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Freedom in the World 2012 - Cuba

2012 Scores

Status: Not Free

Freedom Score: 6.5

Civil Liberties: 6

Political Rights: 7

Overview

In 2011, the government continued its negotiated release of the 52 remaining political prisoners from a 2003 crackdown on democratic activists. In total, 166 political prisoners were freed under an agreement with the Roman Catholic Church and the Spanish government, though a sharp increase in politically motivated short-term detentions was reported during the year. In April, the ruling Cuban Communist Party held its Sixth Congress, at which President Raúl Castro formally replaced his brother, former president Fidel Castro, as the party's first secretary. In October, as part of the government's incremental relaxation of long-standing economic restrictions on individuals, Cubans obtained greater leeway to buy and sell privately owned cars and houses.

Cuba achieved independence from Spain in 1898 as a result of the Spanish-American War. The Republic of Cuba was established in 1902 but remained under U.S. tutelage until 1934. In 1959, the U.S.-supported dictatorship of Fulgencio Batista was overthrown by Fidel Castro's July 26th Movement. Castro declared his affiliation with communism shortly thereafter, and the island has been governed by a one-party state ever since.

Following the 1991 collapse of the Soviet Union and the end of roughly \$5 billion in annual Soviet subsidies, Castro opened some sectors of the economy to direct foreign investment. The legalization of the U.S. dollar in 1993 created a new source of inequality, as access to dollars from remittances or through the tourist industry enriched some, while the majority continued to live on peso wages averaging less than \$10 a month. Meanwhile, the authorities remained highly intolerant of political dissent, enacting harsh new sedition legislation in 1999 and mounting a series of campaigns to undermine the reputations of leading opposition figures by portraying them as agents of the United States.

In 2002, the Varela Project, a referendum initiative seeking broad changes to the socialist system, won significant international recognition. However, the constitutional committee of the National Assembly rejected the referendum proposal, and the government instead held a counterreferendum in which 8.2 million people supposedly declared the socialist system to be "untouchable." The government initiated a crackdown on the prodemocracy opposition in March 2003. Seventy-five people, including 27 independent journalists, 14 independent librarians, and dozens of signature collectors for the Varela Project, were sentenced to an average of 20 years in prison following one-day trials held in April.

In July 2006, Fidel Castro passed power on a provisional basis to his younger brother, defense minister and first vice president Raúl Castro, after internal bleeding forced him to undergo surgery. The 81-year-old Fidel resigned as president in February 2008, and Raúl, 76, formally replaced him. Though officially retired, Fidel remained in the public eye through the release of carefully selected newspaper columns, photographs, and video clips.

The government approved a series of economic reforms in March 2008. These included allowing ordinary Cubans to buy consumer electronic goods and stay in the country's tourist hotels, eliminating salary caps, and raising pensions for the country's more than two million retirees. However, two hurricane strikes and a global economic downturn late in the year sent the Cuban economy into a crisis that halted the tentative reform process.

In 2009, the government began to distribute land leases to agricultural workers, but other key aspects of the reform agenda remained stalled. Cuba's heavy dependence on imports led to a shortage of foreign exchange, forcing layoffs and closures of many state enterprises.

In August 2010, the government approved an initiative that allowed foreign investors to obtain 99-year property leases. A month later, it was announced that up to 1.5 million workers would be laid off from public-sector jobs over the next 18 months, while 178 economic activities would be allowed in the private sector, subject to high taxes. However, in March 2011, Raúl Castro stated that a five-year timeline for the public-sector layoff process would be more realistic. Eased rules on private home and car sales were announced later in 2011.

From July 2010 to March 2011, as a result of negotiations with the Roman Catholic Church and the Spanish government, Cuban authorities released 166 political prisoners, including the 52 remaining from the 2003 crackdown on independent journalists and dissidents. While most released activists went into exile, 12 remained in Cuba under "extrajudicial" license, a form of parole granted to prisoners facing health or other problems that may have arisen during their incarceration. The Damas de Blanco, a group of female relatives of the 2003 political prisoners, continued their protests during 2011 despite repeated episodes of harassment from authorities and regime supporters, and the death of their leader, Laura Pollán, in October.

Even as the long-term political prisoners were released, the government significantly increased the number of short-term detentions, making them the preferred form of repression. Other abuses by the authorities also continued. In May, dissident Juan Wilfredo Soto García died after a police beating in Santa Clara.

