

Cuba 2015/2016

Despite increasingly open diplomatic relations, severe restrictions on freedoms of expression, association and movement continued. Thousands of cases of harassment of government critics and arbitrary arrests and detentions were reported.

Background

The year saw significant changes in Cuba's diplomatic relations. In April, President Castro met US President Barack Obama during Cuba's first attendance of the Summit of the Americas, the first meeting between leaders of the two countries in nearly 60 years. In May, Cuba was removed from the USA's list of countries designated as state sponsors of international terrorism. Cuba and the USA reopened their respective embassies and announced their intent to re-establish diplomatic relations.

Despite this, in September President Obama renewed the Trading with the Enemy Act, which imposes financial and economic sanctions on Cuba. In October the UN General Assembly adopted, for the 24th consecutive year, a resolution calling on the USA to lift the unilateral embargo.

By the end of the year, Cuba had failed to ratify either the ICCPR or ICESCR, both of which it had signed in February 2008, or the Rome Statute of the International Criminal Court.

Freedoms of expression and association

Government critics continued to experience harassment, "acts of repudiation" (demonstrations led by government supporters with participation of state security officials), and politically motivated criminal prosecutions. The judicial system remained under political control.

The government continued to control access to the internet and blocked and filtered websites, limiting access to information and criticism of the state. Activists reported that mobile phones were without service during the Pope's visit in September.

Arbitrary arrests and detentions

Reports continued of government critics, including journalists and human rights activists, being routinely subjected to arbitrary arrests and short-term detention for exercising their rights to freedom of expression, association, assembly and movement.

The Cuban Commission for Human Rights and National Reconciliation (CCDHRN) documented more than 8,600 politically motivated detentions of government opponents and activists during the year.

Prior to Pope Francis' visit in September, the authorities announced they would release 3,522 prisoners, including people over 60 years of age, prisoners under 20 years of age with no previous criminal record, chronically ill prisoners, and foreign nationals whose countries agreed to repatriate them, according to *Granma*, the official newspaper of the Communist Party.

However, before and during the Pope's visit, human rights activists and journalists reported significant increases in arrests and short periods of detention. In September alone, the CCDHRN registered 882 arbitrary arrests. They included three activists who reportedly approached the Pope to discuss human rights. The three went on hunger strike in detention.

Members and supporters of the Ladies in White, a group of women calling for the release of political prisoners and greater freedoms, and members of the Patriotic Union of Cuba, a dissident group, were regularly arrested and detained for periods of up to 30 hours, according to CCDHRN. The detentions were carried out to prevent the activists from attending their regular Sunday marches and to stop them protesting.

On 10 December, International Human Rights Day, the political police detained activists, including many in their homes, to prevent their peaceful protest. They also stopped journalists from leaving their offices to report the story.

Prisoners of conscience

Laws covering "public disorder", "contempt", "disrespect", "dangerousness" and "aggression" were used in politically motivated prosecutions, or threats of prosecution, against government opponents.

In January, the authorities released five prisoners of conscience along with a group of more than 50 people believed to have been imprisoned for political reasons. The USA had requested they be freed as part of an agreement between the two governments to "normalize" relations.

On 7 and 8 January, brothers Vianco, Django and Alexeis Vargas Martín, were released from prison. The three men had been detained since December 2012 and were sentenced in June 2014 to between two-and-a-half and four years' imprisonment for "public disorder". On 8 January, prisoners of conscience Iván Fernández Depestre and Emilio Planas Robert were apparently released unconditionally. The two men had been sentenced to three and three-and-a-half years' imprisonment respectively, on the charge of "dangerousness".¹

Prisoner of conscience **Ciro Alexis Casanova Pérez** was released upon completion of his sentence in June 2015.² He had been found guilty in December 2014 of "public disorder" following his one-man demonstration against the government in the streets of his hometown Placetas.

Graffiti artist **Danilo Maldonado Machado**, known as **El Sexto**, was arrested by agents of the political police in Havana while travelling in a taxi on 25 December 2014. He was carrying two pigs with "Raúl" and "Fidel" painted on their backs, which he intended to release at an art show on Christmas Day. He was accused of "disrespecting the leaders of the Revolution" but was never brought to court. He was released from detention on 20 October.