

# SUBMISSION TO THE 4<sup>TH</sup> UNIVERSAL PERIODIC REVIEW OF THE HUMAN RIGHTS COUNCIL OF THE UNITED NATIONS

By Hon Matthew Robson on behalf of the Cuba Friendship Society of New Zealand

Dated at Auckland on 05 April 2023

## Introduction

1. I am Matthew Robson, a former Associate Minister of Foreign Affairs and Minister for Overseas Development Aid for New Zealand under Prime Minister Helen Clark
2. I am making this submission on behalf the Cuba Friendship Society of New Zealand (CFS) of which I am a member.
3. I have visited Cuba 3 times in twenty years, despite the distance from New Zealand , and have done so in January of this year.
4. I have met with many Cubans from all sectors of Cuban life and held discussions with parliamentarians, academics, workers, agricultural workers , doctors, students and teachers.
5. The CFS as the name suggests, fosters good relations between our two small countries and seeks to inform New Zealanders about Cuba in an objective way.
6. In particular, the CFS informs New Zealanders about the effects on the development of Cuba from the illegal sanctions and embargo that the United States of America (USA) has placed upon, and savagely and illegally tightened year by year, in defiance of the United Nations9UN) and international law.
7. The CFS has supported the New Zealand government which has voted consistently in the UN, with the overwhelming membership, denouncing

the sanctions on Cuba and demanding that the USA end its illegal and cruel action which causes so much suffering to a suffering people in violation of the UN Charter and the human rights instruments of the UN and the basic principles of international law.

## **The Context of Human Rights and Cuba**

8. No informed judgement can be made on human rights in Cuba without an understanding of its history.
9. That history involves the subjugation of the indigenous population, the introduction of slavery and the struggle against it, the struggles for independence, the subjugation of Cuba to the USA after 1901 (in line with the infamous Monroe Doctrine of 1823), the seizure of Guantanamo (and continues illegal occupation by the USA) and the successful revolution of 1959.
10. The revolution of 1959 saw the first leadership in Cuba genuinely dedicated to the welfare of the people and the development of Cuba and not the enrichment of a small ruling class.
11. The revolution was based on the principles of sovereignty for Cuba, as enshrined in the UNC, and that the collective wealth produced by the people would be used collectively for the good of all the people.
12. These principles have been adhered to.
13. From the literacy campaign that saw Cuba free of illiteracy by 1961, the agrarian law, to the impressive results in health (world renowned), education, science, culture and sport Cuba has demonstrated to the world that a country long subjugated by colonialism can overcome that burden and with a collective will advance the social, economic, cultural and human rights of all its people.
14. Cuba's dedication to sharing its resources with the world was demonstrated in the recent Covid pandemic. It sent its health professionals far and wide and assisted countries, rich and poor, to combat the pandemic. The ability to do this has of course been demonstrated many times as Cuban health professionals from almost the beginning of the revolution have undertaken international health missions to many countries.

15. Cuba has always acted on the important principle that access to health care for all is one of the most important human rights of all.
16. And yet from the beginning in 1959 , the USA sets its face against allowing Cuba to develop freely and interact as a sovereign country.
17. Cuba has suffered at the hands of the USA :invasion, economic sabotage, terrorist attacks, attempted assassination of its leaders, poisoning of its crops, constant interference in its internal life and a massive and slanderous disinformation campaign worldwide.
18. It is in this context that Cuba a country that has a war imposed upon it by its powerful neighbour must have its human rights record judged.

## **Health and Education –Basic Human Rights**

19. I have visited many of the health facilities in Cuba.
20. Despite the crippling affects of the embargo an impressive system has been maintained.
21. Primary care and public health are the base of the system,
22. All Cubans from 2 years of age up have been vaccinated against Covid 19.
23. The Cuban public health system weathered the Covid storm, unlike many powerful and rich countries where the health of the masses came last as a concern.
24. Immunisation programmes protect all.
25. By 2022 the there was an infant mortality rate of 7.5 deaths per thousand live births- far above many developed countries,
26. The scientific medical industry produces medicines and vaccines and treatments that are available to Cubans and to the world.
27. Education is a basic right guaranteed by the Constitution.
28. Free, affordable and quality education from early childhood to postgraduate education is the right of every Cuban without

discrimination.

