

# Cuba

<b>Political Rights:</b>	7
<b>Civil Liberties:</b>	7
<b>Status:</b>	Not Free

## Overview:

Cuba's leader Fidel Castro marked his 45<sup>th</sup> year in power in 2004, amid signs that the 78-year-old's health continued to decline. His second fall in public in three years raised questions about his physical vulnerability and about his capacity to continue to govern. Meanwhile, his Communist government steadily reasserted its control over the limited opening in the economy legalized by the regime in 1993. On the international front, there was growing tension between the government in Washington and the Castro regime, including efforts by the United States to increase broadcasts to and economic restrictions against Cuba.

Cuba achieved independence from Spain in 1898 as a result of the Spanish-American War. The Republic of Cuba was established in 1902, but remained under U.S. tutelage as a result of the Platt Amendment until 1934. In 1959, Castro's July 26th Movement—named after an earlier, failed insurrection—overthrew the U.S.-supported dictatorship of Fulgencio Batista, who had ruled for 18 of the previous 25 years.

Following the 1991 collapse of the Soviet Union and the end of some \$5 billion in annual Soviet subsidies, Castro sought Western foreign investment. The legalization of the U.S. dollar in Cuba in 1993 heightened social tensions, as the minority with access to dollars from abroad or through the tourist industry emerged as a new moneyed class, while the majority without access became increasingly desperate.

Under Castro, cycles of repression have ebbed and flowed depending on the regime's need to keep at bay the social forces set into motion by his post-Cold War economic reforms. In February 1999, the government introduced tough legislation against sedition, with a maximum prison sentence of 20 years. It stipulated penalties for unauthorized contacts with the United States and the import or supply of "subversive" materials, including texts on democracy and by news agencies and journalists. Castro's collapse at a long outdoor rally near Havana in June 2001 raised questions about the Cuban leader's health and focused attention on a possible post-Castro future.

In November 2001, Hurricane Michelle, the most powerful tropical storm to hit Cuba in a half-century, left a low death toll but also a trail of physical destruction, devastating Cuba's crops. In the wake of the storm, the United States permitted the first direct food trade with Cuba since the beginning of an economic embargo in 1962.

In 2002, the Varela Project, a referendum initiative seeking broad changes in the four-decades-old socialist system, achieved significant support domestically. Its leader, Oswaldo Paya, was showered with international recognition, including the European Union's Andrei Sakharov Prize for Freedom of Thought. In May, project organizers submitted more than 11,000 signatures to the National Assembly demanding that a referendum be held in which Cubans could vote for fundamental reforms such as freedom of expression, the right to own private businesses, and electoral reform. A June visit by former U.S. president Jimmy Carter also added status and visibility to the protest movement. After Carter mentioned the project on Cuban television that month, the regime held its own "referendum" in which 8.2 million people

supposedly declared the socialist system to be “untouchable.” In October, more than 300 dissident organizations joined together as the Assembly to Promote Civil Society in preparation for a post-Fidel Castro Cuba. Composed of 321 dissident organizations ranging from human rights groups and independent libraries to labor unions and the independent press, the civil society assembly announced that it would prepare for a post-Castro transition rather than seek reforms from the regime. Meanwhile, Castro faced serious popular discontent, particularly because of the country’s failing sugar industry; in June, the government closed 71 of Cuba’s 156 sugar mills.

In early 2003, the government initiated a crackdown against the pro-democracy opposition. Seventy-five people, including 27 independent journalists, 10 independent librarians, and signature collectors for the Varela Project, were sentenced to an average of 20 years in prison following one-day trials held in April. (At the end of 2004, 61 of the activists who were arrested remained in prison.) Later that year, Paya delivered more than 14,000 signatures to the National Assembly demanding a referendum for sweeping changes; these demands have yet to be met by the Cuban government.

Castro suffered another fainting spell in Buenos Aires in May 2003 as he exited an inauguration event for Argentina’s new president. However, there were few palpable signs during the year that his regime was any closer to collapsing, even though recovery from a 1990s economic depression faltered and discontent increased. Castro also continued his attempts to enlist the assistance of U.S. farm state congressional delegations to break the economic embargo by diverting \$250 million from paying old debts to buy American agricultural products; in 2001, the embargo had been relaxed to allow direct sales of food and medicine on a cash basis only. Meanwhile, Castro appeared to shrug off a decision by the European Union to review its policies toward Cuba because of human rights concerns.

In May 2004, Bush announced that the United States would intensify pressure on the Cuban regime by increasing broadcasts designed to break through the island’s information blockade; by aiding dissidents; and by limiting the amount of money Cuban-Americans could bring with them on family visits or through remittances.

Castro had another much-publicized tumble in October, resulting in a fractured right knee and right arm. His fall raised further questions about his health and his ability to continue to govern the country.

Cuba’s economy continued to show limited growth during the year—GDP is expected to grow only 2.6 percent in 2004, while foreign debt totals more than \$12 billion—as the government backtracked on its timid economic reforms of the early 1990s. Despite Venezuelan oil subsidies, the country is mired in an acute energy crisis that has led to the closure of over 100 factories and an indefinite national plan of blackouts. Tourism remains the primary source of hard currency, followed closely by remittances from family members living abroad. In an effort to re-centralize the availability of hard currency in the state’s coffers, the government has adopted new laws ending the use of the dollar for basic economic transactions and restricting its use by state companies.

