



# National Committee for Solidarity with Cuba

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The National Committee for Solidarity with Cuba (NCSC) is an organisation formed in 1992. The organisation is formed to express Indian people's support and solidarity with the people of Cuba, who were subjected to inhuman and unjust economic blockade. The Resolution adopted by the United Nations denouncing the blockade provided the basis for the organisation as it shares the view about the sovereign equality of all States and non-interference and non-intervention in their internal affairs<sup>i</sup>. The NCSC, a multi-party, multi-organisational platform, representing various political and ideological views present in India, is united in its concern for standing in solidarity with Cuba. It works to build and strengthen people-to-people relations between India and Cuba. The NCSC mobilised aid for Cuba and sent a 10,000 tonne load of grains to Cuba, when the country was facing a shortage of food grains due to the economic blockade that was continuing for the past 30 years, in violation of various UN Resolutions, the recent one being the Resolution adopted on 3<sup>rd</sup> November 2022<sup>ii</sup>. The NCSC, as a part of its organisational activities, has got a first-hand experience of the developments in Cuba through its direct interaction with the people on various occasions. It is on this basis of our on-field observation and knowledge, we affirm the value Cuban State accords to every persons right to a dignified human life. These rights, specifically guaranteed in the Constitution, found a place there through an extensive democratic exercise.

**Democracy in Action:** Contrary to many accusations, we found democracy to be a dynamic process in Cuba. People participate at every level of decision making process. We affirm three instances of the vibrancy of Cuban democratic process – the process of the adoption of a new Constitution, the enactment of a new Family Code legislation and three the election of deputies on the basis of the newly adopted Constitution.

**Constitution of Cuba – An Exercise in Democracy:** The process for the writing of a new Constitution of Cuba adopted in 2019, began in June, 2018, when the Parliament approved the initiation of the Constitutional Reform process. A Constitutional Commission prepared the draft of the new Constitution which was submitted to the Assembly in July, 2018, and approved after a broad debate. The adoption of this draft remains a textbook example of democracy in practice. Some nine million people participated in more than 133,000 meetings. More than 1,700,000 remarks and comments were made in this popular participation. From these discussions some 783,000 proposals emerged. The Commission discussed these proposals, remarks and comments and basing on them, almost 60 percent of the draft's articles were modified. This modified draft was once again placed before the

people in a referendum. 90 percent of citizens with the right to vote participated in the referendum and of these, 86.85 percent voted in favour. This means nearly 78.3 percent of all the people with the right to vote, approved the new draft. It is not out of place here to also note that out of the total votes polled in the referendum, 95.85 percent of the ballots were valid<sup>iii</sup>. This shows the wide acceptance to the new Constitution of Cuba. It also demonstrates the democratic process that was followed in the adoption of the new Constitution.

**Family Code Law:** Repeating the democratic exercise that was carried out for the adoption of new Constitution, the Cuban State enacted a new Family Code Law, that further guarantees gender equality. The Family Code went through many versions over the course of three and a half years and the democratic exercise involved the participation of 6,480,000 Cubans, before it was finally adopted. On 15 September 2021, the Cuban government published the draft of the new Family Code, which was placed for discussion before the people in a huge exercise of popular participation that included legislators, experts, academics and the population in general. They contributed for the betterment of the draft Code. This strengthened draft was subsequently placed for adoption in a referendum, in which the people overwhelmingly participated and expressed their support. In the referendum held on the Family Code on September 25, 2022, 74.12 percent of the electorate participated and the ‘yes’ vote represented 66.85 percent of valid votes.

**Election of Deputies:** On March 26, 2023, Cuba elected 470 deputies to the National Assembly of People's Power, constituting the X Legislature of the Parliament. These deputies will in turn elect the President and Vice President of the Republic, as well as be responsible for the legislative development of the Constitution. This was another act of popular sovereignty and citizen participation. Out of the 8 million 120 thousand 072 Cubans who were eligible to vote, 6 million 164 thousand 876 Cubans exercised their right to vote, which means a participation of 75.92 percent. The maturity of the voters and their belief in the democratic process can be understood by the fact that out of all the votes cast, 90.28 percent were valid, 6.22 percent were blank and only 3.50 percent were invalid. All the 470 candidates who got elected, won by securing more than 50 percent of the valid votes. Out of all the elected deputies, young people under 35 years of age constitute 20 percent, while women represent 55 percent, making it only the second parliament in the world with the largest number of women deputies. This shows the involvement of youth in the democratic process in the country and also their commitment towards ensuring gender equality, a vital aspect of Cuban Constitution.

