



Observatorio
Cubano de
Derechos Humanos

20 20 ANNUAL REPORT ON HUMAN RIGHTS IN CUBA



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INTRODUCTION

2020 has been disastrous for human rights in Cuba. Prohibitions and limitations on exercising freedoms have been maintained and repression took a dangerous turn that puts the country on the brink of a process similar to the Black Spring of 2003.

The repressive action of the government has consolidated the trend from recent years of going beyond political opposition, reaching, with venom, branches of civil society such as independent artists and journalists.

The systematic attack on the freedom of expression has been ongoing throughout the last year. From government institutions, using public money and the only allowed media, intensive campaigns have been undertaken against exercising the freedom of expression.

Besides limiting the civil and political rights, the worsening in exercising social rights needs to be mentioned. This situation is seen in deteriorating public services and the impoverishment of the population.

The Covid-19 pandemic has been used by the authorities to limit various rights, in particular the freedom of expression, movement, due processes and economy.

While the political, economic and social failure of the socialist system has become increasingly evident, the government has locked themselves in a repressive and stagnant dynamic.

The growing deterioration of social rights in Cuba

According to field studies conducted by the Cuban Observatory of human rights (OCDH), the year 2020 has been known for the deterioration of essential public services and the impoverishment of Cuban households. Data show that in the second half of the year, 21% of Cuban families lived on less than \$20 a month, for which the figure has nearly doubled regarding the January records (11%). 24% lived on between \$20-40 per month, and 19% on between 41 and 100. Considering an average household of three people, 64% of Cubans lived on less than \$1.11 per day.

The 77% of Cubans showed a situation of severe or moderate scarcity; and 42% claimed to have “difficulties buying the most essential goods”

77% of Cubans showed a situation of severe or moderate scarcity; and 42% claimed to have “difficulties buying the most essential goods”. So, for six out of ten families, the food in the ration book covers only five to ten days a month, and more than 70% stated that they suffered from a basic food shortage over the last three months.

A similar situation of difficulties and deficiencies occurs in other areas such as education, housing, access to drinking water, obtaining medicine, etc. The data found on this topic, contained in the related reports that have been carried out by the OCDH made, confirm the critical situation of the vast majority, especially that of the adults over 70 years of age.

Pessimism is predominant. 70% of Cubans believe that the conditions for obtaining food and medicine will worsen and six out of ten people believe the income situation will aggravate.

...70% said they have suffered
a basic food shortage over the
last three months.

The Covid-19 pandemic has affected the Cuban economy, as is the case almost all over the world. However, the exponential increase in poverty in Cuba is due to a failed economic system and the absence of structural reforms.

Low incomes of most people, the significant devaluation of the Cuban peso (national currency in which employees and retirees are paid out) regarding the US Dollar as well as the shortage of essential products at government establishments, pose a big daily burden on millions of Cubans.

During the second half of 2020 we received reports on the astronomical prices of products sold in new commercial establishments that have opened for selling items in dollar, which are supplied in quantity but not variety.

As of January 1, 2021, the government is implementing the so-called 'Tarea Ordenamiento' (Ordering Task). As part of the package, the government has increased wages, setting the minimum wage at 2,100 Cuban pesos, but it has also increased product and public sector service prices, subsidies are about to be reduced. The rise of prices is causing great unease among the population.

Independent economists believe that government measures will generate an increase in inflation and exacerbate the loss of purchasing power from the wages and pensions of most Cubans.



Arbitrary Detentions

One of the most widely used repressive mechanisms by the government in 2020 against human rights and civil society activists have been arbitrary detentions. They still have a short-term tendency as activists are released and abandoned, on the same or following day, in places far from their homes and with no transport options.

Detentions are made as a regular method of harassment and intimidation, or in order to prevent the exercise of rights such as freedom of peaceful association, assembly and protest.

The political police rarely file court orders to justify arrests and always threaten with criminal prosecution for participating in civic matters that authorities consider “anti-revolutionary” activities.

In some cases, detainees are released after having received official warnings by way of records or significant fines.

Throughout 2020, OCDH observers and collaborators in the field documented at least 1798 arbitrary detentions among both women and men (**CHART I**). In at least 216 of the documented arbitrary detentions, the authorities used violence.

If previous years (**CHART II**) are compared against 2020, the number of documented cases is significantly smaller. However, they are more diverse as other groups of the civil society outside the opposition have been included, therefore, repression has been broader and more selective. The decrease in the number of arbitrary detentions is due to at least three causes:

In at least 216 of the documented arbitrary detentions, the authorities made use of violence.

1

The increased use of detention or siege of activists in their homes as a forceful method to prevent them from leaving.

2

Restrictions on mobility and assembly imposed by the government based on the pandemic.

3

The decision of various organizations to limit the number of public activities as a preventive measure in view of the advancement of Covid-19.

