



# Freedom in the World 2013 - Cuba

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## 2013 Scores

Status: Not Free  
Freedom Rating: 6.5  
Civil Liberties: 6  
Political Rights: 7

## Overview

**The Cuban government oversaw a systematic increase in short-term "preventative" detentions of dissidents in 2012, in addition to harassment, beatings, acts of repudiation, and restrictions on foreign and domestic travel. Such repressive actions intensified surrounding politically sensitive dates throughout the year. A Communist Party conference in January imposed the regime's first-ever term limits for top party and government officials. The government continued with its program of limited economic reforms, and the number of legally self-employed Cubans reached 400,000. A new migration law published in October promised to eliminate the exit-visa requirement for the first time in 50 years beginning in January 2013.**

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Cuba achieved independence from Spain in 1898 at the end of the Spanish-American War, which capped a longer struggle against colonial rule. The Republic of Cuba was established in 1902 but remained a U.S. protectorate until 1934. On January 1, 1959, the dictatorship of Fulgencio Batista was overthrown, and Fidel Castro's rebel July 26th Movement took power. Castro quickly eliminated civil society, and tensions between his radical nationalist revolution and the United States soon emerged. The United States sponsored a failed 1961 invasion by Cuban exiles and imposed a trade embargo on the island, while the new socialist regime turned to the Soviet Union during the early 1960s. In late 1961, Castro declared his affiliation with communism, and the country has since been governed by a one-party state.

Following the 1991 collapse of the Soviet Union and the end of Soviet subsidies, Cuba suffered an economic depression. In response, Castro opened some sectors of the economy to direct foreign investment, legalized use of the U.S. dollar, and allowed limited self-employment. Inequality increased as access to dollars from remittances or through the tourist industry enriched some, while the majority continued to live on peso wages averaging less than \$10 a month. Meanwhile,

the authorities remained highly intolerant of political dissent, enacting harsh sedition legislation in 1999 and mounting defamation campaigns against dissidents that portrayed them as U.S. agents.

In 1999, Cuba and Venezuela began an economic partnership whereby Cuba received subsidized oil and provided Venezuela with technical and intelligence assistance. The arrangement helped to alleviate the economic pressures of the 1990s; however, the incapacitation of Venezuelan President Hugo Chávez since beginning a third round of cancer surgeries in December 2012 does not bode well for the future stability of the relationship.

In 2002, the Varela Project, championed by the dissident Oswaldo Payá and his Christian Liberation Movement, petitioned for a referendum on political reforms. The project obtained the 10,000 signatures required by the 1976 constitution, but the National Assembly rejected the proposal, instead holding a referendum that declared the socialist system "irrevocable." The government cracked down on the prodemocracy opposition in March 2003, with 75 people sentenced to long prison terms after summary trials.

In July 2006, a gravely ill Fidel Castro transferred provisional power to his younger brother, defense minister and first vice president Raúl Castro. The octogenarian Fidel resigned as president in February 2008, and Raúl, 76, formally replaced him.

Beginning in 2008, the government approved a series of unprecedented economic reforms. These included allowing Cubans to buy consumer electronic goods and stay in tourist hotels, eliminating salary caps, and raising pensions for retirees. In 2009, the government began to distribute land leases to agricultural workers. In late 2010, it was announced that more than a million state-sector workers would be laid off over the next 18 months, while 178 economic activities would be opened up to self-employment. However, layoffs were soon scaled back, since continued restrictions on microenterprises made rapid job creation untenable. Eased rules on private home and car sales were announced in late 2011; home sales were growing rapidly in 2012.

From July 2010 to March 2011, through negotiations with the Roman Catholic Church and the Spanish government, Cuban authorities released 166 political prisoners, including the 52 remaining from the 2003 crackdown. While most were forced into exile, 12 remained in Cuba under a form of parole. Meanwhile, the authorities ramped up short-term detentions of dissidents, making them the preferred form of repression. The Damas de Blanco (Ladies in White), a group of relatives of the 2003 political prisoners, continued their protests into 2012 despite repeated episodes of harassment and the late 2011 death of their leader, Laura Pollán. They joined forces with a related group, the Damas de Apoyo (Ladies in Support), to pursue the release of all political prisoners and demand the restoration of fundamental civil and political freedoms. They also spread across the country, gaining adherents in eastern Cuba.

