

Cuba and Human Rights

1. Cuba and the UN Commission on Human Rights

When the question of human rights is raised in connection with the countries of Latin America, people's minds turn to the death squads and paramilitaries, to political kidnappings, the 'disappeared', the murder of trades unionists and of street children, the victims of torture and peasants dispossessed of their lands. It therefore comes as a surprise to learn that the one country in which no such atrocities have taken place since 1959 has, since 1990, been yearly the subject of a motion at the UN condemning its record on human rights.

Each year the United States – a country which refuses to sign up to the International Criminal Court and which has the fourth largest number of judicial executions in the world - drafts a resolution at the UN Commission on Human Rights condemning Cuba. By so doing it believes it can justify to the world the continuation of the cruel economic blockade it has imposed on the island for over 40 years. In addition to being able to count on the support of friends, such as Saudi Arabia, the Ukraine, Australia and the countries of the European Union, during the weeks prior to the vote, the US exerts pressure on economically-dependent third-world countries who are members of the Commission in order to ensure their support. On 14 April 2004 the Under Secretary of State, Roger Noriega, confirmed that the White house had been contacting countries in Latin America and Europe regarding their support for the vote against Cuba. Victor Dalton, in an article published in *Rebelión* on 18/03/05, describes how such countries are threatened with the cancellation of export facilities, the blocking of IMF loans or the forced return of immigrant workers who send home remittances and in so doing bolster the economy with valuable dollars.

One such country in 2004 was the Dominican Republic whose president at that time, Hipólito Mejía, had notified the Cuban authorities that his country would abstain from voting. Less than twelve hours before the vote, however, the Cubans learnt that the Dominican Republic would be supporting the US resolution. Subsequently Senor Mejía stated publicly that he had received telephone calls from Roger Noriega and Bush's Special Envoy for the Americas, Otto Reich (both men with long histories of aggressive campaigning against Cuba) 'persuading' him to support the US.

It is also interesting to note some of the members of the US Human Rights team. In 2004 these included Luis Zuniga Rey, arrested in 1974 for smuggling arms and explosives into Cuba as part of a CIA operation. In the 1990s he was involved in "underground security" operations led by the Miami-based Cuban-American National Foundation and in the organisation and financing of bomb attacks against Cuban hospitals and hotels in Havana. Another member was Frank Almaguer, of Cuban origin and for many years a campaigner against Cuba.

In 2005, despite once again securing a majority vote for its resolution by means of the usual recourse to pressuring tactics, the US saw the tables start to turn against them. In the eyes of many, the US was in no position to condemn the lack of human rights in another. As a country which illegally had invaded another country, whose atrocities in prisons such as Abu Ghraib, Bagram and Guantanamo had become known across the world, which sent prisoners to third countries to be tortured and which had flouted the Geneva Convention and international law by imprisoning individuals without trial in inhuman conditions, its declarations against Cuba were no more than a blatant show of double standards. It is for this reason that in March of that year more than 4,500 intellectuals from all over the world, including 5 Nobel Prize winners, signed a manifesto, published in newspapers across the world, entitled "Stop the new manoeuvres against Cuba" in which they denounced the selective condemnation of Cuba at the Commission of Human Rights.

The double standards operating at the Commission were also evident in 2004 when Cuba presented a resolution requesting an inspection by the UN of the conditions prevailing at the prison in Guantánamo. Despite the widespread knowledge of the cruel treatment suffered by prisoners there, the resolution was rejected, the US being supported again by countries in the European Union.

2. Cuba's 'dissidents' and her right to national sovereignty

All countries include in their legislation laws to protect themselves against attacks on their national sovereignty. Indeed, since 9-11 many countries, including the UK, have introduced protective legislation which previously would have been virtually unthinkable.

In the UK, the 2005 Prevention of Terrorism Act permits the issuing of control orders against any British or foreign nationals on the basis only of a suspicion stated by the intelligence agencies. These orders include the powers of house arrest for an indefinite period, without trial or knowledge of the charges preferred against the individuals concerned. The proposed legislation following the London terrorist bombings of 7th July of the same year is even more draconian in nature and includes the right to hold a suspect without trial for up to three months. As a response to complaints that such measures infringed human rights, the Home Secretary, Charles Clark referred to the need to act in this way in an "emergency threatening the life of the nation..." His comments were endorsed a few weeks later in early September by the head of MI5, Dame Eliza Manningham-Buller, who publicly warned that civil liberties may have to be eroded to prevent future attacks.

In the same way there are laws in the US to protect national security. The provisions of the Logan Law, found in chapter 45, title 18, part 1 of the US Code of Crimes and Criminal Procedure, state that US citizens anywhere, who, without the authorisation of the US government, "directly or indirectly take up or maintain any kind of correspondence with any foreign government official or agent in

connection with any dispute or difference with the US, shall be fined in accordance with that provision, jailed for up to a period of 3 years or both.”

Protecting the life of the nation against hostility and threats from an enemy state is nothing new to Cuba. Since 1959, in addition to suffering the economic blockade imposed by the US, Cuba has been the target of over 680 terrorist attacks, both on the mainland and outside national territory, which have caused a total of 3,478 deaths and maimed 2,099 people. These have included bomb attacks, assassination attempts, attacks on coastal installations and shipping, hijackings, the introduction of germs and pests in agricultural areas and attacks on Cuban personnel and property on foreign soil. All of these attacks have been carried out by Cuban emigré groups hostile to the socialist ideals of the island and wholeheartedly supported and funded by the US government and the CIA.

