



# **CUBA: TIME FOR A NEW HUMAN RIGHTS AGENDA**

AMNESTY INTERNATIONAL SUBMISSION FOR THE UN UNIVERSAL PERIODIC  
REVIEW, 30TH SESSION OF THE UPR WORKING GROUP, MAY 2018

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# INTRODUCTION

This submission was prepared for the Universal Periodic Review (UPR) of Cuba in May 2018. In it, Amnesty International evaluates the implementation of recommendations made to Cuba in its previous UPR, assesses the national human rights framework and the human rights situation on the ground, and makes a number of recommendations to the government of Cuba to address the human rights challenges mentioned in this report.

Amnesty International is concerned about legal restrictions on fundamental freedoms, including freedom of expression, association and peaceful assembly.

Amnesty International also raises concerns about the continued harassment of human rights defenders and political activists, some of whom are imprisoned and considered by Amnesty International to be prisoners of conscience. Cuba also uses its control over employment to stifle criticism of the government and independent trade unions are de facto prohibited. The right to education is also hampered by the government's blocking of internet sites.

# FOLLOW UP TO THE PREVIOUS REVIEW

At its previous UPR in May 2013, Cuba accepted 230 of the 292 recommendations made to it by other states.<sup>1</sup> As in previous reviews, the majority of the recommendations accepted by Cuba were related to economic, social and cultural rights, including the rights to health and education,<sup>2</sup> and to the promotion of gender equality and the rights of LGBTI people.<sup>3</sup> Cuba also accepted several recommendations on issues related to the promotion and protection of human rights,<sup>4</sup> to strengthen the exercise of the rights to freedom of expression, peaceful assembly and

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<sup>1</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Cuba: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, September 2013, A/HRC/24/16/Add.1.

<sup>2</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Cuba*, July 2013, A/HRC/24/16, recommendations 170.53 (Cambodia), 170.54 (Turkey), 170.55 (Belarus), 170.56 (Botswana).

<sup>3</sup> A/HRC/24/16, on gender equality see recommendations 170.118 (Brazil), 170.120 (Ghana), 170.121 (Turkey and Nicaragua), 170.122 (Nigeria), 170.123 (Bangladesh), 170.124 (Panama), 170.125 (Singapore), 170.126 (El Salvador); and on LGBTI rights 170.131 (Norway), 170.132 (South Africa) and 170.133 (Brazil).

<sup>4</sup> A/HRC/24/16, recommendations 170.47 (Nepal), 170.51 (Turkmenistan) and 170.52 (Bahrain).

association,<sup>5</sup> cooperation with UN human rights mechanisms,<sup>6</sup> and the application of the Standard Minimum Rules for Treatment of Prisoners.<sup>7</sup>

The majority of the recommendations which did not enjoy the support of Cuba (62 in total) were related to the right to freedom of expression and peaceful assembly, and online censorship.<sup>8</sup> Since Cuba's last review, Amnesty International has continued to document serious and ongoing restrictions on the rights to freedom of expression and peaceful assembly.

Amnesty International also regrets that Cuba did not accept recommendations to establish a national human rights institution in accordance with the Paris Principles,<sup>9</sup> to strengthen the right to a fair trial and guarantee the independence of the judiciary,<sup>10</sup> or to ensure that persons deprived of their liberty have access to an independent lawyer.<sup>11</sup> Failure to accept and implement such recommendations significantly limits the access to justice for victims of human rights violations. People who have been detained for exercising their rights to freedom of expression or peaceful assembly have repeatedly told Amnesty International about the difficulties they face in reporting such cases to an independent human rights body and accessing a lawyer of their choice, and criticize the lack of independence of public lawyers who often fail to exercise due diligence in their cases.

During its second review Cuba stated that it was “philosophically opposed to the death penalty” and in favour of eliminating it when suitable conditions exist.<sup>12</sup> However, it has continued to reject recommendations to abolish the death penalty and retains the death penalty in law.<sup>13</sup>

## PROMOTION AND PROTECTION OF HUMAN RIGHTS

Despite purported increased political openness since the last review, and accepting recommendations to strengthen the exercise of freedom of expression, peaceful assembly and association,<sup>14</sup> Cuba retains tight control and places undue restrictions on the exercise of these rights. President Raul Castro has flatly denied the existence of any “political prisoners” in the country,<sup>15</sup> despite the continued excessive and arbitrary use of the criminal law and trumped-up charges against those critical of the government, including human rights defenders, political activists and journalists. A national human rights organization, which is not recognized by the Cuban authorities, reported an average of 762 politically motivated and arbitrary short-term detentions a month between 2014 and 2016.<sup>16</sup>

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<sup>5</sup> A/HRC/24/16, recommendations 170.181 (Eritrea) and 170.191 (Switzerland).