Chart I ARBITRARY DETENTIONS IN 2020

ANNUAL TOTAL

1798

MEN

1260 

WOMEN

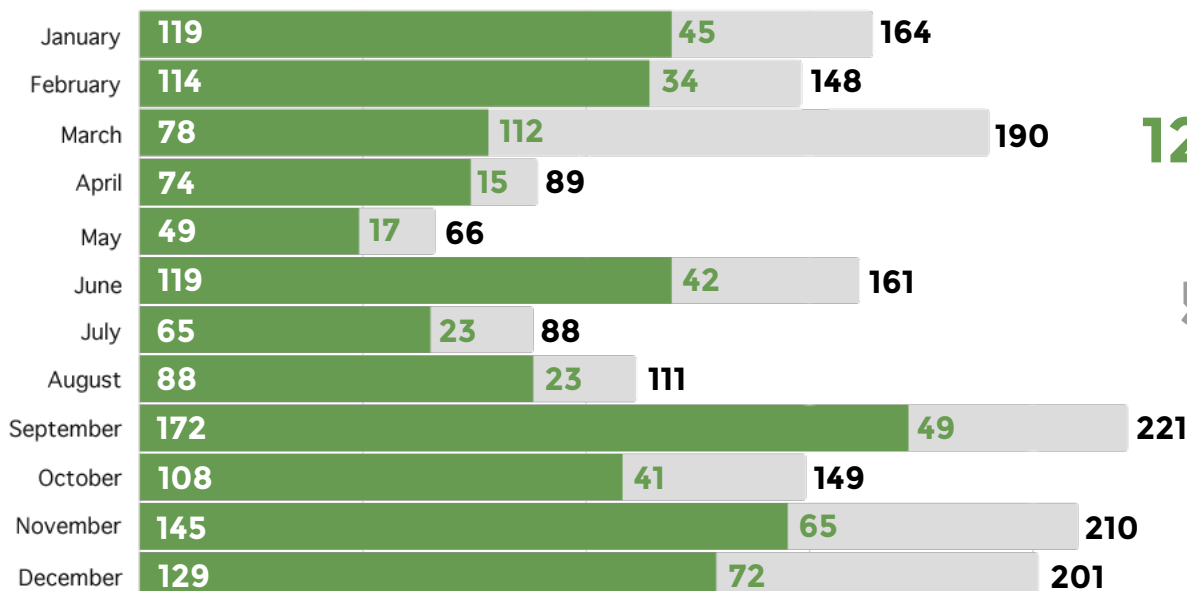
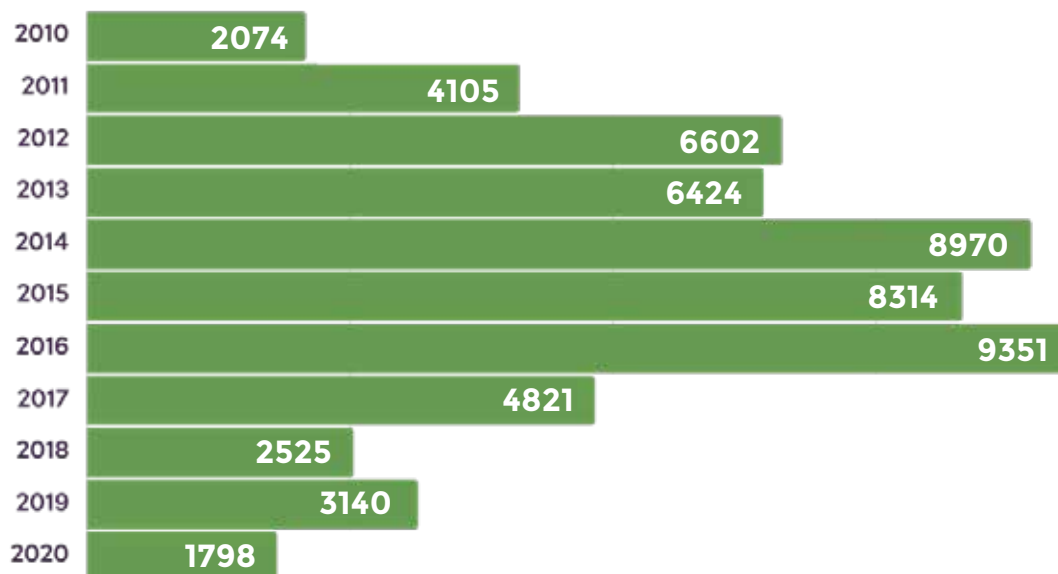
538 

Chart II ARBITRARY DETENTIONS IN A DECADE



TOTAL

58.124

Forced detention: another form of arbitrary detention

The OCDH denounced the increase of a new repressive pattern which is retaining and besieging activists in their homes. These are kept under police surveillance at different street access points and surrounding areas.

While this strategy is not new, we do see an increasing trend in its implementation throughout 2020 since the beginning of the pandemic and which we are drawing attention to.

**HOUSE ARREST
AND FORCED
DETENTION IN
PRIVATE
RESIDENCES**

1647

In most cases, the government reportedly establishes perimeter police surveillance around the activists' residences. In some of the cases, there is a prior verbal warning from a political police official.



