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Subcommittee on the Western Hemisphere, Civilian Security, Migration, and
International Economic Policy

Historic Protests in Cuba and the Crackdown on Free Expression

July 20, 2021

Mr. Chairman, Committee members:

Thank you for the invitation to appear before the House Foreign Affairs Subcommittee on the Western Hemisphere, Civilian Security, Migration, and International Economic Policy to discuss the human rights situation in Cuba.

The Cuban government continues to repress and punish virtually all forms of dissent and public criticism. At the same time, Cubans continue to endure a dire economic crisis, which impacts their social and economic rights.

Even as the Cuban government insists on its decades-old repression, Cuba is changing. Thousands of Cubans are overcoming their fear of the government. And despite the government's attempts to restrict communications, increased access to the internet has enabled many to organize protests and report on abuses in ways that were virtually impossible only a few years ago.

At this critical juncture, we urge the United States Congress and the Biden administration to dismantle the embargo and abandon the ongoing policy of isolation, which have produced no improvements on human rights in Cuba. Rather than isolating Cuba, the embargo and isolation policy have isolated the United States, enabling the Cuban government to garner sympathy abroad while alienating Washington's potential allies. They have impeded the multilateral and coordinated approach that is needed to press the Cuban government to end its repressive practices.

This testimony presents Human Rights Watch's views and concerns regarding the (1) recent large-scale demonstrations in the country; (2) abuses against independent artists and journalists; (3) political prisoners and short-term arbitrary detention; (4) rights of doctors deployed in medical missions globally; and (5) United States policy toward Cuba.

(1) Recent large-scale demonstrations in the country

Since July 11, thousands of Cubans have taken to the streets across the country in [landmark demonstrations](#) protesting long-standing restrictions on rights, scarcity of food and medicines, and the government's response to the Covid-19 pandemic. These are the largest protests in Cuba since the 1994 "Maleconazo" protests in Havana.

Many protesters have chanted "Liberty!" or "Motherland and Life," referencing a song performed by Cuban artists in Havana and Miami that repurposes the Cuban government's old slogan, "motherland or death" (*patria o muerte*), and criticizes repression in the country. Some activists have been arbitrarily detained in recent months just for playing the song.

The Cuban government has responded with brutal repression. On July 11, President Miguel Díaz-Canel [urged government supporters and security forces](#) to respond to the protest violently.

[Several organizations](#) reported countrywide internet outages that day, followed by erratic connectivity, including [restrictions](#) on social media and messaging platforms.

Cuban rights groups report that over [400 people have been detained](#). Police and intelligence officers have also appeared at the homes of journalists and activists, ordering them to stay there.

Human Rights Watch has conducted dozens of interviews with journalists, activists, and victims to document the government's response to the protests. We have received credible reports of police beatings and documented multiple cases of arbitrary detention of protesters, activists and journalists, including many who have been held incommunicado and some whose whereabouts remain unknown.

Among them is Camila Acosta, a journalist from CubaNet and the Spanish outlet ABC, who was detained the morning of July 12. She was held incommunicado, and police told her family that they would investigate her for "contempt" and "public disorder." She was sent to house arrest on July 16. Similarly, Leonardo Romero Negrín, a physics student who had attended a protest in April with a sign reading, "yes to socialism, no to repression," was detained on July 11 in Havana. He is currently in the Cotorro prison, where he has been held incommunicado.

On July 13, Cuban officials [said one protester had been killed](#), but [independent journalists have reported more deaths](#).

As access to the internet is being partly restored and people are finding ways to circumvent restrictions, we have received increasing reports of abuses against protesters and activists in the country. But because the Cuban government refuses to recognize human rights monitoring as a legitimate activity and denies access to the country to independent human rights groups and United Nations experts, we may never know the true extent of the ongoing crackdown against protesters and other critics.

(2) Abuses against independent artists and journalists

In recent months, Human Rights Watch has been continuously documenting and reporting on abuses against independent artists and journalists in the country, including against those belonging to the "San Isidro" and "27N" movements.