## **Racial Discrimination**

29. Cuba suffered from slavery and colonialism.
30. From the Revolution it became a key endeavour to root out this evil.
31. The poison of eradicating racism and a colonial mentality , going back centuries, is no easy task.
32. Cuba has enacted comprehensive legislation and practices to completely ban all forms of racial discrimination
33. This is an ongoing task and Cubans admit they have not completed the job.
34. Overt and covert forms of discrimination still exist.
35. But it is a priority to continue the battle and to openly discuss in the parliament, the press , the schools and the workplaces how to combat this evil.
36. That requires freedom of expression.
37. And I have witnessed that freedom of expression as no Cuban is afraid to tackle even the highest state authority on this fundamental human rights question

## **Sexual emancipation, sexual harassment, equality for women and gender rights**

38. Cuba has tackled these difficult and important questions head on.<sup>3</sup>
39. Nation wide discussions, with no holds barred saw a Family Code implemented and laws to combat all forms of discrimination against women , gay people, minorities , disabled people and the responsibilities of men and women.

40. Taking women out of the kitchen to play a leading and equal role in society at all levels is seen as a fundamental task for advancing human rights.
41. Cubans in their millions freely exercise and debate these pivotal human rights issues in their communities, workplaces , schools, the parliament and through the media.
42. There are no restrictions on furthering these fundamental human rights , guaranteed by law.

### **The Cuban Parliament**

43. I have visited the Cuban Parliament a number of times.
44. I have spoken with the Parliaments elected from their districts and workplaces.
45. They are proud of their system.
46. The Communist Party does not stand.
47. Candidates are vetted by their communities, are elected to go to the Parliament and work in the various commissions and with the relevant ministers to advance the best interest of all the people.
48. Communities will not tolerate representatives who do not work hard for them and speak out for them.
49. The deliberations of the Parliament, the Ministers , the President and advisers on the fundamental issues facing the nation are closely covered by the media.
50. There are no secret decisions or favoured lobby groups who can pay off legislators as in Washington, London or Paris.
51. When I questioned the role of the Communist Party of Cuba with Parliamentarians I in turn was asked about the systems in NZ and the United Kingdom and other legislatures , where Cubans observed opposing parties yelling abuse at each other , fabricating storied detrimental to the opponents and generally acting in a non-cooperative

way.

52. Cubans found that in their system the elected representatives did everything they could, including fierce but respectful debate, when necessary, to work with Ministers and government to debate the real issues confronting the nation and to continually seek improvement.
53. The recent elections with an almost 78 percent turnout with candidates having debated vigorously the many issues Cubans face, has seen a fully representative parliament, answerable to its people elected.

## **The Justice System**

54. As lawyer I have taken a keen interest in the Justice system.
55. Unlike, tragically, other jurisdictions, people do not disappear.
56. All offenders have the presumption of innocence and the state has to prove offences, according to law, in an open court.
57. Judges and lawyers are independent and are not corrupt
58. In the prison system, which I am familiar with and have visited a number of Cuban prisons, the emphasis is on rehabilitation of offenders and education,
59. Offenders have human rights to be observed as well.

## **Freedom of Expression**

60. Cubans are not frightened or cowed and express their opinions forcefully and volubly in public.
61. Visit any café, public space or workplace and you will find that Cubans exercise the right to free speech as guaranteed by law.
62. The Cuban government has facilitated the expansion of the internet and mobile phones. Information flows freely.

63. Demonstrations occur frequently. Demonstrators are only charged at law if acts of deliberate violence occur.
64. State security is of course a great concern.
65. Any country subject to the violent and continuous attack that Cuba has undergone at the hands of the USA since 1959 protects itself.
66. Cuba has no other protections of its state and civilian security than any other country governed by the rule of law.

Matthew Robson

On behalf of the Cuban Friendship Society of New Zealand