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

Cubans cannot change their government through democratic means. Fidel Castro dominates the political system, having transformed the country into a one-party state with the Cuban Communist Party (PCC) controlling all governmental entities from the national to the

local level. Communist structures were institutionalized by the 1976 constitution installed at the first congress of the PCC. The constitution provides for a National Assembly, which designates the Council of State. It is that body which in turn appoints the Council of Ministers in consultation with its president, who serves as head of state and chief of government. However, Castro is responsible for every appointment and controls every lever of power in Cuba in his various roles as president of the Council of Ministers, chairman of the Council of State, commander in chief of the Revolutionary Armed Forces (FAR), and first secretary of the PCC.

In October 2002, some eight million Cubans voted in tightly controlled municipal elections. On January 19, 2003, an election was held for the Cuban National Assembly, with just 609 candidates—all supported by the regime—vying for 609 seats. All political organizing outside the PCC is illegal. Political dissent, spoken or written, is a punishable offense, and those so punished frequently receive years of imprisonment for seemingly minor infractions. In early 2003, the government cracked down on the opposition movement, imprisoning 75 of its most active members. Few have been released despite international condemnation by many of Cuba's allies and diplomatic sanctions from trade partners such as the European Union.

Official corruption remains a serious problem, with a "culture of illegality" shrouding the mixture of private and state-controlled economic activities allowed on the island. In late 2003, Juan Jose Vega, the president of Cubanacan, a state-run enterprise controlling over \$600 million in foreign investment in Cuba's tourism industry, was dismissed on charges of corruption. Cuba was ranked 62 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The press in Cuba is the object of a targeted campaign of intimidation by the government, which uses Ministry of Interior agents to infiltrate and report on the independent media. Independent journalists, particularly those associated with five small news agencies established outside state control, have been subjected to continued repression, including jail terms of hard labor and assaults by state security agents while in prison. Foreign news agencies must hire local reporters only through government offices, which limits employment opportunities for independent journalists. In 2004, 22 independent journalists arrested in March 2003 remained imprisoned in degrading conditions, which included physical and psychological abuse; acts of harassment and intimidation were also directed against their families. In April, two journalists held without trial since March 2002 were finally tried by a court in Ciego de Ávila on charges of insulting Castro and the police and public disorder; one received a three-year prison sentence and the other a sentence of three and a half years.

In 1991, Roman Catholics and other believers were granted permission to join the Communist Party, and the constitutional reference to official atheism was dropped the following year. However, in October 2002, the U.S. State Department issued a report saying that Cuba was one of six countries that engaged in widespread repression of religion. Security agents frequently spy on worshippers, the government continues to block construction of new churches, the number of new foreign priests is limited, and most new denominations are refused recognition. An estimated 70 percent of all Cubans on the island practice some form of Afro-Cuban religion. In a positive development, the regime now tolerates the Baha'i faith.

The government restricts academic freedom. Teaching materials for courses such as mathematics or literature must have an ideological content. Affiliation with official Communist Party structures is generally needed to gain access to educational institutions, and students' report cards carry information regarding their parents' involvement with the Communist Party.

In 2003, state security forces raided 22 independent libraries and sent 10 librarians to jail with terms of up to 26 years.

Limited rights of assembly and association are permitted under the constitution; however, these are subject to the stipulation that they may not be "exercised against the existence and objectives of the Socialist State." The unauthorized assembly of more than three persons, including those for private religious services in private homes, is punishable by law by up to 3 months in prison and a fine. This prohibition is selectively enforced, and is sometimes used as a legal pretext to imprison human rights advocates.

Workers do not have the right to bargain collectively or to strike. Members of independent labor unions, which the government considers illegal, are often harassed or dismissed from their jobs and subsequently barred from future employment.

The executive branch controls the judiciary. In practice, the Council of State, of which Castro is chairman, serves as a de facto judiciary and controls both the courts and the judicial process as a whole.

There are some 300 prisoners of conscience in Cuba, most held in cells with common criminals and many convicted on vague charges such as "disseminating enemy propaganda" or "dangerousness." Members of groups that exist apart from the state are labeled "counterrevolutionary criminals" and are subject to systematic repression, including arrest, beatings while in custody, and intimidation by uniformed or plainclothes state security agents. During the year, authorities arrested 22 human rights activists, including three Varela Project organizers and an independent librarian, the latter seized on the charge of "contempt for authority" for having shouted "Down with Fidel." By year's end, 13 of the 22 had been tried and sentenced. In a positive development, dissident Martha Beatriz Roque and six other detainees of the 75 arrested in the March 2003 sweep were released from prison for health reasons in 2004.

Since 1991, the United Nations has voted annually to assign a special investigator on human rights to Cuba, but the Cuban government has refused to cooperate. Cuba also does not allow the International Red Cross or other humanitarian organizations access to its prisons.

Freedom of movement and the right to choose one's residence and place of employment are severely restricted. Attempting to leave the island without permission is a punishable offense. In the post-Soviet era, the rights of Cubans to own private property and to participate in joint ventures with foreigners have been recognized by law, and non-Cuban businesses have also been allowed. However, PCC membership is still required to obtain good jobs, serviceable housing, and real access to social services, including medical care and educational opportunities. In 2004, a Labor Ministry decree halted the issuance of all new licenses for 40 categories of self-employment that were legalized in 1993. Roughly 150,000 Cubans are self-employed, approximately 2 percent of the workforce. The government systematically violates international salary standards, the terms of contract, and other labor codes for workers employed on the island by foreign-owned firms.

About 40 percent of all women work, and they are well represented in most professions. However, violence against women is a problem, as is child prostitution. According to the 2004 U.S. State Department Trafficking in Persons Report, Cuba is a country of internal trafficking for sexual exploitation and a destination for sex tourists, including foreigners searching for underage prostitutes.