

Freedom in the World 2014 - Cuba

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2014 Scores

Status: Not Free

Freedom Rating (1 = best, 7 = worst): 6.5

Civil Liberties (1 = best, 7 = worst): 6

Political Rights (1 = best, 7 = worst): 7

Trend Arrow: ↑

Cuba received an upward trend arrow due to a modest decline in state surveillance, a broadening of political discussion in private and on the internet, and increased access to foreign travel and self-employment.

OVERVIEW

During 2013, the Cuban government continued its systematic use of short-term "preventative" detentions – along with harassment, beatings, and "acts of repudiation" – to intimidate the political opposition, isolate dissidents from the rest of the population, and maintain political hegemony through the control of all public spaces. The strategy aimed to neutralize the opposition without leaving any legal trace of repression that could be denounced by human rights organizations and hamper international trade and investment. Such repressive actions intensified during politically sensitive periods, especially surrounding the visits of foreign dignitaries and on the December 10 anniversary of the signing of the Universal Declaration of Human Rights.

Political repression was combined with continued – if somewhat halting and unevenly executed – economic and civic reforms, including the further growth of self-employment, the launch of nonagricultural cooperatives, and a migration reform that included the elimination of the exit visa requirement for foreign travel for the first time in January. While the travel reforms were implemented in a fairly broad and consistent manner, with most leading dissidents taking full advantage, those who dared to criticize the government or organize their supporters while abroad

were routinely harassed upon returning. On the positive side, the allowance for Cuban citizens to remain abroad without losing their residency was expanded to 24 months, from 11 months, and former émigrés were now able to apply to regain their lost right to reside on the island.

The year also featured a coming together of various dissident and human rights groups, such as the Cuban Patriotic Union (UNPACU), the Damas de Blanco (Ladies in White), the Cuban Commission for Human Rights and National Reconciliation (CCDHRN), and Estado de Sats (State of Sats), to collaborate on common goals. The leaders of these groups gained a higher international profile through foreign travel. This was especially true for the blogger and free speech activist Yoani Sánchez, who went on an 80-day journey to more than a dozen countries between March and May, and Guillermo "Coco" Fariñas and Berta Soler, who met with U.S. president Barack Obama in Miami late in the year.

The summer rollout of the first nonagricultural cooperatives was seen by some observers as the government's way of guarding against the emergence of a private small and medium-sized enterprise sector with its own economic interests and political influence. The island's first public cybercafés opened in June, with very high prices. Self-employment expanded to 444,000 licensees by the end of the year, and the number of licensable occupations rose to 201, from 178 in 2010. Still, enforcement of self-employment regulations increased significantly in the autumn, reining in private 3D cinemas, arcades, door-to-door resellers of household goods, and resellers of imported clothing. A similar pattern of opening and restriction was apparent in the December announcement of "free" automobile sales, followed by the unveiling of exorbitant prices ranging from \$40,000 to \$250,000.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 1 / 40

A. Electoral Process: 0 / 12

Longtime president Fidel Castro and his brother, current president Raúl Castro, have long dominated 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 replaced his brother as president of the Council of Ministers and the Council of State in 2008. 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. In the February 2013 National Assembly elections, as in previous elections, voters were asked to either support or reject a single PCC-approved candidate for each of the 612 seats, and all 612 candidates were elected. Two-thirds of them were entering the legislature for the first time. The new National Assembly reelected Raúl Castro for a second five-year term as president, which will be his last as stipulated for all senior officials by a new law. The 2013 elections were also notable in that a large number of women, young people, and Afro-Cubans were elected to office.

In the last few years, the "revolutionary generation" has begun to gradually pass power to a trusted younger "successor generation." For example, a PCC national conference in January 2012 imposed a limit of two five-year terms on elected officials, and the 53-year-old Miguel Díaz-Canel Bermúdez was appointed first vice president of the Council of State after the February 2013 elections. Raúl Castro publicly announced that his new term, ending in 2018, would be his last.

