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Freedom House (Author)

Freedom in the World 2023 - Cuba

NOT FREE

12

/ 100

[Political Rights](#) 1 / 40[Civil Liberties](#) 11 / 60

LAST YEAR'S SCORE & STATUS

12 / 100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

Cuba's one-party communist state outlaws political pluralism, bans independent media, suppresses dissent, and severely restricts basic civil liberties. The government continues to dominate the economy despite recent reforms that permit some private-sector activity. The regime's undemocratic character has not changed despite a generational transition in political leadership between 2018 and 2021 that included the introduction of a new constitution.

Key Developments 2022

- Government repression against activists, political opponents, and those who took part in the 2021 social protests continued throughout the year.
- The country's economic crisis deepened with growing inflation during the year, resulting in food shortages and frequent power cuts that triggered popular protests in the summer and fall. Many protests were characterized by violent state repression against demonstrators; a number of protesters were detained, and some have been criminally charged for participating in the demonstrations.

- A national referendum on a new family code passed in September with 67 percent of the vote, recognizing same-sex marriage and the right of same-sex couples to adopt or be beneficiaries of assisted reproduction techniques.
- A new penal code was approved in May and entered into force in December. Among other things, it criminalizes the receipt of foreign financing to carry out activism and increases the minimum penalties for charges typically used to suppress dissent, such as "public disorder."

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the 2019 constitution, the president and vice president of the republic are chosen to serve up to two five-year terms by the National Assembly. The prime minister and the Council of Ministers are designated by the National Assembly upon the president's recommendation. In practice, these processes ratify candidates who have been preselected by the Communist Party of Cuba (PCC).

Miguel Díaz-Canel Bermúdez was elected president of the republic under the new constitutional system in a nearly unanimous National Assembly vote in October 2019. That December, he named Manuel Marrero Cruz prime minister. National Assembly president Juan Esteban Lazo Hernández became president of the Council of State, Cuba's top executive office under the old constitution, in October 2019, succeeding Díaz-Canel.

Raúl Castro Ruz, who preceded Díaz-Canel as president of the Council of State, continued to wield considerable power as PCC first secretary. However, Castro retired from that post during the April 2021 party congress and was succeeded by Díaz-Canel. Castro maintains significant influence despite his retirement.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral National Assembly is directly elected to serve five-year terms, but a PCC-controlled commission designates all candidates, presenting voters with a single candidate for each seat. Those who receive more than 50 percent of the valid votes cast are deemed elected. The National Assembly in turn selects members of the Council of State, a body that exercises legislative power between the assembly's two brief annual

sessions. In the 2018 National Assembly elections, all 605 of the approved candidates were deemed elected.

Elections for municipal assemblies held in November 2022 were marked by historically low voter turnout. The elections reportedly featured only one opposition candidate out of the more than 26,000 nominated, leading opposition groups to call for a boycott of the polls.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The only Cuban elections that offer a choice of more than one candidate per office are those for municipal assemblies, but no campaigning is allowed. This did not change under the electoral law unanimously approved in 2019 following ratification of the new constitution, which retained the system of PCC-controlled electoral and candidacy commissions. However, the new law eliminated provincial assemblies, calling instead for municipal assemblies to approve provincial governors proposed by the president, and cut the number of National Assembly delegates to 474 as of the 2023 elections.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The constitution identifies the PCC as the "superior driving force of society and the state." All other political parties are illegal. Political dissent is a punishable offense, and dissidents are systematically harassed, detained, physically assaulted, and imprisoned for minor infractions. Supposedly spontaneous mob attacks, known as "acts of repudiation," are often used to silence political dissidents. Madrid-based nongovernmental organization (NGO) Prisoners Defenders reported that more than 1,000 political prisoners were being held by Cuban authorities as of the end of November 2022. That number far exceeds the figures of other allied and similar regimes in Latin America, including Nicaragua and Venezuela.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The PCC has monopolized government and politics in Cuba since the mid-1960s, allowing no electoral competition and preventing any alternative force from succeeding it through a democratic transfer of power. Security forces suppressed opposition activity during both the February 2019

constitutional referendum and the October 2019 election of Díaz-Canel. Municipal elections held in November 2022 featured only one opposition candidate out of the more than 26,000 nominated; earlier that month, opposition groups, who said that the government had blocked opposition candidates from participating, called on voters to boycott the polls.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian one-party system in Cuba excludes the public from any genuine, autonomous political participation. Intelligence agencies play an important role in suppressing dissent and wield deep influence over virtually every aspect of the state. Members of dissident groups and even independent actors in the arts, journalism, and other fields are systematically surveilled and periodically interrogated in order to silence them or turn them into informants.

