



# Repressive patterns and tactics by the Cuban State against freedom of association



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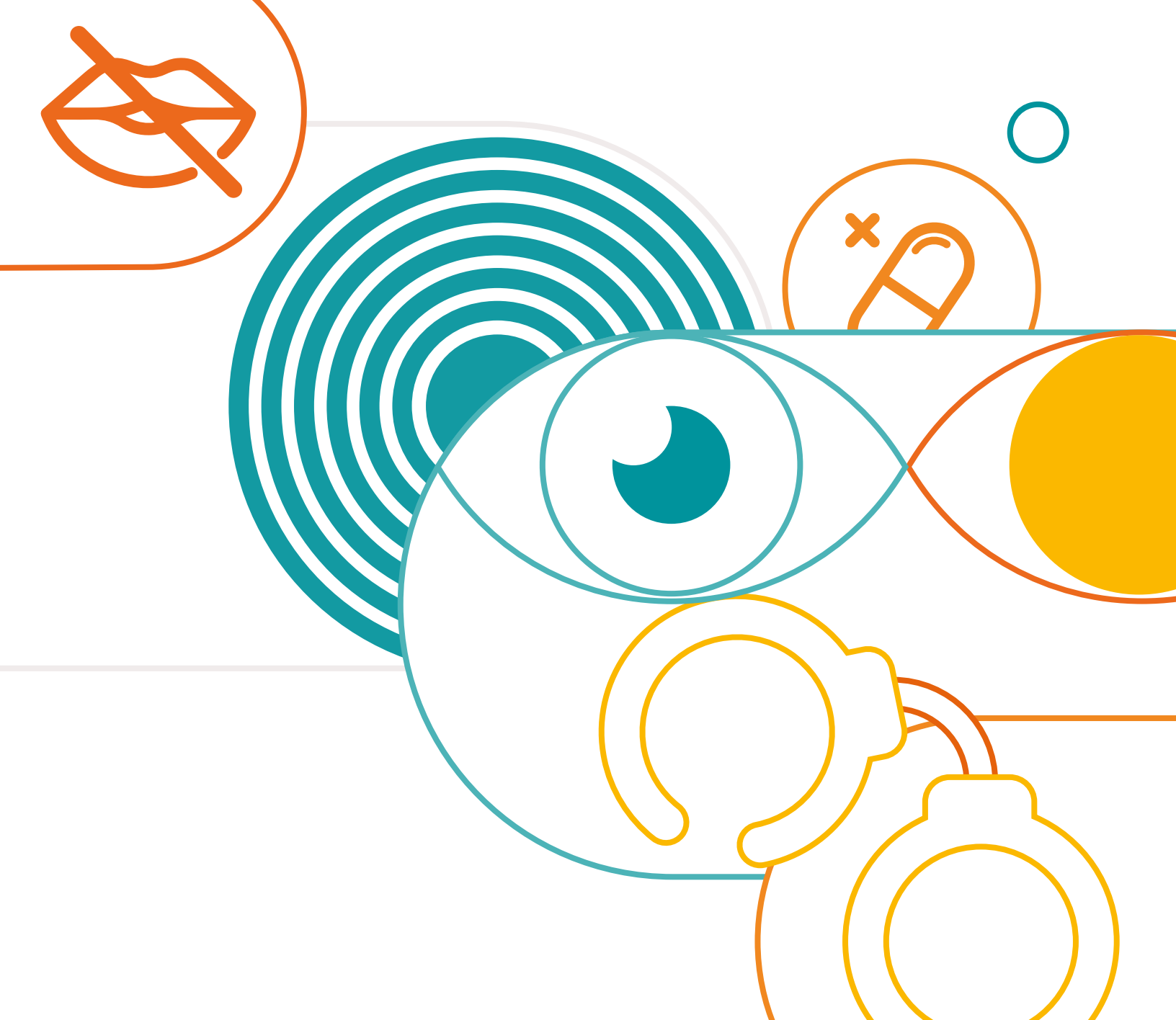
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## Introduction

This report details the formal request from a group of Cuban civil society organizations addressed to the Inter-American Commission on Human Rights (IACHR). This request sought to convene a thematic hearing to examine concerns about the restriction of the right to freedom of association in Cuba, and the systematic dismantling of independent civil society organizations during the years 2022 and 2023. It also highlights the worrying increase in state repression in Cuba, evidenced by reports and data that document repressive practices such as arbitrary detentions, harassment, threats and acts of physical violence against members of these organizations.

In an environment where the Cuban legal and political framework imposes severe limitations on freedom of expression and association, in addition to criminalizing international cooperation, a climate of fear and self-censorship is generated. That is why the signatory organizations present to the IACHR an exhaustive analysis of this situation, sharing representative examples and highlighting the imperative need for international intervention to condemn these repressions and human rights violations, placing special emphasis on women activists and political dissidents.

The hearing aims to promote the strengthening of standards and mechanisms for the protection of human rights at the inter-American level, and to highlight the urgent need for reforms in the Cuban legal framework that effectively ensure fundamental rights and the protection of human rights in the island.

Approaching this issue through gender perspective into this problem, the intersection between freedom of association and gender violence in Cuba is emphasized. The repressive practices of the State and its effects on independent civil society organizations disproportionately impact women, particularly those who are activists and political dissidents through the use of vicarious violence and coercion by the State. For women political prisoners there's a notable increase in gender violence and inhumane detention conditions. These dynamics highlight how restrictions on freedom of expression and assembly, along with the systematic dismantling of civil society, not only violate human rights in general, but also constitute specific forms of gender violence, exacerbating vulnerability and risk for women in Cuba.

This report emphasizes the critical importance of addressing the continued deterioration of fundamental rights in Cuba, especially the right to freedom of association, which is essential for democracy by allowing citizens to

organize, collectively express their opinions and actively participate in the management of public affairs. However, increasing state repression against independent organizations and restrictions imposed on freedom of expression and assembly put this essential right at risk. The documentation of the events that occurred between 2022 and 2023 reveals a coordinated effort by the State to silence any form of opposition or criticism, evidencing the seriousness of this situation.

The need for an international response becomes imperative in the absence of significant progress in the protection of human rights in Cuba. Global attention and action are crucial to press for substantial changes that ensure respect for human rights, including freedom of association, from a comprehensive perspective that recognizes gender violence as a critical dimension of repression in Cuba.

Requesting a hearing before the IACHR represents a fundamental step to make these violations visible and seek concrete solutions, promoting the protection of a strong and safe civil society for the exercise of fundamental rights on the island. At the same time, we stress that the involvement and support of the international community is essential to advance the protection of human rights and promote democracy in Cuba, making this issue a priority within the global human rights agenda due to its urgency.



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## Context

### **A- Legal and practical barriers to the right of association in Cuba**

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In Cuba, dissidents, human rights defenders, and independent journalists face repression marked by harassment, threats, smear campaigns, attacks, and arbitrary detentions as part of a system that severely restricts their freedom of expression and movement. This situation is worsened by the severe shortages of food and medicine, exacerbated during and since the pandemic. The long queues and lack of access to essential goods, which especially impact women and increase the risk of contagion of diseases, are catalysts for demonstrations in the country, deep social unrest and the urgent need for attention to human rights. Following the protests of July 11, 2021 in Cuba, regulations were implemented in the field of telecommunications that significantly limit the right to freedom of association. This repressive context has intensified with practices of forced expatriation, used by the State to dismantle opposition groups and silence dissent in a clear attempt to control and limit civic space.

The Cuban State in its universal periodic reviews has committed to recognize the work of civil society and guaranteeing freedom of expression, assembly and association in accordance with its international obligations.<sup>1</sup> However, subsequent actions, including legislative reforms and constitutional reform, have deepened restrictions rather than facilitating the exercise of these rights. The recently reformed constitution imposes general limits on fundamental rights and establishes clauses that prohibit any action against the socialist system, severely limiting freedom of expression, especially on political issues, and consolidating the Communist Party as the only permitted political entity.<sup>2</sup> Although the adoption of an “Associative Forms Law” that would regulate the creation and operation of associations was anticipated, to date, the content and implementation of this regulation remains uncertain, evidencing a lack of political will to align domestic legislation with international human rights standards.<sup>3</sup>

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<sup>1</sup> Paragraph 24.164 of the [Report of the Working Group on the Universal Periodic Review](#).

<sup>2</sup> National Assembly of People’s Power. (2019, April 10). [Constitution of the Republic](#).

<sup>3</sup> [Official Gazette No. 5, Extraordinary of January 12, 2022](#). Contains the legislative schedule approved by the National Assembly of People’s Power for 2022, page 168.

The Associations Law of 1985 in Cuba imposes significant restrictions on the right of association, arbitrarily limiting the constitution and operation of civil society organizations through various mechanisms. Specifically, it restrictively defines the types of permitted associations, excluding human rights organizations, unions, and religious groups, and establishes a minimum number of members to form an association, which prevents smaller groups from obtaining legal personality. In addition, it introduces a system of authorization by the State for the creation of associations, giving the Ministry of Justice total power over the approval of new organizations, and requires a proper and listed office for registration, a requirement that is difficult to meet given that only The State owns suitable real estate, and only already registered organizations can rent it. These provisions contravene international standards of freedom of association, severely limiting the ability of civil society to organize and act independently.<sup>4</sup>

Cuba maintains criminal regulations that effectively criminalize freedom of association, highlighting laws that penalize international cooperation and any activity considered contrary to the security of the State. Law 80/1996, directed against US technical and financial aid, together with the Law for the Protection of National Independence and the Economy of Cuba, known as the “Gag Law”, classify as crimes any sort of collaboration with objectives considered subversive, with sentences of up to 20 years.<sup>5</sup> Although the Cuban Penal Code contemplates discrimination as a crime, in practice, these laws are used to harass and criminalize journalists, activists and human rights defenders for political reasons, perpetuating impunity for state actions. Additional provisions, such as article 120.1, which punishes any action that endangers the constitutional order, and article 143, which prohibits the reception of international funds, together with article 274.1, which penalizes membership in unregistered associations, demonstrate a broad criminalization of the exercise of civic freedoms, allowing arbitrary and discretionary interpretations by the authorities.<sup>6</sup>

Cuba has implemented legal regulations that severely restrict freedom of association and expression in the digital sphere, criminalizing dissent, and the calls for protests through the Internet. Decree-Law No. 370 (2019) and

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<sup>4</sup> National Assembly of People’s Power. Law No. 54 of December 26, 1985 “Association Law”. Official Gazette of the Republic (19), Extraordinary , 119-122 and Ministry of Justice. Resolution No. 53 of July 14, 1986 “Regulations of the Association Law.” Official Gazette of the Republic (56), Ordinary , 915-924. Cuba.

<sup>5</sup> National Assembly of People’s Power. Law for the Protection of National Independence and the Economy of Cuba. 1999. Available in: [Law for the Protection of National Independence and the Economy of Cuba | Popular Supreme Court of the Republic of Cuba](#)

<sup>6</sup> [Law 151/2022 “Penal Code”](#). Official Gazette of the Republic of Cuba, 93(Ordinary), 2558- 2696p.

