

Situation of human rights and individual freedoms in Cuba
European Parliament | Human Rights Subcommittee

April 8, 2025 | Bruselas

*Remarks by Commissioner **Andrea Pochak**, First Vice-President of the IACHR*

On behalf of the Inter-American Commission on Human Rights, I would like to thank you for the opportunity to participate for the second time in this dialogue on the human rights situation in Cuba, and to share an updated overview of the main concerns, based on information documented by the IACHR in recent years.

For the IACHR, Cuba continues to be a country in a worrying context because it continues to face structural challenges in terms of human rights. These challenges are rooted in the absence of the essential elements of any representative democracy, especially the continuity of a single-party model, the absence of free elections and political pluralism, and the prohibition of association for political purposes.

The IACHR has been documenting the ways in which the lack of independence among the branches of government and the hegemonic control of the single party seriously affect the functioning of institutions and violate the minimum guarantees for the respect of human rights.

Due to the limited time of this intervention, I will focus on the situation of criminalization and repression of protest, political dissidence and freedom of expression at in general; the situation of persons deprived of their liberty; reprisals and harassment against family members and activists; and the problem of food shortages.

CRIMINALIZATION OF DISSIDENCE AND REPRESSION

One of the most worrying patterns is the criminalization of social protest and all forms of peaceful dissent, especially in the context of a serious social and economic crisis, such as the one the island is currently experiencing.

According to information documented between January and October 2023, at least 1,186 people were arbitrarily detained. To date, a high number of people remain in detention for political reasons, including adolescents.

Of particular concern is the use of the penal system to punish people for exercising their freedom of expression, assembly and association. The new Penal Code, approved in 2022, incorporates vague criminal offenses such as "enemy propaganda" or "contempt", which allow the punishment of conduct protected by international human rights law.

Likewise, there have been cases of forced banishment of human rights defenders, journalists and activists, who have been offered their freedom under the condition of leaving the country, with a prohibition on their return. This practice constitutes a violation of the right to freedom of movement and residence, and the principle of non-discrimination.

On the other hand, the IACHR has documented repressive practices such as internet shutdowns, house arrests, surveillance, arbitrary detentions, fines, summonses and interrogations directed especially at journalists, activists and human rights defenders.

Restrictions on freedom of expression and press freedom in Cuba are systematic, affecting both independent media and citizens who express themselves in social networks. Censorship, digital surveillance, confiscation of equipment, arbitrary arrests and smear campaigns on social networks are reported.

In the last year, more than 160 journalists have been forced into exile. This dynamic of silencing and harassment has generated an environment of generalized fear and a progressive vacuum of civic space. In addition, judicial proceedings and criminal sanctions against protesters were reported, as well as threats to dissuade participation in protests and religious ceremonies.

SITUATION OF PERSONS DEPRIVED OF THEIR LIBERTY

Cuba maintains one of the highest incarceration rates in the world, with estimates exceeding 90,000 people deprived of their liberty.

The deprivation of liberty on the island not only represents a disproportionate and recurrent measure of the penal system, but has also become a tool to repress political dissidence, silence critical thinking and generate an atmosphere of fear and self-censorship in

society. In this regard, it is reported that numerous people are detained for having participated in demonstrations, for expressing opinions critical of the government on social networks, or for exercising their journalistic work or defending human rights. These arrests not only lack due process, but in many cases include unfounded or disproportionate charges, without respect for due process.

Conditions inside prisons are of particular concern. Various sources report to the IACHR widespread practices of overcrowding, serious deficiencies in food and access to drinking water, as well as a lack of adequate medical care, particularly for persons with chronic illnesses or mental health conditions.

In addition, cases of mistreatment, physical and psychological torture, and prolonged isolation as a method of punishment have been documented. These practices have been denounced both by detainees and their families, who often face reprisals when trying to make these situations visible.

In this context, particularly vulnerable groups such as women, LGBTI persons and human rights defenders face even more burdensome conditions. They have been subjected to discrimination, sexual violence, denial of gender identity and isolation, which aggravates the already precarious conditions of detention.

The Inter-American Commission has reiterated on several occasions its call to the Cuban State to allow international organizations access to detention centers and to guarantee minimum standards compatible with international human rights law.