These are de facto enforced actions without a court order.

Such mechanisms are a clear restriction of free movement and a way to prevent people from exercising other rights as well.

The OCDH considers that we are dealing with a covert type of arbitrary detention.

The UN Working Group on Arbitrary Detention considers house arrest as detention when applied together with serious restrictions on freedom of movement.

Such detention is arbitrary when the deprivation of liberty results from exercising the rights or freedoms written down in Articles 7, 13, 14, 18, 19, 20 and 21 of the Universal Declaration of Human Rights.

State of the freedom of the press in 2020

Throughout the year, the government has tried to take advantage of the health situation to harass independent journalists such as Leydis Despaigne, Yoe Suárez, Waldo Fernández, Camila Acosta, Jorge Curbelo, Mónica Baró, Esteban Ajete, Jorge Enrique Rodríguez, Roberto Rodríguez, Enrique Díaz, Vladimir Turro, Ileana Hernández and Yunior Berges.

In 2020, the government continued to ban independent media websites and maintained harassment against foreign correspondents accredited in Cuba.



JORGE ENRIQUE RODRÍGUEZ, a correspondent in Havana for the Spanish newspapers “ABC” and “Diario de Cuba”, was arrested in March and June.



The freelance journalist **ABRAHAM JIMÉNEZ ENOA**, “The Washington Post” columnist, was threatened to be jailed if he continued to publish articles in the North American newspaper.



The journalist and director of the “El Estornudo” magazine, **CARLOS MANUEL ÁLVAREZ**, was arrested by Seguridad del Estado (State Security) and forcibly relocated from Havana to Cardenas in Matanzas.

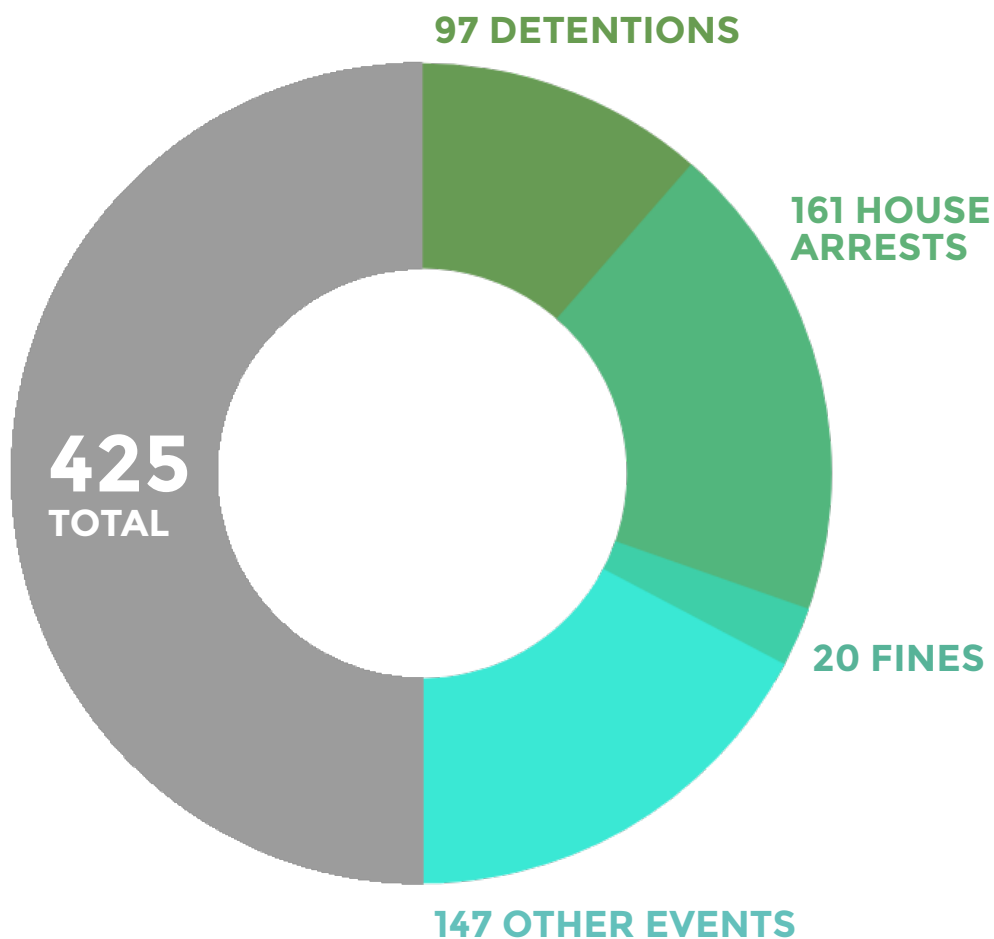


LUZ ESCOBAR, a freelance journalist and reporter for the “14yMedio” newspaper, was arrested in Havana’s Central Park where she was reporting on the gathering called in by the San Isidro Movement (Movimiento San Isidro). She then remained under house arrest for several days.