Resolution No. 105/2021, together with Decree-Law No. 35 (2021),<sup>7</sup> establish vague and broad conditions that allow authorities to act with discretion and arbitrariness, including the interception of communications without consent. These laws have been used to punish human rights defenders, journalists, and government critics, significantly limiting civic freedoms through threats, interrogations, and work restrictions. The provisions regarding cooperation with armed institutions, the suspension of telecommunications services without clear justification, and the obligation to prevent “ethical harm” through the censorship of “fake news” or anti-state messages, demonstrate a restrictive approach that undermines freedoms of expression, peaceful assembly and association, as well as human rights activities, contradicting international human rights standards.<sup>8</sup>

In Cuba, the right to freedom of association is severely restricted both by legal frameworks and by state practices of repression and control, affecting registered and unregistered organizations. Although those registered have legal personality, they face a strict regime of surveillance and control by the authorities, which limits their autonomy through inspections, the obligation to allow the entry of non-consensual members under the pretext of “revolutionary integration”, and an administrative supervision that compromises their independence. This system is complemented by an environment of generalized repression, where participation in massive organizations controlled by the State is almost an obligation to access educational and employment opportunities, under the threat of discrimination, harassment and even detention. The illusion of legal remedies against restrictions on association is belied by the lack of judicial independence, a fact highlighted by international organizations such as the United Nations Committee against Torture and the IACHR, evidencing a system designed to stifle dissent and maintain state control over civil society.<sup>9</sup>

International cooperation in Cuba is conditioned on adherence to the rigid criteria of the Associations Law, restricting both registered and unregistered organizations in their access to state or international funds, and crimi-

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<sup>7</sup> [Decree-Law No. 370/2018](#) on the Computerization of Society in Cuba (GOC-2019-547-045).

[Decree-Law 35/2021](#) “On Telecommunications, Information and Communication Technologies and the use of the Radio Spectrum” (GOC-2021-759-092) together with Resolution 105/2021 “Regulation on the National Action Model for Response to Cybersecurity Incidents” (GOC-2021-762-092).

<sup>8</sup> Cubalex, Justicia 11J, Robert F. Kennedy Human Rights, & Civil Rights Defenders. (2023, November). [Situation of the right to freedom of association in Cuba](#). Joint contribution to the 44th Session of the Working Group on the Universal Periodic Review Mechanism, to be held in November 2023, 1-19p. For. 17

<sup>9</sup> Cubalex, Justicia 11J, Robert F. Kennedy Human Rights, & Civil Rights Defenders. (2023, November). [Situation of the right to freedom of association in Cuba](#). Joint contribution to the 44th Session of the Working Group on the Universal Periodic Review Mechanism, to be held in November 2023, 1-19p. For. 18-22

nalizing the receipt of external support that is not subject to state control. This situation seriously hinders the development of an independent civil society, limiting its operational capabilities and visibility both nationally and internationally. Despite recognizing the right to freedom of association internally and ratifying relevant regional and international treaties, Cuba has not ratified key instruments such as the International Covenant on Civil and Political Rights, remaining isolated from international scrutiny. The Cuban Constitution prioritizes domestic law over international obligations, allowing the State to justify restrictive legislation and practices that violate human rights and contradict international commitments, which reflects a clear lack of will to align its legal framework with international standards and implement human rights practices.<sup>10</sup>

## **B- Impact of State Repression in Cuba: The Fight of Civil Organizations and Women Activists against Discrimination**

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Between January 1, 2022 and December 31, 2023, Cubalex's monitoring team recorded a total of 5,685 repressive events. Of these, 2,713 affected one or more members or associates of independent civil society organizations. This means that repressive events directed against independent civil society organizations constitute approximately 47.72% of the total of those registered in said period by Cubalex. This figure reveals the considerable magnitude of the state's repressive response and harassment tactics employed during this period.

The recorded events impacted a total of 556 people, of which 206 are women with an average age of 40 years; 347 are men with an average age of 44 years and 3 belong to the LGBTQ+ community, with an average age of 30 years. The repression events recorded against organizations impacted a total of 3,732 victims. Within this context, 556 people were identified as unique victims, that is, individuals affected in a direct and distinctive way. When analyzing these data, it is concluded that, on average, a person can experience approximately 6.71 events of repression throughout the 24 months analyzed.

These incidents had an impact on 102 organizations, affecting members who are part of, or associated with them. These organizations operate both within the island and abroad, although all have at least one member working from Cuba. The impact ranges from organizations that expe-

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<sup>10</sup> Ditto, Stop. 23-28

rienced a single repressive event to those that faced up to 100 repressive events. During the period from 2022 to 2023, the most affected entities include the Patriotic Union of Cuba (UNPACU), with 100 repressive events; the Opposition Movement for a New Republic, with 63; the Ladies in White, with 50; the United Anti-Totalitarian Forum (FANTU), with 40; the Cuban Institute for Freedom of Expression and Press (ICLEP), with 32; and the Cuba Mourning Movement, with 29 events.

The general evaluation of the repression against members of Cuban civil society organizations during the years 2022 and 2023 highlights a systematic and continued strategy of the Cuban government to repress any form of dissent. Throughout this period, there is a persistence and in some cases an escalation in the tactics used by the State to silence, intimidate and penalize critics of the regime; They cover a broad spectrum of actions, ranging from physical and psychological violence to the manipulative use of the law, all aimed at undermining activists' ability to operate and communicate effectively.

### Specific Data of Recorded Incidents:



**2022:** During the year 2022, a total of 972 repressive events were recorded against members of civil society. This number reflects a wide range of repressive tactics, including arbitrary detentions, surveillance, threats, harassment, denial of basic rights and medical care in prison, use of violence, manipulation of the judicial system and restrictions on communication.



**First Semester of 2023:** In the first semester of 2023, 954 repressive events were recorded. This number almost equals the total number of incidents reported in the entire year 2022, indicating an intensification of repressive practices in the first half of the year. The figure suggests an increase in the use of the aforementioned repressive tactics, demonstrating a deliberate strategy by the State to increase pressure on civil society and activists.



**Second Half of 2022:** For the second half of 2022, 787 additional repressive events were recorded, for a total of 1,741 incidents in the year, a significant increase in the number of repressive events compared to the previous year. The increased frequency of these incidents underscores the government's persistence in employing and expanding its arsenal of tactics to intimidate, silence, and penalize dissent.

### Trend Analysis:

The comparison between data from 2022 and 2023 reveals a notable increase in the frequency of repressive incidents, indicating an escalation in the tactics used by the Cuban State. This increase demonstrates a hardening of the government's stance against civil society and activists, reflecting a more aggressive strategy to repress any form of opposition or criticism of the regime.

### Patterns Repeated Over Time:



#### **Arbitrary Detentions and Summons for Interrogation:**

This has been a constant method used by the government to intimidate activists and discourage participation in activities considered "subversive." The threat of imprisonment is used as a control mechanism to keep the population in a state of fear and obedience.



#### **Surveillance, Threats, and Harassment:**

Constant surveillance, both in physical and digital space, together with the harassment of activists and their families, creates a climate of insecurity and fear that limits freedom of expression and movement.



#### **Use of Violence and Physical Abuse:**

Violence against detainees and physical abuse are common practices that seek to punish dissent and dissuade others from participating in opposition activities.



**Denial of Basic Rights and Medical Care in Prison:** Medical negligence and inhumane detention conditions are deliberate tactics to weaken political prisoners physically and psychologically, putting their lives and health at risk.



**Manipulation of the Judicial System:** The politicization of justice and the arbitrary use of the judicial system leads to the legitimization of repression and silencing opponents, through unfounded charges and biased judicial processes.



**Communication Restrictions and Censorship:** Internet and communications shutdowns, as well as censorship, are used to isolate activists and restrict their ability to disseminate information and organize protests.



**Repression of Religious Freedom and Movement:** Preventing attendance at religious practices and restricting the movement of activists violates fundamental rights and shows the extent of state control.

### **Effectiveness of these Methods:**

These tactics have been effective in creating an environment of fear and self-censorship, severely limiting the space for dissent and collective action. The repression has managed to undermine the social and political fabric of independent civil society, making it difficult to organize and mobilize the opposition. However, it has also generated condemnation and international attention, highlighting the human rights situation in Cuba and mobilizing support for human rights defenders and activists on and off the island.

The persistence and evolution of these patterns of repression throughout 2022 and 2023 emphasize the need for a sustained and coordinated international response to address the human rights situation in Cuba. It is

imperative that the international community continues to denounce these violations, support activists and Cuban civil society, and pressure the Cuban government to comply with its international human rights obligations.

In this context, civil society organizations in Cuba and women activists, journalists and human rights defenders play a crucial role in making visible and combating violence and discrimination against women, in a context where the Cuban State has shown an insufficient response. Despite receiving and accepting nine international recommendations, seven of them aimed at reinforcing efforts against gender violence and two focused on incorporating specific provisions against this violence in national legislation, the absence of a Comprehensive Law against Gender Violence and shelters for victims highlights the gap in state protection. Government inaction regarding official statistics on femicides and the lack of awareness campaigns have led independent media and organizations to launch citizen initiatives such as #AlertaYeniset and #AlertaMayde, stressing the work of Cubalex in documenting an alarming increase in repressive events that especially affect women activists, with 2,703 events recorded in 2021 and 3,702 until March 2023.

These women and organizations face not only physical and psychological violence, but also state repression, including arbitrary arrests, communications blackouts, and discrimination based on political and sexual orientation. The situation is worsened by legislation that limits the right of association and privileges the Federation of Cuban Women (FMC), aligned with the Communist Party of Cuba, which makes effective representation of women's interests difficult. This hostile environment demonstrates the courage and resistance of movements such as the Ladies in White and Cuba in Mourning (Cuba de Luto), who, despite repression, continue to fight for basic rights and freedom of expression.

The situation of detained women is particularly worrying, Justicia11J documented 289 public protests between the beginning of 2022 and the end of 2023, and the arrest of at least 311 women in relation to protests, since July 11, 2021. Of them, 72 remain detained, facing severe sanctions and situations of vulnerability. These cases of repression, along with the lack of effective mechanisms to address disappearances and femicides, highlight the critical importance of the work of organizations and activists in the fight against gender violence in Cuba, challenging repressive policies and seeking justice for victims in an adverse environment.



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# Repressive Patterns and Tactics of the Cuban State: A Detailed Look

## A- Neutralization of leadership

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Cuban authorities use various methods to neutralize leaders of civil society organizations and the political opposition. These include forced exile and imprisonment. In any case, it is necessary to point out that, several repressive actions against activists and opposition members precede both forced exile and imprisonment, such as harassment, short-term arbitrary detentions, forced disappearances, selective internet cuts, among others. Three paradigmatic examples of these repressive patterns are the treatment by the Cuban authorities of the leaders of Cubalex and the San Isidro Movement (MSI)—two civil society organizations—and the Patriotic Union of Cuba (UNPACU), which is part of the political opposition.

