



FREEDOM ON THE NET 2024

Cuba

NOT FREE

20

/100

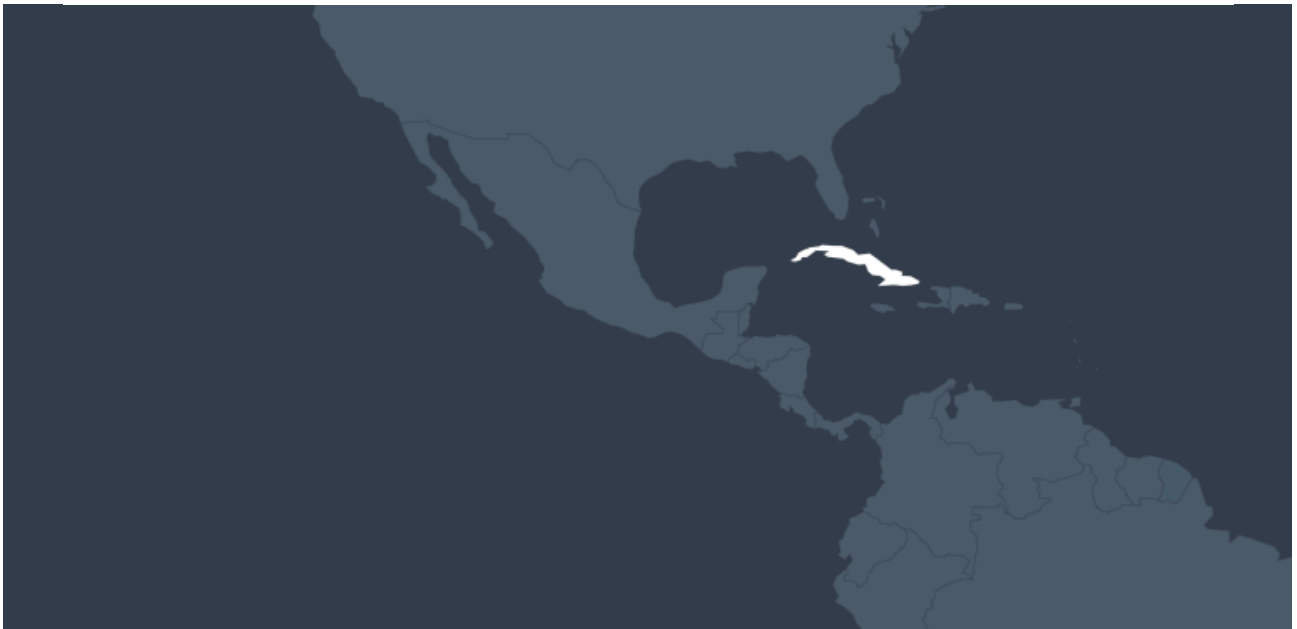
A. <u>Obstacles to Access</u>	5/25
B. <u>Limits on Content</u>	9/35
C. <u>Violations of User Rights</u>	6/40

LAST YEAR'S SCORE & STATUS

20 /100

Not Free

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.



Key Developments, June 1, 2023 – May 31, 2024

Internet freedom in Cuba remained highly restricted during the coverage period, as authorities continued repressive efforts to censor and punish online dissent. The quality of internet connections—only available through the state-run Telecommunications Company of Cuba SA (ETECSA)—continued to be poor, and severe affordability challenges remain, worsened by the country’s ongoing economic crisis. The government has responded to grassroots digital media innovations in recent years with increased censorship, blocking independent news sites and threatening digital journalists with criminal penalties and other forms of harassment.

- At least one internet disruption, following protests in Santiago de Cuba in March 2024, was correlated with public protests during the coverage period. While there appeared to be no intentional nationwide disruptions during the coverage period, independent journalists, activists, and civil society were regularly subjected to targeted restrictions on their internet connectivity (see A3).
- The government undertook several efforts to manipulate the online information space in its favor, including the use of progovernment trolls and an apparent smear campaign meant to discredit independent news outlet El Toque (see B5).
- Authorities imposed severe criminal penalties in connection with online activities, reflecting a shift toward more repressive criminalization. In April 2024, Mayelín Rodríguez Prado was sentenced to 15 years in prison after she had uploaded footage of a protest to Facebook in August 2022 (see C3).
- Independent journalists, media sites, and activists continued to regularly report invasive and disruptive cyberattacks—including account hacking and more technically sophisticated forms of attack (see C8).

Political 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 the generational transition in political leadership that started in 2018 and included the introduction of a new constitution and the gradual passage of complementary new legislation.

A. Obstacles to Access

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?

2/6

While the government has taken some steps in recent years to improve infrastructure and increase access, Cuba's internet penetration rate remains relatively low. The penetration rate reached 73.2 percent in 2022, according to the most recent estimates from the International Telecommunication Union (ITU)—up from 62.7 percent in 2018. ¹ These figures likely include both users with international internet access and those who irregularly access the government-controlled intranet, such as from school or the workplace. Blackouts and scheduled power cuts—which continued to worsen during the current coverage period—pose additional and ongoing threats to connectivity. ²

The ITU also indicates that 18 percent of Cuban households had a computer and 33 percent had household internet access as of 2020, the most recent data available. ³ The Cuban government has reported that under 8 percent of Cuban homes have internet access via Nauta Hogar, a home asymmetric digital subscriber line (ADSL) service provided by ETECSA. ⁴ Official figures from 2023 indicated that 39,000 Havana households enjoyed this service, but that remains just a fraction of the capital's inhabitants. ⁵

ETECSA expanded 3G mobile access nationwide since initially rolling out the service in 2018, ⁶ and it quickly became the most popular alternative to previously available options. ⁷ ETECSA has also expanded 4G availability in recent years by setting up more radio bases. According to the ITU, 50 percent of

Cuba's population was covered by 4G service in 2023. ⁸ As of 2023, ETECSA reported that 70 percent of the 1.9 million Havana residents with a mobile line used their cell phones to access the internet. ⁹

Cuban customs regulations place restrictions on the importation of wireless faxes, satellite dishes, and wireless equipment that can be used to mass disseminate data, text, or voice recordings, which require special permits to enter the country.

¹⁰ In 2019, however, the government announced that it would legalize router imports as well as private permits to access ETECSA's public Wi-Fi hotspots from homes and small businesses.

Regulations that took effect in July 2019 allow home-based networks but effectively outlaw large community networks like Havana's once-popular SNET, despite extensive attempts by their administrators to come to an agreement with authorities. Ultimately, officials took over the services and content offered by SNET, migrating them to ETECSA. The state-owned provider then placed SNET under the direction of the Union of Communist Youth, with access provided through Youth Computer Clubs.

