

Universal Periodic Review (30th session, Apr-May 2018)
Contribution of UNESCO
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Cuba

I. Background and framework

Title	Date of ratification, accession or succession	Declarations /reservations	Recognition of specific competences of treaty bodies	Reference to the rights within UNESCO's fields of competence
Convention against Discrimination in Education 1960	Ratified (02/11/1962)	Reservation to this Convention shall not be permitted		Right to education
Convention on Technical and Vocational Education 1989	Not a State Party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	24/03/1981 Ratification			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	29/05/2007 Ratification			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	29/05/2007 Ratification			Right to take part in cultural life

Right to education

II. Promotion and protection of human rights on the ground

1. The right to education is enshrined in the **Constitution of the Republic of Cuba** (as amended in 2002).¹ It spells out the right to free education, also to adults, and free education material. The Law on the First Comprehensive Reform of Education (*Ley*

¹ Accessible on UNESCO's Global Database on the Right to Education in Spanish:

<http://www.unesco.org/education/edurights/media/docs/1caa9c19bc887fe46ade669d1f5e69c3f0343afc.pdf>

sobre la Primera Reforma Integral de la Enseñanza) establishes the organization fundamental objectives of education. The Law on general and free nationalization of education (*Ley de Nacionalización General y Gratuita de la Enseñanza*) sets up free and public education.

2. In terms of reporting to UNESCO, Cuba has submitted a report within the framework of the **9th (2016-2017) Consultation of Member States** on the measures taken to implement the UNESCO Convention against Discrimination in Education as well as within the framework of the **8th (2011-2013) Consultation**. Cuba did not report on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **5th (2012-2013)** and the **6th (2016-2017) Consultations of Member States**.

Freedom of opinion and expression

➤ Constitutional and Legislative Framework:

3. The Cuban Constitution allows for freedom of speech and the press under Art. 53 with the qualification that this should be “in keeping with the objectives of socialist society”. It also underlines “that the press, radio, television, cinema, and other mass media are state or social property and can never be private property.”²
4. Defamation remains criminalized under Art. 204 and Art. 318 of Cuba’s Penal Code, which carries a prison term of up to one year and/or a fine. Furthermore, under Art. 210 of the Penal Code, those who “produce or circulate publications without indicating the origin or in non-compliance with the rules related to publication shall face imprisonment for up to one year” and/or a fine.³
5. There is no freedom of information law in the country. Recent national development policy guidelines have recognized “information, communication and knowledge as public goods and citizens’ “rights that are to be exerted responsibly.”⁴

➤ Implementation of legislation:

6. The Cuban Ministry of Communications (MINCOM) implements the Informatization Policy, while the regulatory body for Radio and TV broadcasting is the Cuban Institute of Radio and Television (ICRT). The government appoints the authorities of the ICRT.

➤ Safety of journalists

² Constitución de la República de Cuba, disponible en <http://www.cuba.cu/gobierno/cuba.htm>

³ Idem

⁴ Conceptualización del modelo económico y social cubano de desarrollo socialista, disponible en http://www.pcc.cu/pdf/congresos_asambleas/vii_congreso/conceptualizacion.pdf

7. UNESCO recorded no killing of journalists and media workers in Cuba between 2008 and 2017. Intimidations and arrests of journalists working for non-State-run digital media have been reported in international and local digital media.

III. Recommendations

8. Below are the recommendations made within the framework of the 2nd cycle of the Working Group (16th session) on the Universal Periodic Review (July 2013):⁵

170.54. *Redouble all efforts to preserve the progress achieved in a number of areas such as culture, education, health and the fight against social inequality.*

170.57. *Continue its efforts for the development and the wellbeing of its population, particularly through education and training which even some of our countries also benefit from.*

170.68. *Extend in the region the positive experience in education and health care, including through special training.*

170.69. *Continue to promote the training and education of qualified people, especially in the sphere of health.*

170.74. *Continue and promote the training and education of qualified people especially in the sphere of health in the developing countries, and continue promoting initiatives in defence of international solidarity.*

170.75. *Promote in the international level Cuban educational programmes, such as “Yes, I can” and “Yes, I can continue”.*