Cubalex was founded in 2010 and now resides in the United States, after its Executive Director, Laritza Diversent Cambara, was forced into exile in 2017 along with part of the organization’s founding team. Laritza and his team traveled to the United States as political refugees after the intensification of repression against them. This acquired especially dangerous nuances for Diversent Cambara and its collaborators, based on the legal advice they provided to many inmates inside Cuba and an operation carried out by agents of the Department of State Security (DSE) of the Ministry of the Interior at the headquarters of Cubalex in Havana, in September 2016. As part of said operation, a violent raid was carried out at the organization’s headquarters, its work equipment and two hundred files of people, whom Diversent Cambara and his team advised, were confiscated. Before leaving Cuba, the jurist was summoned by officials from the Attorney General’s Office (FGR) to inform her of the existence of a legal process against her.<sup>11</sup>

Currently, only Cubalex lawyer Julio Ferrer resides within Cuba, the rest of the legal team of this organization resides abroad with no guarantees that it will be possible for them to return to Cuban territory. Diversent Cambara was even told with absolute clarity that she could not return to Cuba and was threatened with legal action against her if she entered the country. Likewise, we must specify that pressure from DSE agents against Diversent Cambara

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<sup>11</sup> Pentón, MJ (2017, May 5). [Cuban lawyer Laritza Diversent and the cubalex team obtain political refuge in the United States](#). *The New Herald*.

for her leadership directing Cubalex has continued, despite the fact that she resides and works outside of Cuba. Evidence of this is the threats received by the jurist's mother during the years 2021, 2022 and 2023, with the aim of making her cease her advocacy and activism work in the legal field.<sup>12</sup>

For its part, the MSI emerged in September 2018 in response to the entry into force of Decree No. 349, in which censorship measures were established against the freedom of artistic creation. This movement carried out various protest demonstrations, for which its two main leaders were arrested in 2021, after being repressed in various ways by authorities since the founding of the movement. Today, Luis Manuel Otero Alcántara is serving a 5-year prison sentence for the crimes of Outrage to the symbols of the country, Contempt and Public Disorders, while Maykel Castillo Pérez (Maykel Osorbo) is serving a similar 9-year sentence. years for those of Contempt and Attack.<sup>13</sup>

The criminal proceedings against him were developed with the objective of eliminating the two most important leaders of the MSI, who are highly respected in their community and in Cuban independent activism. In the case of Otero Alcántara, the best evidence of his leadership capacity, popular support in his community and how dangerous both aspects are for the Cuban authorities, is that his arrest occurred on July 11, 2021, in the context of the protests of that day and subsequent ones. Castillo Pérez had been detained since May 18 of that year.<sup>14</sup>

In parallel, other important figures of the MSI, as well as activists and journalists close to the members of this movement, were forced to leave Cuban territory and there are no guarantees of return without risk to their personal freedom and safety. Iris Ruiz, Amaury Pacheco, Yanelys Nuñez, Michel Perea, Michel Matos, Katherine Bisquet, Carolina Barrero, Héctor Luis Valdés Cocho, Esteban Rodríguez and Ileana Hernández, among others, suffered various actions to force them to leave Cuba. In total, twenty people related in one way or another to the MSI received precautionary measures from the Inter-American Commission on Human Rights (IACHR), due to the repression

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<sup>12</sup> [State Security threatens the mother of the director of Cubalex in Cuba](#). (2021, August 24). DIARIO DE CUBA.; [note published on Cubalex's Facebook profile](#); and [State Security blackmails the mother of lawyer Laritza Diversent](#). (2023, February 22). *CyberCuba*.

<sup>13</sup> Hernández, E. (2018, December 10). [What is Decree 349 and why are Cuban artists against it?](#) *Free Letters*. International Amnesty. (2020, December 15). [The San Isidro movement and its allies, subjected to terrifying levels of surveillance. Law 151/2022 "Penal Code"](#). Official Gazette of the Republic of Cuba, 93(Ordinary), pp. 2558-2696.

<sup>14</sup> [Otero Alcántara and Maykel Castillo are sentenced to prison](#) – DW – 06/24/2022. (2022, June 24). DW . Mariño, L. (2022, April 21). [We condemn the charges brought against Maykel Castillo and Luis Manuel Otero Alcántara](#). *Article 19*.

exercised by the Cuban State and of these beneficiaries, 12 reside outside of Cuba with no possibility of return to the country and two are detained (Otero Alcántara and Castillo Pérez).<sup>15</sup>

Thus, the authorities not only promoted the elimination of the leadership of the MSI, but also its complete dismantling through various actions that included the expulsion from the national territory of other people with sufficient leadership capacity to assume management functions in the MSI. Finally, we must indicate that both Otero Alcántara and Castillo Pérez have denounced the occurrence of acts of torture and ill-treatment by officials of the penitentiary establishments where they serve their sentences. This means that harassment against them continues while they are serving their sentence. At one point, DSE agents even offered both to leave Cuba in exchange for their release, but this has not materialized due to the absolute discretion with which the Cuban authorities manipulate the release of political prisoners. The most recent evidence of this is the refusal of a Cuban court to grant parole to Otero Alcántara.<sup>16</sup>

The political opposition has also suffered actions to neutralize its leadership. José Daniel Ferrer García, General Coordinator of the Patriotic Union of Cuba (UNPACU), which had more than 3,000 active members in 122 cells with 25 headquarters in the country and which was considered the opposition organization with the greatest power of convocation and membership, is another example of how the Cuban State neutralizes political opponents. In September 2019, Ferrer called together with the Cuba Decide platform, led by Rosa María Payá, for a demonstration in Cuba against the repression of civil society and for the implementation of the Political Dialogue and Cooperation Agreement between Cuba and the European Union.<sup>17</sup> However, this demonstration did not take place and in October of that year he was arrested again, accused of hitting and injuring another person.<sup>18</sup>

<sup>15</sup> [MSI activist Iris Ruiz arrives in Miami for treatment after medical negligence in Cuba](#). (2021, October 5). CyberCuba . BORRERO, D. (2021, October 3). [Forced exile, a cycle that does not end for Cubans](#). Diario Las Américas. LOZANO, D. (2022, February 4). [Forced exile for Cuban Hispanic activist Carolina Barrero](#). El Mundo. [The Cuban regime forces independent journalists Esteban Rodríguez and Héctor Valdés Cocho into exile](#). (2022, January 5). DIARIO DE CUBA [Iliana Hernández, another Cuban journalist who goes into exile due to repression](#). (2022, March 3). Marti News . Inter-American Commission on Human Rights. (2021, February 12). [The IACHR grants precautionary measures in favor of 20 identified members of the San Isidro Movement \(MSI\) with respect to Cuba](#). IACHR.

<sup>16</sup> [Otero Alcántara was attacked by another inmate and is in a walled-up cell alone](#). (2022, August 5). DIARIO DE CUBA. [Osorbo denounces humiliations by the regime against him](#). (n.d.). Diario Las Américas. MENÉNDEZ, C. (nd). [Luis Manuel asks for an answer about his departure from Cuba](#). Diario Las Américas. Varela, RM (2022, September 2). [Cuban rapper Maykel Osorbo wants to leave Cuba](#). The New Herald. [A Cuban court alleges that Otero Alcántara is not ready for "social reintegration."](#). (2024, February 8). 14yMedio.

<sup>17</sup> European Union. (2017, June 06). [Political Dialogue and Cooperation Agreement between Cuba and the European Union](#). CU/EU/es 1.

<sup>18</sup> [Faces of political prisoners: José Daniel Ferrer García \(+narration\)](#).

The case of Ferrer García shows how the Cuban State uses the alternative of exile to expel the leaders of the political opposition from its territory. He was one of those detained during the Cuban Black Spring in 2003, when authorities imprisoned 75 political opponents; He was sentenced to 25 years in prison. However, he was released in 2011 after negotiations between the Cuban and Spanish governments and the leadership of the Catholic Church to release all the political prisoners of the group of 75 who remained in jail and send them to Spain along with their families. But Ferrer García did not accept exile and remained in Cuba.<sup>19</sup>

He is currently being held in a prison facility. He was sentenced to 4 years of house arrest in 2020 for the alleged commission of a crime of Injuries. He was then arrested on July 11, 2021 in the context of the protests in Cuba. For this reason, a criminal chamber of the Popular Provincial Court of Santiago de Cuba revoked his previous house arrest sentence in August 2021, and ordered that he serve that time in prison. After his arrest, he was held in a punishment cell and has remained incommunicado, despite his varying health conditions.<sup>20</sup>

The cases of Cubalex, the MSI and UNPACU demonstrate how the Cuban State acts to neutralize the leaders of independent civil society organizations and the political opposition, but they are not the only ones. As people's living conditions deteriorate, as the Internet penetrates more in Cuba, with the consequent expansion of access to information not controlled by the State, and as social conflict increases, the authorities concentrate on neutralizing the social and political leadership. In any case, we must point out that this procedure is long-standing and dates back to the dismantling of civil society and the political opposition that began in 1959.

In addition to the aforementioned examples, there's the forced exile of Tania Bruguera, General Director of the Hannah Arendt Artivism Institute and several of her closest collaborators, as well as managers and journalists of independent press media. The same has happened with activists and human rights defenders who organized civil society initiatives that emerged a few years ago, such as the 27N Movement and the Justicia 11J collective. In the case of the political opposition, the deaths in unclarified circumstances of Oswaldo Payá Sardiñas and Harold Cepero in 2012 stand out. In a report on the demise of both opposition leaders published in 2023, the IACHR highlighted that their deaths were framed in the context of persecution and

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<sup>19</sup> [Faces of political prisoners: José Daniel Ferrer García \(+Narration\)](#). (2023, August 14). El Toque.

<sup>20</sup> [Cuba returns opponent José D. Ferrer to prison for 4 years](#) – DW – 08/17/2021. (2021, August 17). DW. International Amnesty. (2023, June 6). [Cuba: Political leader held incommunicado for months: José Daniel Ferrer García - Amnesty International](#).

state repression against political dissidents and human rights defenders in Cuba, with the aim of suppressing their work on the defense and promotion of human rights and political change.<sup>21</sup>

**In summary**, the actions developed by the Cuban authorities to neutralize social and political leaders can be grouped into the following patterns of behavior:

- Harassment of activists, human rights defenders, independent journalists and political opponents who lead civil society organizations and the political opposition to force them to abandon their work.
- Build accusations and criminal processes to criminalize the actions of these leaders and their collaborators.
- Threaten the aforementioned leaders with confinement in penitentiary establishments in conditions of zero judicial independence and offer them exile as the only viable alternative to remain out of jail.
- Criminally sanction social and political leaders and torture them while they remain in prison. These tortures include psychological pressure so that, once the sanction is waived, they leave the country.
- Force into exile those people who lead civil society organizations and the political opposition and who are not confined in a prison facility, as well as their closest collaborators and those who have leadership capacity.
- Pressure relatives of exiled leaders so that they abandon their work against the Cuban State.
- Assassinate leaders of the political opposition and do not allow independent investigations to be carried out.

<sup>21</sup> Sánchez, Y. (2023, May 3). [Forced into exile, the artist Tania Bruguera announces that she will return to Cuba in August](#). 14yMedio. Article 19. (2023, February). [Silence and exile. The forced exile of independent journalists in Cuba](#). Report. Medina, R. (nd). [Activist Camila Rodríguez, coordinator of Justicia 11J, goes into exile](#). Weeks ago, three of the founders of Justicia 11J also went into exile: María Matienzo, Kirenia Yalit and Cynthia de la Cantera. By Raúl Medina. ADN Cuba. - CUBA Democracy and Life. [CUBA: 'The only possible options are prison, exile or submission.'](#) (2022, November 22). Civicus. [The doubts surrounding the death of Oswaldo Payá](#). (2012, July 24). BBC. IACHR, [Report No. 83/23. Case 14,196 Admissibility and Merits \(Publication\)](#). [Oswaldo José Payá Sardiñas and others. Cuba](#). June 9, 2023.

