



Human Rights and Democracy Report - Cuba

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The human rights situation in Cuba saw further gradual improvements in 2014, though there were still significant concerns. Cubans were still denied fundamental civil and political rights, including freedom of expression and assembly and political choice. There was a rise in reported short-term detentions of those protesting or undertaking political activity. Access to independent media and the internet remained heavily restricted.

The historic announcements by the United States and Cuba on 17 December, including the intention to re-establish diplomatic ties, is widely expected to lead to further progress on human rights in 2015. As part of the negotiated agreement, Cuba released United States Agency for International Development contractor, Alan Gross, on humanitarian grounds, and President Castro agreed to the release of a number of Cubans in prison and "of interest" to the United States. At the end of the year, details of the identity of these prisoners, when they would be released, and the conditions of their release, remained unclear. In comments made on 18 December, Foreign & Commonwealth (FCO) Minister for the Americas, Hugo Swire, welcomed the announcements, and recognised some of the advances made in Cuba in the last few years, particularly in new economic freedoms, the release of political prisoners, and the easing of travel restrictions. Mr Swire also encouraged further progress on economic reforms and human rights.

The UK continued a policy of raising human rights concerns, while engaging constructively with Cuba to support its reform agenda. Mr Swire visited Cuba in October, the first British Minister to visit in nearly a decade. Mr Swire signed three Memoranda of Understanding with Cuba, including one on foreign policy dialogue containing an arrangement to discuss human rights. During his visit, Mr Swire discussed our human rights concerns with the Cuban government, the Catholic Church, and the National Centre for Sex Education.

The UK supports a closer political dialogue between the EU and Cuba, and negotiations continued on a new Political Dialogue and Cooperation Agreement. The agreement will allow the EU to respond more effectively to Cuba's ongoing process of change. The promotion of human rights and fundamental freedoms will remain central to the EU-Cuba relationship.

In 2015, the UK will continue to promote freedom of expression in our public communications, and engage with the government, human rights defenders (HRDs), opposition activists, independent journalists, and broader civil society.

The Embassy is monitoring the impact of the 17 December announcement on the human rights situation in Cuba. This will include the conditions under which prisoners are released and progress made on other commitments in the announcement.

Elections

Cuba is a one-party state governed by the Cuban Communist Party which has a President elected by the National Assembly. The current President is Raúl Castro. He was elected in 2008, again in 2013, and has said that he will serve until 2018, after which he will step down. Cubans are allowed to vote, and the process generally allows fair access to polls and secret balloting. However, the elections cannot be termed free or fair: standing candidates must have prior approval from party officials, and therefore genuine opposition candidates are unable to stand.

Freedom of Expression and Assembly

Freedom of expression and assembly continued to be restricted during 2014. Cuba ranks 170 out of 179 countries in the Reporters Without Borders 2014 World Press Freedom Index.

Internet access improved, but only slightly, and from a very low baseline. Following the opening of internet cafés, the government introduced a mobile internet service in March. But connectivity is slow and extremely expensive at US\$1 per Mb, given that the average monthly wage in the dominant public sector is US\$20. High-speed internet is available in Cuba, via an undersea fibre optic cable, but has not been rolled out, and over 90% of the population is still cut off from the internet. The highest speeds appear to be reserved for international hotels and some businesses. Despite this, there is a lively and increasingly open debate on social media, with HRDs, civil society, state and independent journalists, the diaspora, and government officials all active, though much of their audience is outside Cuba. Blogger Yoani Sanchez (over 600,000 Twitter followers) launched an online newspaper in May. As part of the United States/Cuba announcements, the Cuban government committed to extend internet access, and the United States plans to allow the export of telecommunications equipment to Cuba. This will potentially make it easier for the Cuban government to fulfil their commitment, and will be a key test of its attitude to freedom of expression.

Over 100 activists were reportedly detained or threatened in the run-up to and during the 2nd Summit of the Community of Latin American and Caribbean States (CELAC), which took place in Havana on 28-29 January. As a result of the arrests and intimidation, activities planned by opposition and human rights groups were prevented from taking place, including the "Democracy Forum", organised by the Centre for the Opening and Development of Latin America (CADAL). The head of CADAL, an Argentina-based human rights NGO, travelled to Cuba to attend the forum. However, he was not allowed into the country, and was sent back to Argentina. Cuban activists also faced detention and harassment, including Manuel Cuesta Morua, who was detained for "distributing false information against world peace", and Daniel Ferrer García, President of the Patriotic Union of Cuba (UNPACU). Both were subsequently released.

The official Cuban press marked Human Rights Day on 10 December with articles outlining Cuba's policy on human rights, though with a focus on Cuba's work to promote the right to health. A number of official events were also held. Human rights and civil society groups, including the Ladies in White (Damas de Blanco) held demonstrations. As in previous years, there were widespread reports of short-term detentions and aggressive treatment by the authorities. The other reported widespread use of short-term detentions was in the run-up to an open mic event planned by Cuban artist Tania Bruguera on 30 December, in Revolution Square.

