrined in the UN charters.

The concerns on Cuba's practices relating to human rights challenges and achievements.

26. The Cuban Governments has implemented the Universal Declaration of Human Rights in different ways by ensuring that health, education, employment, non racialism, non discrimination, food and environmental protection remain key priorities for its government. Some of these socio-economic priorities by the Cuban Government contravene the neo liberal capitalist values. In a capitalist society, the responsibility for obtaining food, clothing, housing and medical care rests with the individual not the state while in Cuba the opposite applies. Likewise, under neo-liberal capitalist economies it is not the state's responsibility to ensure that all citizens share equally in the benefits of scientific advancements in areas such as HIV and AIDS as well as maternal mortality are shared by its people and not by monopoly capital. As a result we submit that Cuba has succeeded in executing its obligations under the Declaration.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

27. The Cuban Socialist Model puts more emphasis on human life and dignity. It highlights the principles of social justice, equality, culture and traditions of internationalism as a way of life and we submit that these principles are important and valuable for protecting and defending human rights.

28. COSATU has observed that countries with neo-liberal capitalist economies in particular the US have never been comfortable with the Cuban political and economic system and as a result they have used various mechanisms to dismantle the Cuban system.

29. The world view and approach to human rights is that all things globally are equal. However, this is not correct as those countries at the core; - the western capitalist economies continue to appropriate all benefits of unlimited and borderless “free” markets whilst the countries in the periphery continue to assume all the risks and costs of the current neoliberal capitalist globalization.

30. The successes of the Cuban system have been slowed down due to “the US’s unilaterally imposed Economic Sanctions against Cuba”. The US blockade of Cuba is an obstacle to progress in Cuba and all other countries that look up to and take their strength from the Cuban model and successes.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

31. Despite the blockade, in June 2015 Cuba became the first country in the world to receive validation from the Wealth Health Organisation on its elimination of mother-to-child transmission of HIV and syphilis. Cuba's infant mortality rate (IMR) for 2014 was 4.2 for every 1000 births, unchanged from the previous year and again the lowest in Cuban history. Healthcare in Cuba is free and universal, enshrined in the Cuban constitution as a fundamental human right, and guaranteed by the state. According to UNESCO, Cuba ranks 14th in the world in terms of the Education for All Programs.

32. Cuba continues to achieve high socio-economic development despite the stranglehold of the US's unilaterally imposed embargo. These achievements can also be measured by the normalised life expectancy of up to 80 years old, increased literacy, breakthrough in the field of medicine in treating diseases' like cancer, Ebola, and HIV and AIDs. A country willing to offer such support to others is a country that observes and respects human rights.

Recommendations on Areas of Concern

33. Cuba has undergone two previous UPRs, 2009 and in 2013.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

34. In both the previous submissions Cuba's efforts were acknowledged by the UN Human Rights Councils Universal Periodic Review Form. They were praised for the successes in arrears of economic, social and cultural rights as well as the work Cuba has engaged on in international cooperation. Cuba was further urged to maintain its efforts in respect to observing, promoting and protecting human rights. The Cuban delegation acknowledged the struggles and challenges ahead and therefore committed to work towards the full realization of all human rights, for all in Cuba.

35. Cuba is currently going through complex changes since the "normalisation" of relations with the US. Becoming a global economic player can be threatening to the known way of life for the Cuban people which implies there should be changes to the constitution as well. The interference by the US is not helping progress. The progress made since the announcement of Normalisation of relations is under threat with the Trump administration which may have dire implications for progress.

36. We submit that the Cuban approach to human rights is unique and works not only for Cuban people for other developing countries that cherish the ideals of equality, human dignity and brotherhood or Ubuntu.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

37. We submit that many countries can all learn a lot from the Cuban model, that with minimal resources, a lot can be achieved only when there is a will and commitment.

38. We submit that Cuba maintains a high level of cooperation and interaction with the United Nations human rights procedures and mechanisms, as human rights are enjoyed by all, without discrimination.