Restrictions on home network equipment—which include fees for personal use and stringent licensing requirements for commercial use ¹¹ —have not completely stopped the entry of various devices into Cuba. Signal-amplification devices allow users to share Wi-Fi signals from ETECSA hotspots; such technologies enable many Cubans to gain access to the internet at their home or office. However, these devices significantly dilute the network bandwidth available at public hotspots, contributing to popular frustration and abandonment of once-popular Wi-Fi zones. ¹²

Increased internet traffic in recent years has placed significant strains on Cuba's existing internet infrastructure, and infrastructural limitations severely restrict the quality of ETECSA's services. Complaints of slow speeds, dropped connections, and a lack of necessary replacement parts are common. ¹³ Moreover, a lack of financial liquidity has reportedly prevented ETECSA from making needed infrastructural upgrades and meeting financial obligations to foreign vendors. ¹⁴ According to the National Office of Statistics and Information (ONEI), ETECSA's annual revenue decreased from \$807 million to \$128 million between 2020 and 2022, prompting ETECSA to employ a number of revenue-boosting measures. ¹⁵

Infrastructural issues, such as power cuts and depleted physical infrastructure, continued to worsen during the current coverage period, presenting a persistent and severe threat to connectivity. Cuts to electricity—the result of insufficient electrical generation capacity—often brought telecommunications services offline or severely degraded connection quality. ¹⁶ In March 2024, *Diario de Cuba* reported that parts of Havana experienced scheduled electrical blackouts up to 4 hours per day, while other parts of the country experienced them for as long as 15 hours per day. ¹⁷ Connectivity is also affected by damage to physical infrastructure. In November 2023, for example, ETECSA reported that a fiber-optic cable break had caused connectivity disruptions for some users, though it did not specify the cause or how many individuals were impacted. ¹⁸

Since 2013, Cuba has maintained an active undersea fiber-optic cable connection with Venezuela. ¹⁹ In an effort to ease the demand on this cable, in December 2022, the Cuban government finalized negotiations with French telecommunications company Orange to establish an additional fiber-optic connection via Martinique, ²⁰ with test operations beginning in April 2023. ²¹ ETECSA has provided no major updates on this project since. ²²

In November 2022, the US Department of Justice recommended that the Federal Communications Commission deny a 2018 request from ARCOS-1 and SurNet to extend a fiber-optic cable to Cuba, citing ETECSA’s envisioned control of the proposed connection. ²³

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?

0/3

Despite price cuts and occasional promotions, mobile and fixed-line internet service is very expensive for most Cubans. Although most foreign websites are available at state-run access points, non-Cuban sites are more expensive to access than domestic ones. Cuban internet users can still connect at low or no cost via state institutions where they work or study. However, the connections are limited, of low quality, shared with other users, and are more likely to feature censorship of certain websites and services. ²⁴

Many Cubans who earn the average monthly salary, paid in the greatly devalued national currency, **25** cannot afford access to 3G or 4G services, especially given the country's severe inflation. **26** Many potential customers would also have to upgrade their 2G-enabled phones before being able to access 3G or 4G services through paid plans. At the time of the 3G service launch, customers could opt either for pay-as-you-go access or sign up for a monthly service plan. **27** ETECSA has offered additional data bonuses to access national websites in recent years, a strategy reflecting authorities' continued desire to promote local content over increasingly popular, foreign-based social media platforms and international news sites. **28**

In conjunction with the elimination of the Cuban convertible peso (CUC) and the so-called "monetary ordering" of 2021, ETECSA announced that prices would remain largely unchanged, but services would be paid for exclusively in Cuban national pesos (CUP). **29** With Cuba's monthly minimum wage adjusted to 2,100 CUP (\$84) **30** after that date, service prices have remained prohibitively expensive for many Cubans. Compounding these challenges, the value of Cuba's monthly minimum wage is often much lower on the informal exchange market, amounting to just \$7.92 in November 2023. **31** According to statistics from UK-based Cable, the average price of 1 gigabyte (GB) of mobile data in Cuba was 65.25 CUP (\$2.71) in 2023. **32** ETECSA's packages for Nauta Hogar service range in monthly cost from 250 CUP (\$10) for 30 hours of browsing at 1.24 megabits per second (Mbps) to 1,375 CUP (\$55) for 120 hours of browsing at 4.096 Mbps. **33**

To overcome access limitations, some Cubans have improvised underground networks. Inventive strategies include an island-wide distribution system for offline digital data *paquetes* (packets, also known as the "sneaker-net") and the use of various signal-amplification devices to share or sell Wi-Fi signals (see A1).

34 Two popular apps that aid Cubans in sharing digital data are Zapyra, which allows for wireless sharing of data across two or more devices, and Connectify, which allows users to share a Wi-Fi internet signal with others. Other popular apps, like Psiphon and Turbo, allow users to create a virtual private network (VPN) that simultaneously protects their anonymity and allows them to connect to blocked sites in Cuba, such as CubaNet, 14ymedio, and Diario de Cuba. **35**

Score Change: The score improved from 2 to 3 because, while at least one connectivity disruption was correlated with protests during the coverage period, the reported restrictions were not as severe or widespread as those implemented previously.

The backbone infrastructure of the internet in Cuba is entirely government-controlled, and state authorities have the capability and the legal mandate to restrict connectivity at will. Since the nationwide July 2021 protests, the government has regularly used its complete control of the mobile network to restrict citizens' communications.

Because ETECSA typically provides few details about connectivity disruptions when they occur, it is often difficult to determine whether such events are due to intentional government-imposed restrictions or widespread infrastructural limitations (see A1). **36** However, the timing of connectivity disruptions in recent years has often corresponded to the breakout and regional spread of local protests related to prolonged blackouts and the scarcity of food, medicine, and other necessities, suggesting that these restrictions are deliberate.

During the coverage period, one widespread mobile connectivity disruption in March 2024 directly followed major protests in eastern Cuba. Web traffic monitoring services Kentik **37** and Cloudflare Radar **38** recorded decreased internet traffic for five hours on March 17. That day, protests took place in Cuba's second largest city, Santiago de Cuba, as well as in other cities and towns on the eastern end of the island, including El Cobre and Bayamo. **39** Amid the protests, which were met with a police presence, several individuals reported slow connections or were not able to connect to the internet at all. **40** Unlike other incidents in the recent past, however, there were no reports of a nationwide cut to internet access—potentially indicating an attempt by authorities to throttle connections instead. **41** This strategy to slow internet connections makes it more difficult to upload or download heavy video files, post live streams, or access mobile applications, while simultaneously allowing for other essential communications to take place. **42**

Similar disruptions occurred during the previous coverage period. In May 2023, hundreds of people held antigovernment protests in Caimanera. Images of peaceful protesters being forcibly set upon by “Black Beret” government forces were captured and shared on social media, including Facebook Live broadcasts, before mobile connectivity was reportedly disrupted nationwide. ⁴³ In September 2022, when hundreds of people in western Cuba demonstrated against the infrastructural limitations exacerbated by Hurricane Ian, overnight internet cuts were detected on September 29 and September 30, each lasting seven hours.

44

Previously, in July 2021, Cuban officials restricted internet connectivity and blocked various VPNs, social media, and communications platforms, including WhatsApp, Telegram, and Signal, amid widespread protests (see B1). ⁴⁵ The protests, which were the largest in the country since the 1959 revolution, were sparked by discontent over a wide range of issues, including access to COVID-19 vaccines, food supply shortages, economic difficulties, and restrictions on human rights (see B8). ⁴⁶ The disruptions began on July 11, 2021—the first day with a major protest—when ETECSA cut internet service across the island for 30 minutes. ⁴⁷ Widespread, intermittent outages persisted for several hours, ⁴⁸ and full connectivity did not return until 72 hours following the initial shutdown. ⁴⁹

Authorities continued to target activists, independent journalists, and members of civil society with selective connectivity disruptions—making it impossible to use mobile service—during the coverage period, especially on politically sensitive days, national holidays, or during major international events. Relatives and other close contacts of dissidents and political prisoners are sometimes subjected to cuts in service or slower connectivity. Some individuals have experienced these disruptions for weeks or months, while others have reported intermittent, hours-long service cuts meant to tamper dissent around specific events. Some individuals targeted with these cuts or throttling during the coverage period included independent journalists José Luis Tan Estrada, Reinaldo Escobar, and Yoani Sánchez, activists Berta Soler and Martha Beatriz Roque Cabello, and members of the Citizens Committee for Racial Integration (CIR). ⁵⁰

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?