The same is true for **YUNIER GUTIÉRREZ**, a journalist from the independent “La Hora de Cuba” magazine.

Chart / REPRESSIVE ACTS AGAINST JOURNALISTS IN 2020





Use of public media to defame

It is the Political Bureau of the Communist Party (PCC) that directly leads the country's communication bodies and policies. The state media, the country's only legally permitted media, are financed by the taxes paid by all citizens, but only answer to the single party.

Both the PCC and the political police use the few of the country's available public resources in order to execute reputation damaging strategies against and defame any citizen or group that may foster different ideas.

In this sense, 2020 was a particularly difficult year for human rights activists and opponents as they suffered repeated onslaught from the state media, without the right of reply. The media, mainly the television, dedicated entire programs to defaming civil society activists by lying, showing statements taken out of context and even threats.

Among the activists that were most attacked by regime propaganda in 2020, were the leader of the Unión Patriótica de Cuba (Patriotic Union of Cuba), **José Daniel Ferrer**; CiberCuba journalist **Iliana Hernández**; the journalist **Carlos Manuel Álvarez**; independent artist **Luis Manuel Otero Alcántara**; as well as other activists belonging to the San Isidro Movement such as **Denis Solís**.

It should be noted that, in the case of José Daniel Ferrer and Denis Solís, the media attacks aimed at “selling” to the public stories full of falsehoods, in parallel to their judicial situation. The latter was accused by the media of things that were not even subject to the criminal proceedings.

While these official media attacks persist, most independent media remain censored and cut off by the government telecommunications monopoly.



Abusive and unjustified fines

During 2020, the government intensified the imposition of clearly abusive and unjustified fines on citizens who disagreed with their politics or who simply exposed on social media the difficult social situation the population is facing. There have reportedly been at least 320 fines handed down to opposing and civil society activists.

To suppress freedom of expression, the authorities used Executive Order 370 "Sobre La Informatización De La Sociedad En Cuba" (Digitalization of the Cuban Society), applying article 68 which states as "related ICT contraventions, provided that they do not constitute offences, the following violations: (...) disseminate, through public data transmission networks, information contrary to social interest, morality, good customs and the integrity of people."

It is up to public officials and repressive bodies to interpret what, for example, "information contrary to the social interest" means, which, in Cuba, is commonly taken to mean any criticism of the government or the mere dissemination of testimonies about poverty.

The aforementioned article of the Executive Order contradicts directly article 54 of the Constitution, which states that "The State recognizes, respects and guarantees people the freedom of thought, conscience and expression".

During the first months of the pandemic, at least 36 fines, usually set at 3000 Cuban pesos, were filed based on this order.

It should be noted that, while the political police are quick to fine those who post criticism on social networks, they create false profiles through which opponents and activists are systematically defamed and slandered. Furthermore, they publish communications and private pictures that were previously intercepted and stolen from their owners. These actions, which go unpunished, are arbitrary interferences in private life and communications and attack the honor and reputation of the victims, thus violating article 12 of the Universal Declaration of Human Rights, the Cuban constitution and even article 68 of the aforementioned Executive Order.

On 29 April, OCDH member Enix Berrio Sardá filed a request at the headquarters of the National Assembly to review and declare two articles of Executive Order 370 as not constitutional. Although the request was based on a right granted in the Constitution, Enix Berrio was arbitrarily detained for more than 50 hours (30 of them in an unknown location) and subjected to at least three interrogations.

Furthermore, other activists filed a petition to declare said Executive Order as unconstitutional. However, in neither case has a response been received, which shows clearly how detached government institutions are from the rights of citizen participation.

As international denunciation and rejection grew towards applying Executive Order 370 to limit freedom of expression, the government began to take advantage of other statutes.

For example, Decree 14 of 2020 on “Violations Against Communal Hygiene and Health Measures to Fight Covid-19 in the Province of Havana”, which sets forth fines of 2000 and 3000 pesos for different behaviors. In some cases, the defined infringements are so broadly written that they allow the authority to fine for activities which would normally be considered the free and reasonable exercise of certain rights. A sign of this lack of clarity is Article 2, Section 1 which sanctions a person who “obstructs in any way the compliance with health measures issued by the competent authority: 2000 pesos, and the obligation to refrain from continuing with such conduct.”

Another statute used by the government to impose fines as mechanisms for reprimanding the exercise of rights is Article 8.3, Section 2 of the Criminal Code:

“3. In those cases in which the maximum applicable limit of the sanction does not exceed on year’s deprivation of freedom or a fine not in excess of three hundred quotas, or both, the acting authority is empowered to, instead of notifying knowledge of the event to the court, impose upon the infringer an administrative fine, whenever the committing of the event shows signs of scant social danger, both on the part of the offender’s personal conditions, as well as the characteristics and consequences of the action”. (the underlined is ours)

This standard has been applied to OCDH collaborators who have sent pictures displaying the social reality.