HARASSMENT AND RETALIATION

Another pattern of systematic human rights violations that the Commission has documented in Cuba is the harassment and reprisals against family members of persons deprived of liberty, especially those who denounce the situation of their relatives.

These acts of reprisal usually take the form of threats, police summonses, constant surveillance around homes and, in some cases, unfounded criminal proceedings. The aim of these actions is to silence those who try to make human rights violations visible, generate fear and demobilize solidarity and denunciation networks.

The situation is particularly serious in the cases of women family members - mothers, sisters, wives - who have organized in networks to demand the release of persons detained in the context of the July 11, 2021 protests and other peaceful demonstrations. Many of these women have been the target of targeted reprisals, including police surveillance, summonses by state security bodies and restrictions on their freedom of movement.

In several cases, security agents have made explicit threats to take custody of minor children or impose criminal charges as a form of punishment for their activism. There have also been reports of harassment at work or school against members of these families.

The Commission has also received complaints about the existence of defamation campaigns orchestrated from official media and social networks controlled by the State, aimed at publicly discrediting family members and activists, branding them as "mercenaries", "counterrevolutionaries" or "traitors".

These forms of harassment not only constitute violations of the right to personal integrity, freedom of expression and freedom of assembly, but also represent a form of institutional violence based on family ties, aimed at breaking the resilience of those who raise their voices in defense of human rights.

SHORTAGE

On the other hand, the IACHR has also observed the recent worsening of food insecurity in Cuba and the impact of prolonged power outages on human rights. This situation disproportionately affects certain groups of people, such as the elderly, pregnant women, children and adolescents, as well as people with chronic illnesses.

According to the Food Monitor Program, in 2023 most provinces would have faced a low level of food security. The State even requested support from the United Nations World Food Program (WFP) in view of the country's difficulties to continue distributing subsidized milk to children under 7 years of age, as well as the shortage of flour for subsidized bread in the basic food basket, despite being a basic commodity in the Cuban diet.

The IACHR has repeatedly pronounced itself on the persistence of chronic shortages of basic foodstuffs and essential products on the island. The situation is the result of a context of

low economic growth, high inflation, reduced food production and sales, and infrastructure problems, especially in the electricity sector; and was aggravated by the economic measures adopted by the government, including the increase in the price of fuel and electricity and the end of the subsidy for the basic food basket, as well as the devaluation of the currency.

Against this backdrop, the IACHR urged the Cuban State to adopt urgent and effective measures to guarantee the right to food and access to basic services, in accordance with its international human rights obligations. It also emphasized the importance of implementing public policies that address the structural causes of food insecurity and strengthen the country's energy infrastructure.

On this point, it is important to recall that the IACHR has repeatedly called for an end to the US economic blockade of Cuba due to its impact on the Cuban population and their rights. Likewise, the IACHR reiterates that the blockade does not exempt the Cuban State from complying with its international obligations, nor does it excuse it for the violations of the fundamental rights of its population.

CONCLUSIONS

In a context characterized by state control of information, the lack of independent media and the absence of separation of powers, it is essential that the international community actively contribute to the visibility of the serious human rights situation in Cuba.

The persistence of patterns of repression, criminalization of protest, harassment of journalists, arbitrary detentions, censorship and restrictions on civil and political rights cannot remain relegated to the domestic sphere. On the contrary, it requires a sustained response from regional and international bodies for the protection of human rights, and from the international community as a whole.

The international public denunciation of these violations not only constitutes an act of solidarity with the victims and Cuban civil society, but also represents a mechanism of protection and legitimate pressure on the State, aimed at preventing new violations, promoting structural reforms and opening spaces for genuine dialogue

At the same time, solidarity with the Cuban people requires, on the part of the international community, to provide protection to those who require it and to support politically and economically the international and regional protection bodies, such as the IACHR, so that they can continue their work of monitoring and visibility, as well as protection mechanisms such as the system of precautionary measures and petitions

In this sense, we value spaces such as the one offered today by this Subcommittee of the European Parliament, which contribute to document and debate the human rights situation in Cuba, and to reaffirm that the protection of human dignity does not recognize borders or ideological exceptions.

Thank you very much.