0/6

Government firms dominate the country's information and communication technology (ICT) sector. Cuba's monopoly telecommunications service provider, ETECSA, is state-owned. **51** Cubacel, a subsidiary of ETECSA, is the only mobile service provider.

In 2013, ETECSA announced that it would allow private workers to market local and long-distance telephone services as self-employed communications agents. The agents may also sell prepaid cards for fixed-line and mobile telephone services and internet access. **52**

In August 2021, the government published legal regulations officially allowing the formation of micro-, small-, and medium-sized enterprises (MSMEs). Private internet and mobile service providers remain explicitly banned. A 2021 decree outlining permissible MSME activities does not authorize them to conduct ICT-related business. **53**

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

0/4

No independent regulatory body for managing the ICT sector exists in Cuba. In 2000, the Ministry of Information Technology and Communications, now the Ministry of Communications (MINCOM), was created to serve as the regulatory authority for the internet. Within MINCOM, the Cuban Supervision and Control Agency oversees the development of internet-related technologies. **54**

B. Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?

2/6

Cuban authorities continue to regularly block dissident or independent news outlets and the websites of Cuban activists and dissident organizations. Certain anonymization and circumvention tools were also blocked during the coverage period.

Leading Cuban news and journalism sites that were blocked or have shown signs of potential blocking during the coverage period include 14ymedio, ADN Cuba, CiberCuba, Cubalex, CubaNet, Cubanos por el Mundo, Diario de Cuba, El Estornudo, Gatopardo, Misceláneas de Cuba, Proyecto Inventario, and Rialta. **55**

In August 2023, two recent initiatives, Partos Rotos (Broken Births) and CubaXCuba, reported that their websites had been blocked within Cuba. Both projects are led by independent journalists, activists, and intellectuals who have a record of being harassed by State Security. Partos Rotos, coordinated from abroad by independent journalist Claudia Padrón Cueto, is an investigative journalism project focusing on obstetric health issues. Padrón received reports from Cuba that the site became inaccessible in the country shortly after a new investigation was published on August 9, 2023, which investigators said were bolstered by Open Observatory of Network Interference (OONI) test results. **56** Later OONI data appeared to show that the Partos Rotos site was accessible in Cuba by the end of the coverage period. **57**

On August 14, 2023, the independent think tank CubaXCuba, led by intellectual Alina Bárbara López Hernández, reported that its website, launched three weeks earlier, had been blocked. **58** Following the block, the CubaXCuba team created a mirror website in an effort to disseminate its content. **59** OONI measurements indicated that CubaXCuba's website remained blocked throughout the coverage period. **60**

In recent years, authorities have periodically blocked non-Cuban news outlets that do not focus exclusively on Cuban content. For example, the English-language website for Voice of America, a US state-owned broadcaster that often reports on global human rights abuses, appeared to remain blocked in Cuba during the current coverage period. **61** Additionally, the petition sites Change.org **62** and Avaaz.org **63**—on which activists have circulated demands related to human rights online and offline, ideological discrimination in higher education, and opposition to Decree Law 370—were both confirmed to be blocked during the

coverage period. ETECSA is also known to filter short-message service (SMS) messages and blocks those that include words such as “democracy,” “dictatorship,” “protest,” “communism,” and “VPN.” **64**

Access to blocked outlets is generally possible only through a VPN or another censorship circumvention tool. Measurements from OONI indicate that the circumvention tools Anonymouse.org and Megaproxy.com both presented signs of blocking during the coverage period. **65** According to a report by Cuban internet monitor Diktyon, covering April to June 2024, at least two other circumvention sites were blocked. **66** Given the government’s periodic blocking of access to popular VPNs, some Cubans have reportedly begun to utilize decentralized VPNs (dVPNs), which are much harder to block. **67** OONI measurement data also indicated that MagicJack, a Voice over Internet Protocol (VoIP) phone service, was blocked at times during the coverage period. **68**

Previously, in July 2021 as a response to island-wide protests, Cuban officials temporarily restricted internet connectivity and blocked numerous social media and communications platforms, including Facebook, TikTok, and WhatsApp, though the exact duration of the restrictions remains unclear (see A3 and B8). OONI first noted disruptions to WhatsApp on July 11, 2021, and data also revealed the temporary blocking of Facebook and TikTok in the following days. **69** When internet access was restored on July 14, 2021, apps including Facebook and WhatsApp reportedly remained blocked on 3G and 4G networks. **70** Most VPNs were also reportedly blocked; those that remained accessible, like Psiphon and TunnelBear, saw exponential growth in Cuban usership around this time (see B8). **71**

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?	1 / 4
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Since the implementation of Decree Law 370 in July 2019—popularly known in Cuba as the Ley Azote (Whip Law)—Cubans have experienced increased pressure to delete and discontinue discussions of the government on social media (mainly

on Facebook) and through Cuba’s crop of independent digital news outlets (see C2). **72**

Article 68 of Decree Law 370 explicitly makes it illegal for Cubans to have their content hosted on websites or platforms that are not mirror copies of locally hosted websites. Most independent digital media platforms have long relied on foreign servers and hosts to post and protect their content from government censorship and deletion—especially since local privately owned media are systematically denied legal recognition or protection in the domestic media environment (see B6). Article 71 authorizes the seizure of work equipment used to connect to the internet, which also restricts independent outlets in Cuba. **73**

Progovernment actors have deployed various means to remove or restrict content created by individuals and organizations from the internet. In June 2023, activist Adelth Bonne Gamboa said that his Facebook account had been suspended, which he attributed to an effort by progovernment accounts to report his posts en masse. **74** In April 2024, the Observatory of Academic Freedom (OLA) said that users had arbitrarily reported its content to Meta, causing the organization’s page to be temporarily suspended, after it published a critical report that month. Meta later restored access for the OLA, but efforts to orchestrate the group’s suspension continued days after. **75**

During the previous coverage period, in July 2022, following a series of spontaneous protests in Los Palacios and a subsequent internet-access restriction, live Facebook broadcasts of the protests taken by Ángel Luis López Placencia began to circulate on social media. Within hours, the original videos had been deleted from Facebook and López Placencia stopped posting. **76** A journalist expressed concern for López Placencia, whose whereabouts were not immediately known after posting on social media. **77**

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?

0 / 4

The vague wording of government provisions regarding content regulation allows the authorities to censor a wide array of posts without judicial oversight. Resolution 179/2008 empowers ETECSA to prevent users from accessing sites

whose contents are contrary to “social interests, ethics, and morals, as well as the use of applications that affect the integrity or security of the state.” ⁷⁸ Resolution 56/1999 stipulates that all materials intended for publication or dissemination on the internet must first be approved by the National Registry of Serial Publications.