### **Value for Human Equality, Dignity and Labour**

The newly adopted Cuban Constitution not only guarantees equality to all the people of Cuba, but also promises them a dignified life, where labour will be respected. The Title V of the Cuban Constitution discusses about the rights, duties and guarantees of the people. It starts with describing human dignity as a supreme value that would be recognised and guaranteed by the Constitution. Article 42 declares that: “All people are equal before the law, receive the same protection and treatment from the authorities, and enjoy the same rights, liberties, and opportunities, without any

discrimination for reasons of sex, gender, sexual orientation, gender identity, age, ethnic origin, skin color, religious belief, disability, national or territorial origin, or any other personal condition or circumstance that implies a distinction injurious to human dignity. All people have the right to enjoy the same public spaces and service facilities”. This Article further guarantees ‘equal salary for equal work’ and thus ensuring a step towards women’s equality.

### **Towards Gender Equality**

Article 43 of the Constitution further elaborates equality between men and women and declares: “Women and men have equal rights and responsibilities in the economic, political, cultural, occupational, social, and familial domains, as well as in any other domain. The State guarantees that both will be offered the same opportunities and possibilities. The State encourages the holistic development of women and their full social participation. It ensures the exercise of their sexual and reproductive rights, protects them from gender-based violence in all of its forms and in all spaces, and creates the institutional and legal mechanisms to do so”. Cuban Constitution hence guarantees women the right over the bodies and also gives them a choice over reproductive rights, including abortion. This is a significant right, given the debates raging over women’s right to abortion and reproduction in various countries around the world. This is a true adoption of the UN idea of gender equality and a recognition of UN’s understanding that there is ‘no such thing as human rights for all, while half the global population is subject to the levels of violence, misogyny, exclusion, entrenched inequalities, economic disempowerment, and multiple forms of discrimination’.

### **Respecting Care Work and the Rights of Sexual Minorities**

The new Family Code helps in the realisation of gender equality that was guaranteed in the Constitution. It legalises equal marriage and equal adoption rights regardless of sexual orientation, recognises the rights of surrogate mothers, recognises women’s work in the household, and recognises the role of grandparents in the family. Under the new code, parental rights will be shared among extended and non-traditional family structures that could include grandparents, step-parents and surrogate mothers. The Code also recognises prenuptial agreements and assisted reproduction. The Code promotes equal distribution of domestic responsibilities amongst men and women and extends labour rights to those who care full-time for children, the elderly, or people with disabilities. The code establishes the right to a family life free from violence, one that values love, affection, solidarity and responsibility. It codifies domestic violence penalties, and promotes comprehensive policies to address gender-based violence. The Code also outlaws child marriage and corporal punishment, stating that parents will have “responsibility” instead of “custody” of children, and will be required to be “respectful of the dignity and physical and mental integrity of children and adolescents.” It also asserts that parents should grant maturing offspring more say over their lives.

### **New Frontier Rights**

Dealing with some of the new frontiers of human rights that need to guarantee privacy, digital access, public benefits of the developments in science and technology and the protection of environment, Cuban Constitution in Article 32 (f) promises that “creative and investigative activity in science is free. Scientific and technical research with a focus on development and innovation is encouraged, prioritizing that which is oriented towards solving problems of social concern and that benefit the population”.

Article 75 explicitly states citizens have the right to a safe environment. “All persons have the right to enjoy a natural environment that is healthy and stable. The State protects the environment and the country's natural resources. It recognizes their close linkage with the sustainable development of the economy and society to make human life more rational and to ensure the security of current and future generations”.

The right to privacy of the citizens, their identity and honour is also recognised and guaranteed by the Constitution (Article 48). Guaranteeing the citizens right to enjoy their private lives in their homes, Article 49 states: “The home is an inviolable space. One may not enter in another dwelling without permission of the inhabitants, except through a warrant issued by a competent authority following the legal formalities and for a motive previously denied by the law”.

### **Right to Education, Health, Water, Diet and Sanitation**

Article 46 guarantees that all the citizens of Cuba have the “right to life, physical and moral integrity, justice, security, peace, health, education, culture, recreation, sports, and to their holistic development”.