State employees who express political dissent or disagreement with the authorities often face harassment or summary dismissal. Professionals dismissed from their jobs in the state sector have difficulty continuing their careers.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The PCC leadership has exhibited greater gender and racial diversity in recent years. However, since political rights are denied to all Cuban citizens, women, Afro-Cubans, and members of other demographic groups are unable to choose their representatives or organize independently to assert their political interests.

Women hold more than half of the 605 National Assembly seats. However, women held only 3 seats in the 12-seat Political Bureau of the PCC Central Committee during the April 2021 party congress. Cubans of African and mixed-race descent are well represented in the legislature. Lazo, an Afro-Cuban PCC stalwart, simultaneously holds the powerful positions of National Assembly president and head of the Council of State.

The political interests of LGBT+ people are not well represented. Some public advocacy is permitted, but only with the permission of the PCC.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of Cuba's nominally elected officials are chosen through free and fair contests, and major policy decisions are reserved for the PCC leadership in practice. The National Assembly, which the constitution describes as the "supreme organ of state power," has little independent influence, meets for brief sessions twice a year, and votes unanimously on nearly all matters before it.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem in Cuba, with widespread illegality permeating everyday life. The state enjoys a monopoly on most large business transactions, and there are no independent mechanisms to hold officials accountable for wrongdoing.

The government has at times pursued anticorruption campaigns, and long prison sentences have been imposed on high-level Cuban officials and foreign businessmen found guilty of corruption-related charges. However, internal reforms that would make the system more transparent and less prone to abuse have been rejected. The authorities do not tolerate civil society groups, independent journalists, or independent courts that might serve as external checks on government malfeasance.

C3 0-4 pts

Does the government operate with openness and transparency? 0 / 4

Cuba lacks effective laws that provide for freedom of information and access to official records. Decree Law 6 of 2020 allows individuals to request data from the national statistics office; in practice, however, officials can decline such requests.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 0 / 4

Cuba has one of the most restrictive media environments in the world. The formal media sector is owned and controlled by the state, and the constitution prohibits privately owned media. The country's independent press operates outside the law, its publications are considered "enemy propaganda," and its journalists are routinely harassed, detained, interrogated, threatened, defamed in the official press, and prohibited from traveling abroad. Government agents regularly accuse them of being mercenaries and even terrorists, and many face charges of "usurpation of legal capacity," "diffusion of false news," or other vaguely defined offenses. Journalists at state-owned outlets engage in similar discourse when discussing dissidents; in April 2021, television presenter Humberto López called for members of the dissident San Isidro Movement (MSI) and

27N artist collectives to be charged with "treason against the homeland," a capital offense.

The government closely monitors and persecutes perceived dissidents within the artistic community, mainstream artists, and media figures who air independent or critical views. In May 2021, authorities forcefully entered the home of MSI member Luis Manuel Otero Alcántra—who began a hunger strike over the seizure and destruction of artwork in April—and sent him to a hospital. Otero was discharged at the end of May but was arrested on July 11, as protests were held nationwide.

In mid-May 2021, MSI cofounder Maykel Castillo Pérez, who coproduced and performed the antigovernment song "Patria y Vida" ("Homeland and Life") along with Otero, was detained by the authorities and charged with crimes including "resistance" and "contempt." Both Castillo and Otero were held in pretrial detention until June 2022, when they were sentenced to nine and five years in prison, respectively.

The work of independent media and journalists was further impeded by the passage of the amended penal code in May 2022, which criminalizes the receipt of funds used to promote acts that the government considers contrary to state security. Several rights organizations, including the Committee to Protect Journalists (CPJ), condemned the legislation as part of an "intricate and perverse legal regime of censorship" by the government intended to further suppress the country's independent media. Numerous independent journalists were coerced into publicly resigning in exchange for their freedom during the year, and many entered into exile as a result of government repression.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

While Cubans do enjoy religious freedom, official obstacles make it difficult for churches to operate without interference. Certain church groups have struggled to obtain registration, and association with an unregistered group is a criminal offense. The Roman Catholic Church has enjoyed an expansion of its pastoral rights, including periodic access to state media and the ability to build new churches. Protestant and evangelical groups tend to face greater restrictions, though they too have experienced improved conditions in recent years.