<sup>6</sup> A/HRC/24/16, recommendation 170.108 (El Salvador).

<sup>7</sup> A/HRC/24/16, recommendation 170.140 (Canada).

<sup>8</sup> Cuba took note of 42 recommendations and rejected 20 recommendations.

<sup>9</sup> A/HRC/24/16, recommendation 170.33 (Sierra Leone, Mexico, France)

<sup>10</sup> A/HRC/24/16, recommendations 170.159 (United Kingdom) and 170.160 (Austria).

<sup>11</sup> A/HRC/24/16, recommendation 170.163 (Belgium).

<sup>12</sup> A/HRC/24/16/Add.1.

<sup>13</sup> A/HRC/24/16, recommendation 170.134 (Argentina, Honduras, France, Switzerland).

<sup>14</sup> A/HRC/24/16, recommendations 170.181 (Eritrea) and 170.191 (Switzerland).

<sup>15</sup> Washington Post, 'Castro denies Cuba has political prisoners, demands list', 21 March 2016, Available at: [www.washingtonpost.com/video/world/castro-denies-cuba-has-political-prisoners-demands-list/2016/03/21/f38afede-ef9a-11e5-a2a3-d4e9697917d1\\_video.html?utm\\_term=.864db38ff92c](http://www.washingtonpost.com/video/world/castro-denies-cuba-has-political-prisoners-demands-list/2016/03/21/f38afede-ef9a-11e5-a2a3-d4e9697917d1_video.html?utm_term=.864db38ff92c).

<sup>16</sup> Comisión Cubana de Derechos Humanos y Reconciliación Nacional, 'Cuba: Algunos Actos de Represión Política en el mes de Julio de 2017'.

Human rights lawyers from the organization Cubalex have been harassed and intimidated,<sup>17</sup> despite having been granted precautionary measures by the Inter-American Commission on Human Rights urging the authorities to protect their lives, personal integrity and activities as human right defenders.<sup>18</sup> In May 2017, at least 12 of its members were granted asylum in the USA after the Cuban authorities threatened to bring criminal charges against them on the basis of a tax investigation.

Cuba rejected recommendations to ratify core international human rights instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both of which Cuba signed in February 2008.<sup>19</sup> At its second UPR, Cuba continued to state, as it had during the first review, that the process of ratifying an international instrument is “very rigorous” and that it needed time to analyse the terms of the treaty, consult and study the legislative implications of ratification.<sup>20</sup>

## COOPERATION WITH UN SPECIAL PROCEDURES AND TREATY BODIES

The UN Special Rapporteur on trafficking in persons and the UN Independent Expert on human rights and international solidarity both visited Cuba in 2017, offering some indication that Cuba might begin to open itself up to international scrutiny by independent human rights monitors. However, other requests by the UN Special Procedures have not been accepted by the authorities. At its second UPR, Cuba rejected recommendations to extend a standing invitation to the Special Procedures of the Human Rights Council,<sup>21</sup> and rejected recommendations by various states to accept visits by the Special Rapporteur on the rights to freedom of peaceful assembly and association and the Special Rapporteur on torture.<sup>22</sup>

## ACCESS TO DETENTION CENTRES

During the second review, Cuba rejected a recommendation to allow the International Committee of the Red Cross (ICRC) to visit prisons,<sup>23</sup> however, it accepted a recommendation to maintain “a systematic and fluid relationship” with the organization.<sup>24</sup> Amnesty International is aware of a high-profile visit to Cuba by the ICRC in 2015, but as far as the organization can establish, no system for monitoring detention centres has been developed, and Cuba rejected the recommendation to do so.<sup>25</sup>

Nevertheless, Cuba did accept a recommendation to ensure that detainees are treated with dignity and humanity and with due consideration for the Standard Minimum Rules for the

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<sup>17</sup> Amnesty International, *Urgent Action: Human Rights Lawyers Under Threat*, (Index: AMR 25/5156/2016); IACHR, ‘IACHR Concerned over Treatment of Human Rights Defenders in Cuba’, 6 September 2016.