79

The Social Communication Law (LCS), approved by the National Assembly in May 2023 and gazetted in June 2024, ⁸⁰ after the coverage period, includes broadly worded restrictions on content that can be disseminated through the media, including online. Article 13 prohibits the dissemination of content that aims to “subvert the constitutional order and destabilize the socialist State of law and social justice,” as well as that which “sustains the communication aggression that develops against the country.” ⁸¹

In April 2021, the National Assembly approved Decree Law 35, “On Telecommunications, Information and Communication Technologies, and the Use of the Radioelectric Spectrum.” The law, which took effect in August 2021, imposes a wide range of obligations on service providers, including to “implement technical measures” that limit the use of the services used to transmit false information, content that “affects personal and family privacy,” content that affects “the identity, integrity and honor of the person,” and a wide range of other purported harms. ⁸² Service providers are also directed to suspend users who transmit such information. Decree Law 35 does not establish procedures for judicial oversight, transparency measures, or appeals processes. ⁸³ According to an analysis from Cubalex, the law may be interpreted to apply to social media companies. ⁸⁴

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

1/4

Online journalists, commentators, and users frequently self-censor to avoid repercussions from the state, including harassment, criminal prosecution, detention, and travel bans. These threats, exacerbated by the passage of legislation seeking to further criminalize online speech in recent years, have led

some independent journalists to pause or suspend their online reporting entirely or go into exile (see C2, C3, and C7). **85**

Dissidents who criticize the Cuban government online face potential legal actions, surveillance, and other forms of intimidation. In a May 2024 article, YucaByte reported on activist Leandro Pupo Garcés Ross, who was arrested in March 2023 for posting social media comments critical of the Ministry of the Interior (MININT) and received a sentence of house arrest later that year (see C3). Garcés said that he refrained from further activism to protect his family. **86**

In September 2023, YouTuber Iván Daniel Calás Navarro, who posts religious content on his channel Voz de Verdad (Voice of Truth), reported that he was summoned and interrogated by State Security. At the interrogation, security agents allegedly warned him not to criticize the authorities in his videos, under the threat of potential imprisonment. **87**

In preceding years, several independent digital journalists have received legal threats that forced them to either cease or renounce their journalistic work. Cynthia de la Cantera, a journalist for YucaByte, was forced to stop reporting for the outlet in July 2022 before going into exile in Germany later that year. In a Facebook post, de la Cantera said that she otherwise would have been pressured to collaborate with the authorities or face potential charges. **88**

Between August and November 2022, Cuban government agents interrogated several journalists who had worked for the digital outlet El Toque; they threatened the journalists with travel bans and other consequences if they did not end their collaboration and make public statements to that effect on social media or in video recordings. These efforts, which impact independent journalism in Cuba more broadly, amounted to a sustained harassment campaign against El Toque and its journalists (see C7). **89**

Multiple journalists, journalism professors, and students have been expelled from their state positions or universities for publishing criticism on social media sites and in “enemy” media outlets, including online outlets. These restrictions and punishments have further engrained the practice of self-censorship among Cuban journalists and academics who wish to keep state-media and university posts. **90**

During the previous coverage period, for example, Cuban journalism professor

José Luis Tan Estrada was fired from his job at the University of Camagüey in November 2022 for criticizing the government via Facebook. ⁹¹ Tan Estrada has since become a leading independent journalist in Cuba, but faces the threat of legal action and intimidation on the part of State Security (see C3). ⁹² In Facebook posts from April and May 2024, Tan Estrada stated that those actions were meant to stop him from conducting independent journalism and posting on social media. ⁹³

While grassroots digital innovations such as El Paquete Semanal (The Weekly Package) have provided access to large selections of often-pirated digital content, these are technically illegal and depend on de facto government tolerance. As a result, many administrators have sought to reduce the risk of a government crackdown through active self-censorship of content that could be considered inappropriately political, religious, or pornographic. ⁹⁴ Journalists who work for state media also reportedly practice self-censorship. ⁹⁵

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?	1 / 4
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The government manipulates the online information landscape through policies and other initiatives designed to maintain the dominance of progovernment outlets and narratives and discredit independent sources of information.

According to the 2019 Global Inventory of Organised Social Media Manipulation, by the Computational Propaganda Project, many actors within Cuba, including government agencies, employ coordinated networks that manipulate social media by spreading disinformation, amplifying progovernment content, and trolling. ⁹⁶ Inauthentic proregime social media accounts, known as *ciberclarias*, support the government on social media platforms, particularly Facebook and X, by attacking dissidents and activists, posting state media articles, and sharing posts by high-level officials. The *ciberclarias* are reportedly composed of young people, many from Havana's Computer Science University (UCI), who receive benefits like more internet time and mobile data plans. ⁹⁷

During the coverage period, it was reported that the Cuban government had again undertaken efforts to recruit ciberclarias in December 2023. Independent outlets 14ymedio and YucaByte reported that authorities aligned with the Communist Party of Cuba held sessions that month in medical schools and hospitals to recruit individuals to “share revolutionary content” in support of the government on their social networks. **98**

The current coverage period has also seen seemingly coordinated attempts by the government and its allies to discredit independent digital outlets. For instance, in May 2024, Cuban state media and other progovernment entities launched a series of narratives, including on social media, meant to undermine the credibility of the El Toque news site, which publishes a popular informal exchange rate monitor. These narratives sought to portray El Toque, which has found the CUP’s value to be much weaker than the official exchange rate, as “terrorists” who are influenced by US interests. **99** Analysts have noted that the government is likely trying to deflect blame for ongoing inflation with its campaign. **100** The staff of El Toque were previously targeted by a sustained harassment campaign by the government (see C7).

In response to March 2024 antigovernment protests in Santiago de Cuba, the government responded to the protesters’ demonstrations and online mobilization with apparent connectivity disruptions and by spreading progovernment narratives (see A3 and B8). According to the ProBox Digital Observatory, the Cuban government used X, Instagram, and Facebook to amplify the hashtags #UnidosXCuba (#UnitedXCuba) and #BloqueoGenocida (#GenocidalBlockade, referencing the ongoing US embargo of Cuba) on March 18, the day after the protests began. Together, the hashtags were reportedly used in more than 8,000 posts on X. **101**

Previously, in its fourth-quarter 2022 report on adversarial threats, Meta disclosed the existence of a network of coordinated inauthentic behavior tied to the Cuban government. This network was directed at Cuban audiences residing domestically and abroad. Meta eliminated 363 Facebook accounts, 270 pages, 229 groups, and 72 Instagram accounts for violating the terms of service prohibiting such campaigns. In its report, Meta noted that the scheme’s orchestrators “operated across many internet services, including Facebook, Instagram, Telegram, Twitter, YouTube and Picta, a Cuban social network, in an effort to create the perception

of widespread support for the Cuban government.” Meta also reported that the tactics used by this government-linked network included the use of inauthentic accounts to amplify progovernment content, as well as the creation of more elaborate and unique profiles that criticized the state’s opponents. In a further violation of Facebook’s policies, some of the memes created by the coordinated network included photos of government critics and referred to them disparagingly as “worms.” ¹⁰²

Authorities continue to direct popular demand for videos, games, and online social networking to government-controlled platforms. In mid-2018, the government launched a national version of WhatsApp, called toDus, along with a national “app store” site for locally developed mobile apps called Apklis; both were developed at UCI. The crucial difference between these and their more popular, global counterparts is that they are designed to be run on Cuba’s national intranet, not the global internet, making costs lower and performance for national users better.

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?	0/3
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Cuba has one of the most restrictive media environments in the world. The constitution prohibits privately owned media and restricts speech that does not “conform to the aims of a socialist society.” The government closely monitors users who post or access political information online and delivers harsh penalties to those it perceives as dissidents.

