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Freedom of the Press 2012 - Cuba

2012 Scores

Press Status: Not Free

Press Freedom Score: 91

Legal Environment: 29

Political Environment: 34

Economic Environment: 28

Cuba has the most restrictive laws on free speech and press freedom in the Americas. The constitution prohibits private ownership of media outlets and allows free speech and journalism only if they "conform to the aims of a socialist society." Article 91 of the penal code imposes lengthy prison sentences or death for those who act against "the independence or the territorial integrity of the state," and Law 88 for the Protection of Cuba's National Independence and Economy imposes up to 20 years in prison for committing acts "aimed at subverting the internal order of the nation and destroying its political, economic, and social system." Cuba's legal and institutional structures are firmly under the control of the executive branch. Laws criminalizing "enemy propaganda" and the dissemination of "unauthorized news" are used to restrict freedom of speech under the guise of protecting state security. Insult laws carry penalties of three months to one year in prison, with sentences of up to three years if the president or members of the Council of State or National Assembly are the objects of criticism. The 1997 Law of National Dignity, which provides for prison sentences of 3 to 10 years for "anyone who, in a direct or indirect form, collaborates with the enemy's media," is aimed at independent news agencies that send their material abroad.

In February and early March 2011, the last three journalists detained in the 2003 crackdown on political dissent and independent journalism known as the "Black Spring" were released. At the time, the government swept up a total of 29 journalists, tried them in secret – on broad antistate charges – and sentenced them to prison terms of up to 27 years. The end of the Black Spring raised hopes that the Cuban government might be on the verge of showing a newfound respect for media freedom. Such sentiments were reinforced by the April release of Albert Santiago Du Bouchet, the last remaining journalist in prison. Du Bouchet, head of the independent *Habana Press* agency, had been detained in April 2009 and was serving a three-year jail sentence on charges of "disrespect" and distributing enemy propaganda.

However, in a report published in July 2011, the Committee to Protect Journalists (CPJ) claimed that the government had not in fact abandoned the kind of repressive practices intended to stifle the free flow of information. The CPJ investigation found that the government continued to aggressively persecute critical journalists, using methods such

as arbitrary arrests, short-term detentions, beatings, smear campaigns, and surveillance. During March and April, CPJ found that journalists were targeted in more than 50 instances of repression. Often, these journalists were detained on their way to cover a demonstration or political event and were held in local police stations for hours and in some cases days. In at least 11 cases, the arrests were carried out with violence. A particular focus of state-sponsored intimidation was *Hablemos Press*, an independent Havana-based news center. Between April and June, 14 of its correspondents were threatened and 10 briefly detained on at least one occasion. In late September, *Hablemos Press* correspondent Calixto Ramón Martínez Arias was arrested and held at the Alternative Penal Center in Havana. Martínez had already been arrested three times in 2011 – on April 23, May 25 and June 2 – and was said to be awaiting deportation to his home town of Camagüey. The hounding of *Hablemos Press* journalists appeared to be part of a new crackdown on anyone trying to express dissident views.

Foreign journalists continued to be censored and harassed. In April, Spanish journalist Carlos Hernando, a contributor to *El Mundo* and the maker of a short documentary about Cuban dissident journalist Guillermo Fariñas, was arrested and held for five hours in Havana. Accused of "counterrevolutionary activity," he was ordered to leave Cuba within 48 hours. In early September, the government decided not to renew the press credentials of Mauricio Vincent, a 20-year veteran correspondent for the Spanish daily *El País* and radio network Cadena SER.

The government owns all traditional media except for a number of underground newsletters. It operates three national newspapers, four national television stations, six national radio stations, and one international radio station, in addition to numerous local print and broadcast outlets. All content is determined by the government, and there is no editorial independence. Cubans do not have the right to possess or distribute foreign publications, although some international papers are sold in tourist hotels. Private ownership of electronic media is also prohibited.

Approximately 23 percent of the Cuban population accessed the internet in 2011. However, the vast majority of internet users have access only to a closely monitored Cuban intranet, consisting of an encyclopedia, email addresses ending in ".cu" used by universities and government officials, and a few government news websites. Outside hotels, only a few privileged individuals have a special permit to access the international network of the World Wide Web. The regime threatens anyone connecting to the internet illegally with five years in prison, while the sentence for writing "counterrevolutionary" articles for foreign websites is 20 years. However, the authorities do not have the means to set up a systematic filtering system. This forces the government to count on several factors to restrict internet access, including the exorbitant cost of connections – about \$1.50 per hour from the points of access to the state-controlled intranet and \$7 per hour from a hotel to access the international network (the average monthly salary is \$20) – and infrastructural problems, particularly slow connections. The CPJ report found that many independent journalists make daily or weekly trips to foreign embassies to use free internet connections, but noted that this practice put them under further government scrutiny.

It had been hoped that a \$70 million fiber-optic cable project would open up internet access, particularly by increasing connection speeds. Work on the project, financed by the Venezuelan government and laid by the French company Alcatel-Lucent, began early in 2011 and was supposed to have been completed by the middle of the year. However, by the end of 2011, the state media was making no further mention of it, leading to speculation that the project was never completed due to corruption in the Cuban government. Despite the difficulties in gaining unfettered internet access, there is a small but vibrant blogging community. Bloggers in Cuba have yet to be jailed for their work, but they often face harassment and intimidation. Some, such as Yoani Sanchez, have also been prevented from traveling abroad to receive awards for their work.