After the historic July 11, 2021 protests and others throughout 2021 and 2022, both leaders and members of several religious groups have been interrogated, persecuted and forced into exile for supporting protesters' demands and assisting the families of those imprisoned for participating in the protests. In September 2022, David Pantaleón, the head of the Jesuit order in Cuba, who openly offered support for MSI activists and

denounced state repression, was forced to leave the country after the authorities declined to renew his residence permit.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is restricted in Cuba. Private schools and universities have been banned since the early 1960s, teaching materials often contain ideological content, and educators commonly require PCC affiliation for career advancement. Despite the elimination of exit visas in 2013, university faculty must still obtain permission to travel to academic conferences abroad, and officials often prevent dissident intellectuals from attending such events. Officials also deny entry to prominent intellectuals who have been critical of the regime. Recent years have featured numerous cases of academics and students being dismissed from universities in reprisal for their political opinions or activities.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Cubans often engage in private discussions regarding everyday issues like the economy, food prices, foreign travel, and internet access, but tend to avoid discussing more sensitive political issues. Neighborhood-level "Committees for the Defense of the Revolution" assist security agencies by monitoring, reporting, and suppressing dissent.

The new penal code adopted in December 2022 designates the use of social media to incite crimes or spread disinformation—as defined by the government—as an "aggravating circumstance," allowing for higher penalties to be applied in such cases. International human rights groups have condemned the new penal code as severely limiting individuals' right to freedom of expression.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 0 / 4

Restrictions on freedom of assembly remain a key form of political control. Security forces and government-backed assailants routinely interrupt peaceful gatherings or protests by political dissidents and civic activists.

On July 11, 2021, Cubans participated in the largest rallies in over 20 years, holding nationwide protests over shortages of basic goods, economic difficulties, the government's COVID-19 response, and a lack of fundamental freedoms. Authorities acted violently in order to disperse the protests; security officers used live ammunition, tear gas, and pepper spray, and were also seen charging protesters. One person was killed and

as many as 1,300 people were arrested. During 2022, hundreds of people were sentenced on charges related to their participation in the 2021 protests, with hundreds more remaining in pretrial detention at year's end.

Antigovernment demonstrations, including protests over frequent power cuts and food shortages, continued during 2022, though not to the scale seen in 2021. Police arrested a number of protesters, and frequently used violence to disperse protests; in one case in August, while attempting to dispel an antigovernment protest in Nuevitas, police forces physically assaulted protesters, including an 11-year-old girl. In April, Carlos Ernesto Díaz González—known as Ktivo Disidente—was arrested for peacefully protesting in Havana. He was accused of contempt and defamation, put on trial in November, and found guilty and sentenced to two and a half years in jail.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Citing the 1985 Law on Associations, the government refuses to register any new organization that is not state supervised. Nearly all politically motivated short-term detentions in recent years have targeted members of independent associations, think tanks, human rights groups, political parties, and trade unions.

In 2022, state repression of activist movements and human rights organizations that had supported the protests of 2021 and 2022 severely limited their ability to engage in their work, with members facing arrest, detention, and exile. In addition to the MSI, the authorities also targeted activist groups including 27N, Archipiélago, the Ladies in White, and the Patriotic Union of Cuba (UNPACU). During the year, Berta Soler Fernández, leader of the Ladies in White, and Guillermo Fariñas, head of the United Anti-Totalitarian Forum (FANTU), were subject to repeated arrests.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Cuban workers do not have the right to strike or bargain collectively, and independent labor unions are illegal.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 0 / 4

According to the constitution, the National Assembly controls judicial appointments and suspensions, and the Council of State exercises these

powers when the assembly is not in session. The Council of State is also empowered to issue "instructions of a general character" to the courts, whose rulings typically conform to the interests of the PCC.

In May 2022, the independent Cuban press published a video from 2018 of a meeting between the president of the Supreme Court, Rubén Remigio Ferro, and various individuals, including prosecutors and officials from the Ministry of the Interior. In the video, Remigio expressly recognized that the judiciary is controlled by the PCC and that, in practice, judges are required to issue rulings in line with PCC policies.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 0 / 4

The regime's systematic violation of due process is regularly illustrated by trumped-up criminal cases against dissidents and independent journalists. Cubans facing trial do not benefit from speedy proceedings.