In May 2023, the National Assembly gave its unanimous approval to the LCS. The adopted text used significantly more rigid language regulating Cubans’ ability to freely publish content online than earlier drafts of the bill. ¹⁰³ In particular, the LCS further closes the already very limited space for independent digital media outlets in the country. ¹⁰⁴ Article 28 of the law reiterates the constitutional ban on the existence of private independent media, stating that media are “the socialist property of the entire people or of political, social and mass organizations, and cannot be the subject of any other kind of property.” ¹⁰⁵ The

law imposes broad restrictions on the dissemination of critical content, opening the possibility for additional criminal penalties (see B3 and C3).

The LCS also maintains strict limits on the financing of independent media, while opening some funding avenues for state media. The law allows state media to receive funding from advertisements with prior approval from the authorities. **106** In November 2023, state-affiliated digital outlet Cubadebate reported that it had earned more than 700,000 CUP (\$28,000) from both state and private advertising during the prior two months. **107**

Decree Law 370 of 2019 restricts independent media by prohibiting the hosting of websites on foreign servers and the circulation of “information contrary to the social interest, morals, good customs, and integrity of people” (see B2). **108** The vague language of the decree allowed officials to use it to threaten, silence, and punish independent journalists and other critical users during the current coverage period, who faced fines, potential imprisonment, and confiscation of their work equipment **109** for their posts on social media platforms like Facebook (see C3). **110**

The cost of technologies that facilitate information sharing remains high, and the government has sought to penalize individuals who violate laws restricting access to telecommunications equipment and services. In May 2024, the US Treasury Department’s Office of Foreign Assets Control amended an existing regulation to clarify the level of access Cuban users could gain regarding US-based internet services and software. The amended regulation also “authorize[s] the export or reexport of Cuban-origin software and mobile applications, respectively, from the United States to third countries,” potentially expanding the reach of said software. It remains to be seen whether these changes will have a practical impact on internet freedom for Cuban users. **111**

In February 2021, the government announced a list of 124 prohibited private-sector occupations, including the printing, editing, and designing of books, newspapers, and magazines. **112** While the 2019 constitution stated that the mass media was public and could not be private, the 2021 prohibition policy dashed the hopes that a loophole would be allowed to legalize some portion of the independent press, including online outlets. The February 2021 rules permit computer programming, which had been previously barred. **113** The government

published an updated list of private-sector restrictions in August 2024, after the coverage period, outlining 125 prohibited occupations. These were expected to enter into force in September. **114**

B7 0-4 pts

Does the online information landscape lack diversity and reliability?

1 / 4

Despite the persistence of severe restrictions and explicit illegality of media outlets that are not controlled by the ruling Communist Party of Cuba, grassroots and citizen-led media initiatives have succeeded in developing a significant online presence and developing domestic audiences in recent years.

Since 2014, Cuba has seen the appearance of several independent or alternative digital media platforms covering a broad and diverse spectrum of themes from a variety of professional and political viewpoints. While the government still holds a monopoly on mass media—especially print, radio, and television—it has lost that position in the digital sphere due to the emergence of these independent projects, whose impact has grown significantly since 2018 as more Cubans benefit from mobile connectivity. However, independent journalism within Cuba remains in a state of crisis, especially with the introduction of the LCS, which explicitly outlawed independent media (see B6). **115** As a result, many of these innovative projects, and the journalists who run or work for them, have been forced to do so from exile.

As the number of independent digital media sites has surged over the past decade, their reliability, credibility, and professionalism have also improved—qualities that have in turn forced the state-controlled media to make internal changes to compete. **116** Several independent sites are run by teams of journalists on the island who work in concert with collaborators abroad. For example, the independent site El Toque has developed a wide range of innovative material to inform readers about new legislation, state policies, and the state of the economy during the ongoing economic crisis. One of its most influential outputs is a real-time exchange rate monitor, that provides Cubans with credible information about the country's economic situation—a project that the Cuban government has specifically attempted to discredit (see B5). **117**

Independent digital outlets that are blocked in Cuba, such as 14ymedio and CubaNet, have developed innovative digital strategies to distribute content. Cubans on the island, for example, can subscribe to weekly email newsletters, follow the news via Facebook, YouTube, and X, or subscribe to WhatsApp news channels. **118** These distribution methods are more difficult to restrict, since they utilize popular social media applications that have many other uses in Cuba. Users also access content from the site through proxies, VPNs on their mobile devices, and offline versions that are shared via USB flash drives.

The use of the podcast format and YouTube channels expanded domestically following the introduction of 3G services in 2018, with numerous independent journalists, digital news outlets, and others launching their own programs. By 2021, there were reportedly more than 220 podcasts produced in-country or largely directed at Cuban listeners. The government has struggled to censor these podcasts given their varied channels for distribution. For example, 14ymedio's Yoani Sánchez hosts a brief daily morning news roundup called *Cafecito Informativo*, **119** while other outlets offer similar digital broadcasts. **120** However, creators of these podcasts continue to face government pressure and potential censorship. **121**

During the current coverage period, several innovative journalistic projects have provided reliable and independent information about digital rights and other timely issues in Cuba. YucaByte has been a pioneer in tracking violations of Cubans' online rights through its "Digital Rights in Crisis" project and, since the start of 2023, has partnered with 14ymedio to offer a monthly summary and analysis of rumors spread online. **122** Proyecto Inventario, meanwhile, includes data on protests, blackouts, connectivity disruptions, fines related to Decree Law 370, and trends related to Cubans' social media communication, among other issues. **123** In addition to its popular exchange rate monitor, El Toque maintains a fact-checking service, DeFacto. Another fact-checking platform, Martí Verifica, was launched in November 2023. **124**

However, many of these sites struggle to survive given the government's open repression of nonaffiliated media outlets and the lack of a legal framework that would protect them. An October 2022 report on Cuba by the Inter American Press Association (SIP/IAPA) noted that independent journalists had been driven to exile in response to harassment and legal threats, a trend exacerbated by the

penal code that took effect in December 2022 (see C2). **125** This trend has continued during the current coverage period, with journalists for these sites pressured to quit or forced to go into exile, leaving few reporters on the ground in Cuba. **126**

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?

3/6

Cubans have organized several high-profile protests in recent years, with social media—especially Facebook—playing a critical role in driving offline demonstrations. During the coverage period, however, the government imposed severe criminal penalties in connection with online protest activities (see C3), underscoring the dangers that repression and legal sanctions pose for free assembly and association online. **127**

Smaller-scale protests have regularly occurred in recent years and continued during the current coverage period, with significant demonstrations taking place in several eastern cities and towns on March 17, 2024. **128** While no single protest has been as widespread as the demonstrations in July 2021, social media-enabled protest, followed by internet disruptions and violent repression, has entered the repertoire of social mobilization in Cuba.

Significant online activity was observed ahead of the offline March 2024 protests. According to the ProBox Digital Observatory, individuals used the hashtags #CubaEstadoFallido (#CubaFailedState) and #AbajoLaDictadura (#DownWithTheDictatorship) in thousands of posts on X in the days before March 17. **129**

Previously, online tools were credited with sparking and sustaining historic protests held in July 2021. Demonstrators protesting the shortage of basic goods in San Antonio de los Baños that July 11 used Facebook Live to spread footage of their rally, which reportedly contributed to the rapid spread of protests nationwide. **130** Hashtags expressing protesters' discontent, including #SOSCuba and #PatriaYVida (#HomelandAndLife), went viral on platforms like X (then Twitter); while only about 100,000 posts were published with the #SOSCuba hashtag on July 9, two million containing the hashtag were published on July 12.