In July 2012, Payá and fellow dissident Harold Cepero were killed when a car driven by Spanish political activist Ángel Carromero struck a tree. While Payá's family maintains that the car was deliberately forced off the road, Carromero was convicted of manslaughter for the crash and sentenced to four years in prison in October. In December he was allowed to return to Spain to serve out his sentence.

Short-term political detentions continued to rise in 2012, intensifying around major events like the March visit of Pope Benedict XVI, the Payá car crash in July, the first anniversary of Pollán's death, and International Human Rights Day on December 10. Among other repressive tactics, the mobile telephones of scores of dissidents were cut off during the pope's visit. Cuba's leading blogger and citizen journalist, Yoani Sánchez, was prevented from traveling abroad for the 19th consecutive time in late January and was detained twice in the fall, once while trying to cover the Carromero trial.

U.S. government contractor Alan Gross remained in prison in 2012, having been arrested in December 2009 for distributing communications equipment to Jewish groups in Cuba and sentenced to 15 years in prison in March 2011 for engaging in "subversive" activities aimed at undermining Cuban sovereignty; a United Nations panel concluded in late 2012 that his detention was arbitrary and violated international human rights standards. The U.S. government has eased some travel restrictions in recent years but maintains its economic sanctions on the island.

### **Political Rights and Civil Liberties**

Cuba is not an electoral democracy. Longtime president Fidel Castro and his brother, current president Raúl Castro, dominate the one-party political system, in which the Communist Party of Cuba (PCC) controls all government and most civil institutions. The 1976 constitution provides for a National Assembly, which designates the Council of State. This body in turn appoints the Council of Ministers in consultation with its president, who serves as chief of state and head of government. Raúl Castro is now president of the Council of Ministers and the Council of State, commander in chief of the armed forces, and first secretary of the PCC. In April 2011, the PCC held its Sixth Congress. In addition to electing Raúl Castro as head of the party, delegates appointed a greater number of high-level military officials to the PCC Politburo and Central Committee, but they made little progress in adding younger party members. A PCC national conference in January 2012 imposed a limit of two five-year terms on elected officials, but no senior officials were immediately retired or replaced.

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

All political organizing outside the PCC is illegal. Political dissent, whether spoken or written, is a punishable offense, and dissidents frequently receive years of imprisonment for seemingly minor infractions. The regime has called on its neighborhood-watch groups, known as Committees for the Defense of the Revolution, to strengthen vigilance against "antisocial behavior," a euphemism for opposition activity.

In recent years, dissident leaders have reported an increase in intimidation and harassment by state-sponsored groups as well as short-term detentions by state security forces. The independent Cuban Commission of Human Rights and National Reconciliation reported 6,602 short-term detentions in 2012, a 60 percent increase over 2011. In November 2012, a group of independent lawyers, journalists, and activists were briefly and violently detained for promoting the "Citizen Demand for Another Cuba" petition, which calls on the government to ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Antonio Rodiles, a leader of the petition drive, was charged with resisting arrest and held for 19 days before being released amid mounting international pressure.

Official corruption remains a serious problem, with a culture of illegality shrouding the mixture of limited private enterprise and a vast state-controlled economy. The Raúl Castro government has made the fight against corruption a central priority, with long sentences for both high-placed Cuban nationals and foreign businessmen who are convicted of economic crimes. Cuba was ranked 58 out of 176 countries surveyed in Transparency International's 2012 Corruption Perceptions Index.

The news media are owned and controlled by the state, and private bookstores remain banned. The government considers the independent press to be illegal and uses agents to infiltrate and report on unauthorized outlets. Independent journalists, particularly those associated with the dozen small

news agencies that have been established outside state control, are subject to harassment. Nevertheless, some state media have begun to cover previously taboo topics, such as corruption in the health and education sectors. The national newspaper *Granma* has begun to publish letters to the editor complaining about economic issues. Some publications of the Catholic Church have emerged as key players in debates over the country's future.

