

Human rights defenders

Cuba 2023

Repression of dissent continued as activists, political opponents and journalists were harassed, persecuted and imprisoned. Human rights defenders faced obstacles and attacks, and some continued to be incarcerated without due process. The economic and humanitarian crisis continued with shortages of food, fuel and electricity. Discrimination remained prevalent, affecting Afro-descendants, women and girls, LGBTI people, political dissidents, and members of religious communities.

Background

Cuba lacked a national human rights institution in compliance with the Paris Principles, the country remained closed to international human rights organizations, and the international media faced obstacles in monitoring the trials of political dissidents.

In November, the EU and Cuba held their fourth human rights dialogue, at which the EU expressed concern over detentions and lengthy prison sentences related to protests in July 2021 (see below, Repression of dissent).

The year saw the implementation of a new Penal Code that retained the death penalty, as well as provisions that limited human rights and were used to silence and imprison activists.

Repression of dissent

Surveillance and harassment of activists, opponents, journalists and artists continued to be widespread. Arbitrary detention and criminal processes without fair trial guarantees remained common and people deprived of liberty faced harsh prison conditions.

At least 793 people remained in detention in relation to their participation in the island-wide protests of 11 July 2021, according to the organization Justicia11J.

On 6 May, the government reacted with excessive force against people protesting at the poor living conditions and lack of human rights in Caimanera municipality, Guantánamo province. Law enforcement officials used physical violence, and at least five demonstrators were arbitrarily detained, according to the Inter-American Commission on Human Rights, which condemned the pattern of repression.

On 26 May, the Cuban legislature approved a law on social communication that continued the ban on privately owned media and established abusive restrictions on public information and internet use. The law granted the government power to order telecommunications providers to stop servicing users who published information deemed harmful to public order or morality.

José Daniel Ferrer García, a political activist and opposition leader, in prison since July 2021 when he was also subjected to enforced disappearance, was held incommunicado while his health declined. At the end of the year, he was still deprived of his liberty.¹

Police commonly issued summons for journalists and activists to be interrogated in relation to their lawful activities. In May, reporter Yeris Curbelo Aguilera was interrogated by state security forces after covering the protests in Caimanera municipality.

Human rights defenders and activists continued to be harassed, attacked and criminalized. On 14 February, state security agents arrested Josiel Guía Piloto at his home in Havana. He had previously been arbitrarily detained in 2011 due to his political dissent. At the time of his arrest, he was on hunger strike in protest at the constant harassment and surveillance to which he was being subjected.²

The government continued to incarcerate artists and prisoners of conscience Luis Manuel Otero Alcántara and Maykel “Osorbo” Castillo Pérez, who were sentenced in 2022 to five and nine years in prison, respectively, in a legal process that did not respect fair trial guarantees. Their physical and mental integrity was at risk due to harsh prison conditions, violence by other detainees, and poor medical care.³

The authorities rejected the recommendation by governmental medical staff to release Loreto Hernández García from prison due to his frail health. Spouses Loreto Hernández García and Donaida Pérez Paseiro, both Black activists, priests and leaders of the Free Yoruba Association of Cuba, are prisoners of conscience, detained since 2021 for peaceful participation in island-wide protests.⁴ During 2023, Loreto Hernández García’s health deteriorated and both prisoners faced obstacles in communicating with their families.

Economic, social and cultural rights

The economic and humanitarian crisis continued, with shortages of essential goods. People struggled to find enough food, fuel shortages made transportation less accessible, and blackouts were ongoing throughout the year. In May, the government stated that essential imports of fuel, food and farm produce were affected by the economic crisis. The government reiterated the critical situation in September when further blackouts were forecast.

The economic crisis affected the health system and there were reports of shortages of medical supplies and medicines, as well as fewer medical staff being available.

In April, the Inter-American Commission on Human Rights expressed its concerns in a report on labour and union rights in Cuba and found significant challenges. The commission detailed job insecurity, lack of health and safety measures, unjustified dismissals on the grounds of political opinion, violations of the right to freedom of association, and lack of recognition of the right to strike, among other concerns.

Discrimination

Discrimination persisted, affecting in particular Afro-descendants, women and girls, LGBTI people, political dissidents, and members of religious communities.

Afro-descendants continued to suffer the consequences of systemic and historical racism. Activists reported that racial inequalities persisted, creating racial disparities in political representation, access to adequate housing, and employment, among other rights. The state did not collect and publish data on racial inequalities disaggregated by race and ethnicity.

Gender-based discrimination continued. Lawmakers failed to include femicide as a crime in the Penal Code, while local NGOs and journalists registered the deaths of at least 86 women in what appeared to be gender-based attacks.