The Constitution recognises the right to work (Article 64), prohibits child labour (Article 66), right to adequate housing (Article 71) right to health (Article 72), right to education (Article 73), right to water and sanitation (Article 76) and a right to healthy and adequate diet (Article 77).

### **Right to Health and Fight against the Covid Pandemic**

The commitment of the Cuban State towards standing true to its Constitutional promises were noticed during the Covid-19 pandemic. Despite travel restrictions that adversely impacted Cuban economy, which on top of the US imposed unilateral economic sanctions, crippled the country, it rose to meet the health challenges posed by the pandemic. Cuba was most sought after to render assistance during the Covid pandemic by various countries. The long list of more than 51 countries assisted by Cuba during this period includes not only countries from Latin America and Africa, but also advanced countries like Italy. Capping all these achievements, Cuba developed five vaccine candidates to control the Covid pandemic. Out of these Abdala vaccine is leading the way by showing more than 90 percent efficiency. Cuba has not only successfully vaccinated all its citizens, but also supplied its vaccines to Iran, Venezuela and other needy countries. Such are the achievements of socialist Cuba, that Cuban doctors and medical personnel working as Henry Reeves Brigade were recommended for the Nobel Peace Prize.

### **Right to Expression**

In spite of these commitments to the protection of human rights, particularly to the right to life, we believe that Cuba is unjustly accused of violating human rights and denying their citizens the right to associate, express their dissent or protest. In fact, the Cuban Constitution recognises and guarantees the right to ‘assembly, demonstration, and association’ (Article 56) and also the right to adhere to their own religious beliefs and practice their religion of choice’ (Article 57)<sup>iv</sup>.

Moreover, Cuba has ratified 44 international human rights instruments out of the 61 internationally-recognized instruments, which shows its commitment towards the protection of human rights and living up the great standards set forth in the UN Charter.

We, therefore, affirm that Cuba is engaged in perfecting the ways in which the citizens exercise a participative democracy effectively and truly.

We are convinced that the triumph of the Cuban Revolution in 1959 brought a very important change in Cuba, empowering it to stand up against years of domination by a powerful neighbour. For the first time, people of Cuba attained their true independence and the full, universal enjoyment of all human rights.

We believe that each country is sovereign and imposition of one model of thought or rule on others cannot be allowed. We are hence against the idea of exporting ‘democracy’ through ‘regime change’. We are against the imposition of hegemonic and coercive methods that completely deny the enjoyment of human rights by all. In this context, we believe that the policy of hostility, regime change, blockade and aggressions by successive United States administrations supported by unfair and malicious media campaigns against Cuba are a serious obstacle to the full enjoyment of human rights and the basic freedoms of all Cubans, including their rights to life, peace, self-determination and development.

The economic blockade against Cuba is the most serious attack on the human rights of the Cuban people. We, along with the overwhelming majority of people living on planet Earth, believe that the continuing economic, commercial and financial embargo imposed by the United States of America against Cuba, in violation of UN Resolutions is the biggest obstacle to the Cuban people enjoying their life to the fullest potential. The criminal economic blockade against the republic of Cuba, has a tremendous cost on the economy of the island. More than 80 per cent of the country’s current population was born under the blockade and since 2019, the United States government has escalated the embargo. The cumulative economic damage of the blockade is estimated to be \$154.22 billion at current prices<sup>v</sup>. Despite that, the Cuban people have continued vindicating and defending the Revolution that made possible the enjoyment of civil, political, cultural, economic and social rights of everyone in the country.

We submit the above details to the UPR and urge that the UNHRC should move towards doing away with the long time injustices being carried out against the Republic of Cuba and its people.

Forwarded on behalf of the National Committee for Solidarity with Cuba:



## **MA Baby**

### **Convenor**

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- i <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N93/155/92/IMG/N9315592.pdf?OpenElement>
- ii <https://press.un.org/en/2022/ga12465.doc.htm>
- iii <https://en.granma.cu/cuba/2019-04-11/raul-the-constitution-we-proclaim-today-guarantees-the-continuity-of-the-revolution-and-the-irrevocability-of-our-socialism>
- iv Constitution of Cuba, adopted in 2019. [https://www.constituteproject.org/constitution/Cuba\\_2019.pdf?lang=en](https://www.constituteproject.org/constitution/Cuba_2019.pdf?lang=en)
- v <https://press.un.org/en/2022/ga12465.doc.htm>