170.76. *Share its experiences in teachers and professors’ training, and in adults’ education*

170.77. *Promote in the international scene the literacy and post-literacy Cuban programs named “Yo sí puedo” “Ya puedo leer y escribir” and “Yo sí puedo seguir”.*

170.78. *Continue its efforts to develop national information and education strategy which encourages a culture of disaster risk reduction.*

170.79. *Further develop national information and public education strategy that encourages the culture of disaster risk perception.*

170.93. *Continue promoting efforts to support the youth, particularly in the area of education and employment, and set up programmes and suitable mechanisms to encourage their effective participation in the society.*

170.149. *Continue the policy incorporating inmates to education and job training at different educational levels.*

170.219. *Make greater efforts to promote economic and social rights in a manner conducive to the furtherance of rights in the fields of labour, education, health and housing.*

170.264. *Continue developing its policies to ensure the best quality in the sphere of education.*

170.265. *Continue its work to achieve the highest quality at all levels of education.*

170.266. *Continue prioritizing the promotion of the right to education for all.*

170.267. *Continue promoting the respect for human rights, welfare and development of its people through education.*

170.269. *Continue the endeavours that have been made to keep all persons informed and aware of the possibility of gaining access to educational and cultural institutions.*

170.271. *Continue its efforts in human rights education.*

170.273. *Continue the effective realization of the right of education, including human rights education, in the country.*

Review and specific recommendations

⁵ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/155/27/PDF/G1315527.pdf?OpenElement>

9. An important number of the education-related recommendations made during the UPR cycle focus on quality education and the promotion of educational rights, the promotion of Cuban education programmes at the international level and education in human rights and disaster risk perception.
10. Regarding education quality, the promotion of educational rights and awareness of access to education, several measures have been introduced. Cuba has achieved almost universal coverage in preschool education, universal primary education and almost universal coverage in secondary education without significant gender differences. Although Cuba's education quality has been evaluated as being far above the regional average, improving the quality of its education remains a national priority.⁶ Different initiatives have been implemented in this regard. Cuba has taken steps to reduce the student-teacher ratio in primary school classes to 25 students per class and in lower secondary education to 35 students.⁷ Other improvements include the installation of computers in all schools, the use of technological teaching aids in every classroom and the development of two educational television channels. Furthermore, a computing programme has been developed to provide computing studies at every level of education. Additionally, Cuba invested in other educational resources, purchasing teaching laboratories for all pre-university and basic secondary schools. A National Commission for Planning and Curriculum Studies has been set up to review curricula, educational programmes and plans as well as teaching materials.⁸ To address learning difficulties in mathematics, study programmes and teaching materials have been revised to connect the teaching content of primary and secondary schools. A reorganization of the school network led to the creation of pre-university centers in all Cuban municipalities. This measure is of particular interest, aiming at universal access to university education. In addition, special university programmes for adult education have been set up. To further guarantee equal access to education, school meals are provided for students in lower secondary education. While noting positively the progress made and continuing efforts aimed at improving education quality, Cuba should be encouraged to monitor and evaluate the measures introduced and to share relevant information with UNESCO.
11. Furthermore, Cuba focused on the improvement of teacher training, training social workers as well as instructors in arts, theatre, music and dance to create artistic workshops for all levels of education. Additionally, programmes are developed through the Department of Teaching of Pedagogic Staff aiming at ensuring efficiency and continuing training of teachers.⁹ The programme *Para ti Maestro* ("For you, Teacher"), broadcasted on one of the educational television channels, proposes

⁶ UNESCO Regional Office for Culture in Latin America and the Caribbean, 2014, UNESCO Country Programme Document for the Republic of Cuba 2014-2018, p 10, UNESCO, Latin America and the Caribbean, Education for All 2015 Regional Review, OREALC/2014/PI/H/1, p 56, 254f

⁷ UNESCO, Latin America and the Caribbean, Education for All 2015 Regional Review, OREALC/2014/PI/H/1, p 255

⁸ UNESCO, Latin America and the Caribbean, Education for All 2015 Regional Review, OREALC/2014/PI/H/1, p 260

⁹ UNESCO, Latin America and the Caribbean, Education for All 2015 Regional Review, OREALC/2014/PI/H/1, p 258

methodologies for class preparation and professional advancement to teachers. A campaign aiming to improve the image of teachers has been launched in 2013. In this regard, Cuba could be recommended to continue its efforts to strengthen the competences of teachers, to provide teacher-training opportunities and to support the attractiveness of the teaching profession.

