



Cuba – Researched and compiled by the Refugee Documentation Centre of Ireland on 19 February 2016

How are critics of the government treated in Cuba?

A document published by Amnesty International, in a paragraph headed “Short-term arbitrary detention”, states:

“Peaceful demonstrators and human rights activists are routinely detained for exercising their rights to freedom of expression, association, assembly and movement. Activists are often detained to stop them from attending public demonstrations or private meetings. Independent journalists reporting on these detentions are themselves harassed by the authorities or put behind bars. Often, the relatives of those detained are never informed of their loved ones’ whereabouts.” (Amnesty International (17 September 2015) *Cuba: Human Rights at a glance*)

In an article originally published in Newsweek magazine an Amnesty International campaigner states:

“In today’s Cuba, it remains virtually impossible for anyone to peacefully express ideas opposing the Cuban government. All media are under the strict control of the state, as are unions. Despite the subsequent release of dozens of political prisoners early this year, short-term arrests and harassment of political dissidents and human rights activists remain a troubling reality on the island. The harassment of dissidents sometimes takes the form of acts of repudiation (actos de repudio). These acts are government-coordinated demonstrations, usually carried out in front of the homes of political opponents. During an act of repudiation, political opponents and human rights activists are subjected to verbal and physical abuse by groups of people chanting pro-government slogans.” (Amnesty International (14 April 2015) *Is Cuba ready to come in from the cold?*)

A report published by the UK foreign and Commonwealth Office, in a section titled “Human Rights Defenders”, states:

“HRDs were severely restricted in their movements and activities, and were frequently subject to short-term detentions. This involved being held for a few hours and often fined before being released. Many of the detentions were politically motivated. One of the main sources of information on the number of short-term detentions experienced by political activists and human rights defenders is the Cuban Commission for Human Rights and National Reconciliation (CCDHRN). They reported 8,899 short-term detentions across the year, up 2,475 from 2013. These figures are impossible to verify. However, this marked increase in reported cases in 2014 is of concern. It is positive that President Castro agreed to release a number of political prisoners of interest to the United States as part of the announcements of 17 December; the UK will monitor the conditions of their release when this takes

place. There were frequent reports of physical attacks, threats and harassment of family members. Activists increasingly used Twitter to post photos of their colleagues' injuries, following alleged physical attacks, and of police activities during protests. Internationally recognised prisoner of conscience, Rafael Matos Montes de Oca, was freed on 14 January. He was sentenced in 2012 to two-and-a-half years for 'social dangerousness'. By the end of 2014, there were five Amnesty prisoners of conscience in Cuba." (UK Foreign and Commonwealth Office (12 March 2015) *Human Rights and Democracy: The 2014 Foreign & Commonwealth Office Report - Country of Concern: Cuba*)

A news report published by the Swedish NGO Civil Rights Defenders states:

"The repression against the Ladies in White, opposition activists and human rights defenders in Cuba, that we have seen during the last couple of weeks is alarming. The increase of violence from the authorities has come as a result from the exercise of the right to public protests and from the public exposure of the faces of political prisoners. Beatings, physical abuse and various types of torture have become routine. In only a few weeks, the numbers of arrests have skyrocketed and they now exceed several hundred." (Civil Rights Defenders (30 April 2015) *Alarming Repression Against the Ladies in White in Cuba*)

The US Department of State country report on Cuba for the events of 2014, in a section titled "Political Prisoners and Detainees", states:

"Accurate numbers of peaceful political prisoners were difficult to determine. Lack of governmental transparency and systemic violations of due process rights obfuscated the true nature of criminal prosecutions and investigations, allowing government authorities to prosecute and sentence human rights activists for criminal violations or 'dangerousness.' The government used the designation of 'CR' (counterrevolutionary) for inmates deemed to be opponents to the regime, but it did not release those numbers. The government continued to deny access to its jails to independent monitors who could help determine the size of the political prisoner population. At least two independent organizations provided estimates on the number of political prisoners being held in prisons. These groups were closely monitored by the government and often faced harassment from state police. Political prisoners reported being held in isolation for extended periods, even years. Political prisoners were not given the same protections as other prisoners or detainees. In particular they were frequently denied early parole or transfers to lower-security facilities that were commonly granted to other prisoners. Political prisoners also were frequently denied access to home visits, prison classes, telephone calls, and, on occasion, family visits." (US Department of State (25 June 2015) *2014 Country Reports on Human Rights Practices – Cuba*, p.10)