<sup>18</sup> MC 96/15 - Miembros del Centro de Información Legal Cubalex, Cuba AMPLIACIÓN, Available at: <http://www.oas.org/es/cidh/decisiones/cautelares.asp>

<sup>19</sup> A/HRC/24/16, recommendations 170.2 (Romania, Maldives, Australia, Germany, Poland, Slovakia, Japan, Slovenia, France, Austria, Czech Republic, Italy, Mexico, Canada, Norway, Finland), 170.4 (Hungary, Estonia, Romania, Maldives, Australia, Germany, Poland, Slovakia, Japan, Slovenia, Montenegro, France, Tunisia, Canada, Austria, Switzerland, Czech Republic, Italy, Mexico, Norway, Slovakia, Japan), 170.5 (Sweden), and 170.8 (Netherlands).

<sup>20</sup> A/HRC/24/16/Add.1.

<sup>21</sup> A/HRC/24/16, recommendations 170.107 (Austria, Spain, Hungary, Montenegro) and 170.110 (France).

<sup>22</sup> A/HRC/24/16, recommendations 170.111 (Spain), 170.113 (Chile) and 170.112 (Mexico).

<sup>23</sup> A/HRC/24/16, recommendation 170.142 (Sweden).

<sup>24</sup> A/HRC/24/16, recommendation 170.141 (Democratic People’s Republic of Korea).

<sup>25</sup> A/HRC/24/16 recommendation 170.150 (Kazakhstan).

Treatment of Prisoners.<sup>26</sup> However, despite this, Amnesty International continues to receive reports of ill-treatment of prisoners of conscience and others detained on a short-term basis, which could amount to a breach of the Standard Minimum Rules for the Treatment of Prisoners.

# THE NATIONAL HUMAN RIGHTS FRAMEWORK

## LEGAL RESTRICTIONS ON FUNDAMENTAL FREEDOMS

A wide range of highly restrictive, vague and broadly defined laws impose tight controls over many aspects of the lives of people in Cuba, in particular those who are openly critical of the government.

Cuba's Constitution imposes restrictions on the rights to freedom of expression and association that breach international law and standards. Article 62 restricts the right to freedom of expression to that which is consistent with the objectives of the socialist state, in practice subordinating the right to freedom of expression to state ideology.

Cuba rejected a recommendation to end the use of “contempt” and “resistance” as measures to restrict the rights to freedom of expression and peaceful assembly.<sup>27</sup> The authorities continue to use provisions of the Penal Code to stifle dissent and punish those critical of the government, including through the crimes of “contempt of a public official” (*desacato*), “resistance to public officials carrying out their duties” (*resistencia*) and “public disorder” (*desórdenes públicos*).<sup>28</sup>

Cuba also rejected recommendations to repeal legislation related to “pre-criminal social dangerousness”.<sup>29</sup> Meanwhile, Cubans from all walks of life continue to be charged with “dangerous disposition”, as set out in Articles 78-84 of the Penal Code. The Inter-American Commission on Human Rights (IACHR), as well as national and international NGOs, including Amnesty International, have repeatedly raised concerns that these provisions are imprecise and subjective, which allows the authorities to apply them arbitrarily.<sup>30</sup> The Penal Code provides for a range of sanctions based on the proclivity of an individual to commit a crime and the perceived likelihood of potential future actions that could be “anti-social”. This is an overly broad and vague provision that could cover almost any activity, breaching the principle of legality and other fair trial guarantees.<sup>31</sup>

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<sup>26</sup> A/HRC/24/16, recommendation 170.140 (Canada).

<sup>27</sup> A/HRC/24/16, recommendation 170.174 (United Kingdom).

<sup>28</sup> See Amnesty International, *Restrictions on Freedom of Expression in Cuba*, (Index: AMR 25/005/2010), pp. 8-16 for a summary of the laws which continue to be regularly used to restrict freedom of expression.

<sup>29</sup> A/HRC/24/16 recommendations 170.175 (Ireland) and 170.174 (United Kingdom).

<sup>30</sup> See IACHR, Annual Report 2016, para.138, Arco Iris Libre de Cuba et al, ‘Situación del Derecho a la Libertad de Opinión y Expresión en Cuba, Julio 2016’, p.11.