131 The government’s response to the protests included the detention of journalists broadcasting protests online and the introduction of legislation seeking to further criminalize or censor online dissent (see C2 and C3).

Displays of force by the government against those participating in the July 2021 mass mobilizations reduced organizers’ momentum later that year. Despite receiving organizers’ calls to action in November 2021 for a national “Civic March for Change” organized by Archipiélago, few protesters took to the streets; **132** some opposition activists and journalists had broadcast live on Facebook or posted on X about plainclothes security forces and government supporters preventing them from leaving their homes. **133** The best-known organizer of the November 2021 protest, playwright Yunior García Aguilera, was among those detained. He went into exile in Spain soon thereafter. **134**

C. Violations of User Rights

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?

0/6

The Cuban legal structure does not support internet freedom, and the country lacks an independent judicial system that could counter government efforts to suppress independent online activity. The Cuban judiciary often acts in concert with the government to enforce laws that undermine freedom of expression and access to information, both on and offline.

The constitution as updated in 2019 explicitly subordinates freedom of speech to the objectives of a socialist society; freedom of cultural expression is guaranteed only if such expression is not contrary to “the revolution.” **135** Article 55 states that ownership of the “fundamental means of social communication” are “the socialist property of all the people...and cannot be subject to any other type of ownership,” which essentially outlaws private media. The constitution is silent about citizens’ rights of access to independent information or to ICTs. **136** The only mention of the internet or cyberspace is in Article 16, which states that the country “defends

the democratization of cyberspace...and condemns its use toward the subversion and destabilization of sovereign nations.” ¹³⁷

In May 2024, the National Assembly published a draft access-to-information law, which civil society organizations criticized for failing to meet international access-to-information standards and for containing overly broad exceptions under national security grounds. ¹³⁸ The National Assembly approved the law in July 2024, after the coverage period. ¹³⁹

A February 2021 regulation on permissible self-employment activities explicitly banned any private activities related to independent journalism or media outlets (see B6). ¹⁴⁰ Independent journalists have faced an increasing degree of repression, including civil and criminal penalties and forced exile, for their online activities since the approval of the 2019 constitution and subsequent regulations (see C2 and C3).

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?	0 / 4
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Online activity is subject to punishment under a variety of laws, including some with broader applications and others that are specific to ICT usage. Several measures that have taken effect in recent years—including Decree Laws 370 and 389, MINCOM Resolutions 98 and 99, and provisions of the 2022 penal code—pose serious threats to online expression in Cuba. The laws essentially codify the surveillance, inspection, harassment, control, arbitrary detention, interrogation, fines, and confiscation of equipment that had already been routinely employed against independent online voices (see C3, C4, and C5). ¹⁴¹ The LCS, unanimously approved by the National Assembly in May 2023 and gazetted in June 2024, ¹⁴² additionally opens the possibility of further criminalization of online activities in Cuba.

The 2022 penal code lists the use of social media platforms as an “aggravating circumstance” in the crime of “instigating the commission of a crime.” “Using social networks” to organize gatherings, meetings, or protests is a crime under the new statutes, along with long-standing crimes often used to target dissidents like

“disrespect,” “public disorder,” and “sedition.” While the previous penal code did not explicitly mention the use of digital networks in relation to crime, the updated code specifically names “slander,” “insult,” and “acts against privacy or the image, voice, data, or identity of another person” as crimes that can be committed online. Penalties for these infractions, which are often more severe than if the same crime were committed offline, include prison sentences ranging from six months to five years and fines ranging from 1,000 to 200,000 CUP (\$40 to \$8,000). **143** The penal code’s inclusion of social networks as “aggravating circumstance” undercuts the authorities’ claims that the code does not impose different punishments between crimes committed offline and those using ICTs.

144

A March 2023 report by Amnesty International warned that the 2022 penal code “risks further entrenching long-standing limitations on freedom of expression and assembly and is a chilling prospect for independent journalists, activists, and anyone critical of the authorities.” **145**

Provisions in the LCS contain broadly worded clauses that could be used to further criminalize online activities or restrict content (see B3 and C3). For example, Article 51 of the law indicates that users are legally responsible for “the content they generate, select, modify, interact with, and publish” and must comply with provisions prohibiting content with the “objective of subverting the constitutional order” or “instigating terrorism or cyberwar,” raising concerns that users could be punished for so much as “liking” content that is critical of the Cuban government. **146** The law establishes a clear legal basis to assign criminal liability for several critical online activities. **147**

In August 2021, following the previous month’s historic protests, the government enacted regulations further criminalizing and restricting online speech. Decree Law 35, which had been approved by the National Assembly in April 2021, designates some forms of online content as a cybersecurity risk and may be used to arrest people for their online activities. **148** MINCOM Resolution 105, passed in August 2021, outlines online offenses, though it does not mention the specific penalties for committing them, and includes the dissemination of “false news,” content defaming the country’s prestige, content inciting demonstrations, and broadly defined “cyberterrorism” that subverts or destabilizes public order. **149**

Decree Law 370, formally approved shortly before mobile data plans were made accessible and published in 2019, prohibits the use of foreign servers to host vaguely defined “sites” under Article 68(f). Article 68(i) outlaws the spread, “through public data transmission networks,” of information against “the social interest, morals, good customs, and integrity of people.” The latter terms are also poorly defined. Violators are subject to “confiscation of the equipment and means used to commit the violations,” “temporary or permanent suspension of the license,” “closure of the facilities,” and 3,000-CUP (\$120) fines. ¹⁵⁰ MINCOM agents determine who to target under Article 68(i) with no judicial oversight. ¹⁵¹

The Law to Protect Cuba’s National Independence and Economy (Law 88), passed in 1999 and popularly known as the Gag Law, punishes any activity that threatens Cuban sovereignty or facilitates the US trade embargo. Anyone who passes information to the US government that could bolster the embargo can face up to 15 years in prison. Spreading subversive materials can incur a penalty of three to eight years in prison, while collaborating with foreign media outlets is punishable by up to five years in prison. ¹⁵²

In 1996, the government passed Decree Law 209, which states that the internet cannot be used “in violation of Cuban society’s moral principles or the country’s laws,” and that email messages must not “jeopardize national security.” ¹⁵³ In 2007, a network security measure, Resolution 127, banned the use of public data-transmission networks to spread information that is against the social interest, norms of good behavior, the integrity of people, or national security. The decree requires access providers to install controls that enable them to detect and prevent the proscribed activities, and to report them to the relevant authorities.

¹⁵⁴

C3 0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards?

1/6

Score Change: The score declined from 2 to 1 because severe criminal penalties—including one prison sentence of 15 years—were imposed during the coverage period in connection with online activities, marking a shift toward even more severe legal repression.

Penalization for online activity in Cuba is common. Though in recent years the government has tended to employ short-term detentions, interrogations, fines, legal harassment, and travel bans, **155** the current coverage period has seen a shift toward more severe criminal penalties to detain, charge, and imprison individuals for online speech. Independent journalists, influencers, and online activists have increasingly become targets of these legal actions, and many have been forced into exile to avoid arrest and imprisonment, including those involved in the July 2021 protests (see B8). Individuals targeted for legal sanctions are also frequently subjected to targeted connectivity restrictions, online harassment campaigns, and hacking attempts (see A3, C7, and C8).