Police brutality

Physical assaults and excessive use of force, including lethal force, were elements present in police proceedings during 2020.

The case that most impacted society was the death of the young black man Hansel Ernesto Hernández Galiano, 26, as a result of a police shooting on June 24 in Havana. According to relatives, he was shot in the back...

More than 72 hours after the independent press had made known what happened and contradictory versions had been issued from different social network profiles, presumably managed by Cuban intelligence, the Ministry of the Interior published its version of the events.



The MININT (Ministry of the Interior of Cuba) confirmed that Hansel Ernesto Hernández Galiano had been killed by police gunfire.

Their description was intended to justify the officers' actions, but it was not plausible as it was solely based on the testimonies given by the policemen. What's more, one of them,

the alleged perpetrator, expressed significant discrepancies with regard to the widely known versions of the events that claimed, for example, that the shots were fired in the back.

Even by sticking to the official version, it was very hard to justify the alleged proportionality in the response of the agent who killed the young man; it is the story how Hernández Galiano went from trying to escape from being arrested to becoming a real and imminent threat to the police officer's life, without knowing what the other officer was doing in the meantime, or what other method of neutralization they used before opening fire.

As usual, both the MININT and the official media aired the victim's alleged criminal record trying to indirectly justify the police actions.

None of the officers were prosecuted for their actions; nor has there been any political accountability despite accusations of excessive police force and racism surrounding these events.

Another case was that of **Yamisel Díaz Hernández**, who died at the hands of a Cuban policeman on July 5 in San Cristobal, Artemisa. "He was shot, and we haven't been explained anything, the police haven't said why", confirmed one relative. Similarly, after the events were reported by the independent press, various social media profiles, presumed to be managed by the political police, reported unofficial versions of the events, confirmed days later by MININT communications, in which they, once again, suggested that the deceased had had a criminal record.

The young black man **Luis Alberto Sánchez Valdés** died in the city of Pinar del Río after spending 20 days in the hospital as a result of a skull fracture caused by a fall after he was pushed by police officers, who then continued to beat him with the tonfa, according to information received and published by Cubalex.



The events occurred on December 8, in a busy street of Pinar del Río.

Days later, the MININT offered its version exonerating the police. According to the latter, the agents requested Sánchez Valdés identity card "between 10:30 and 11:00 a.m. close to the 'La India' store". However, he did not show "the original" card because "it was in the process of being renewed and the old one was at home". Suddenly, Sánchez Valdés fell down and his head hit the pavement."

Several civil society activists have informed about the increase in police violence against them and the population. On several occasions it has been highlighted that brutality is higher against young black people.

Until the moment of drafting this report, there has been no known sanction against any policemen regarding these cases.



Acts of repudiation

In 2020, there were at least 41 acts of repudiation. This intimidating practice consists of gathering a group of Communist Party supporters, also called “mass organizations” in front of a Cuban citizen’s residence, the actual victim, at whom insults, and sometimes physical violence are targeted.

This “physical” manifestation of “social” repudiation may be accompanied or preceded by other defaming actions or pressure towards the victim’s life (family, work, etc.). Therefore, the victim’s persistence in their “mistake” is regarded by the aggressors as a “justification” for the magnitude of public repudiation. That is why acts of repudiation are a staging of the civic death of the individual ordained by the “people”, represented by political and mass organizations.

These actions are planned by counterintelligence bodies with the support of the national police and usually the following organizations: Comités de Defensa de la Revolución, Federación de Mujeres Cubanas y Central de Trabajadores de Cuba (Committees for the Defense of the Revolution, Federation of Cuban Women and Workers’ Central of Cuba).

Most of the documented acts of repudiation were against members of groups linked to independent cultural and journalism sectors.

Trials and other deterrence actions in the context of the pandemia

The lack of fruitful measures to fight against the aggravating economic situation has created a climate of social unrest and the search for subsistence. This pressing situation has been addressed by the government through a campaign of deterrence actions.

The trials, some of which have been broadcast on television, have been one of the areas of the government campaign since the beginning of the pandemic.

According to statements by the president of the criminal chamber of the Supreme People's Court at the end of April, the most frequent criminal activities since the beginning of Covid-19 in Cuba were as follows: spreading the epidemic, speculation, hoarding, illegal economic activities, disobedience, contempt, attack on authority and dealing in stolen goods.

Note that, of the aforementioned alleged crimes, half of them correspond to economic economy, an issue that draws the attention if we take into account the poor and inefficient economic management of the government, which leaves Cubans facing the unfortunate fate of either "solving or starving".

Something similar happens with the crime of "spreading the epidemic". While we agree that individual and social responsibility must be endorsed, we see however a contradiction in the extreme application of rules while the country's own economic reality forces millions of Cubans to stay in long queues for hours to buy some food to bring back home.

According to official figures, as of June 12, 2020, “1,839 people were tried, mostly for hoarding, corruption and speculation, among other severe crimes in the wake of COVID-19.”

Unfortunately, the government only tackle the effects and not the actual causes of huge crowds and long lines.