[We recently concluded that the Cuban government is committing systematic human rights abuses against them](#). Cuban authorities have jailed and prosecuted several artists and journalists who are critical of the government. Police and intelligence officers have routinely appeared at the homes of other artists and journalists, ordering them to stay there, often for days and sometimes even for weeks. The authorities have also imposed temporary targeted restrictions on people's ability to access cellphone data.

For instance, Iliana Hernández, a reporter for the independent news outlet Ciber Cuba, has faced persistent and arbitrary deprivations of liberty comparable with de facto house arrest since April.

Several officers have surveilled her home, in shifts, for 24 hours a day. Normally, five of them are surveilling the house at any time. Other people who live with Hernández have been allowed to leave the house, but officers have attempted to arrest her every time she tries to leave. Her cellphone data and her home internet have not worked since the beginning of these restrictions.

Maykel Castillo, who had experienced multiple short-term arbitrary detentions and is one of the singers of “Motherland and Life,” has been imprisoned since May 18. His whereabouts were unknown to his family until May 31, when Cuban authorities informed them that he was being held at the Pinar del Río prison. A court document Human Rights Watch reviewed indicates that he is being investigated on charges of “contempt,” “resistance,” and “assault.”

Luis Manuel Otero Alcántara, a leading figure of the San Isidro movement and another performer in the music video “Motherland and Life,” has been routinely arrested or had his movements restricted in recent months. He is currently imprisoned.

We found consistent and repeated patterns in these and other cases of abuses that strongly suggest a plan by Cuban authorities to selectively repress critical independent artists and journalists.

(3) Political prisoners and short-term arbitrary detention

The recent abuses against protesters, artists and journalists are only a part of a long history of abuses by the Cuban government against dissidents and other critics.

Prisoners Defenders, a rights group, [reported that as of June 2021](#), Cuba was holding 76 people who met the definition of political prisoners, as well as 35 others whom the group considered were being held for their political beliefs. They reported that another 39 who had been convicted for their political beliefs were under house arrest or on conditional release. The government denies independent human rights groups access to its prisons. Local groups believe the actual number of political prisoners is higher, but the restrictions limit their ability to document cases.

Cubans who criticize the government continue to risk criminal prosecution. They do not benefit from due process guarantees, such as the right to fair and public hearings by a competent and impartial tribunal. In practice, courts are subordinated to the executive and legislative branches.

The government continues to employ arbitrary detention to harass and intimidate critics, independent activists, political opponents, and others. [In 2020, there were over 1,700 arbitrary detentions, according to the Cuban Human Rights Observatory, a Madrid-based human rights organization.](#)

Security officers rarely present arrest warrants to justify detaining critics. In some cases, detainees are released after receiving official warnings, which prosecutors can use in subsequent criminal trials to show a pattern of “delinquent” behavior.

Detention or the threat of detention is often used to prevent people from participating in peaceful demonstrations or in meetings to discuss politics. Detainees are often beaten, threatened, and held incommunicado for hours or days. Police or state security agents routinely harass, rough up, and detain members of the Ladies in White (*Damas de Blanco*)—a group founded by the wives, mothers, and daughters of political prisoners—before or after they attend Sunday mass.

[Since 2020, the Cuban government has used regulations designed to prevent the spread of Covid-19 to imprison critics.](#) Authorities have detained at least 20 dissidents or people the authorities appear to have perceived as critics, invoking rules concerning Covid-19. Many were denied an opportunity to make a phone call. Some were beaten, and some lacked legal representation during criminal proceedings.