B. Political Pluralism and Participation: 0 / 16

All political organizing outside the PCC is illegal. Political dissent, whether spoken or written, is a punishable offense, and dissidents are systematically harassed, detained, physically assaulted, and frequently sentenced to 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. This has led to the use of "acts of repudiation," or supposedly spontaneous mob attacks, to intimidate and silence political dissidents. 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. According to the CCDHRN, after rising sharply from 2,074 in 2010 to 6,602 in 2012, the number of politically motivated short-term detentions declined slightly to 6,424 in 2013, though the rate increased late in the year.

C. Functioning of Government: 1 / 12

Corruption remains a serious problem, with a culture of illegality permeating 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. However, the steady revelation of new cases of high-level corruption indicates that the problem is chronic and not easily resolved. Cuba was ranked 63 out of 177 countries surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 11 / 60 (+1)

D. Freedom of Expression and Belief: 3 / 16 (+1)

The Cuban news media are owned and controlled by the state. The independent press is considered illegal and their publications "enemy propaganda." Government agents routinely infiltrate the ranks of independent journalists and report on their activities, often accusing them of being mercenaries working at the behest of foreign powers. Independent journalists, particularly those associated with the island's dozen small independent news agencies or human rights groups, 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, and state television, while generally a mouthpiece of the PCC, has recently inaugurated a new program, *Cuba Dice* (Cuba Says), that features "man-on-the-street" interviews. A number of publications associated with the Roman Catholic Church have emerged as key players in debates over the country's future, including *Espacio Laical*, *Palabra Nueva*, and *Convivencia*. Low-circulation academic journals such as *Temas* are similarly able to adopt a relatively open and critical posture, given their limited mass appeal.

Access to the internet remains tightly controlled and prohibitively expensive. The estimated effective internet penetration rate is 5 percent, one of the lowest in the world, while nearly 30 percent of the population has occasional access to e-mail and a circumscribed, domestic "intranet." In June 2013, the government announced the opening of 118 "Nauta" internet cafés across the island, increasing public access. However, one hour of computer time at these cafés costs the equivalent of a week's average salary, and users are required to show identification and sign a pledge not to engage in "subversive" activities online. Household access to the internet is not currently available to the public, with only a select few permitted to legally connect at home. There are plans to begin enabling access via smartphones, but prices are expected to be prohibitive for the vast majority of the population.

To the extent possible given these severe restrictions, online activity has flourished on the island, including many semi-independent online news portals, rigorous debates on Twitter and Facebook, "revolutionary" blogs that are also occasionally critical of government policies, and the use of thumb drives to share information among those without regular internet access. Twitter has become an important tool for human rights activists to disseminate photographs, films, and written reports on abuses, with a small community of around 150 users employing their mobile phones to reach a global audience.

There are an estimated 100 independent, journalistic bloggers working on the island. Although 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 and human rights activists. 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. While traveling abroad in 2013, after being repeatedly prevented from doing so, Sánchez announced her intention to launch an independent online newspaper in 2014.

A recent example of important online discussion focused on the musician Robertico Carcassés, who dared to call for greater civil liberties and political freedoms – including direct presidential elections, an end to the "self-embargo," greater access to information, an end to political demonization, and the liberalization of auto sales – during a nationally televised concert in support of Cuban intelligence agents jailed in the United States.

The Roman 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, there remain official obstacles to complete religious freedom. Churches are not allowed to conduct ordinary educational activities and many church-based publications are subject to censorship and self-censorship.

The government restricts academic freedom. Teaching materials for many subjects 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 ideological commitment. There have been numerous instances of the expulsion of university students who are considered dissidents, such as San Miguel Molina Cobas, who was expelled from medical school in 2013 for belonging to UNPACU. Despite the elimination of the exit permit, university faculty must still obtain permission from superiors to travel to academic conferences abroad if the travel is undertaken as part of their work responsibilities.