According to official figures, as of June 12, 2020, “1,839 people were tried, mostly for hoarding, corruption and speculation, among other severe crimes in the wake of COVID-19.”

Exemplary trials have not been a guarantee for a due process, considering, among others, the presumption of innocence and the reasonable possibility of having a technical defense.

The use of the “direct statement or report” in the committal criminal procedure implies a noted limitation of procedural guarantees for the defendants, who tend to discover that they are accused of and have access to legal counsel scarcely hours prior to the trial.

Violating any intention of impartiality, the judicial system has acted to execute the government’s political campaign in order to intimidate citizens at large.

One of the sectors persecuted and victimized by the government was that of the so-called “coleros”. According to official information, between March 19 and July 19, 453 “coleros” were given prophylactic measures, 634 were fined, and 280 were charged for crimes of Illegal Economic Activity, Disobedience, Hoarding and Spreading the Epidemic.

11 /

Waves of repression

Throughout 2020, we recorded at least three repressive waves or peaks. They are considered as such based on actions that reach a significant number of citizens within a specific period of time (commonly short- or medium-term).

Repression

Wave I

30 of June

78
arbitrary
detentions
and
146
activists held
and besieged at
home under
surveillance

In response to protests against racism and police violence

This day's repression was aimed at preventing a series of civic actions called in via social media to peacefully protest against police violence and racism, following the death of the young black man Hansel Ernesto Hernández at the hands of the police in Havana.

The political police and the different Ministry of the Interior departments carried out an ostentatious police operation at the national level, which included at least 78 arbitrary arrests and 146 activists held and besieged in their homes under police surveillance, according to reports issued by our observers. Threats, subpoenas, other types of harassment as well as telephone and internet service shutdowns were also reported.

Wave II

8 of September

In response to the "Sunflower Revolution". For the 'Virgen de la Caridad' religious holiday, various groups, especially the Unión Patriótica de Cuba, had called for peaceful protesting under the name of the "Sunflower Revolution".

There were
211
 arbitrary
 detentions in
 September,
 the third most
 repressive
 month

Wave II (continuation)

From **september 5** the arrests began and were intensified on the 8th starting early in the morning.

Among the more than a hundred arrested activists the following are included: José Daniel Ferrer, his son José Daniel Ferrer Cantillo, Berta Soler, and her spouse, Ángel Moya, YouTuber Ruhama Fernández, as well as the San Isidro Movement coordinator Luis Manuel Otero Alcántara.

Activist harassment and detentions at home were also reported.

September was the third most repressive month; it also exhibited the highest number of arbitrary detentions of the year reaching 221 events.

Wave III

November-December

November-December repressive wave against **San Isidro Movement** and other civil society groups.

October with its 11 acts of repudiation against activists in the cultural scene, was already foreshadowing the upcoming repressive spike.

The arbitrary detention and subsequent conviction of activist Denis Solís to spend eight months in prison, decided in a process without judicial guarantees, initiated a series of peaceful civic actions by members and collaborators of the **San Isidro Movement**. On **November 13**, the activists gathered outside of a Havana police station demanding the Solís' release, they all ended up being retained for several hours.

On Monday **November 16**, they began to gather at Luis Manuel Otero Alcántara's residence, at Calle Damas 955, in the popular neighborhood San Isidro, in Old Havana.

Wave III (continuation)

On **November 18**, eight of them went on hunger strike, and two also refused to drink after the police confiscated the supplies entrusted to a neighbor. In addition to the release of their colleague, they requested that the confiscated food be handed out. Furthermore, they demanded the closure of the exclusive dollar stores that the government has been operating for a few months.

As long as the activists maintained their claims, the government tightened their repressive actions against the scene. In actual fact, on several occasions the young activists suffered violent attacks causing them injuries.

On **the 22nd**, an unknown group of people tried to reach the capital city's Central Park, some with the aim of expressing their support for the **San Isidro Movement** and others seeking to cover the event as the independent press. Those who showed up there were subjected to violence by the political police. They were beaten, arrested and abandoned in remote locations at night.

Freelance journalist **Luz Escobar** and visual artist **Julio Llopiz-Casal** were arrested, and members of the Committee for Racial Integration (Comité por la Integración Racial - CIR) **Juan Antonio Madrazo Luna**, **Osvaldo Navarro Veloz** and **Marthadela Tamayo González** were arrested and mistreated. Tamayo González was beaten and abandoned in an uninhabited place during the nightly hours, with no resources or means to return home.

On this occasion, the accredited foreign press was present, however, the police prevented coverage of this peaceful action and attempted to snatch the cameras from the reporters.

Meanwhile in the capital, the influencer **Héctor Valdés Cocho**, the leader of the Ladies in White (Damas de Blanco), **Berta Soler**, the former political prisoner **Ángel Moya Acosta**, and **Yunier**

Wave III (continuation)

November finished
with at least

777

repressive actions
and

210

arbitrary
detentions

The repressive wave
ending 2020
leaves behind

859

repressive
actions.