## **B- Harassment and direct repression**

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### **Damas de Blanco (Ladies in White)**

One of the most emblematic cases of the harassment and repression that the State exercises on the members of an organization is that of the Ladies in White, a Cuban organization made up of “wives, mothers, sons and daughters of those men and women” who were “unjustly imprisoned” during the Black Spring in 2003.<sup>22</sup> It emerged as a peaceful protest organization against deprivation of liberty for political reasons, however, over the years “it has expanded to protest against human rights violations committed by the Cuban State”.<sup>23</sup>

They have carried out this work of exercising and defending human rights in Cuba, as well as denouncing them, for 21 years. Since 2003, until before the COVID-19 pandemic, every Sunday the Ladies dressed in white organized to attend “mass in the Catholic Church and march peacefully in the streets to ask for the freedom of political prisoners, generally carrying flowers and photographs. of their relatives”.

**The activism of the Ladies in White has been recognized in national and international bodies and for this reason “they were awarded the Andrei Sakharov Prize by the European Parliament in 2005”.<sup>24</sup>**

For their work in defense and promotion of human rights in Cuba, the Ladies in White are harassed, persecuted and repressed by state agents on multiple occasions. This reality has been highlighted by international human rights protection mechanisms such as the United Nations Special Procedures, who since 2006 have sent “at least 15 communications to the Cuban State about violence and repression committed by the State against the Ladies in White. or against their relatives .”<sup>25</sup>

The Ladies in White suffer a pattern of persecution characterized by short-term arbitrary detentions, acts of criminalization, physical, gender and racial violence, siege, and surveillance, as well as threats perpetrated by the State against its members. These patterns evidence the State’s attempt to silence

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<sup>22</sup> The Ladies in White, Who are the Ladies in White?, available at <https://www.damasdeblanco.com/>

<sup>23</sup> International Institute on Race, Equality and Human Rights, [Premeditated Convictions: Analysis of the situation of the administration of justice in Cuba](#), June 2019, para. 175.

<sup>24</sup> *Idem*.

<sup>25</sup> *Idem*, para. 178.

the voice of Ladies in White as an organization and to discourage the participation of its members in the defense of human rights.

A detailed account of the persecution strategies developed by the State against the Ladies in White can be found below:

## 1. Short-term arbitrary detentions

Short-term arbitrary detentions are a constant for the members of the Ladies in White. The Cuban State uses this strategy as a way to intimidate and silence women who participate in the organization's demonstrations. Every Sunday, members of the Ladies in White who try to participate in the masses of various Catholic churches on the Island are intercepted and detained by police officers and members of the Rapid Response Brigades (hereinafter, "BRR").<sup>26</sup>

On repeated occasions, the Working Group on Arbitrary Detention has pointed out the existence of a "systematic practice of arbitrary detentions, [...] carried out by the authorities in Cuba for decades, against people who belong to civil society organizations" and citizen groups or that participate in public and communal activities that are uncomfortable for government authorities.<sup>27</sup> Individuals who had been arrested on multiple occasions have even been identified.<sup>28</sup> The Office of the Special Rapporteur on Freedom of Expression of the IACHR (hereinafter, "RELE") agreed on the existence of a "systematic pattern of detentions".<sup>29</sup>

In its final observations for 2022, the CAT expressed its concern about the complaints received regarding cases of short-term detentions carried out without a court order.<sup>30</sup>

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<sup>26</sup> The Rapid Response Brigades in Cuba are groups organized by the Cuban government with the purpose of countering and dissuading protests, demonstrations and any form of dissidence or criticism of the government. These brigades are made up of civilians, often state workers, students, and members of government-affiliated organizations, such as the Committees for the Defense of the Revolution (CDR). Its function is to act quickly in the face of any sign of protest or popular discontent, participating in acts of repudiation against dissidents, organizing counter-demonstrations and, in some cases, using violence to break up meetings or demonstrations considered contrary to the interests of the Cuban State.

<sup>27</sup> Working Group on Arbitrary Detention, Opinion 50/2020, regarding José Daniel Ferrer García, para. 65, UN Doc. [A/HRC/WGAD/2020/50](#), October 14, 2020.

<sup>28</sup> Cf. Working Group on Arbitrary Detention, Opinion 4/2020, regarding Aymara Nieto, Eliecer Bandera, Humberto Rico, José Pompa, Melkis Faure, Mitzael Díaz and Silverio Portal, para. 142, UN Doc. [A/HRC/WGAD/2020/4](#), June 26, 2020.

<sup>29</sup> IACHR, Special Report on Freedom of Expression in Cuba, Rapporteurship on Freedom of Expression, OEA/Ser.L/V/II, [CIDH/RELE/Inf.21/18](#), December 31, 2018, para. 153.

<sup>30</sup> Committee against Torture, Final observations on the third periodic report of Cuba, para. 18, UN Doc. [CAT/C/CUB/CO/4](#), May 9, 2022.



The arrests, which generally occur when the Ladies in White try to attend mass, their Literary Teas or other activities,<sup>31</sup> often occur through the use of violence. When the Ladies in White try to participate in mass, when they leave their homes or when they arrive outside the church, they are surrounded by police and members of the BRR who apprehend them and force them to get into police patrols. Many of these arrests occur in contexts of social protest.

Sometimes these women are locked in the patrols for several hours under the sun, without being able to drink water, food or relieve themselves, and they are released in places far from their homes. Others are taken to a police unit, detained for several hours or until the next day. At the hearing on October 29, 2013, the Ladies in White informed the IACHR that at the time of their arrest, their entry or stay in the police stations was not logged in, nor were detention records drawn up.<sup>32</sup> In Matanzas, for example, it is very common for authorities to take women to a school or psychiatric hospital for several hours to make it impossible for them to participate in the march.

## **2. Criminalization**

Human rights defenders in Cuba are systematically subjected to baseless criminal proceedings, in order to paralyze or delegitimize the causes they pursue.<sup>33</sup> This criminalization is carried out through the improper use of criminal law “with the objective of controlling, punishing or preventing the exercise of the right to defend human rights<sup>34</sup>,” through the presentation of “unfounded complaints or complaints based on criminal offenses that do not comply with the principle of legality, or in criminal types that do not comply with inter-American standards based on the conduct they punish.”<sup>35</sup>

The Ladies in White do not escape this context of criminalization. From 2013 to April 2022, 243 acts of criminalization have been reported due to the human rights defense work that these women carry out. Fines are a frequent form of repression that can accumulate values of more than \$50,000 CUP. Another form of repression that the Ladies in White face is the arbitrary deprivation of liberty for political reasons; in fact, some of them are currently in this situation.

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<sup>31</sup> Cf. [IACHR, 2014 Annual Report, Chapter IV B Cuba](#), para. 225.

<sup>32</sup> Cf. IACHR, 2013 Annual Report, Chapter IV B Cuba, para. 149.

<sup>33</sup> Cf. IACHR, Criminalization of the work of human rights defenders , para. 1.

<sup>34</sup> IACHR, Criminalization of the work of human rights defenders , para. 12.

<sup>35</sup> IACHR, Criminalization of the work of human rights defenders , para. 12.

### 3. Siege and surveillance

The siege, surveillance and monitoring of the women who make up the Ladies in White has been another method used by the Cuban State to repress their activity as human rights defenders. The sieges involve the installation of State Security agents and/or the National Revolutionary Police (PNR) outside the members' homes or the organization's headquarters to prohibit women from leaving their homes or entering headquarters. Generally, they occur around important dates or when the Ladies in White have planned events, for example, on Sundays (Day of the Ladies in White march), Human Rights Day (December 10) or the Day of the Three Wise Men (January 6); but they can also occur in retaliation for their participation in demonstrations. Likewise, surveillance and monitoring, in most cases, is carried out by these same State Security agents and/or the National Revolutionary Police, who follow the women when they leave their homes.<sup>36</sup>

Finally, since February 2021, security forces have maintained a constant surveillance operation against the Ladies in White headquarters in Lawton. The operation is characterized by the presence of members of security forces dressed in civilian clothes at bus stops. The patrols sometimes keep them hidden in the streets or in a place called "the Container", a space enabled and conditioned for the rest and concentration of the members of the security forces who participate in surveillance operations, and, in addition, it is the place from which they monitor the headquarters of the Ladies in White using surveillance cameras. Human rights activists and people who are not members of opposition organizations have been arrested upon entering or leaving the headquarters since this operation.

### 4. Threats from state authorities

In 2023, the Cuban opposition group Ladies in White was subject to intense harassment by the State, which materialized in 585 short-term detentions, 51 acts of criminalization, 27 threats and one recorded act of violence that included physical, gender and racial aspects.<sup>37</sup> These repressive actions have had a drastic impact on the group's composition, reducing the number of its active members from 243 in 2013 to approximately 50 today.<sup>38</sup>

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<sup>36</sup> Interview with María Cristina Labarada, May 2021..

<sup>37</sup> The events are counted based on the information that the Ladies in White organization documents and distributes to its contact lists. It is clarified that during the month of August 2023, no case documentation was carried out.

<sup>38</sup> IACHR. Precautionary measure No. 264-13, resolution 06/2013. Ladies in White regarding Cuba. October 28, 2013.

This reduction is due to a systematic and prolonged campaign of repression that includes constant surveillance, barriers to participation in religious activities, threats of being subjected to unfounded legal proceedings, and acts of violence. The Inter-American Commission on Human Rights had already pointed out in 2013 the seriousness of the situation, highlighting the constant attacks and the lack of measures to protect these women.<sup>39</sup>

Likewise, the United Nations has been informed of the Cuban government's efforts to "dismantle" civil society organizations such as the Ladies in White, with tactics that include direct coercion of their members and their families.<sup>40</sup> A particularly alarming example was the pressure exerted on Ms. Bargés Hurtado's daughter, which led the latter to abandon her activism within the organization to protect her family.<sup>41</sup>

This pattern of repression and human rights violations seeks to inhibit participation in the organization and, by extension, limit freedom of association, expression and public demonstration in Cuba.<sup>42</sup> The persistence of these tactics has significantly undermined the Ladies in White's ability to remain active and visible in their fight for democracy and human rights in the country.

## **Christian Liberation Movement**

The Christian Liberation Movement (MCL) was founded in Havana on September 8, 1988 by Oswaldo Payá, Ramón Antúnez, Dagoberto Capote Mesa, Fernando Avedo and Santiago Cárdenas. Its mission has focused on achieving a peaceful change towards democracy in Cuba. Over time, the MCL has managed to have influence throughout the national territory.

Throughout its history, the MCL has been continually persecuted by the Cuban government through strong campaigns of intimidation and harassment against its members. In 2002, its leader and one of its founders, Oswaldo Payá Sardiñas, was recognized with the Sakharov Prize for Freedom of Conscience, which is the highest tribute paid by the European Union to peo-

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<sup>39</sup> Cf. Annual Report 2012, Chapter IV Cuba, para. 64. The Inter-American Commission on Human Rights has documented that the Ladies in White, since its founding and especially since 2013, have been subject to state surveillance, obstacles to attending religious services, deprivation of religious items, threats of criminalization, and arrests that they often result in acts of violence and inhuman treatment, reinforcing impunity for these attacks.

<sup>40</sup> [CUB 5/2019](#), dated September 4, 2019. In September 2019, UN Special Procedures expressed concern about forced expatriations and threats to activists in Cuba, considering them attacks on freedom of thought and expression, and pointing to a pattern of state coercion, including cases of members of the Ladies in White.