During the coverage period, such legal pressures and tactics were used against multiple dissidents, online activists, and independent journalists. In September 2023, prosecutors in Camagüey initiated criminal proceedings against 14 individuals, largely on charges of “sedition” in connection with protests in Nuevitas, Camagüey, in August 2022. All defendants were held in pretrial detention for more than a year and faced 4-to-15-year prison terms. Evidence presented by the prosecution included Facebook posts by members of the group and online interactions with accounts deemed “counterrevolutionary” and damaging to the established sociopolitical system, as well as alleged visits to online “sites of notorious anti-Cuban position.” **156**

In April 2024, the Provincial Court of Camagüey handed sentences to 13 of the 14 defendants; 11 were convicted of sedition and received prison terms of at least 10 years. **157** While several of these convictions were connected to offline protest activities, two sentences included charges of “continuous enemy propaganda” and were directly related to online posts. Mayelín Rodríguez Prado was sentenced to 15 years in prison; Rodríguez Prado was found guilty of both “sedition” and “continuous enemy propaganda” after she had uploaded footage of the Nuevitas protest, which reportedly captured police officers assaulting three girls, to Facebook. **158** Separately, Yennis Artola Del Sol was sentenced to eight years in prison for “continuous enemy propaganda” after she reportedly filmed Rodríguez Prado write “Down with Díaz-Canal singao”—singao being an insult frequently used against President Miguel Díaz-Canel Bermúdez—on a wall in July 2022, and posted the video on social media. **159**

In March 2024, the Provincial Court of Camagüey rejected an appeal by Aniette González García. ¹⁶⁰ González had been sentenced to three years in prison in February 2024 for “insulting national symbols” after she posted photos of herself draped in the Cuban flag on Facebook in March 2023. González had reportedly taken the photos as part of the #LaBanderaEsDeTodos (#TheFlagBelongsToEveryone) campaign to support an independent artist imprisoned for similar reasons. ¹⁶¹

As of February 2024, influencer Sulmira Martínez Pérez, who is known as Salem de Cuba on social media, had been in pretrial detention for more than a year after she allegedly spread “propaganda against the constitutional order” on Facebook. ¹⁶² The allegations stem from January 2023 Facebook posts in which Martínez Pérez said that she was planning a demonstration comparable to July 11, 2021. ¹⁶³ After being interrogated at the Havana headquarters of State Security, Villa Marista, she was transferred to El Guatao prison, where she remained at the end of the coverage period. ¹⁶⁴ In June 2024, after the coverage period, CiberCuba reported that prosecutors asked for a 10-year prison sentence against Martínez Pérez for the alleged crimes of “contempt” and “crimes against the constitutional order,” ¹⁶⁵ and a trial was later scheduled for August. ¹⁶⁶

In August 2023, activist Leandro Pupo Garcés Ross was tried under Article 270 of the penal code for allegedly defaming Cuban institutions. In a March 2023 Facebook post, Garcés criticized efforts by MININT to appeal to young people, saying that they became “snitches” and “henchmen” as a result. ¹⁶⁷ Garcés indicated that police monitored his social media activities, a common tactic used by authorities to target Cuban dissidents (see C5). ¹⁶⁸ While he faced a potential four-year prison term, Garcés was eventually sentenced to three years’ house arrest but has ceased his critical online activities as a result (see B4). ¹⁶⁹

In a November 2023 report, the SIP/IAPA documented that press freedom in Cuba has continued to worsen as journalists suffer from severe repression, including ongoing criminal penalties. The report noted that journalist Lázaro Yuri Valle Roca, director of the Delibera digital outlet, remained imprisoned at the time on a five-year sentence after he filmed himself sharing antiregime pamphlets and posted the video online in June 2021. ¹⁷⁰ Valle Roca was freed from prison in June 2024, after the coverage period, but was immediately deported to the United States

after his wife, who accompanied him, had secured a humanitarian parole from the US government (see C7). **171**

Since early 2020, many independent journalists and activists have been targeted under Decree Law 370, including through summonses, interrogations, threats, fines, house arrests, seizures of work equipment such as cell phones, and other repressive tactics aimed at halting their online journalistic activity. Officials have shown journalists printouts of their social media posts and online reporting as “proof” of their crimes during interrogations. **172** One case from the coverage period involved José Luis Tan Estrada, who was fined 3,000 CUP (\$120) under Decree Law 370 in April 2024. Tan Estrada later said that police had copies of his Facebook and X activity. Later in April, Tan Estrada, who has repeatedly been targeted by legal actions and other intimidation, was arrested and jailed for five days; he was released in May, after relatives filed a habeas corpus petition. **173**

In December 2023, Yudeyvis Reinoso was interrogated by State Security agents and told to cease publishing her *directas*, or live denunciations, on Facebook or she would be charged under Decree Law 370. In the weeks prior, Reinoso had publicly demanded access to food for her two-year-old child, posting online and appearing at government offices. After the interrogation, she vowed to continue her advocacy. **174**

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?

1 / 4

Anonymity and encryption technologies are legally prohibited in Cuba. **175** Web access points, such as Wi-Fi hotspots, cybercafés, and access centers, are closely monitored, and users are required to register with their personal identification information. **176** Under MINCOM Resolution 99/2019, service providers must obtain approval before using encryption technology to protect the privacy of the information they transmit. **177**

Still, many Cubans with internet access on their phones, whether via a Wi-Fi hotspot or mobile service, use encrypted communication services such as WhatsApp, Telegram, or Signal to communicate privately among trusted friends.

Does state surveillance of internet activities infringe on users' right to privacy?

1/6

The constitution nominally protects various forms of communication, and portions of the penal code establish punishments for the violation of the secrecy of communications and of users' privacy, but these safeguards are frequently breached. In practice, government surveillance of internet activity in Cuba is pervasive and frequently results in criminal cases or other reprisals for users who have criticized the regime openly online or in intercepted private communications, as well as those deemed to have violated various laws.

In recent years, concerns have been raised that the Cuban government could use data collected through state-affiliated applications to facilitate surveillance. In November 2022, YucaByte reported that ETECSA had sealed an alliance with the Defense Information Technology Company (XETID), a subsidiary of Cuba's Revolutionary Armed Forces (FAR). XETID, which is subject to US sanctions, has previously developed the EnZona e-commerce platform and the Bienestar platform, which manages Cuban users' personal data. As a result of this collaboration with ETECSA, the FAR reportedly has access to a significant amount of sensitive information about Cuban citizens. ¹⁷⁸ In August 2023, YucaByte reported on the rollout of the XETID Certification Authority (ACXETID), a digital signature technology used to identify "safe" websites and validate personal identities. ¹⁷⁹ As with EnZona and Bienestar, both MININT and the armed forces could access sensitive personal data from XETID's digital signature technology. ¹⁸⁰

Similar concerns have been raised in the past about MININT's access to personal data. For example, since September 2021, Cuba's main app for e-commerce, TuEnvio, has been linked with the Single Citizen File (FUC), which itself is tied to the MININT's Unique Identification System. Ministry of Justice (MINJUS) Resolution 484 allows MINJUS to authorize access to files in the FUC database without citizen consent. ¹⁸¹

The app toDus and a national app store, launched in 2018, were both developed by Havana's state-run UCI, in effect granting state authorities access to users' personal data and presumably to the communications that take place through

those platforms. ¹⁸² The government justifies these and other developments toward the “computerization” of Cuban society as part of its declared plan to reinforce Cuba’s “technological sovereignty.” ¹⁸³