201

arbitrary
detentions
in December

Gutiérrez, journalist of the independent “La Hora de Cuba” magazine, were also arrested.

In the province of Matanzas, **Iván Hernández Carrillo**, **Carlos Olivera**, **Lázaro Díaz Sánchez**, **Regla Burunate** and **Caridad Burunate** were arrested.

The political police, disguised as doctors, broke into the headquarters of the **San Isidro Movement** on the night of November 26, violently evicting activists who stayed there. They were arrested and subsequently dropped off in different places, except **Luis Maniel Otero Alcantara** who was detained by force in a hospital in the capital city.

The next day, more than 200 young people, mostly from the cultural scene, gathered until late night in front of the Ministry of Culture claiming the compliance of a series of human rights and the release of **Denis Solís**. Although they were attended at the end of the day by a deputy minister of culture, in the following days the government’s commitments were not fulfilled. It is more, a campaign of harassment, movement restrictions and defamatory remarks on state television against the most prominent participants of the protest set in, that day has made it to be known as 27N.

Since the beginning of the actions of the San Isidro Movement and the 27N protest, the government has increased police presence in key cities of the country in order to prevent any demonstration by activists or other displeased sectors. Repressive and control actions were tightened on December 10, the Human Rights Day.

Delay in passing acts that are to guarantee constitutional rights

The National Assembly of People's Power (ANPP) made up of 605 deputies, all subject to the criteria and guidelines of the Communist Party, delayed the adoption of acts that would develop important rights. The decision was based on the Covid-19 situation, however, the ANPP and its committees has convened a meeting with one part of its members in person and the other part by digital means.

Among the delayed acts that had been planned for 2020, are the following:

-Act on the claim of constitutional rights before the courts: October 2020, now scheduled for December 2021

-Housing Act: December 2020, postponed for December 2021

-Public Health Act: December 2020, moved to December 2022

While it is true that the future adoption of these acts would not allow harmonizing the Cuban legal system and international human rights standards, this delay questions the Government's political will to carry out such inclusion.

The Act on the Claim of Constitutional Rights before the Courts is the development of a guarantee established by article 99 of the Constitution, it entitles citizens to file complaints before judicial bodies regarding the violation of their fundamental rights.

The Constitution clearly allowed 18 months to pass this act, a deadline that expired back in October 2020.

The absence of this act has served the courts to justify to not admit citizens' claims against the violation of their rights by state institutions, as is the case with Iliana Hernández's action against the Ministry of the Interior.

We are faced with a clear contempt of the ANPP, which has not met the deadline set out in the Constitution. Due to the unwillingness of the courts to abide by the Constitution, which is a legal statute that sets forth legal rights and guarantees that should not have to wait for other statutes to be implemented, as expressed by the constitutional text itself.

The prisons and political prisoners or prisoners of conscience in Cuba

The government of Miguel Díaz-Canel finished the year with 108 Cubans imprisoned or in correctional facilities with internment for the mere fact of thinking and acting independently and freely, that is, solely for political or conscious reasons.

Most of these convicts suffer from physical and psychological mistreatment by prison authorities serving the political police. Severe damage is caused to their health, as has been reported by relatives of prisoner **Ernesto Borges**, who has spent over 23 years in prison, and **Silverio Portal**, which was recently released.

The physical deterioration of freelance journalist **Roberto Quiñones**, after having served an unjust sentence in full, proves the conditions under which those who dissent from the orders of the Communist Party are imprisoned.

Political prisoners do not exist for the Cuban regime, this is simply because the opposition's rights are not recognized. This is how they strive to create laws that deem the expression of fundamental freedoms or rights a crime. They either simply invent common crimes that falsely charge activists and opponents or take advantage of these crimes to hide the actual reason why they are imprisoned. This is also the case with **José Daniel Ferrer**, who was imprisoned during the Black Spring 2003, but who returned again to prison on October 1, 2019 where he was held until April 2020 since he was falsely accused of a common crime.

Ferrer was prosecuted in March, without due process and only because of his “peaceful expression of views”. This was reported by Josep Borrell, the head of the European diplomacy. He is currently serving a four-and-a-half-year prison sentence.

Since the beginning of the pandemic, we have been urging the government to take urgent measures to ensure the health, safety and rights of prisoners in prisons that are often overcrowded and unsanitary, with poor food and medical care, where, understandably, all the ills and shortages that plague the population as a whole are amplified.