<sup>31</sup> See Amnesty International, *Restrictions on Freedom of Expression in Cuba*, (Index: AMR 25/005/2010), pp.10-11. According to Article 73.2 of the Penal Code, a person in a “dangerous state” because of their “anti-social behavior” is one who “habitually violates the rules of social co-existence by acts of violence, or who, by other provocative actions, violates the rights of others or who, by their general behaviour, damages

The Penal Code also provides for sanctions against individuals who have relations with people considered by the authorities as “potentially dangerous for society” or who “pose a threat to the social, economic or political order of the socialist state”.<sup>32</sup> In practice, Article 75.1 of the Penal Code provides that a police officer can issue a warning for “dangerousness” or for associating with a “dangerous person.” Municipal tribunals have the authority to declare someone to be in a “dangerous pre-criminal state” and can do so summarily within pre-set timeframes which are so short that they effectively deprive the accused of the possibility of mounting an adequate legal defence.

# HUMAN RIGHTS SITUATION ON THE GROUND

## RESTRICTIONS ON FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY

The Committee to Protect Journalists ranked Cuba 10<sup>th</sup> on its 2015 list of the world’s most censored countries and classified its laws on free speech and press freedom as the most restrictive in the Americas.<sup>33</sup> The official media remains heavily censored and restricted by the authorities. While an increasing range of autonomous digital media projects has emerged, alternative online news sources operate within a legal limbo that exposes journalists and media workers to the risk of harassment and arbitrary detention. Moreover, their webpages are often blocked by the authorities.<sup>34</sup>

Articles 208-209 of the Penal Code prohibit so-called “illicit associations, meetings or demonstrations” of groups which are not legally registered. In practice, it is impossible for independent human rights organizations, trade unions and other groups which are not authorized by the state to legally register, which means that they operate in a murky legal environment which leaves them at high risk of prosecution. Additionally, all defence lawyers must belong to the National Organization of Collective Law Offices, which according to several sources is closely controlled by the state. Applications by organizations of independent lawyers to legally register are consistently denied.

## ARBITRARY ARREST AND SHORT-TERM DETENTION

The repression of dissent persists in Cuba. Human rights defenders and political activists continue to be intimidated, harassed and detained. The Cuban Commission for Human Rights and National Reconciliation (*Comisión Cubana de Derechos Humanos y Reconciliación Nacional*,

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the rules of co-existence or disturbs the order of the community or who lives, like a social parasite, from the work of others or exploits or practices vices that are socially unacceptable”.

<sup>32</sup> Article 75.1 of the Penal Code.

<sup>33</sup> The Committee to Protect Journalists, ‘Connecting Cuba; More Space for Criticism but Restrictions Slow Press Freedom Progress’, New York, 2016, p.11, available at: [www.cpj.org/reports/2016/09/connecting-cuba-internet-bloggers-press-freedom-criticism.php](http://www.cpj.org/reports/2016/09/connecting-cuba-internet-bloggers-press-freedom-criticism.php)

<sup>34</sup> Amnesty International, *Cuba’s Internet paradox: How controlled and censored Internet risks Cuba’s achievements in education*, 29 August 2017.



CCDHRN), an NGO which is not officially recognized by the authorities, recorded 8,616 arbitrary detentions in 2015 rising to 9,940 in 2016; a monthly average of 718 and 827, respectively.<sup>35</sup>

Representatives of the Ladies in White (*Las Damas de Blanco*), a group of female relatives of prisoners detained on politically motivated grounds, continue to be arbitrarily detained, usually for several hours during their protests each weekend, solely for exercising their right to freedom of association and peaceful assembly. The IACHR has granted them precautionary measures and Amnesty International and others have repeatedly called for an end to the authorities' intimidation against them.<sup>36</sup>

Artists are also targeted by the authorities for exercising their right to freedom of expression. In January 2017, Danilo Maldonado Machado, known as El Sexto, was released from a maximum security prison. He was arrested in November 2016, hours after the announcement of the death of Fidel Castro, for having written "He's gone" (*Se fue*) on a wall in the capital Havana. Prior to that, between 2014 and 2015, he was imprisoned for ten months after painting "Raúl" and "Fidel" on the backs of two pigs as part of an artistic performance which never actually took place.<sup>37</sup> In August 2017, Yulier Perez, another graffiti artist known for painting on dilapidated walls in Havana, was arbitrarily detained after months of intimidation and harassment by the authorities for freely expressing himself through his art.<sup>38</sup>

## PRISONERS OF CONSCIENCE

The authorities continue to present trumped-up charges for common crimes as a way to harass and detain political opponents and human rights defenders. In the past three years, Amnesty International has been able to name 11 prisoners of conscience in Cuba, but there are likely many more.