An article on Cuban prisons from the Institute for War & Peace Reporting states:

"People locked up for their political beliefs say conditions are very far from the ideal the government tried to show in 2013. Marcelino Abreu Bonora, a former prisoner, said he was held in buildings where water leaked through into the cells, 'politicals' like him were only allowed out to exercise for four or five

minutes a day, and the main daily meal consisted of minced fish full of bones. 'There are some places in the prison where you just can't sleep – leaking roofs, ceilings falling in, 50 or 60 people to a small cell,' he said. Opposition sources say government of glossing over the overcrowding, poor nutrition, water shortages and limited exercise periods. Inmates are able to alleviate their hunger with food parcels which relatives are allowed to bring every six weeks." (Institute for War & Peace Reporting (20 October 2015) *Tough Times in Cuba's Prisons*)

See also article from the Institute for War & Peace Reporting which states:

"As Fidel Castro's health failed, his brother Raúl took over as interim president in July 2006, formally becoming head of state in February 2008. Under his rule, the rules have eased up in a number of areas, for example allowing access to mobile phones, abolishing the 'carta blanca' document formerly needed to travel abroad, and expanding the private sector. And of course, reestablishing diplomatic relations with the United States. Yet these reforms have done little to increase respect for political and civil liberties. 'There have been no improvements in the area of political and civil rights or other fundamental rights. That is the opposite of what people expected when diplomatic relations with Washington were normalised,' said Elizardo Sánchez, head of the Cuban Commission for Human Rights and National Reconciliation. Hablemos Press, a news agency barely tolerated by the government, continues to record high numbers of arbitrary detentions every month. Dissidents and others are repeatedly picked up and held in custody for short periods to deter them or at least disrupt their activities." (Institute for War & Peace Reporting (15 November 2015) *Cubans Disillusioned by Lack of Change Under Raúl Castro*)

An article by an Amnesty International Cuba researcher published by the Inter Press Service states:

"According to the Cuban Commission for Human Rights and National Reconciliation, an independent organization, in 2014 there was an average of 741 arbitrary detentions each month. Last September, during the month of the Pope's visit, the number increased even further, with 882 arbitrary detentions registered. Activists Zaqueo Baez Guerrero, Ismael Bonet Rene and María Josefa Acón Sardinás, members of the Patriotic Union of Cuba (Unión Patriótica de Cuba, UNPACU), a dissident group, are three of the activists detained. They were arrested on 20th September after they crossed a security line in Havana as they attempted to talk to the Pope and have been held in prison since then. They are believed to be charged with contempt ('desacato'), resistance ('resistencia') violence or intimidation against a state official ('atentado'), and public disorder ('disorden publico'). If convicted, they face prison sentences of between three and eight years." (Inter Press Service (19 October 2015) *Opinion: The Unlikely Chance of a Serious Human Rights Debate in Cuba*)

This article also states:

"The crackdown seems to have escalated since the Pope left the country. On Sunday 11 October, hundreds of human rights activists and dissidents, including members of the Patriotic Union of Cuba and of the group Ladies in White (Damas de Blanco) were arbitrarily arrested and detained on their way

to peaceful protests organized across the country calling for the release of the activists and prisoners of conscience. The Patriotic Union of Cuba is one of the organizations reporting the highest number of detentions. One activist recently told me how a bus carrying him and 29 other people was stopped on the way to the city of Santiago de Cuba by 40 police officers. 'They took us off the bus one by one and threatened us with blows and imprisonment. I was taken in a jeep and left somewhere remote and had to walk for various miles to get home,' he said." (ibid)

An article published by the American right wing news source Breitbart states:

"The Cuban government's now-ritual weekly arrests of pro-democracy dissidents continued on the last Sunday before Pope Francis lands on the Caribbean island, with more than 50 Catholic protesters arrested after attending weekly Mass. The arrests occurred in Havana following a Catholic Mass largely attended by the Ladies in White dissident group. The group—composed of mothers, daughters, sisters, and wives of prisoners of conscience—is predominantly Catholic and attends Mass in white every Sunday. They follow the religious rite with a march through the streets of Havana, often holding signs about their loved ones. This Sunday, they were accompanied by members of a separate dissident group, the Cuban Patriotic Union. Forty Ladies in White and ten allies were arrested and shipped to prison in buses, with the images showing violent treatment towards the women by Cuban officials. Reports claim the women were arrested for marching in an 'unauthorized' street in Havana. Many were released hours later after spending time in jail. The Cuban government has made a habit of these short-term arrests, only to re-detain the same protesters the next Sunday. The Castro regime has increased its arrest activity this year in response to the increased popularity of attending Catholic Mass in silence for dissidents. This year, Cuba increased the number of political arrests by 70 percent between February and March alone." (Breitbart (14 September 2015) *Cuba Arrests 50 Catholic Dissidents as Pope Francis' Visit Nears*)

An Amnesty International report states:

"The Ladies in White and other organizations have been convening activists to march today, in Havana and elsewhere, in support of the Universal Declaration of Human Rights and to exercise their rights to peaceful assembly and freedom of expression. The group and their supporters have held regular Sunday marches for more than 30 consecutive weeks to call for the release of Cuban political prisoners and human rights protection. These peaceful demonstrations have been met with a pattern of arbitrary arrests and other harassment by the authorities. The pro-democracy group Patriotic Union of Cuba (Unión Patriótica de Cuba, UNPACU) has also reported mass detentions of its members across the country in recent months. In a bid to curtail the protests, frequently the arrested activists have been driven to remote areas where they are left to walk home, or they have been detained for anywhere from one to 30 hours. Cuban human rights activists say this year has been marked not only by a high number of arrests, but also increased violence from state authorities towards peaceful political dissidents and activists." (Amnesty International (10 December 2015) *Cuba: Human Rights Day crackdown on dissidents likely after month of mass arrests*)

An article from the German news agency Deutsche Presse-Agentur states:

“Dozens of dissidents have been arrested in Cuba over a planned rally for International Human Rights Day, opposition and rights groups said Thursday. Around 20 activists were detained in Havana, and more in Guantanamo and other eastern parts of the island, Jose Danial Ferrer, leader of the banned opposition Patriotic Union of Cuba, told dpa. The roundup also targeted the group Ladies in White (Damas de Blanco), a representative of the Cuban Commission for Human Rights and National Reconciliation told dpa. Five members were arrested trying to attend a planned protest in central Havana, and many more, mostly women, seized earlier by authorities as they left their homes, said the group, founded in 2003 by the wives and other female relatives of jailed dissidents.” (Deutsche Presse-Agentur (11 December 2015) *Cuban arrests dozens over planned rights rally, opposition says*)

The opening paragraph of the 2016 Human Rights Watch report on Cuba states:

“The Cuban government continues to repress dissent and discourage public criticism. It now relies less on long-term prison sentences to punish its critics, but short-term arbitrary arrests of human rights defenders, independent journalists, and others have increased dramatically in recent years. Other repressive tactics employed by the government include beatings, public acts of shaming, and the termination of employment.” (Human Rights Watch (27 January 2016) *World Report 2016 – Cuba*)

In a section titled “Arbitrary Detention and Short-Term Imprisonment” this report states:

“Security officers virtually never present arrest orders to justify the detention of 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 is often used preemptively to prevent people from participating in peaceful marches or meetings to discuss politics. Detainees are often beaten, threatened, and held incommunicado for hours or days. Members of the Ladies in White (Damas de Blanco)—a group founded by the wives, mothers, and daughters of political prisoners and which the government considers illegal—are routinely harassed, roughed up, and detained before or after they attend Sunday mass.” (ibid)

See also section of this report titled “Political Prisoners” which states:

“Cubans who criticize the government continue to face the threat of 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, denying meaningful judicial independence.” (ibid)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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