Since the introduction of the Helms-Burton law in 1998, the US has been moving implacably towards a more overtly aggressive policy of interference to cause regime change in Cuba. This law permits the US openly to finance subversion against the Cuban state, to intensify the blockade still further and to interfere actively in the island's communication services and infrastructure. In 2003 Bush declared that the island formed part of the 'axis of evil.' He has also pronounced that "Cuba will not change by itself, but Cuba has to change." In 2004, at his request, the Commission for Assistance to a Free Cuba produced a report which pointed to a US policy of regime change in Cuba containing strong inferences to the use of violence.

Just 90 miles from the US mainland, Cuba, therefore, cannot be blamed for taking seriously the US threat to its national sovereignty. It is in this context that one must judge the arrest and prosecution of the 75 'dissidents' in 2003. During their trial, 12 Cuban agents who had infiltrated their groups described how they had received large sums of money, together with computers and radios, from the US Interests Section in Havana in payment for writing anti-socialist misinformation and propaganda and setting up 'independent' libraries to disseminate their writings. They were also paid to set up pharmacies with a view to building a parallel service in a country struggling with a cruel blockade. In this way they hoped to subvert the existing order and pave the way for the 'new order' of World Bank-backed privatisations and corporate entry, as envisaged by the US for Cuba.

In view of the long-standing hostility of the US towards Cuba and its increasingly aggressive actions and pronouncements against the island, it is quite understandable that the 'dissidents' (or mercenaries as they are known in Cuba) were charged with breaking the law. They were accused of two specific crimes under Cuban law: [acting]"in the interest of a foreign state with the purpose of harming the independence of the Cuban state" and "seek[ing] out information to be used in the application of the Helms-Burton Act, the blockade and the economic war against our people.”

In a letter about Cuba published in the *Guardian* on 20.04.2005, Bill Rammell, former minister at the Foreign Office wrote: "...there are real concerns for example about prisoners locked up without adequate trials." Our own prisoners considered a threat to national security should be so lucky as to have the opportunity to be tried and charged!

Human rights for Cuba

If the western press is intent on promoting a vision of Cuba as a country lacking in human rights, it does itself no favours by its systematic refusal to report human rights abuses committed against Cubans by that country's enemies. One such case is that of the Miami Five – five Cubans who were sent to Miami as foreign agents to penetrate the emigré groups who had been flying aircraft into Cuban airspace to perpetrate acts of violence and radio interference against the island.

In June 1998 the Cuban government presented the FBI with a dossier of evidence relating to these terrorist activities compiled from the findings of the five men, Gerardo Hernández, Ramón Labanino, René González, Fernando González and Antonio Guerrero. Instead of arresting the terrorists, the US arrested the five Cubans who were held in solitary confinement for 17 months until February 2000 when they were accused of committing acts of espionage and endangering the security of the US state. The charge of conspiracy to commit murder was also levelled against Gerardo Hernández in relation to the shooting down of light aircraft that had invaded Cuban airspace on 24 February 1996.

There followed a flawed trial in Miami, attended by prominent anti-Castro emigrés. Being in Miami, the five men could not expect to receive a fair hearing on account of the political influence wielded there by the anti-Castro Cuban-American groups, often linked to organisations who had been committing acts of terrorism against Cuba for over forty years. Despite many irregularities and overwhelming evidence, much of it presented by senior military officials from the US army, that the five men presented no threat whatsoever to the US state, they were sentenced to draconian prison terms ranging from fifteen years to two life terms plus fifteen years.

The five men are held in high security prisons and Gerardo and Rene are denied the right to visits from their wives – a right enshrined in US legislation and considered a basic human right.

A month before lodging their appeal in March 2004 all five men were once again put in solitary confinement, with no reason given. After 14 months the appeals court issued its verdict that a re-trial should take place, thus recognising the flawed justice meted out at the first trial. The five men are therefore no longer considered guilty of the charges levied against them, but they continue to be held in high security prisons at the time of writing (September 2005).

Despite a world-wide campaign to free the five prisoners and to protest against the appalling injustices they have suffered at the hands of the US government and legal system, the media, both in the US and overseas, have remained adamantly silent about this case.

The right to life

As Felipe Roque, the Cuban Minister of Foreign Affairs pointed out to the UN Human Rights Commission in March 2005, human rights encompass all aspects of a person's life: the right to eat, to learn, to work, the right to peace and to development. He observed that without equal provision of services such as medical care and education and a more equitable distribution of wealth, the unemployed, the immigrants and the impoverished cannot enjoy the rights which the wealthy regard as an essential component of our existence. Yet countries are never condemned for denying these rights to millions of their citizens.

Quite the contrary. We learn from Amnesty International's overview of the 2005 session of the Commission for Human Rights, that the US obstructed the Commission's resolution to appoint a Special Representative on the issue of Human Rights, Transnational Corporations and Other Business Enterprises by refusing to proceed on the basis of a consensus. The Special Representative would be responsible for defining the human rights standards to which companies should be held accountable and for identifying mechanisms to ensure that these standards are respected – an urgent measure required to alleviate the hard and often inhuman conditions in which many people in the developing countries are working.

As a third world country Cuba is unique in providing free health care and education to all levels, together with pensions, welfare benefits and guarantees of humane and fair conditions of work, negotiated, as is required by law, with the trade unions. In Cuba the right to participate in decision making is intrinsic to the social fabric of that country's society. This is achieved despite the severe hardships caused by the blockade.

On the issue of human rights and Cuba, therefore, actions speak louder than words. Despite the distorted portrayal of Cuba given by the US and the press, today more than ever we are seeing populations of other Latin American countries look to Cuba as an example in their struggle to free themselves from poverty and deprivation caused by the neo-liberal world economy. Far from being the object of condemnation, Cuba has become an inspiration for the millions of people in the world deprived of the right to life.