Among them is the leader of the pro-democracy Christian Liberation Movement, Dr Eduardo Cardet Concepción, who remains in prison at the time of writing, having been sentenced to three years in prison in March 2017 after publicly criticizing Fidel Castro.<sup>39</sup>

In 2017, a family of four human rights defenders were detained in Holguín, southeast Cuba, for allegedly leaving their house during the period of state mourning for Fidel Castro in 2016. The three siblings were given a one-year prison sentences for "defamation of institutions, organizations and heroes and martyrs of the Republic of Cuba" and "public disorder" and their mother placed under house arrest.<sup>40</sup> On 2 April 2017, after a prolonged hunger strike, the three siblings were conditionally released, but continue to face intimidation by the authorities.

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<sup>35</sup> CCDHRN, 'Cuba: Algunos Actos de Represión Política en el mes de Julio de 2017'.

<sup>36</sup> Amnesty International, *Restrictions on Freedom of Expression in Cuba*, (Index: AMR 25/005/2010).

<sup>37</sup> Amnesty International, *News: Cuba must release graffiti artist jailed for painting Castros' names on pigs' back*, 29 September 2015.

<sup>38</sup> Amnesty International, *Urgent Action: Cuba, Urban artist at risk in Cuba: Yulier Rodriguez Perez*, 24 August 2017.

<sup>39</sup> Amnesty International, *Cuba: Activist sentenced to three years in jail after criticizing Fidel Castro*, 21 March 2017 and Amnesty International, *Cuba: Prisoner of Conscience attacked in prison*, 22 January 2018.

<sup>40</sup> See Amnesty International, *Cuba: Prisoners of conscience on hunger strike*, ([AMR 25/6001/2017](#)). Article 204 of the Cuba Penal Code criminalizes "defamation of institutions, organizations and heroes and martyrs of the Republic of Cuba" (Difamación de las instituciones y organizaciones y de los héroes y mártires). Under the law, anyone who publically defames, denigrates or disparages institutions of the Cuban Republic, or political organizations, or heroes or martyrs of the homeland, risks sanctions of deprivation of liberty of three months to a year or a fine.

Jorge Cervantes, a member of the political opposition group Patriotic Union of Cuba (*La Unión Patriótica de Cuba*, UNPACU), was detained for approximately three months between May and August 2017. Earlier UNPACU had published a video called “Horrors in jail” on its YouTube channel in which Jorge Cervantes interviewed a man who had allegedly been ill-treated in a Cuban prison, and a series of videos which alleged corruption by public officials.<sup>41</sup>

## **INDEPENDENCE OF THE JUDICIARY AND THE RIGHT TO FAIR TRIAL**

The judiciary continues to lack independence and impartiality and allows criminal proceedings to be brought against those who are critical of the government to prevent, deter or punish them from expressing such views.

## **WORKERS’ RIGHTS**

As the biggest employer in the country and regulator of the private sector, the Cuban state uses its control over employment as a way of stifling even the most subtle criticism of the government. Politically motivated and discriminatory dismissals are used against those who criticize the government’s economic or political model. Workers in the public sector pushed out of employment for freely expressing themselves are often further harassed after entering the emerging but highly regulated self-employment sector.

The de facto prohibition on independent trade unions limits workers’ ability to independently organize and to appeal discriminatory and wrongful dismissals. The executive’s strong influence over the judiciary and lawyers further limit effective recourse through the courts.<sup>42</sup>

## **THE RIGHT TO EDUCATION**

During its second review, Cuba stated that “political will” exists to expand internet access, however, blamed limitations on access to the internet on the US embargo.<sup>43</sup>

The internet is a vital educational tool and as a catalyst to free expression, it facilitates access to other human rights, such as the right to education. Decades of off-line censorship and continuing restrictions on rights to freedom of expression and access to information through online censorship, risk undermining Cuba’s historical advances in the area of education. In practice, while the government continues to expand access to the internet, it prioritizes access to the highly censored, government-curated national intranet; access to the global internet remains prohibitively expensive for most Cubans. Between May and mid-June 2017, the Open Observatory of Network Interference conducted testing on a sample of websites in Cuba and found 41 sites blocked by the authorities. The blocked sites contained criticism of the Cuban government, reported on human rights issues, or discussed techniques to bypass censorship.<sup>44</sup> Blocking internet sites solely to limit political criticism and restrict access to information is contrary to international human rights law and a violation of the right to freedom of expression, and also risks undermining the right to education.