Additionally, Decree Law 389, which was approved in 2019 by the Council of State without review by the National Assembly, formally authorizes investigators to engage in electronic surveillance and use the resulting information as evidence in criminal cases. The law permits listening to and recording individuals’ conversations, tracking their location and following them, photographing and recording their image, intervening into any of their communications, accessing their ICT systems, “and other technical resources which allow the discovery of and proof of the crime.” Prior judicial approval is not required to conduct such surveillance. ¹⁸⁴

A 2013 MINCOM decree reaffirmed the government’s continued monitoring of internet traffic, stating that ETECSA will immediately end a user’s access if they commit “any violation of the norms of ethical behavior promoted by the Cuban state.” ¹⁸⁵ Users must show their national identity cards and sign an agreement stating that they will not use the service for anything “that could be considered... damaging or harmful to public security”—a vague statement that can be applied to expressions of political dissent. ¹⁸⁶ ETECSA contracts often explicitly prohibit Cubans from using its services for activities that violate “ethics, morals and good customs,” among other restrictions. ¹⁸⁷

The Cuban government reportedly used surveillance tactics to prosecute July 2021 protesters, more than 700 of whom remained in prison as of November 2023. Authorities allegedly used digital verification technology to help identify participants in the protest, often using videos that protesters themselves uploaded to social media. ¹⁸⁸

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users’ right to privacy?

0/6

Internet service providers are required to register and retain the addresses of all traffic for at least one year. ¹⁸⁹ Reports indicate that the government routes most connections through proxy servers and can obtain usernames and passwords

through special monitoring software called Ávila Link, which is installed at most ETECSA and public access points. ¹⁹⁰ In addition, delivery of email messages is consistently delayed, and it is not unusual for a message to arrive censored or without its attachments.

The National Assembly approved data-protection legislation in May 2022. The final law was published that August and entered into force in February 2023. ¹⁹¹ Law 149/2022 on Personal Data Protection recognizes the right of citizens to access their personal data, to know about its use, to request its correction and modification by those who possess it, and to request its nondisclosure. The law also places requirements on service providers and those processing or controlling personal data, data transfers, and data retention. Failure to comply can incur fines of up to 2,000 CUP (\$80), and authorities can order the suspension of personal information databases for up to five days or the closure of the database entirely. However, the law's effectiveness is not yet clear. ¹⁹²

While the law declares that it protects personal data related to personal identifiers including sex, ethnic origin, and sexual orientation, it also creates vague exceptions, potentially allowing the authorities to circumvent its requirements. Article 17 of the law allows personal data to be stored without the consent of its owner “for reasons of collective security, general welfare, respect for public order and the interest of defense,” for example. ¹⁹³

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?

2/5

Journalists, activists, and other prominent online voices often face violence by police who arrest or interrogate them, as well as intimidation tactics such as unjustified searches and equipment confiscation. Users who have been jailed for extended periods of time report being mistreated in custody. An October 2022 report by the SIP/IAPA noted that scores of independent online journalists have been targeted with “constant repression,” encompassing physical attacks and harassment, as well as arrests and fines (see C3) ¹⁹⁴—tactics that continued during the current coverage period.

Many journalists working for independent nonstate media have experienced systematic harassment and threats, including death threats and online smear campaigns. **195** Among other harassment and intimidation tactics, online activists and journalists have been warned that their activity would make it impossible for them to procure employment (leaving them unable to support their families since the state controls the labor market), **196** have received anonymous online messages showing the sender possessed detailed personal information about them, **197** and have seen intimate images and information about their family and personal lives disseminated publicly. **198**

In July 2023, YouTuber Dina Stars reported that she had received an intimidating message from an anonymous account featuring the progovernment hashtags #DeZurdaTeam (referring to a group of proregime trolls) and #PatriaOMuerteVenceremos (#FatherlandOrDeathWeShallPrevail). The message's author threatened to release a supposedly sexually explicit video of her. **199**

Authorities have also employed physical violence against users in connection with their online activities, including while in detention, and denied them necessary and appropriate medical attention. For example, during the current coverage period, the already ailing independent journalist Lázaro Yuri Valle Roca was physically assaulted in October 2023 by corrections officers at Combinado del Este, the prison where he was serving a five-year sentence for his critical social media activity (see C3). Valle Roca had allegedly refused to stand at attention for a security officer before he was assaulted. **200** Valle Roca's wife, activist Eralidis Frómeta, expressed concerns about his health in prison. **201** In June 2024, after the coverage period, Valle Roca was released and immediately forced into exile under a humanitarian parole that Frómeta had arranged with the US government. **202**

Between August and November 2022, the Cuban government interrogated and threatened the island-based staff of El Toque and also engaged in character assassination against them, successfully driving many of the outlet's journalists into exile as the year progressed. **203** The government's actions amounted to a sustained harassment campaign against the independent digital outlet, which El Toque's director characterized as "psychological torture." **204** More recently, during the current coverage period, Cuban state media and progovernment

entities launched narratives meant to smear El Toque and discredit its popular informal exchange rate monitor (see B5).

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?

1/3

Cyberattacks targeting the social media accounts of journalists and activists, as well as the independent sites where they publish their work, have intensified in frequency and technical coordination in recent years. Previously, technical attacks did not appear to be a primary method of censorship in the country.

Throughout the coverage period, activists, independent journalists, and the family members of political prisoners were targeted by hacks, or attempted hacks, of their social media accounts. For example, in June 2023, YucaByte reported that the Facebook account of Yenisey Taboada, the mother of political prisoner Duannis Dabel León, had been hacked. Likewise, activist Adelth Bonne Gamboa, whose Facebook account was suspended that month after an alleged mass-reporting incident by progovernment accounts (see B2), reported that individuals had attempted to hack his Instagram account three times since the start of 2023.

205

On June 26, 2023, independent news site ADN Cuba was reportedly targeted by a distributed denial of service (DDoS) attack that lasted at least four hours and temporarily brought it offline. **206** Around this time, an apparent hack also brought the website of CubaNet, another independent news outlet, offline, suggesting that the cyberattacks could have been coordinated. **207**

In June 2023, a group of Cuban filmmakers met to condemn the censorship and excessive official control over the showing of Cuban director Juan Pin Vilar's documentary film *La Habana de Fito*. Following their release of a joint declaration, **208** several signatories reported attempts to hack their social media accounts, particularly on WhatsApp. For instance, filmmaker Juan Carlos Sáenz de Calahorra reported on Facebook that his WhatsApp conversations had apparently been erased. **209**

In February 2024, the website of the Cuban Institute for Freedom of Expression and the Press (ICLEP) was forced offline for approximately 48 hours following a cyberattack by undetermined individuals. On February 14, the day the attack began, users reported seeing the image of a black skull with computer code on ICLEP's site, though the organization said that no data was lost. **210**

In April 2024, director Ian Padrón said that his popular YouTube channel Derecho a réplica (Right of Reply), which discusses current events in Cuba, was hacked. Though Padrón was ultimately able to regain control of his channel, he reported that the hack occurred minutes after he clicked on a link contained within a phishing email. According to Padrón, the motive behind the hack remained unclear. **211**

Footnotes

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More footnotes



On Cuba

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Country Facts

Population

11,210,000

Global Freedom Score

12/100 **Not Free**

Internet Freedom Score

20/100 **Not Free**

Freedom in the World Status

Not Free

Networks Restricted

Yes

Social Media Blocked

Yes

Websites Blocked

Yes

Pro-government Commentators

Yes

Users Arrested

Yes

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