

VIETNAM GENERAL CONFEDERATION OF LABOUR
SUBMISSION TO THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS

UNIVERSAL PERIODIC REVIEW (FORTH CYCLE): CUBA,
OCTOBER-NOVEMBER 2023

A. Introduction

1. This report is the submission of the Vietnam General Confederation of Labour (VGCL) to the Office of the High Commissioner for Human Rights (OHCHR) for consideration in its summary of stakeholder submissions for Cuba's appearance before the 44th Universal Periodic Review session, scheduled in October-November, 2023.

2. This submission is consisted with the guidelines approved by the Human Rights Council and the Civil Society Unit of OHCHR.

This submission focuses on the situation of human rights defenders, which is of particular relevance to sections I(B) and (C) of the Human Rights Council's Guidelines, and to sections 8 (d)-(f) of the Civil Society Unit's Guidelines.

B. Executive Summary

3. Cuba's democratic system is based on the principle of "government of the people, by the people and for the people," which is expressed in the maxim that the Revolution "is of the humble, by the humble and for the humble".

4. The Cuban State recognizes and encourages mass and social organizations, which bring together different sectors of the population, represent their specific interests and involve them in the building, consolidation and defense of the society.

5. In general, the socio-economic performance of Cuba which have been achieved and being maintained through the last decades provides the Cuban people one of the best healthcare and education systems in the region, remarkable reduce of poverty and provides to the people great access to top quality arts and culture life that is not limited to narrow pool of audience like in most other countries. It is worth to note that all these achievements have been made in the context of huge economic suffering for decades under the blockade.

C. People's participation to State's decision

6. The adoption of the Constitution by a popular referendum on a "yes" vote of over 97% of the total number of voters; the participation of nearly 9 million people in more than 163,000 meetings held to discuss the Draft Guidelines of the Economic and Social Policy; and the discussion of the preliminary draft Labor Code with the participation of over 2,800,000 workers, in some 69,000 trade union assemblies.

7. Recently, the proposals of the Conceptualization of the Cuban economic and social model and the Bases of the National Development Plan until 2030 were discussed by 1.6 million Cubans (over 47,000 meetings), from which over 200,000 proposals emerged, aimed at ensuring a more just, free, independent, equitable, democratic, collaborative and participatory society.

8. The National Assembly of People's Power is the legislative parliament and supreme body of State power. Each deputy is a representative elected by the people as a member of a legislative assembly and the essence of his/her role is to represent people's interests of the entire nation, not a particular territory. The information and function of the Assembly is in conformity with the universal principle of democracy which upholds the power of Cuban people.

Labour and trade unions

9. The Cuban Government has ratified all 8 fundamental Conventions of the International Labour Organization (ILO). The principles set out by these fundamental Conventions are enshrined in the related national laws of Cuba.

10. Large numbers of Latin Americans as well as workers in other regions work in the informal economy. Meanwhile, most Cuban workers in other regions work in the informal economy. Meanwhile, most Cuban workers are employed and work in the formal economy.

11. The overwhelming majority of workers, including small private business employees, are unionized and protected under collective agreements.

12. There is a framework for workplace protections. Labour legislation mandates vacation, maternity leave, and a maximum 44-hour work week, while setting health and safety rules.

13. A system of labour courts exists to adjudicate worker grievances and discipline issues.

14. Health care, pensions, disability, and generous parental leave are all guaranteed by the state, and there is a system for unemployment support and job retraining.

15. According to Report of the Committee of Experts on the Application of Conventions and Recommendations - Application of International Labour Standards 2017 (1), Cuba was listed as one of the cases which the Committee has been able to express its satisfaction at certain measures taken by its government in relations to ILO Conventions 87 and 98 (para. 54 of the Report)

Recommendations

16. The Cuban government has been taking steps to reform its economy to create a stronger base for further improvement of the benefits and welfare and living standards for all Cuban people, including Cuban workers. These efforts have been facing with great difficulties under the current embargo and blockade. To give further effect to its commitments discussed above, the Cuban government should take the following steps:

- + Continue its policies and welfare provided to the people and workers during its economic reform.
- + Continue its efforts to further improve labour legislation in conformity with the international standards based on its practical circumstance.
- + Continue providing favorable conditions for the activities of the trade unions to protect the rights and interests of the workers.