<sup>41</sup> Ladies in White, Monthly Report, February 2022.

<sup>42</sup> [CUB 1/2021](#). January 18, 2021, p. 4. During an interrogation reported to the UN, the Cuban president's intention to "dismantle" civil organizations was revealed, specifically mentioning the removal of the Ladies in White from the public sphere.

ple, groups and organizations for their extraordinary contribution to protection of freedom of conscience.<sup>43</sup>

In July 2012, Oswaldo Payá died under suspicious circumstances, in a car accident after State Security agents chased him. On the other hand, the second National Coordinator of the MCL, Eduardo Cardet Concepción, was attacked by five State Security agents in November 2016 and later sentenced to three years in prison for the crime of “attack.” His detention was declared arbitrary by the United Nations Working Group on Arbitrary Detention in 2019, highlighting that “Mr. Cardet’s detention was a result of his political and social activities, in promoting voting and democratic participation, individually and through the Christian Liberation Movement association.”<sup>44</sup>

Although Eduardo Cardet Concepción is currently free, the continuity of his activities as national coordinator of the MCL places him in a situation of special vulnerability in the context of the country, where political activism in defense of democracy and human rights is strongly controlled and persecuted by government agents, and worsened at times when repression in the country against defenders of democracy and human rights has intensified, such as on June 11 or November 15, 2021. Since his release, Eduardo Cardet Concepción continues to be a victim of regular acts of harassment and threats as a consequence of his activism work.

The Cuban State, through its agents, has continuously persecuted the members of the MCL since the organization’s creation. The victims are constantly threatened, as in the case of the activist Iran Almaguer Labrada, who is frequently threatened with being imprisoned and denied access to medical treatment for the retinitis pigmentosa he suffers from, the latter threat which took place in the month February 2021 and, therefore, he is on the verge of losing his vision completely. Likewise, State Security agents have threatened the people for whom Iran Almaguer Labrada worked, seriously limiting their job opportunities as well as their access to basic food and medicine. Another frequent tactic that the government applies against activists and human rights defenders is the application of fines that, if left unpaid, can lead to a criminalization process.

In addition to the persecution tactics described, in many cases, such as that of Eduardo Cardet and Yandier García Labrada, criminalization has taken

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<sup>43</sup> See Sakharov Prize, European Parliament, at <https://www.europarl.europa.eu/sakharovprize/es/laureates/2001-2010>

<sup>44</sup> Working Group on Arbitrary Detention. [Opinion no. 66/2018, relating to Eduardo Cardet Concepción \(Cuba\)](#).

place and they have been subjected to arbitrary judicial processes lacking the most basic guarantees of due process. These trials have resulted in custodial sentences and the application of severe detention conditions, transfers, isolation regimes and restrictions on the possibility of communicating with their families.

Yandier García Labrada continues to be arbitrarily deprived of his freedom since October 6, 2020. Since January 19, 2023, he has been held in the Guabineyón 8 correctional work center, in the city of Las Tunas. Although family visits are scheduled on a monthly basis, on many occasions when family members show up at the detention center to carry out the visit, the officers arbitrarily deny them entry to see Yandier and limit themselves to receiving food. Furthermore, despite meeting the requirements of the Penitentiary System Regulations, the prison authorities denied him the benefits of home visits and conditional release because he was a “special prisoner.”<sup>45</sup>

### **Citizens Committee for Racial Integration (CIR)**

The CIR is an independent civil society organization in Cuba that works against racial discrimination on the Island. In addition to the general obstacles to officially register,<sup>46</sup> which weigh on any independent civil society organization in Cuba, the organizations that work on the issue of racial discrimination suffer constant acts of harassment and repression, such as arbitrary arrests and the prohibition of holding peaceful meetings to debate racism in Cuba.

In this sense, the Committee for the Elimination of Racial Discrimination (CERD) noted its concern about “allegations of acts of harassment, bullying, intimidation and threats, disqualification, and criminalization against human rights defenders, particularly against leaders of civil society, journalists, communicators and human rights defenders who work against racial discrimination and in favor of the human rights of people of African descent.”<sup>47</sup>

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<sup>45</sup> Martí News. [RRegime denies parole to Yandier García Labrada](#). October 3, 2023.

<sup>46</sup> Citizens Committee for racial integration. *Supra* note 5, para. 111.

<sup>47</sup> Committee for the Elimination of Racial Discrimination. [Concluding observations on the combined 19th to 21st periodic reports of Cuba](#), para. 13: The Ministry of Justice has denied official registration to independent organizations with recognized experience in the fight against racial discrimination, such as the Brotherhood of Negritude and the Citizens Committee for Racial Integration. As a consequence, organizations that work under the mantle and control of the State are the only ones authorized to promote the agenda of racial discrimination in Cuba.

Juan Antonio Madrazo Luna is the national coordinator of the CIR and for his work defending and promoting human rights he is constantly intimidated by the Cuban authorities. He has been arbitrarily detained on numerous occasions and is prevented from leaving the island under the argument “internal regulation”,<sup>48</sup> and his access to the Internet and mobile communication is repeatedly cut off, which limits his advocacy work at the international level, including his participation in issues related to the United Nations, such as the review of Cuba before the Universal Periodic Review (UPR).

The United Nations Under-Secretary-General for Human Rights, appointed to lead efforts to address acts of intimidation and reprisals, has referred to the case of Juan Antonio Madrazo in his reports from 2018, 2019, 2020 and 2021, setting out facts such as the impediment for him to participate in the pre-sessions of the Universal Periodic Review held in Geneva (Switzerland),<sup>49</sup> the accusations of receiving money and of being at the service of foreign agents who want to influence a change of regime,<sup>50</sup> as well as the prohibition of leaving the country that weighs on him, which prevents him from participating in events such as Cuba’s review by the Committee against Racial Discrimination.<sup>51</sup>

Despite these communications, the reprisals against Juan Antonio Madrazo Luna continue. In the last two years (2022 and 2023), permanent surveillance was maintained outside his home, which also serves as the CIR headquarters. In addition, it reported constant Internet outages, which are frequent methods of repression and harassment, and that the State uses to make it impossible for civil society groups to coordinate within the framework of social processes or important dates.

Although the cuts in electricity supply, connectivity and communication services respond to an energy problem in Cuba, which persists and increases over time, the truth is that it has also been a tool that the State has used repeatedly to persecute members of the CIR. The police authorities, with the complicity of the state communications company ETECSA, have cut off the mobile data and landline service of the CIR activists, not only for hours but for weeks, in particular, against Juan Antonio Madrazo Luna,

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<sup>48</sup> 14 y medio.com, [Bans on free movement inside and outside of Cuba are denounced before the IACHR](#), March 10, 2023

<sup>49</sup> Human Rights Council, [Cooperation with the United Nations, its representatives and mechanisms in the field of human rights\\* Report of the Secretary-General](#) (August 2018), par. 25.

<sup>50</sup> Ibid, para. 26

<sup>51</sup> Human Rights Council, Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General (September 2019), [Cooperation with the United Nations, its representatives and mechanisms in the field of human rights](#), para. 36.

who suffers from them to this day, limiting her participation in advocacy meetings at an international level.

In addition, Juan Antonio Madrazo Luna continues to face restrictions on free mobility. Between September and November 2022, he has appeared on repeated occasions before the Immigration and Immigration Office of the Ministry of the Interior of the Plaza de la Revolución Municipality, where he resides, in order to learn about his legal situation with respect to mobility. The Department of Citizen Services informs him that he is still “regulated” and that, therefore, he cannot leave the country as he has for four years. This reality limits his work as a human rights defender, by preventing him from interacting with international systems for the protection of these rights, including United Nations mechanisms.

By virtue of the anniversary of the year of the March for Change, which occurred on November 15, 2021, starting November 3, 2022, state agents belonging to the Department of State Security Confrontation, in the company of Party and Party militants Committee for the Defense of the Revolution, showed up at Juan Antonio Madrazo Luna’s house to prevent him from participating in this event and warn him that the State would not allow provocations during the March for Change. During those days the activist was under constant surveillance. The presence of patrols was also intensified at the CIR headquarters, which is also its home. A similar situation was also experienced on November 27, 2022 during the municipal election process.

From December 8th to 10th 2022, he was prevented from leaving his home, with the constant surveillance of patrols and officers who threatened to arrest him and criminally prosecute him. It should be noted that, due to this context, the organization had to suspend the meeting planned for the date of Human Rights Day.

### **C- Attacks on family members and community members**

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The dismantling of families to prevent them from associating in the face of any injustice has been a recurring and historical method applied by the Cuban state. The families of activists have been its main target for years, however, the situation worsens when it comes to political prisoners.

The Cuban State’s strategy of directing repression not only towards activists but also towards their families has a devastating impact. It is designed to maximize suffering and deter participation in opposition activities, exten-

ding the cost of dissent beyond the individuals directly involved, to their loved ones and communities.

Between 2022 and 2024 alone, Cubalex recorded 352 events of repression involving relatives of activists and people deprived of their liberty for political reasons related to the July 11 protests.

The different manifestations of violence to which these families are subjected are crossed in an intersectional manner by racism, ageism, gender violence, vicarious violence and homophobia, and some patterns are clearly identified that cause this violence to have different degrees.

When the chronology of harassment of relatives of activists and human rights defenders in Cuba is analyzed, it is perceived that there is a systemic strategy of repression by the Cuban authorities whose only objectives are to control and punish. They are not isolated actions nor focused only on individuals, but rather they try to undermine the social fabric and solidarity that could sustain opposition movements, and where the families of opponents and people deprived of liberty could play a determining role by sharing their life experiences.

The relationship between the integration of activists with their respective organizations and the suffering inflicted on their families manifests itself in various ways, such as the denial of adequate medical care, forced eviction from homes, constant harassment, arbitrary detentions, and the use of physical and psychological violence. These actions not only seek to punish the activist, but also send a warning message to others, showing the consequences of opposing the government.

Family members suffer directly when they are subject to repressive acts such as arrests, evictions, or when they are denied access to basic services such as medical care or the right to housing.

For example, through the independent civil society organization, Cuba in Mourning (Cuba de Luto), 184 acts of repression directed towards family members who have joined this group have been documented. Some of these repressive acts predate the founding of the organization, but they show how families are targets of state violence regardless of their political affiliation.