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<sup>41</sup> Amnesty International, *Cuba: Opposition activist in maximum security prison*, (AMR 25/6671/2017).

<sup>42</sup> Amnesty International, “*Your mind is in prison*”: Cuba’s web of control over free expression and its chilling effect on everyday life, 2017

<sup>43</sup> A/HRC/24/16/Add.1, p.5

<sup>44</sup> Amnesty International, *Cuba’s internet paradox: How controlled and censored internet risks Cuba’s achievements in education*, 29 August 2017

# RECOMMENDATION FOR ACTION BY THE STATE UNDER REVIEW

## AMNESTY INTERNATIONAL CALLS ON THE GOVERNMENT OF CUBA TO:

### PROMOTION AND PROTECTION OF HUMAN RIGHTS

- Ratify, without delay, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;
- Allow independent human rights monitors access to Cuba and grant them access without hindrance to government officials, civil society organizations, human rights defenders, independent political associations and independent trade unions.

### COOPERATION WITH UN SPECIAL PROCEDURES

- Extend invitations to the UN Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, on the rights to freedom of peaceful assembly and of association, and on the situation of human rights defenders.

### ACCESS TO DETENTION CENTRES

- Ensure full compliance with the Standard Minimum Rules for Treatment of Prisoners and allow independent human rights monitors access to prisons and detention centres.

### FREEDOM OF EXPRESSION, PEACEFUL ASSEMBLY AND ASSOCIATION

- Review all legal provisions, including Article 62 of the Constitution which unduly restricts the rights to freedom of expression, peaceful assembly and association, with the aim of bringing them into line with international law and standards;
- Undertake a review of criminal offences – such as “resistance to public officials carrying out their duties” (resistencia) and “public disorder” (desórdenes públicos) – and ensure they are not applied to unduly restrict the rights to freedom of expression and peaceful assembly;
- Amend provisions of the Penal Code, including those on “dangerousness”, that are so overly broad and vague that they allow for deprivation of liberty when no criminal offence has been committed;
- Amend laws which impose illegitimate restrictions on associations and prevent the registration of human rights organizations and independent media outlets, including associations that are critical of the government;
- Repeal criminal defamation laws, such as that on contempt (desacato), which risks silencing critical views and restricting public debate.

### ARBITRARY ARRESTS AND SHORT-TERM DETENTION

- Cease all forms of harassment and intimidation, including the practice of short and recurrent arbitrary detentions, against human rights defenders and political activists.

## PRISONERS OF CONSCIENCE

- Immediately and unconditionally release all prisoners of conscience who have been imprisoned solely for the peaceful exercise of their rights to freedom of expression, association or peaceful assembly.

## INDEPENDENCE OF THE JUDICIARY AND THE RIGHT TO A FAIR TRIAL

- Adopt all necessary measures, including specific legislation, to guarantee the independence and impartiality of the judiciary;
- Ensure that those deprived of their liberty or facing a possible criminal charge have the right to the assistance of a lawyer of their choice to protect their rights and help in their defence;
- Ensure that lawyers are able to perform their professional functions without intimidation, hindrance, harassment or undue interference and that they are not threatened with prosecution or administrative, economic or other sanctions for any action taken in accordance with their professional duties, in accordance with the UN Basic Principles on the Role of Lawyers.

## WORKERS' RIGHTS

- End discriminatory dismissal of public sector workers as a way to silence criticism of the government;
- Prohibit discrimination based on political or other opinion in hiring, promotion and termination of employees in the public and private sector;
- Allow in practice the legal registration of independent trade unions and ensure that all workers can join a trade union of their choosing;
- Establish a genuinely independent, impartial, transparent and effective appeal mechanism by which public sector employees can challenge dismissal from their jobs and access legal representation and assistance to ensure their right to an effective remedy.

## RIGHT TO EDUCATION

- End unlawful censorship on the internet and other limitations on the right to access to information, conducted either through blocking and filtering technologies, or through arbitrary restrictions on access to the internet, so as not to undermine the right to education.

## THE DEATH PENALTY

- Abolish the death penalty for all crimes.

# ANNEX

## AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE<sup>45</sup>

Cuba: "Your mind is in prison" – Cuba's web of control over free expression and its chilling effect on everyday life ([AMR 25/7299/2017](#))

Cuba's internet paradox: How controlled and censored internet risks Cuba's achievements in education ([News story](#), 29 August)

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<sup>45</sup> All these documents are available on Amnesty International's website:  
<https://www.amnesty.org/en/countries/americas/cuba/>

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