Access to the internet remains tightly controlled, and it is difficult for most Cubans to connect from their homes. The estimated effective internet penetration rate is less than 3 percent, one of the lowest in the world, while a higher percentage have access to e-mail and a limited, domestic intranet. While there are state-owned internet cafés in major cities, the costs are prohibitively high for most residents. Only selected state employees have workplace access to e-mail, and access to websites deemed inappropriate by superiors is restricted.

There are an estimated 70 independent, journalistic bloggers working on the island. While some have kept their distance from the political opposition and restricted their activities to the internet, others have faced harassment and detention for supporting dissidents. A growing group of cyberactivists led by pioneering blogger Yoani Sánchez have recently begun to hold public gatherings and link up with other independent civil society groups.

In 1991, Roman Catholics and other believers were granted permission to join the PCC, and the constitutional reference to official atheism was dropped the following year. The Catholic Church has been playing an increasingly important role in civil society, enabling discussion of topics of public concern and offering material assistance to the population. Nevertheless, official obstacles to religious freedom remain substantial. Churches are not allowed to conduct ordinary educational activities, and many church-based publications are subject to censorship. While Roman Catholicism is the traditionally dominant faith, an estimated 70 percent of the population practices some form of Afro-Cuban religion, and as in the rest of Latin America, Protestantism is making rapid gains.

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

According to the constitution, limited rights of assembly and association may not be "exercised against the existence and objectives of the Socialist State." Recent initiatives by emergent nongovernmental organizations, such as the independent Cuban Legal Association and its consulting services, have been forcefully rebuffed by the state. Workers do not have the right to strike or bargain collectively, and independent labor unions are illegal.

The Council of State controls the courts and the judicial process as a whole. From 1991 to 2007, the United Nations voted annually to assign a special investigator on human rights to Cuba, which consistently denied the appointee a visa. The investigator position was terminated in 2007. Cuban government representatives signed two UN human rights treaties, the ICCPR and ICESCR, in 2008, but the agreements have not been ratified or implemented on the island. Cuba does not grant international humanitarian organizations access to its prisons.

Afro-Cubans have reported widespread discrimination by government and law enforcement officials. Many Afro-Cubans have only limited access to the dollar-earning sectors of the economy. Autonomous racial advocacy or civil rights organizations are illegal. Berta Soler, the current leader of the dissident group Ladies in White, is an Afro-Cuban woman.

Since 2008, Cuba has made important strides to redress discrimination against the LGBT (lesbian, gay, bisexual, and transgender) community, thanks in part to the advocacy work of Mariela Castro, director of the National Center for Sexual Education (CENESEX) and Raúl Castro's

daughter. The government has helped to sponsor an annual International Day Against Homophobia, and the Ministry of Public Health has authorized government-provided sex-reassignment surgeries for transgender people. In 2010, Fidel Castro issued an apology for the regime's past persecution of LGBT individuals. Nonetheless, a bill proposing the legalization of same-sex marriages has been stalled in the National Assembly since 2008. Moreover, the authorities do not recognize the work of independent, grassroots LGBT rights groups, and their efforts have often been attacked by CENESEX.

Freedom of movement and the right to choose one's residence and place of employment are severely restricted. Cubans working abroad are not paid directly by their employers, but rather through the Cuban state, in violation of International Labour Organization statutes.

In October 2012, the government published a new migration law that rescinded the exit visa and letter of invitation that were previously required to travel abroad. While the measure, to take effect in early 2013, represented a potentially dramatic step forward in restoring fundamental rights, it did little to restore the rights of exiles. Moreover, the new law gives the Interior Ministry broad discretion in its implementation.

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

The number of self-employment licenses has grown from 157,000 in October 2010 to 400,000 by the end of 2012. As many as 67 percent of these licenses have gone to people who were previously unemployed, suggesting a limited benefit for those laid off from the state sector. A new income-tax law and new cooperative regulations were issued in late 2012, but it remained unclear whether these would help jumpstart the economic modernization process, which seemed to stall during the year. Private credit remains mostly nonexistent, severely curtailing any expansion of the private sector beyond small businesses.

The Cuban constitution establishes the full equality of women. About 40 percent of all women work in the official labor force, and they are well represented in most professions. However, the ongoing economic reforms have begun to widen the gender gap in the labor force.

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