In 2023, Cubalex collected in its monthly reports approximately 121 acts against people who openly declared to belong to Cuba in Mourning (Cuba



de Luto). Of this total, at least 25 members (23 women and 2 men) suffered repressive acts, which occurred in the provinces of Havana (42), Mayabeque (41), Camagüey (12), Matanzas (9), Santiago de Cuba (8), Artemisa (6) and Holguín (2). The following actions were also recorded against relatives of members of Cuba in Mourning (Cuba de Luto): 38 summonses, 28 threats or coercion, 27 police operations, 20 violence in physical or virtual space, 14 interrogations, 11 arbitrary detentions, 10 internal mobility restrictions, 10 court selective communications, 8 arrests or house arrest, 5 forced disappearances, 4 administrative fines, 2 home searches; for a total of 204 repressive incidents covering 27 categories of repression. Among the most frequent vulnerabilities is being a human rights defender and an Afro-descendant. These data highlight the extent and variety of repressive tactics used against members of Cuba in Mourning (Cuba de Luto), especially focused on intimidating, and controlling the relatives of political prisoners, as well as dismantling the organization.<sup>52</sup>

In February 2023, as soon as the organization was founded, Delanis Álvarez, wife of political prisoner Duniesky Ruiz, was summoned by the State Security through a telephone call. Marta Perdomo, mother of the siblings Jorge and Nadir Martín Perdomo who were imprisoned for demonstrating on July 11 in San José de las Lajas, was summoned for interrogation. Wilber Aguilar, father of prisoner Walner Luis Aguilar Rivera, was subjected to police surveillance for more than 72 hours.<sup>53</sup>

Mirka Ibañez, mother of the political prisoner of 11J, Yadir Ayala, was hit by a motorcycle after leaving the church in Camagüey when she was heading to the home of Ailex Marcano Fabelo, mother of the prisoner Ángel Jesús Véliz Marcano.<sup>54</sup>

Irma Rabelo, wife of the 11J political prisoner, Yeremin Salsine Jane, received a police summons to the police unit of the Artemisa municipality in March 2023 for having also joined the Cuba de Mourning organization. The

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<sup>52</sup> Fonse, A. (2023, September 30). [Publication](#). Cuban Observatory of Human Rights. (2023, February 2). [Publication](#). X. Observatorio Cubano de Derechos Humanos. (2023, February 2). [Publication](#). X. Fonse, A. (2023, May 28). [Publication](#). Facebook. [Relatives of 9/11 prisoners under surveillance on the eve of the anniversary of the protests](#). (2023, July 10). Marti News . Padrón, I. (2023, December 11). [CUBANS WILL NOT SEE THIS ON STATE TV: WILBER AGUILAR & ERNESTO DARANAS #IANPADRON](#). Youtube. Cuban Observatory of Human Rights. (2023, October 6). [Publication](#). on X. Pérez, K. (2023, July 11). [“The henchmen are hiding”: repression in Cuba on the anniversary of 9/11](#). ADN Cuba Pérez, K. (2023, August 25). [“I’m not afraid”: mother of political prisoner Brenda Díaz denounces threats](#) ADN Cuba.

<sup>53</sup> [Cuba in Mourning \(Cuba de Luto\): activists unite to demand the freedom of the 11J prisoners](#). (2023, February 21). DIARIO DE CUBA .

<sup>54</sup> (2023, February 26). Cuba in Mourning [Cuba de luto on X](#)

officer who interrogated her told her to “get away from all those things” that could “bring her problems” and that her membership in the organization did not help her husband’s situation in prison.<sup>55</sup>

But the suffering of family members is also indirect, with a no less high cost, when they see their loved ones in prison, sick without receiving the necessary care, or being forced into exile to escape repression, which results in family separation and deterioration of living conditions.

The political prisoner Brusnelvis Cabrera Gutiérrez, after his mother, Migdalia Gutiérrez, publicly declared her membership in Cuba de Luto, was accused within the prison of a new crime of public disorder,<sup>56</sup> and then transferred to a prison of maximum security 1580, also known as El Pírris or “the drying room”,<sup>57</sup> where he was prevented from accessing the medical services he required for health reasons. In July 2023, the political prisoner Duannis León Taboada was taken for interrogation and, as part of the intimidation exercise, they presented him with some papers in which the construction of a crime common to his sister and his mother Jenni Taboada, a member of Cuba de Luto, could be read. They also told her that her mother could wake up dead, although Jenni Taboada does not have any medical condition that could cause her premature demise.<sup>58</sup>

The consequences of this repression are profound and diverse, including the deterioration of the physical and mental health of family members, forced exile, family disintegration, loss of home, which keeps them in constant uncertainty and fear, and has a profound impact on negative in their daily lives.

Of the 352 cases documented between 2022 and 2024, there are patterns that are clearly repeated and can be identified as follows:

## **1. Incomunicado and Isolation:**

Political prisoners are often kept in isolation, denied communication with family and friends, or severely restricted. This not only punishes the prisoner but also inflicts emotional pain on their loved ones, who are left uncertain

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<sup>55</sup> Ordoñez, C. (nd). [Regime warns Cuban activist of Mourning and wife of political prisoner of 11J \(VIDEO\)](#). *Marti Noticias*.

<sup>56</sup> Sánchez, Y. (2023, August 6). [UA prisoner from 11J is ‘planted’ in the Combinado del Este prison in Havana](#). *14yMedio*.

<sup>57</sup> [A 11J prisoner is transferred to a Cuban prison known as ‘the secadero’ due to the hunger he suffers](#) (2023, August 9). *14yMedio*.

<sup>58</sup> Suárez, Y. (2023, July 16). [Duannis León Taboada protests in prison and harasses his mother and sisters](#). *DIARIO DE CUBA*.

about the well-being and safety of their imprisoned family member. An emblematic example is the case of Yoel Montano Alpízar, political prisoner of 11J, who was taken to the Bivouac, preventing him from communicating with his family and friends in retaliation for his complaints.<sup>59</sup>

## **2. Denial of Legal Rights and Obstruction of Justice:**

Authorities frequently deny or hinder access to justice for activists and their families, rejecting complaints, threatening family members with consequences if they seek justice, or manipulating judicial processes. This creates an environment of impunity and hopelessness, discouraging others from participating in the defense of human rights. Jorge Cervante García, activist and member of the Patriotic Union of Cuba (UNPACU), experienced the denial of his legal rights when he attempted to file a complaint about an attack against him and his family. The police response was that the attack did not constitute a crime, reflecting how access to justice is obstructed to intimidate activists and their families.<sup>60</sup>

## **3. Harassment and Threats:**

Family members of activists are subject to constant harassment, threats of violence, arbitrary arrests, and other forms of intimidation. This seeks to punish and deter the activist and others from participating in activities considered anti-government. These practices are not only executed in the physical space but also by monitoring the digital lives of family members, fostering a feeling of omnipresence that limits any type of freedom of expression. An example of this is when State Security contacted relatives of political prisoners who participated in social networks and interacted with publications by activists in exile, as happened with Liset Fonseca Rosales. These measures aim at social isolation of detainees and their loved ones, significantly reducing their ability to receive support and gain visibility.

Likewise, death threats and physical violence are reported, as in the case of the family of Samuel Rodríguez, where social media profiles launched direct threats, specifically mentioning his home and close relatives. These threats have an incalculable psychological impact and sow persistent fear for the physical safety of loved ones.<sup>61</sup>

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<sup>59</sup> [Cuban Observatory of Human Rights](#). (2023, September 1). @observacuba . X (formerly Twitter).

<sup>60</sup> [Cervante García, J. \(2023, September 5\). Statements by Jorge Cervante García . Facebook](#).

<sup>61</sup> Anonymous (Hands on keyboard VC). (2023, October 13). [Threats to the family of Samuel Rodríguez](#). Facebook.

Arbitrary arrest and summons are also part of these repressive tactics. The arrest of relatives, as happened with Luis Rodríguez, husband of political prisoner María Angélica Garrido, cited simply for associating with other relatives of political prisoners, acts as a tool of intimidation. This procedure seeks to silence the support networks of activists, showing that no one is exempt from falling under the reach of state repression.<sup>62</sup>

#### 4. Precarious Living Conditions and Denial of Medical Care:

Political prisoners and their families face deplorable living conditions, with limited or no access to basic services, including medical care. This is particularly serious for those with existing health conditions, where denial of medical care can have fatal consequences. Brenda Díaz García, a transgender political prisoner, and her mother constantly face the denial of adequate medical care and the prohibition of entry of certain food products essential for their health condition. This case highlights how poor living conditions and denial of medical care are used as forms of punishment extended to family members.<sup>63</sup>

The precariousness of family life is also conditioned by layoffs from formal jobs and the persecution of informal jobs, which could provide family members with daily sustenance to be able to access basic food and hygiene products. Most of the relatives of political prisoners have been fired and have not been able to have access to any formal job.

**Yuneysi Santana, wife of Samuel Pupo imprisoned after the demonstrations on July 11, was prevented from continuing with the family business because she was not the owner, nor from returning to her old job as a teacher. Now, to support the family, which includes bringing food and hygiene to her imprisoned husband, she must clean houses.<sup>64</sup>**

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<sup>62</sup> Escobar, L. (2023, December 26). [Cuban State Security summons relatives of political prisoners from 11J after a Christmas meeting](#). *DIARIO DE CUBA*.

<sup>63</sup> Escobar, L. (2024, January 4). [‘Yes, they mistreated her’ denounces the mother of 11J political prisoner Brenda Díaz](#). *DIARIO DE CUBA*. Pacheco, I. (n.d.). [They denounce lack of adequate care in prison for prisoners with HIV-AIDS](#). *Marti Noticias*. García, A. M., Pacheco, I., & Ordoñez, C. (2023, August 9). [Prison hospital for prisoners with HIV has no conditions, mother of trans political prisoner denounces](#). *Marti Noticias*.

<sup>64</sup> [Cuban State Security threatens the wife of a 9/11 prisoner with prison](#). (2023, January 18). *DIARIO DE CUBA*. [Yuneysi Santana, wife of political prisoner Samuel Pupo Martínez, denounces blackmail](#). (2023, April 11). *YouTube*. Fuentes, Y. L. (2024, February 13). [Wife of political prisoner Samuel Pupo files a complaint before the Matanzas court](#). *ADN Cuba*. Villalba, L. (2022, September 14). [Wife of a political prisoner for 9/11, she is summoned with her son to the juvenile office](#). *Cubanos por el Mundo*. Academic Freedom Observatory. (2023, May). [Pedagogical detachments, school libraries and the new Constitution against academic freedom](#). *4Métrica, Informe*(31).

## 5. Forced Exile and Family Separation:

Some activists and their family members are forced into exile, resulting in family separation and loss of home and community. This is not only a form of punishment but also seeks to discourage active participation in the defense of human rights. Aymara Nieto Muñoz, pressured to leave the country with her family, illustrates the use of forced exile as punishment. This tactic not only separates activists from their communities and support networks but also displaces their families, profoundly altering their lives. Cases like that of Aymara Nieto Muñoz, where activists and their families are pressured to leave the country under threat of legal consequences or additional reprisals, demonstrate how the regime uses exile as a tool of punishment and control, forcibly displacing individuals from their roots and support networks.<sup>65</sup>

**Jenni Taboada reported on her social networks that not only had she been threatened with death, but that State Security agents let her know that the only way out was to renounce her activism and immediately leave the country.<sup>66</sup>**

## 6. Psychological and Emotional Impact:

The constant pressure, fear and stress suffered by the families of activists have a profound impact on their psychological and emotional well-being. This can manifest itself in depression, anxiety and other stress-related disorders. The case of Luis Miguel Alarcón Martínez and Daniel Álvarez González, who suffer mistreatment and lack of adequate medical care, reflects the psychological and emotional impact not only on the prisoners but also on their families, who must deal with the helplessness and anguish of know their loved ones in inhumane conditions.<sup>67</sup> This impact also reaches minors who are relatives of prisoners and activists.

**Jenny Taboada's youngest daughter, only 13 years old, is under psychiatric treatment as a result of the repression her family is experiencing.**

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<sup>65</sup> [State Security pressures Aymara Nieto Muñoz to leave the country](#). (2022, February 14). *Cubamet*. IV-V, 8, 23. p.

<sup>66</sup> Dener, L. (2023, July 15). [Statement by Jenni Taboada \(Video\)](#). Facebook.