**Ernesto
Borges**



**Roberto
Quiñones**



**José Daniel
Ferrer**



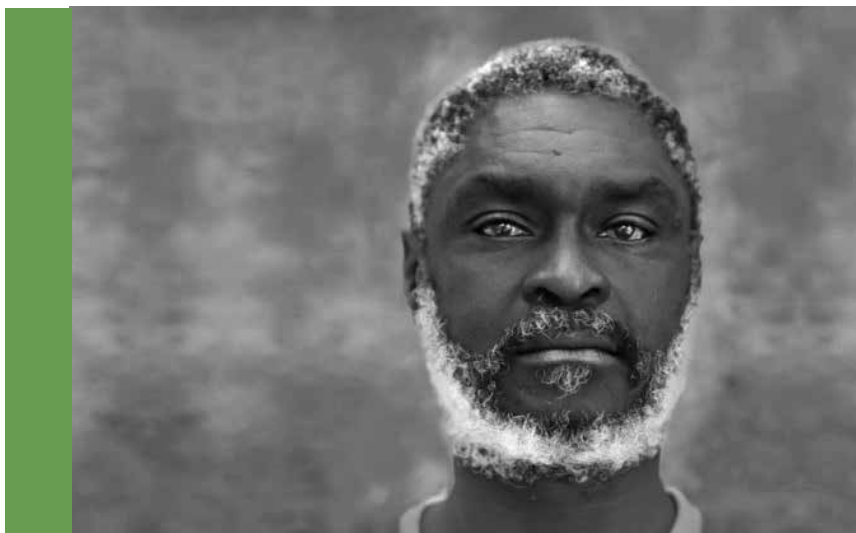
Official propaganda about the conditions of Cuban prisons and inmates, including their announced measures to control the Covid-19 pandemic in these facilities, is not credible.

First of all, this is due to the poor transparency around Cuban prisons coupled with the difficulty of contrasting data or conducting independent auditing. The Cuban government still does not allow international United Nations agencies into the country to freely verify the Cuban prison system conditions.

However, the testimonies of activists who have suffered for several years in these prisons, those of their relatives and those who remain unjustly imprisoned confirm the difficult prison conditions.

The Cuban government, which has one of the highest per capita prison populations in the world, in more than two hundred prisons, not only prevents international inspection, but also turns Cuban organizations or civic activists working in this field into direct and immediate targets of its entire

The recently
released
opponent
Silverio Portal.



defamation and repression machinery. The vast number of prisons and detention centers of all kinds on the island are a very noticeable and important part of the Cuban government's violation of fundamental human rights. Not only as a threatening and deterrent factor, but also as a concealment of the liberty-destroying nature of the regime.

It should be noted that, according to reports, at least a hundred inmates for common crimes have been released as part of the pandemic measures. Official sources said that around 10,000 were freed, but this could not be verified. However, official media also provided information on incarceration as part of the government's public campaign against "hoarding" and economic activities that are considered illegal.



Final considerations

The Cuban state not only continues to function outside of human rights, but they go against them, even against those established in their own constitution. The appointment of Miguel Díaz-Canel has not brought about an improvement in almost any aspect of Cuban life.

Repression throughout 2020, as well as maintaining old elements such as arbitrary arrests, has also been more expansive, reaching social sectors such as culture and alternative journalism which have been victims of police brutality and the regime's media mouthpieces.

Hate attacks from the National Assembly of People's Power and threats from state media against other citizens, going as far as to invoke the fateful article 4 of the Constitution that legitimizes civil war, represent a dangerous shift away from peace and the preservation of life and integrity of each Cuban citizen.

But the deterioration of rights at its most indolent was seen last year through the impoverishment and deterioration of citizens' living conditions. Never before have social rights in Cuba been violated so much. And it cannot be said that this is not only the result of an economic situation, which began in 2019 and worsened in 2020 with the Covid-19 pandemic, but of the total failure of a system that tacitly promised social rights in exchange for political freedoms which has now left eleven million Cubans with neither.

The Covid-19 crisis has not caused greater empathy with the population. Public politics to alleviate food and medicine shortages have been scarce and fallen short.

With rare exceptions, such as the Head of Epidemiology of the Ministry of Health, most officials enjoy little admiration among the citizens and have a very different standard of living.

The excuse that Cuba's dire situation is due to hounding by an external enemy is becoming less and less credible among the population. The OCHR does not support external measures that may adversely affect Cubans. Furthermore, we report that the main causes of the Cuban people's suffering are internal and have to do with the regime's disregard for human rights.



In any case,
the Cuban Observatory of Human Rights
continues to demand
legal and political reforms
in all areas of social life,
and that the human rights
are to be respected and guaranteed
as the basis for urgently
needed changes in the country.

For more information

The *Regional Alliance for Free Expression and Information* and the *Cuban Observatory of Human Rights* drew up a Shadow Report on the evolution of the commitments made by the Government of Cuba within the framework of the last Universal Periodic Review (UPR) in relation to accessing information, freedom of peaceful assembly and freedom of association with others.

<http://www.alianzaregional.net/blog/2020/10/13/epu-de-cuba-informe-sombra-de-la-alianza-regional/>

Systematic Study and Reports (2019-2020) on the Situation of Social Rights in Cuba:

https://derechossocialescuba.com/wp-content/uploads/2020/10/Factsheet_ODS_Oct_20_8.pdf

https://derechossocialescuba.com/wp-content/uploads/2020/10/Reporte_ODS_Octubre_2020_28-..pdf



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