(4) Rights of doctors deployed on mission abroad

Cuba deploys tens of thousands of health workers abroad every year to help tackle short-term crises and natural disasters and, more recently, the Covid-19 pandemic. [The workers provide valuable services to many communities but under stringent norms that violate their rights, including the rights to privacy, liberty, movement, and freedom of expression and association.](#)

Cuba regulates even the most mundane aspects of the lives of Cuban medical personnel on missions, in ways that violate their right to freedom of association. Under [Resolution 168 of 2010](#), issued by the Ministry of External Commerce and Foreign Investment, it is considered a “disciplinary offense” to have “relationships” with anyone whose “actions are not consistent with the principles and values of the Cuban society,” as well as to be “friends or establish any other links” with Cuban dissidents, people who have “hostile or contrary views to the Cuban revolution,” or who are “promoters of a way of life contrary to the principles that a Cuban collaborator abroad must represent.” Living with “unauthorized” people is also a disciplinary offense. Deployed personnel are required to disclose all “romantic relationships” to their immediate supervisors.

Vague provisions in Resolution 168 restrict health workers’ freedom of movement. The resolution makes it an offense to “frequently visit places that damage [the doctor’s] prestige,” as well as to “visit places that, given their characteristics, are prone to public order disturbances.” Health workers also need “authorization” to “participate in public acts of a political or social nature.”

Their freedom of expression is also severely limited by broad, vague regulations that are unnecessary and disproportionate to any legitimate government aim. Under Resolution 168, doctors need “authorization and instructions” to “express opinions” to the media about “internal situations in the workplace” or that “put the Cuban collaboration at risk.” It is also an offense to “disseminate or propagate opinions or rumors that undermine the morals or prestige of the group or any of its members.”

Sanctions for violating the rules range from withholding wages to recalling the person to Cuba. Under Cuba's Penal Code, medical staff who "abandon" their jobs may face criminal charges and imprisonment for up to eight years—a punishment that is grossly disproportionate, implicating the workers' right to liberty.

Cuban law severely restricts the right of doctors and other Cubans to leave their own country. It also restricts access to regular passports, and health workers in missions are granted so-called "official" passports that are only valid during their time of deployment.

Cuban health workers have also reported that those who "abandon" the missions are subject to a de facto entry ban to Cuba for eight years. The ban is not clearly established in Cuban legislation. However, the immigration law bars the entry of people who have been declared "undesirable" or who have "organized, stimulated, carried out or participated in hostile actions against the political, economic, and social basis of the Cuban state." The provision, which violates the right to enter one's own country, is applicable to "anyone," including Cuban nationals.

(5) US foreign policy towards Cuba

The United States' isolation strategy towards Cuba has done nothing to improve human rights conditions. As Human Rights Watch findings show, the situation in the country continues to be dire.

The embargo has provided the Cuban government with an excuse for its problems, a pretext for its abuses, and a way to garner sympathy abroad with governments that might otherwise have been willing to condemn the country's repressive practices more vocally.

There is no question: the Cuban government bears full and exclusive responsibility for the abuses it commits. However, so long as the embargo remains in place, the Castro government will continue to manipulate US policy to cast itself as a Latin American David standing up to the US Goliath, a role it exploits skillfully.

While the US embargo policy has proved counterproductive, the European Union has by and large failed to exert effective pressure on Cuba. Worse still, Latin American governments across the political spectrum have been reluctant to criticize Cuba, and in some cases have openly embraced the government, despite its dismal human rights record.

Not only have all of these policies—US, European, and Latin American—failed individually to improve human rights in Cuba, but their divided and even contradictory nature has allowed the Cuban government to evade effective pressure and deflect criticism of its practices.

To remedy this continuing failure, the US needs to end its failed isolation policy. It should shift toward a multilateral and coordinated policy that promotes human rights.

We urge the US Congress and the administration of President Joe Biden to take effective steps towards such new approach, including by:

1. Progressively dismantling the policy of isolation toward Cuba, including by replacing the embargo and the existing bans on travel and trade with Cuba with more effective forms of pressure.
2. Collaborating with governments in Latin America and the European Union to ensure a multilateral and coordinated approach on Cuba that expresses support for the rights of Cuban protesters, journalists, artists, and other activists, and condemns repression in the country.
3. Working with governments in Latin America and the European Union to collectively monitor and denounce restrictions on internet access in Cuba, as a way to ensure that Cubans are allowed to communicate with others and report on abuses in the country.