U.S. government contractor Alan Gross, who was arrested in December 2009 for distributing communications equipment to Jewish groups in Cuba, was sentenced to 15 years in prison in March 2011 after a court found him guilty of engaging in "subversive" activities aimed at undermining Cuban sovereignty. Meanwhile, the U.S. government eased travel restrictions but maintained its economic sanctions on the island.

Political Rights and Civil Liberties

Cuba is not an electoral democracy. Longtime president Fidel Castro and his brother, current president Raúl Castro, dominate the one-party political system, in which the Communist Party of Cuba (PCC) controls all government institutions. The 1976 constitution provides for a National Assembly, which designates the Council of State. This body in turn appoints the Council of Ministers in consultation with its president, who serves as chief of state and head of government. Raúl Castro is now president of the Council of Ministers and the Council of State, commander in chief of the armed forces, and first secretary of the PCC. In April 2011, the PCC held its Sixth Congress. In addition to electing Raúl Castro as head of the party, congress delegates appointed a greater number of high-level military officials to the PCC Politburo and Central Committee, and failed to renew these leadership structures by adding younger party members. A National Conference of the PCC, scheduled for January 2012, will discuss organizational and political issues, including Raúl Castro's proposal to impose a limit of two five-year terms on elected public officials.

In the January 2008 National Assembly elections, as in previous elections, voters were asked to either support or reject a single PCC-approved candidate for each of the 614 seats. All candidates received the requisite 50 percent approval, with Raúl Castro winning support from over 99 percent of voters. In April 2010, Cuba held elections for the roughly 15,000 delegates to the country's 169 Popular Municipal Assemblies, or municipal councils, which are elected every two and a half years.

All political organizing outside the PCC is illegal. Political dissent, whether spoken or written, is a punishable offense, and dissidents frequently receive years of imprisonment for seemingly minor infractions. The regime has also called on its neighborhood-watch groups, known as Committees for the Defense of the Revolution, to strengthen vigilance against "antisocial behavior," a euphemism for opposition activity. Dissident leaders have reported an increase in intimidation and harassment by state-sponsored groups as well as short-term detentions by state security forces. The absolute number of politically motivated short-term detentions in Cuba increased from 2,078 in 2010 to 4,123 in 2011. Meanwhile, the total number of longer-term political prisoners decreased from 167 as of July 2010 to an estimated 73 as of December 2011. In December 2011, the Cuban government released 2,999 prisoners who had mostly fulfilled their sentence, but only seven of those had been imprisoned for political reasons.

Official corruption remains a serious problem, with a culture of illegality shrouding the mixture of private and state-controlled economic activities that are allowed on the island. The Raúl Castro government has made the fight against corruption a central priority. In May 2011, Chilean businessman and former Castro associate Max Marambio was sentenced in absentia to 20 years in prison – along with former Cuban food minister Alejandro Roca, who received a 15-year sentence – after being found guilty of economic distortion and fraud. In June, the Cuban

authorities sentenced 10 high-level government officials to three to five years in person after being convicted of corruption tied to the Marambio case. In addition, the authorities closed the offices of Canadian companies Tri-Star Caribbean and the Tokmakjian Group in August, and arrested the deputy sugar industry minister a month later amid a corruption investigation. Cuba was ranked 61 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

The news media are owned and controlled by the state. The government considers the independent press to be illegal and uses Ministry of Interior agents to infiltrate and report on the outlets in question. Independent journalists, particularly those associated with the dozen small news agencies that have been established outside state control, are subject to harassment by state security agents. Foreign news agencies may only hire local reporters through government offices, limiting employment opportunities for independent journalists. Nevertheless, some state media, such as the newspaper *Juventud Rebelde*, have begun to cover previously taboo topics, such as corruption in the health and education sectors.

Access to the internet remains tightly controlled, and it is difficult for most Cubans to connect from their homes. The estimated internet penetration rate is less than 3 percent. Websites are closely monitored, and while there are state-owned internet cafes in major cities, the costs are prohibitively high for most residents. Only selected state employees have workplace access to e-mail and restricted access to websites deemed inappropriate by the Ministry of Communications. There are an estimated 25 independent, journalistic bloggers working on the island. Although they have faced some episodes of harassment, they have avoided close links to dissidents and are not subject to the same type of systematic persecution as other independent journalists. Blogger Yoani Sánchez has gained international acclaim, though few within Cuba can access the ironic and critical musings about life in Cuba on her blog, *Generation Y*.