12. Among the recommendations addressed to Cuba during the last UPR cycle was a recommendation to promote education for disaster risk reduction. An education strategy including disaster prevention and risk reduction covering the period 2010-2015, the *Estrategia Nacional de Educación Ambiental*,¹⁰ was developed jointly by the Ministry of Education and the Ministry for Sciences, Technology and Environment.¹¹ Furthermore, more than 14,000 students of the central and eastern provinces who are at particular risk have participated in a programme to improve their ability to deal with disasters. The programme incorporated different methodologies, combining a scientific and an artistic approach. Following the students' education, the programme seeks to expand its outreach by having students engage with their families and other members of their community.¹² Within this framework, Cuba could be recommended to monitor the implementation of the strategy and to share relevant information in this regard with UNESCO.
13. Human rights education is not a subject in the Cuban curriculum, but it is taught as part of civic Education classes in primary and basic secondary education. However, information on the concrete plans related to human rights education could not be identified. Cuba did not report on the measures taken for the implementation of UNESCO's Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of latest consultations of countries. This would have provided a valuable opportunity to share information with UNESCO on recent developments and activities in this field. Cuba should therefore be encouraged to gather and share information with UNESCO on human rights education as well as on the monitoring of existing human rights educational measures. Furthermore, Cuba could be recommended to promote human rights education at all educational levels.

➤ **Specific recommendations:**

1. Cuba should be encouraged to continue its efforts in strengthening education quality and the promotion of educational rights as well as in the area of teacher training and to share relevant information with UNESCO on the monitoring and evaluation of the measures introduced.

¹⁰ http://www.pnuma.org/educamb/reunion_ptosfocales_CostaRica/Cuestionarios_Politiclas/Politiclas/CUBA.pdf

¹¹ UNESCO, Latin America and the Caribbean, Education for All 2015 Regional Review, OREALC/2014/PI/H/1, p 136

¹² UNICEF, In the face of Hurricane Matthew, disaster risk reduction saves lives in Cuba, 6 December 2016, https://www.unicef.org/infobycountry/cuba_93829.html (accessed 07 July 2017)

2. Cuba should be encouraged to share information on its concrete proposals of human rights education and to monitor and evaluate existing programmes in human rights education and disaster risk prevention and reduction.
3. Cuba should be strongly encouraged to continue to submit state reports for the periodic consultations on UNESCO's education-related standard-setting instruments.
4. Cuba should be encouraged to share with UNESCO any relevant information to update its country profile on UNESCO's Global Database on the Right to Education.¹³

Freedom of opinion and expression

14. The Government is encouraged to foster a more pluralistic and independent media environment in accordance with international standards.
15. The Government is encouraged to introduce an independent broadcast regulator to award and administer broadcast licences.
16. The Government is encouraged to introduce a freedom of information law in accordance with international standards.
17. The Government is encouraged to decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards.

Cultural Rights

18. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972),¹⁴ the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)¹⁵ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005),¹⁶ Cuba is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Cuba is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

¹³ <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/right-to-education/database/>

¹⁴ Periodic Report available at: <http://whc.unesco.org/document/123037>

¹⁵ Periodic Report available at: <http://ich.unesco.org/doc/download.php?versionID=33150>

¹⁶ Periodic Report available at: <http://en.unesco.org/creativity/monitoring-report/quadrennial-reports/available-reports/periodic-report-cuba>

**Freedom of scientific research and
the right to benefit from scientific progress and its applications**

19. **Cuba** has not submitted its National Report on the implementation of the **Recommendation on the Status of Scientific Researchers** (1974) for the **Second Consultation** covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002527/252798e.pdf>). Therefore **Cuba** is encouraged to report to UNESCO in future on any legislative or other steps undertaken by it to ensure the application of this international standard-setting instrument, paying particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in a spirit of autonomy, freedom of research, non-discrimination and respect for their human rights.