On 23 December, just after the United States/Cuba announcements, a group called the Civil Society Open Forum met in Havana. This group describes itself as a forum for debate for the

opposition. They issued an online statement at the end of their meeting setting out changes they would like to see in Cuba. However, this would have reached a very limited audience in Cuba itself.

Human Rights Defenders

HRDs were severely restricted in their movements and activities, and were frequently subject to short-term detentions.

This involved being held for a few hours and often fined before being released. Many of the detentions were politically motivated. One of the main sources of information on the number of short-term detentions experienced by political activists and human rights defenders is the Cuban Commission for Human Rights and National Reconciliation (CCDHRN). They reported 8,899 short-term detentions across the year, up 2,475 from 2013. These figures are impossible to verify. However, this marked increase in reported cases in 2014 is of concern. It is positive that President Castro agreed to release a number of political prisoners of interest to the United States as part of the announcements of 17 December; the UK will monitor the conditions of their release when this takes place.

There were frequent reports of physical attacks, threats and harassment of family members. Activists increasingly used Twitter to post photos of their colleagues' injuries, following alleged physical attacks, and of police activities during protests.

Internationally recognised prisoner of conscience, Rafael Matos Montes de Oca, was freed on 14 January. He was sentenced in 2012 to two-and-a-half years for "social dangerousness". By the end of 2014, there were five Amnesty prisoners of conscience in Cuba.

Jorge Luis Garcia, "Antúnez", a prominent activist, was frequently intimidated, including through short-term detentions and confiscation of his possessions. He initiated a hunger strike to try to get his belongings back.

Just prior to Human Rights Day, on 9 December, Ladies in White member Sonia Garro Alfonso and her husband Ramón Alejandro Muñoz, who were arrested on 18 March 2012, were released from detention in prison, having been held on charges of "contempt, public disorder and attempted murder". Their trial, together with that of fellow activist Eugenio Hernández Hernández, was postponed four times, in November 2013, June 2014, October 2014, and November 2014, with no reason given.

With very little internet and a tightly controlled press, it was difficult for HRDs' messages to reach the public. They relied on leaflets, word of mouth and sporadic, tiny demonstrations to get the message out. Some turned to hunger strikes. Activists were labelled as "counter-revolutionaries", "traitors" and "US lackeys" by the authorities who reportedly used a range of tactics to prevent their activities, and the recruitment of new members. These practices were again very difficult to verify and monitor. With the lack of information available to most Cubans, they remained more or less oblivious to the activities of civil society and HRDs.

Access to Justice and the Rule of Law

There were still concerns in Cuba about a lack of judicial independence and rule of law, and the extensive use of short-term detentions. Access to independent lawyers was limited and those Cubans that who offered independent legal advice were often harassed by the security services. There was no time limit on pre-trial detentions and suspects were sometimes held for months or years without charge. Offences such as "public disorder" and "dangerousness" were used to arrest

and convict Cubans who spoke out about human rights or against the government. Trials were sometimes postponed with no reason given.

The authorities have not yet organised a visit by the UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. However, as part of the 17 December announcements with the US, Cuba committed to continue increasing engagement with international institutions like the United Nations and the International Committee of the Red Cross. The UK will monitor developments in this area in 2015.

Death Penalty

The death penalty was last used in 2003 but remains provided for in the law for certain crimes. However, there are currently no prisoners facing the death penalty. Cuba again abstained in the biennial vote at the UN General Assembly.

Freedom of Religion or Belief

Cuba's constitution provides for the protection of religious freedom. However, the government monitors and strictly controls religious activity through its Office of Religious Affairs. In 2014, the Cuban government made Good Friday an official national holiday, after having restored the holiday as an exceptional measure in 2012. Miguel Díaz-Canel, the First Vice President of the Cuban Councils of State and Ministers, called for stronger unity with the local Christian Community. He met Cuban Evangelical and Protestant leaders from the Cuban Council of Churches, and said it was important to establish a permanent dialogue with the church. While restrictions remained on freedom of religion in Cuba, especially for those involved with certain civil society groups including the Ladies in White, these restrictions appeared to be gradually easing. The Pope's role in the US Cuba announcements of 17 December drew positive coverage in the press, and a positive reaction from Cubans.

LGB&T Rights

Overall, societal tolerance towards LGB&T issues in Cuba slowly increased, and the law provided for some protection against discrimination. In comparison to the region, Cuba was among the most tolerant. However, LGB&T people complained that they suffer harassment and discrimination, and that authorities were not doing enough to protect against this. Same-sex marriage was not allowed. In October, Mr Swire visited the National Centre for Sex Education, hosted by Mariela Castro, President Castro's daughter, which continued to raise awareness of LGB&T issues through educational campaigns.

It also advocated further legal changes that protect against discrimination. Large numbers gathered in officially-sanctioned events around Cuba to celebrate International Day Against Homophobia and Transphobia in May.

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