Those arrested on July 11, 2021 faced due process violations, and the judiciary held summary trials against defendants. Courts issued convictions and sentences against 40 people by early August, though none of those individuals benefited from legal representation. Another round of trials reportedly took place in December, with the US State Department noting that over 150 defendants received prison sentences during those proceedings; some defendants convicted in December received terms of up to 30 years. Summary trials and sentencing of protesters continued in 2022.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Although violent crime rates are believed to be relatively low, physical security for the population is undermined by government-backed violence. Opposition activists, human rights defenders, and other perceived enemies of the regime are routinely subjected to public assaults, excessive use of force by police during raids and arrests, and abuse in custody. The government has repeatedly refused to allow international monitoring of its prisons. Prison conditions are poor, featuring overcrowding, forced labor, inadequate sanitation and medical care, and physical abuse.

Following the surge in popular protests seen in 2021 and 2022, explicit violence against demonstrators at the hands of the authorities has reportedly increased in frequency. In July 2021, security forces used live ammunition against protesters and subsequently engaged in violent and degrading treatment—including torture, sleep deprivation, and threats of reprisal—against those taken into custody. In 2022, security forces continued to violently repress protests and perceived dissidents across

the country, with many individuals subjected to physical assaults and arbitrary arrests.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of 1 / various segments of the population? 4

Article 42 of the 2019 constitution extended protection from discrimination to a wider array of vulnerable groups, explicitly adding categories such as ethnic origin, gender identity, sexual orientation, age, and disability to the existing safeguards regarding race, sex, national origin, and religion. PCC control of the government and justice system limits the ability to enforce such guarantees impartially or effectively, and independent calls for equal treatment can draw state reprisals.

Women enjoy legal equality and are well represented in most professions, though their labor force participation rate lags well behind that of men, suggesting persistent economic disparities and cultural double standards.

Discrimination based on sexual orientation was criminalized in the new penal code passed in May 2022. Also, in a national referendum in September, a new family code that recognizes same-sex marriage and the right of same-sex couples to adopt or be beneficiaries of assisted reproduction techniques was approved with 67 percent of the vote. Mariela Castro Espín, Raúl Castro's daughter and director of the National Center for Sex Education (CENESEX)—which seeks to control and direct LGBT+ advocacy—has advocated on behalf of LGBT+ people. However, the advocacy efforts of independent LGBT+ groups and activists are either ignored or suppressed.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability 1 / to change their place of residence, employment, or education? 4

Freedom of movement and the right to change one's residence and place of employment are restricted. Cubans still face extremely high passport fees, and Cuban doctors, diplomats, and athletes who "defect" abroad are prohibited from visiting for eight years. Numerous dissidents, including MSI member Anamely Ramos and civil rights activist Omara Ruiz Urquiola, as well as journalist and writer Carlos Manuel Álvarez, were prevented from entering Cuba in 2022.

Some dissidents and journalists are barred from foreign travel, despite a 2013 migration law that rescinded the exit-visa requirement. The number of people leaving Cuba—including those barred from traveling abroad, known as *regulados*—has risen sharply since the July 2021 protests, with estimates exceeding 140,000 Cuban immigrants and asylum seekers

attempting to enter the United States between October 2021 and July 2022 alone.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The 2019 constitution recognized private property as one form of ownership, though opportunities to obtain property and operate private enterprises remain restricted. In June 2021, the government announced that it would allow the formation of small and medium-sized enterprises but would limit their activities to sectors that are not deemed strategic. Restrictions on self-employed workers remained under the government's updated private-enterprise policy, however. The government has at times used legal provisions, such as Decree Law 370 and Decree Law 149, to confiscate assets from individuals, organizations, and businesses as a means of repressing dissent.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals enjoy broad freedom in their interpersonal, romantic, and sexual relationships. While divorce is common, men and women have equal rights to marital goods and child custody. A new family code was adopted in September 2022 after being approved with 67 percent of the vote in a referendum; the new law recognizes same-sex marriage and grants same-sex couples the right to adopt or be beneficiaries of assisted reproduction techniques.

Abortion is legal in Cuba.

Domestic violence is a problem, and police are reportedly unresponsive to complaints of such abuse. In 2022, the new family code codified penalties for those convicted of domestic violence-related offenses. Other legislation passed since October 2021, including the new penal code passed in May 2022, established a number of preventative and compensatory mechanisms for victims of domestic and gender-based violence, including provisions that increase the penalties for crimes with gender-based violence as a component.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Average official salaries remain extremely low and the country faces extremely high inflation. Cubans employed by foreign firms are often much better remunerated than their fellow citizens, even though most are

contracted through a state employment agency that siphons off the bulk of their wages and uses political criteria in screening applicants.

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