In 1991, Roman Catholics and other believers were granted permission to join the PCC, and the constitutional reference to official atheism was dropped the following year. The Catholic Church has been playing an increasingly important role in civil society, mediating in the case of the 2003 political prisoners, enabling discussion of topics of public concern, and offering material assistance to the population, especially in the countryside. In November 2011, the church began offering a Master's in Business Administration (MBA) program that focuses on small and medium-sized enterprises. Nevertheless, official obstacles to religious freedom remain substantial. Churches are not allowed to conduct ordinary educational activities, and many church-based publications are subject to censorship by the Office of Religious Affairs. While Roman Catholicism is the traditionally dominant faith, an estimated 70 percent of the population practices some form of Afro-Cuban religion. And, as in the rest of Latin America, Protestantism is making rapid gains in Cuba.

The government restricts academic freedom. Teaching materials for subjects including mathematics and literature must contain ideological content. Affiliation with PCC structures is generally needed to gain access to educational institutions, and students' report cards carry information regarding their parents' involvement with the party.

Limited rights of assembly and association are permitted under the constitution. However, as with other constitutional rights, they may not be "exercised against the existence and objectives of the Socialist State." The unauthorized assembly of more than three people, even for religious services in private homes, is punishable with up to three months in prison and a fine. This rule is selectively enforced and is often used to imprison human rights advocates. Workers do not have the right to strike or bargain collectively. Members of independent labor unions, which the government considers illegal, are often harassed, dismissed from their jobs, and barred from future employment.

The Council of State, led by Raúl Castro, controls the courts and the judicial process as a whole. Beginning in 1991, the United Nations voted annually to assign a special investigator on human rights to Cuba, which consistently denied the appointee a visa. In 2007, the UN Human Rights Council ended the investigator position for Cuba. However, Raúl Castro authorized Cuban representatives to sign two UN human rights treaties in 2008. Cuba does not grant international humanitarian organizations access to its prisons.

Afro-Cubans have frequently complained about widespread discrimination by government and law enforcement officials. Many Afro-Cubans have only limited access to the dollar-earning sectors of the economy, such as tourism and joint ventures with foreign companies.

Since 2008, Cuba has made important strides to redress discrimination against the lesbian, gay, bisexual, and transgender (LGBT) community, thanks in part to the advocacy work of Mariela Castro, director of the National Center for Sexual Education (CENESEX) and Raúl Castro's daughter. The government has helped to sponsor an annual International Day Against Homophobia, and the Ministry of Public Health has authorized government-provided sex-change surgeries for transsexuals. Nonetheless, a bill proposing the legalization of same-sex marriages has been stalled in the National Assembly since 2008. Moreover, the authorities do not recognize the work of independent, grassroots LGBT rights groups, and their efforts have often been attacked by CENESEX.

Freedom of movement and the right to choose one's residence and place of employment are severely restricted. Attempting to leave the island without permission is a punishable offense. Intercity migration or relocation, particularly to Havana, requires permission from the local Committee for the Defense of the Revolution and other authorities. Recent economic reforms

© UNHCR offering a variety of incentives for rural production hint at a possible attempt to stem the historical tide of migration from the countryside to Havana.

Only state enterprises can enter into economic agreements with foreigners as minority partners; ordinary citizens cannot participate. PCC membership is still required to obtain good jobs, suitable housing, and real access to social services, including medical care and educational opportunities.

The government of Raúl Castro continued pressing forward with its incremental relaxation of economic restrictions on individuals in 2011. In September, the authorities approved three additional activities for private employment, and lowered taxes and eased regulations on others, as a way to incentivize growth in the *cuentapropista* (self-employment) sector. The number of self-employment licenses increased from 157,000 in October 2010 to over 338,000 in September 2011. In October, the government authorized Cubans to buy and sell privately owned cars as well as new vehicles, though strict regulations limit the ability of most citizens to participate. Similarly, a decree that took effect in November allowed Cubans to buy and sell houses without prior government approval, opening up the prospect of a real-estate market for the first time in 50 years.

The Cuban constitution establishes full equality of women. About 40 percent of all women work in the official labor force, and they are well represented in most professions. However, the ongoing economic reforms have begun to widen the gender gap in the labor force. As of August 2011, women represented only 22 percent of the licensed self-employed workers.

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