<sup>67</sup> Pérez, Y. (n.d.). [Trial against Caimanera protesters would be imminent, relatives warn](#). *Marti Noticias*.

## 7. Intergenerational consequences:

Repressive tactics have lasting consequences across multiple generations within the same family, perpetuating the cycle of fear and repression. The continued harassment of the Miranda Leyva family, involved in multiple acts of opposition, exemplifies the long-term consequences of state repression, including psychological trauma and economic difficulties, affecting family well-being and cohesion.<sup>68</sup>

Each of these identified patterns flagrantly violates the human rights of both the individuals directly involved and their loved ones and demonstrates the complexity and depth of repression on the island. By inflicting suffering on the relatives of activists, the State not only punishes those who openly challenge its policies, but also exercises psychological and social control, sending a deterrent message to potential opponents about the serious consequences of participating in activities considered subversive. This approach reflects an attempt to stifle dissent not only through direct repression, but also by creating an environment of fear and coercion that affects Cuban society as a whole.

## D- Women deprived of liberty<sup>69</sup>

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During 2023, the Cuban Prison Documentation Center recorded 193 incidents of human rights violations that affected 40 women in Cuban prisons, which shows the harsh conditions faced particularly by those who are mothers, part of the LGBTIQ+ community, or who have needs special doctors. Although the number of women affected is significantly lower than that of men, their experiences in prison tend to be more severe, especially if they are political prisoners. The lack of transparency from the Cuban state, which has not provided updates since 2013 when it reported a female prison population of 4,000, aggravates the situation.<sup>70</sup> The information for this contribution comes from direct testimonies, journalistic reports and databases. The application of surveys or formal methods was impossible, due to the inaccessible Cuban prison system. Despite these limitations, 78 political prisoners were identified on the Island, according to the group Justicia 11J.

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<sup>68</sup> [Miranda-Leyva family 47 days of anti-communist protest](#) - Dailymotion. (2023, July 2). *Dailymotion*. [Miranda-Leyva family protest denounces the snitches of the rapid response groups](#). (2023, August 5). *YouTube*. [Miranda Leyva brothers are arrested after protesting in the streets of Holguín](#). (2022, November 17). *CiberCuba*. [The Cuban opposition family Miranda Leyva will be tried for 'disobedience' after being arrested on November 15](#). (2021, November 29). *DIARIO DE CUBA*.

<sup>69</sup> All the incidents presented mentioned can be consulted in a public database at <https://docubprisiones.org/eventos/>.

<sup>70</sup> González, I. (2013, April 11). [Cuban women's prisons reflect gender disadvantages](#). IPS Cuba.

## **General conditions of life in prison**

In 2023, the Documentation Center collected 13 complaints about prison infrastructure conditions that affected the prison population of seven women's prisons. Most of them refer to the poor quality of the food (La Bellotex, Matanzas; Guantánamo Women's Prison), and the absence of essential nutrients for the healthy life of all people. Some reports directly mention that inmates are starving.

In the Granja 5 prison (Camagüey) the average meal is watered down soup with weevils and a piece of solid food; In the Western Women's Prison (Havana) they serve food in poor condition, with worms, and the bread is moldy. In the Guamajal women's prison (Villa Clara), the inmates are being fed peas with weevils and spoiled mango jam. In the Cuba-Panama Prison (Mayabeque) the food they are given consists of semi-raw pasta, which they practically cannot eat.

The terrible living and eating conditions and the denial of the right to sunbathe and fresh air aggravate the health conditions of women in prisons. Complaints about anemia and fainting in female inmates were processed, which directly relates the state of health of the women to the poor nutrition in the detention centers.

On the other hand, the Documentation Center processed complaints about the lack of drinking water (La Bellotex) and water for cleaning (Western Women's Prison; Guatao, Havana), which contributes to the increases in bedbug infections (prison of Western Women; La Bellotex) and scabies that, in turn, cannot be treated due to the almost total lack of medications for the care of inmates (Guantánamo Women's Prison; Cuba-Panama Prison, Mayabeque).

In addition, reports were received about other conditions such as humidity in the cells, water leaks and the presence of insects that worsen health conditions (Farm 5, Camagüey).

## **Denial of medical care**

During the past year, the Documentation Center managed to process 51 complaints about denial of medical care, due to complaints related to the health status of women deprived of liberty, ailments, illnesses and requirements for special care or medications. Of the 41 victims associated with these events, 38 of them are political prisoners.

Some of the women who made complaints throughout the year needed dermatological or oral health care. On the other hand, the women suffered from infectious diseases such as dengue, or skin diseases such as scabies, a product of the unhygienic conditions in which the inmates often remain. Other prisoners presented symptoms of intestinal parasites.

In the resulting sample of women who were victims of denial of medical care in 2023, at least one woman with heart disease, hypertension and diabetes, one woman with kidney disease and hypothyroidism and two diabetic women were identified. Likewise, women living with cancer (1) and HIV (3) made complaints. In all cases, the women did not receive, for prolonged periods, the nutritional diets that the State must guarantee them. In addition, they reported not receiving the necessary medications for their treatments, as well as preventing their relatives from taking them to the prisons.

On one instance, there was a registered case of a political prisoner who presented acute cerebrovascular problems that had previously caused facial paralysis.

Another case was documented of a woman not related to politics who, after ten days with fever and abdominal pain without receiving medical assistance at the Mujeres de Oeste Prison, was urgently transferred in a serious condition to the Salvador Allende hospital. Upon arrival, she had to undergo surgery to remove her reproductive organs.

Among women with delicate health conditions, we highlight the case of the Lady in White (Dama de Blanco) Taimir García, who suffers from asthma, bronchiectasis, diabetes, rheumatism, and sinusitis. According to medical opinion, several of these diseases are incompatible with the prison regime.

The mental health of prisoners is another of the great concerns regarding women in deprivation of liberty. Several presented symptoms of stress, tachycardia due to stress, nervous breakdowns that caused skin rashes, etc.

So far this year, civil society organizations have published alerts on the situation of four women deprived of their liberty, all in detention for political reasons who have either had suicidal ideas or have made direct attempts on their lives, needing, in the case of two of them, sutures in the forearms to stop the bleeding. In the middle of last year, a mother reported that her 22-year-old daughter had said she wanted to hang herself and go on a hunger strike. The young woman told her mother crying that she couldn't take it anymore.



## Incidents of harassment and repression

Throughout 2023, the Documentation Center processed 155 complaints about incidents of harassment and repression. These events include confinement in punishment cells for expressing political positions in prison; prohibitions on telephone calls and visits; denial of passes; beatings; practice of torture techniques such as: intimidating interrogations and handcuffing with *shaquiras* for hours; denial of delivery of medications, toiletries and food; surveillance; exposure to violent acts by dangerous inmates; denial of permission to sunbathe; threats with fabrication of new causes; denial of parole; denial of religious assistance; suspension of passes and denial of progression to a less severe regime, among others.

**Women have been disciplined in prison by taking them to punishment cells to be beaten, kept naked and made to sleep without a mattress, all of these even despite being menstruating**

A common incident of which the majority of political prisoners have been victims is the application of disciplinary measures for denouncing the situation in prisons, especially those related to health problems and lack of medical care. Transmitting this type of information has also led to transfers to punishment cells and threats with the fabrication of a new criminal case.

The use of female inmates mostly associated with common crimes to intimidate, threaten, and blackmail political prisoners is also a common occurrence. These prisoners are usually in collusion with the prison authorities, and therefore, they do not receive punishments but rather perks for these incriminating acts.

When it comes to women mothers who are political prisoners, one type of repeated incident is related to the obstruction of their ability to exercise their right to participate in the upbringing of their children. Political prisoners can be sent to penitentiary centers outside and far from their province of residence, which makes family visits difficult and expensive. This, in turn, generates emotional imbalances in them, thus aggravating the situation of desolation in which these women survive.

Recently, a political prisoner, a 9/11 protester, expressed her decision to be inoculated with HIV, to seek that the authorities transfer her to a prison with less difficult access for her children and her husband. His determination comes from the fact that he has tried for months, without success, to get

the Cuban State to grant him a change of penitentiary center. Since April 2023, he has been in Los Colonos prison, on the Isla de la Juventud, without his family being informed of the change in advance. In said prison, at various times they have prevented him from receiving family visits and food that some friends bring him. They also restricted his phone calls, which he makes under strict supervision of prison officials, and denied him specialized medical care from a psychiatrist.

### **Ladies in White (Damas de Blanco) deprived of liberty for political reasons**

Martha Sánchez González has been on conditional release since December 2021, after serving part of the sentence of 4 years and 6 months in prison imposed for the crimes of contempt, defamation, and disobedience.

Aymara Nieto Muñoz is deprived of liberty serving a 4-year prison sentence imposed in March 2019 for the alleged crimes of attack, public disorder and damage and a second sentence confirmed on February 20, 2022, in which she was accused of organize a riot in the El Guatao-Havana women's prison in January 2020. This is the second time that, by order of the DSE, she has been imprisoned for political and conscientious reasons. On June 3, 2017, in a trial rigged and manipulated by the DSE, she was sentenced for the alleged crime of public disorder to 1 year of deprivation of liberty along with prisoners for common crimes in the women's prison of Havana, located in the town "El Guatao", in the "La Lisa" municipality. It is worth clarifying that at that time Aymara Nieto Muñoz had two daughters under 10 years of age and her husband was at that time imprisoned in a prison in Havana (released in April 2018).

On December 27, 2021, Sissi Abascal Zamora, the youngest of the Banco Ladies at 24 years of age, was arrested and taken to the La Bellotex women's prison in Matanzas. He participated in the July 11 demonstration with his father and a sister, who were brutally beaten by government sympathizers and his father was imprisoned for 45 days for political reasons. She was accused of alleged crimes of contempt, public disorder and attack. The oral trial was carried out by the DSE, confirming the sentence of 6 years of deprivation of liberty on December 27, 2021.

On January 19, 2022, Jacqueline Heredia Morales was notified that in a final sentence she was sentenced to 3 years of deprivation of liberty without interment, for participating in the "Sunflower March" in 2019.

On April 14, 2022, Tania Echavarría Menéndez was imprisoned and sentenced

for the crimes of public disorder and contempt, allegedly committed on the public protests of July 11. She was sentenced to 6 years in prison.

On April 18, 2022, Sayli Navarro Alvares was arrested to serve an 8-year sentence for the alleged crimes of public disorder, contempt, and attack related to her participation in the popular protests of July 11.

## **E- Vicarious Violence**

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The institutional and vicarious gender violence exercised by the Cuban State against mothers and caregivers is manifested through coercion, intimidation, exile, and threats to take away custody of their children, thereby inhibiting activism, as happened to Jacqueline Heredia, who is part of the MOV-DM. Vicarious violence, which can be considered a form of torture or cruel treatment, and is in itself a violation of human rights, is used in the Cuban context against women who are human rights defenders or who dissent from government policies. Human rights activists and independent journalists are the most affected.

Cuba's Family Code allows the deprivation and suspension of parental responsibility for various reasons, including the "vicious, corrupting or criminal conduct"<sup>71</sup> of mothers, a broad and vague norm that facilitates discretion and arbitrariness. Vicarious violence can be exercised by both authorities and individuals. In the case of the authorities, it manifests itself through illegal summoning, arbitrary detentions and interrogations with techniques of torture and mistreatment.

