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FREEDOM OF THE PRESS 2008

Cuba

Status: Not Free

Legal Environment: 30

Political Environment: 36

Economic Environment: 28

Total Score: 94

The transfer of power from President Fidel Castro to his brother, Raúl, has done nothing to alter the fact that Cuba has the most restrictive laws on free speech and press freedom in the hemisphere. However, some independent journalists told the Committee to Protect Journalists that official harassment declined in 2007, with fewer detentions and direct threats.

The constitution prohibits private ownership of media and allows free speech and press only if they “conform to the aims of a socialist society.” Cuba’s legal and institutional structures are firmly under the control of the executive. The country’s criminal code provides the legal basis for the repression of dissent, and under the guise of protecting state security, laws criminalizing “enemy propaganda” and the dissemination of “unauthorized news” are used to restrict freedom of speech. 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 jail sentences of 3 to 10 years for “anyone who, in a direct or indirect form, collaborates with the enemy’s media,” is aimed at the independent news agencies that send their material abroad.

During the year, two journalists were freed from prison, but two more were imprisoned, leaving a total of 24 journalists remaining in long-term detention. Ramón Velázquez Toranzo, of the *Libertad* agency, was sentenced on January 23 to three years in prison under a criminal code provision that allows the Cuban authorities to imprison any citizen as a potential danger to society, even if they have not committed a crime. Oscar Sánchez Madan, a Matanzas province correspondent for the Miami-based Cubanet web site, was arrested on April 13 by members of the State Security police. He was given the maximum sentence of four years in prison for contravening the same criminal code. On September 27, 6 journalists were among some 30 government opponents arrested at a peaceful demonstration to support political prisoners staged in the capital, Havana. They were freed the next day. Three foreign journalists were forced to leave the country in 2007. The Havana correspondent of the US daily, *Chicago Tribune*, Gary Marx, and the

correspondent for the Mexican daily, *El Universal*, César González-Calero, had their press cards cancelled in February and were told to leave the country. The following day, the BBC correspondent, Stephen Gibbs, was prevented from re-entering the country, and eventually had to leave his post. In April, the sole legal outlet for critical commentary and analysis first suspended publication, and then reappeared with a much less critical focus.

The government owned all media except for a number of underground newsletters. The government operated four national television stations, six national radio stations, one international radio station, one national magazine, and three national newspapers. None enjoyed editorial independence. More positively, a growing trend is the proliferation of 'blogs'. According to the US State Department, the Cuban blogs, mostly written under pseudonyms, contain "confident and caustic references about today's situation in Cuba." The authors connect to the internet in private cybercafés or using passwords bought on the black market. State control of internet access remained tight. The general population can only log on from hotels or government-controlled internet cafés by means of voucher cards that are expensive and often difficult to find.