39. Cuba has been improving each year and implementing observations and recommendations from the forum without necessarily drastically changing its political and economic system. Whilst we urge Cuba to gradually improve its system to accommodate universal human rights, Cubans should ensure that the revolution is protected and defended because it would be difficult if not impossible to sustain the revolutionary achievements in the areas of education and health under a neoliberal capitalist democracy.

40. Cuba's respect for human rights should be viewed beyond the system of capitalism and neo Liberalism but measured based on the achievements under the current unique socialist inclined system of political and economic governance.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

41. The Unilateral US Economic blockade must end with immediate effect to allow Cuba room to develop and improve on her socio-economic achievements and human rights obligation.

42. The UN HRC should appreciate and accept that there are other systems outside neo liberal capitalist democracies that are successful and that Cuba should be given room for self determination and sovereignty to grow on its own terms. The current global system is based on neo liberal and capitalist ideology and this system demonises and criminalises any alternative system to neoliberal capitalist values and the UN HRC must reject this view.

43. We have noted the negative reports by various organisations against Cuba including the Human Rights Watch and Amnesty International.[i]

44. According to these report, Cuba continues to deny civil and political rights to its people and these include the following; illegal detentions and harassment of critics, restrictions on media outlets in Cuba and restrictions on access to outside information, limitations of the right to freedom of expression and freedom of association.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

45. We condemn any repression of human rights. However, we submit that any implementation of human rights must be aligned with prevailing political and economic system in Cuba.

46. Human rights must be protected within the context of Cuba's political and economic situation and attempts by the US to destabilise Cuba merely because the Cuban people prefer a different political and economic system.

In Conclusion:

47. Cuba is a member state that respects and observes the UNHRC- UPR Process. The ultimate aim of this UPR mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur. In this regard this submission is in support and appreciation of the unique case of Cuba.
48. We congratulate Cuba for continuing to explore options for improving the current system of protecting human rights and for continuing to develop international cooperation with United Nations human rights mechanisms. We urge them to continue to make strides to meet the recommendations made by the UN HRC UPR Forum

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

49. We call on the UN HRC UPR Process to observe and appreciate the unique Cuban system and its groundbreaking achievements. We hope the Cuban system will be seen as exemplary and that space will be granted to Cubans to allow changes in its political and economic system where necessary to take place without interference.

50. As a signatory to the Universal Declaration of Human Rights Cuba is not exempted from complying with human rights including civil and political rights. However Cuba's implementation of the universal human rights must be on its political and economy terms and the need to protect its sovereignty.

51. Due to numerous credible reports from various international institutions it has been proven that Cuba's Security concerns are well founded and there is credible evidence to that effect. We believe Cuba has contributed positively in the struggle against Terrorism. In this regard, the destabilisation of Cuba by the US creates serious unrest, instability and insecurity for all the peoples of Cuba thereby infringing on their rights to security and self determination

52. We condemn the interference in the internal affairs of the Cuba by various foreign agencies, intelligences and other proxy groups masquerading as charity and aid groups funding destabilisation.

Head Office
110 Jorissen Street
Braamfontein
JOHANNESBURG
P O Box 1019
JOHANNESBURG
2000
Tel: + 27 11 339 4911
Fax: + 27 11 339 5080
Internet: http://www.cosatu.org.za

53. We urge Cuba to continue to be frank and genuine in its engagements during the UPR process while maintaining its sovereignty and its commitments to protect the socialist revolution. We believe that contrary to neo liberal capitalist system a socialist system will bring more benefits to the Cuban people, human kind and enhancement of human rights.

54. We urge the Human Rights Council to be objective, open and transparent in assessing Cuba's implementation of its obligations to ensure that every Cuban enjoys basic human rights.

[i] https://www.hrw.org/world-report/2016/country-chapters/cuba.
https://www.amnesty.org/en/countries/americas/cuba/report-cuba/