We highlight the case of the summoning for police interrogation of Leadi Kataleya Naranjo, a toddler, daughter of the political prisoner Idael Naranjo Pérez, who was imprisoned for participating in the July 11 protests in Havana. The news broke on August 7, 2023 through social media when her mother said: "I am Yunisleydis Rillos Pao, mother of (...) a three-year-old girl (...), who has been summoned for tomorrow the 8th at 2:30 pm, at the Capri police station". Yunisleydis also clarified in her presentation that the authorities did not reveal cause or motive, but did warn: "if the girl does not appear, a fine for disobedience will be imposed on a three-year-old girl."<sup>72</sup> The mother did not intend to take the girl to the police station because she hoped that an officer would return to her home to recant, however, this did not happen.

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<sup>71</sup> Law 156 of 2022 Family Code, Article 191 paragraph e): "The court, taking into account the circumstances of the case, may deprive one or both holders of parental responsibility when: e) they observe vicious, corrupting or criminal conduct that "is incompatible with the due exercise of parental responsibility."

<sup>72</sup> Inverted Tree. (2023, August 9). [Cuban police summon a three-year-old girl for interrogation](#). YouTube.

In a new video uploaded to Facebook on August 8, Yunisleydis says that she showed up without her daughter at the appointed time, at the police station located in the Havana municipality of Arroyo Naranjo, where they told her that it had been “a mistake,” that they really wanted to question her. However, at the time of delivery of the summons, the girl’s grandmother told the officer that she was a minor, and he did not correct himself, so it cannot be considered an error.

**Another relevant case is that of the family of the opposition member Marisol Peña Cobas.<sup>73</sup> Marisol’s 7-year-old daughter was summoned for interrogation on April 13, 2023, by the Minor Care Office of the province of Camagüey, where they resided. Marisol Peña and her daughter were taken in a police patrol car to an interview with authorities at a juvenile prison in the town. There the girl was interviewed by a prosecutor, an officer and a psychologist, the latter two from the MININT. Before this summons, the activist had been informed that she would be accused of “acts contrary to the normal development of the minor” because she refused to educate her with the regime’s version of Cuban history. Then, the agents told her that if she did not leave the country, they would prosecute her and take away custody of her daughter. Marisol is currently exiled in the United States with her daughter and her husband.**

There is also the case of the son of Saily Núñez,<sup>74</sup> wife of Maikel Puig Bergolla, prisoner of 11j, who after his father’s arrest suffers from severe depression and doctors have diagnosed him with alopecia and skin lesions of a nervous nature. Puig Bergolla was serving part of his 14-year sentence in the Agüica prison in Colón, Matanzas, about 150 kilometers from his home, something that directly affected family visits, including that of his children. This is what Saily Núñez said in an interview:<sup>75</sup> “Since I have been in Agüica, I have not gone to visit my family because it is difficult for me to travel there due to economic problems and the difficulty of obtaining tickets, because I do not have family in Colón [...] there is violence and I am a single woman with two children, because they rob you on transportation and because I have to carry a minor child who already suffers from panic attacks.”

In February 2023 and after several months of complaints, Maikel Puig was transferred to the Quivicán prison in the province of Mayabeque, a prison that is closer to his family, however his son still has not recovered from all of his health conditions.

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<sup>73</sup> Peñas Cobas, M. (2023, April 13). [Statement \(live video\)](#). Facebook

<sup>74</sup> ADN Cuba. (2022, November 26). [Statement by Saily Núñez \(Video\)](#). Facebook.

<sup>75</sup> [The family of a political prisoner continues to be punished with trips of more than 150 kilometers to visit him in prison](#). (n.d.). *Marti Noticias*.

Another case is that of the activist Diasniurka Salcedo Verdecia, who in December 2023 denounced the threats, by agents of the regime, of wanting to take away five children that she had in her care. After a protest that she carried out on November 24, 2023, in front of the Cuban Ministry of Health in the capital's Vedado, along with other Cuban mothers, with the aim of receiving medical assistance for their children, representatives of the Federation appeared at her house. of Cuban Women (FMC), the Committees for the Defense of the Revolution and several social workers with the aim of intimidating her. They let her know that she was considered “a bad influence” on the minors and that she ran the risk of having the procedures to grant custody of the children halted.

Diasniurka Salcedo, after more than 14 years of fighting for Human Rights and in the face of constant harassment from State Security, was forced into exile at the beginning of January 2024. The Cuban regime, which harassed Salcedo until the last moment at the airport expelled her for her political dissidence, for helping political prisoners and their families, for caring for minors who were homeless or in different degrees of vulnerability. Salcedo, like countless activists in recent years, was presented with only two possibilities: prison or exile.<sup>76</sup> The activist, who had already been prosecuted, if she stayed on the Island she would go to prison to serve 8 years for the crimes of enemy propaganda, instigation to commit a crime, insult to national symbols and defamation of a public figure. In all these cases, vicarious violence exercised by state officials or related organizations seeks to cause direct harm to activists and mothers, with the aim of stopping their participation in the public and political life of the country.

On the other hand, Cuban authorities frequently fail to comply with due diligence in the investigation of threats and acts of violence, favoring impunity. Furthermore, in Cuba there are no specific laws against gender and vicarious violence, despite the growing number of these crimes. In 2023 alone, 89 femicides have been verified (double the number of cases recorded in 2022, which were 36) and as of February 22, 2024, 8 femicides have been recorded, according to data from the independent observatories of Alas Tensas and Yo Sí te Creo in Cuba. , this being an under-record since the Cuban State does not provide transparent data on the number of complaints, on judicial decisions or on sanctions for those responsible.

The vulnerability of not only women who participate in politics, but also the rest of Cuban women, is evident in the increase in reports of disappearances, in the absence of shelters for victims and their children, in the absence of a

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<sup>76</sup> Salcedo Verdecia, D. (2024, January 13). [Post](#). Facebook. Retrieved

specialized help line, in the impossibility of being able to associate, demonstrate and meet, in the criminalization of financing funds and in the absence of protocols or police stations to care for victims of gender-based violence.

### **Physical, gender and racial violence against members of the Ladies in White**

There is an atmosphere of hostility and cruelty against women human rights defenders in Cuba and, especially, against the members of the Ladies in White, which materializes in “repeated physical attacks” as a form of repression and repudiation of the activities carried out by said women. organization.<sup>77</sup>

In the case of the members of Ladies in White, since 2011 the Commission has received information about repeated physical and verbal attacks against them. The IACHR highlighted that it was aware of various episodes that occurred during the trip to church, or after attending church, and also when they were preparing to carry out their usual demonstration on Sundays, being beaten by uniformed women and police officers, even with objects such as sticks and stones.<sup>78</sup> In its 2012 annual report, the Commission reported having received new information about the attacks, threats and constant aggressions and concluded that these were aimed at avoiding the holding of events and public demonstrations of social protest.<sup>79</sup> This information is repeated in the 2013 and 2014<sup>80</sup> annual reports.<sup>81</sup>

Three different communications from the Special Procedures generally expressed their “serious concern” for the physical and psychological integrity of dissidents, particularly that of the members of the Ladies in White.<sup>82</sup>

At the hearing in October 2013, the Ladies in White reported that they were in a situation of insecurity aggravated by the impunity in which the attacks against them continued, at the same time that they indicated that they were victims of mistreatment differentiated by their status as women. based on identity and sexual orientation, and race, among others.<sup>83</sup> Regarding discrimination based on her race, Reina Luisa Tamayo Danger<sup>84</sup> testified that while she was leaving the Santa Bárbara church, the authorities hit and kicked her while shouting “black shit” at her.<sup>85</sup>

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<sup>77</sup> IACHR, Annual Report 2012, Chapter IV Cuba, para. 62.

<sup>78</sup> Cf. IACHR, Annual Report 2011, Chapter IV Cuba, para. 198.

<sup>79</sup> Cf. IACHR, 2012 Annual Report, Chapter IV Cuba, para. 65.

<sup>80</sup> Cf. IACHR, Annual Report 2014, Chapter IV B Cuba, para. 191.

<sup>81</sup> Cf. IACHR, Annual Report 2013, Chapter IV B Cuba, paras. 140 and 210.

<sup>82</sup> CUB 2/2011, dated September 2, 2011; CUB 5/2011, January 19, 2012; and CUB 3/2012, dated March 21, 2012.

<sup>83</sup> Cf. Cf. IACHR, Annual Report 2013, Chapter IV B Cuba, para. 173.

<sup>84</sup> Audio presented by the Cuban Democratic Directorate, on July 1, 2010, recorded by Diario La Habana.

<sup>85</sup> Cf. IACHR, 2010 Annual Report, Chapter IV Cuba, para. 314.



4

## Conclusions and request

The right of association in Cuba is seriously compromised, with systematic violations that disproportionately affect women, various groups, and independent civil society organizations. These restrictions hinder the full exercise of their fundamental rights and restrict their ability to organize and participate freely in spaces and discussions of general interest.

Intimidation, threats and acts of violence directed against family members and members of Cubalex, the San Isidro Movement, Ladies in White, Justice 11J, the Opposition Movement for a New Republic, the Archipelago Group, the Patriotic Union of Cuba, the Cuba Movement of Luto, the Christian Liberation Movement, the Brotherhood of Negritude and the Citizens Committee for Racial Integration constitute a flagrant violation of the principles of human rights and the American Convention on Human Rights.

**These repressive actions generate a climate of fear and persecution that undermines diversity of thought and citizen participation. Likewise, these events have a deterrent effect on other members of society who give up organizing to defend their rights.**

As observed throughout the presentation of cases in this report, the repressive practices of the Cuban State have a disproportionate and undeniable impact on women, especially those who are activists and political dissidents. This situation is evidenced by the use of vicarious violence and the imposition of inhumane conditions in detention centers for women. Likewise, these dynamics highlight how restrictions on freedom of expression and association, along with the systematic dismantling of civil society, not only violate human rights in general, but also constitute specific forms of gender violence that increase vulnerability. and the risk for women in Cuba.



Through this report, the signatory organizations submit the following requests to the honorable Inter-American Commission on Human Rights:

**1**

Issue a public statement demanding that the Cuban State immediately release the people who, in the exercise of their right of association, have been persecuted, imprisoned and forced into exile; and that both they and their families stop being victims of limitations on their freedom of movement and objects of violence, harassment or discrimination based on political opinion.

**2**

Issue follow-up resolutions, recognizing the limitations on the right of association in Cuba and its specific effects against activists and their families in terms of serious violations of their human rights.

**3**

Demand that the Cuban State comply with its obligations to respect, protect and guarantee the rights to life, liberty, personal integrity, protection against arbitrary detention, freedom of thought and expression, freedom of association, to the judicial guarantees and judicial protection of its citizens, and in particular of the people who have been protected by the precautionary measures granted by the Commission.

**4**

Include the information presented by the signatory organizations in chapter IV.B of their 2023 annual report, detailing the specific cases addressed in this document.

**5**

Request an Extraordinary Session of the OAS Permanent Council to present the situation of freedom of association, as well as the violations of fundamental human rights and the situation of political prisoners under the responsibility of the Cuban State.

**6**

Urge other organizations of the inter-American system for the protection of human rights, as well as those that belong to the universal system, to speak out on the serious situation of freedom of association in Cuba and its individual effects against activists and human rights defenders. and their families.