E. Associational and Organizational Rights: 0 / 12

According to the constitution, citizens' limited rights of assembly and association may not be "exercised against the existence and objectives of the Socialist State." Nearly all of the politically motivated short-term detentions carried out in recent years have targeted members of independent associations, parties, or unions. During 2013, there were 179 cases of physical assault, 153 "acts of repudiation," and 153 cases of vandalism to activists' homes. Such incidents became especially common in the last three months of the year. The 1,123 detentions recorded in December were the most in any single month for a decade, with the exception of the 1,158 that took place in March 2012 surrounding a papal visit.

The December increase reflected a crackdown on human rights activists as they sought to celebrate the United Nations' International Day of Human Rights on December 10. One particularly prominent target of harassment and detention on this day was Antonio Rodiles, the founder of Estado de Sats, who was the victim of an "act of repudiation," caught on film, that included undercover state security agents mixed in with parading school children.

Recent initiatives by emergent nongovernmental organizations, such as the independent Cuban Legal Association (CubaLex) 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.

F. Rule of Law: 2 / 16

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 in 2008, but neither has been ratified or implemented on the island. Cuba does not grant international humanitarian organizations access to its prisons but did recently allow a group of foreign correspondents access to some prisons. The CCDHRN estimates that there are currently 102 political prisoners, with 87 behind bars and another 15 on parole, under constant surveillance and periodically detained. In September 2013, the government announced that it would accept the majority of 292 recommendations issued by the UN Human Rights Council as part of the Universal Periodic Review process, but that it rejected "guaranteeing freedom of speech and peaceful assembly, as well as the free activity of human rights defenders, independent journalists, and those in opposition to the government" because it considered such recommendations "politically biased, constructed on false bases, and incompatible with constitutional principles and the internal juridical order."

While racial discrimination has long been outlawed as state policy, Afro-Cubans have reported widespread discrimination and profiling by law enforcement officials (many of them Afro-Cuban themselves). 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 Afro-Cuban, as is Guillermo "Coco" Fariñas, a longtime human rights activist and member of UNPACU.

Cuba has made important strides in redressing discrimination against the LGBT (lesbian, gay, bisexual, and transgender) community, thanks in part to the advocacy work of Mariela Castro

Espín, director of the National Center for Sexual Education (CENESEX) and Raúl Castro's daughter. 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 marriage 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.

G. Personal Autonomy and Individual Rights: 6 / 16

Freedom of movement and the right to choose one's residence and place of employment are restricted. Cubans working abroad or for foreign companies on the island are not paid directly, but rather through the Cuban state, in violation of International Labour Organization statutes. In January 2013, the government implemented a new migration law that rescinded the exit visa and letter of invitation that were previously required to travel abroad. It also created a legal process for émigrés to regain their residency, lengthened Cuban travelers' ability to remain abroad from 11 months to 24 months without forfeiting residency rights, and rescinded the automatic state seizure of all assets and real estate of émigrés. Despite legal language that leaves much arbitrary discretion in state hands, the law's relatively broad implementation represented a dramatic step forward in restoring fundamental rights. Still, while many of the island's leading dissidents have traveled abroad and returned, several former political prisoners from a 2003 crackdown are unable to travel abroad, since they are technically still on parole. Moreover, many Cuban exiles are prevented from returning to the island to visit or live.

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. The number of self-employment licenses has rapidly expanded in recent years, growing from 157,000 in October 2010 to 444,000 by the end of 2013. The number of legal occupations for self-employment increased from 178 to 201 over the same period. Despite the quantitative increase, the quality of the vast majority of these occupations remains limited, with almost no professional jobs included in the expanded list of legal occupations. A new income-tax law and new cooperative regulations were issued in late 2012, but it is unclear whether these will help jumpstart the economic modernization process, which seemed to stall during the latter half of 2013 as officials cracked down on entrepreneurs such as the resellers of imported clothing and operators of private cinemas and arcades. Private credit and wholesale access to inputs remain largely nonexistent, severely curtailing any expansion of the private sector beyond survival-oriented microenterprises.

The Cuban constitution establishes the full equality of women, and nearly 49 percent of the National Assembly seats are held by 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.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

