

## COI QUERY

<b>Country of Origin</b>	<b>CUBA</b>
<b>Title</b>	<b>Anti-government protests in 2020 and 2021</b>
<b>Reference period</b>	January 2020 to December 2021
<b>Topic(s)</b>	<ol style="list-style-type: none"> <li>1. <a href="#">Anti-government protests in Havana in 2020 and 2021</a></li> <li>2. <a href="#">Response by state authorities to the protests in Havana in 2020 and 2021</a></li> </ol>
<b>Date of completion</b>	3 June 2022
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All sources used are referenced and cited in the bibliography section. A quality review has been performed in line with the above mentioned COI methodology. This document does not claim to be exhaustive or conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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## COI QUERY RESPONSE – CUBA

### Anti-government protests in 2020 and 2021

#### 1. Anti-government protests in Havana in 2020 and 2021

A series of anti-government protests took place in Cuba in 2020<sup>1</sup> and 2021<sup>2</sup>, the largest of which occurred on 12 July 2021.<sup>3</sup> These protests were defined as ‘rare’<sup>4</sup> and ‘risky’<sup>5</sup>, in the Communist-run country where public dissent is reported as ‘tightly controlled’.<sup>6</sup>

A protest scheduled for 30 June 2020 against police violence in Havana, and occasioned by the killing of an Afro-Cuban man by police officers on 24 June 2020, was eventually suppressed and did not take place.<sup>7</sup> Some peaceful demonstrations took place on 8 September 2020 in the context of the ‘Sunflower Revolution’ movement<sup>8</sup>, with people calling for freedom of political prisoners and for humanitarian assistance to Cuban citizens.<sup>9</sup> The United States Department of State (USDOS) further reported that, on 10 October 2020, marking the anniversary of the Grito de Yara proclaiming Cuban independence from Spain, a

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<sup>1</sup> Foreign Policy, Pandemic Crisis Drives Cubans to Rare, Risky Protest, 4 December 2020, [url](#); Reuters, Cubans stake out culture ministry in unusual display of dissent, 27 November 2020, [url](#); Al Jazeera, Cuban artists say authorities agree to talks after rare protests, 28 November 2020, [url](#)

<sup>2</sup> USDOS, 2021 Country Report on Human Rights Practices: Cuba, 12 April 2022, [url](#); Freedom House: Freedom in the World 2022 - Cuba, 28 February 2022, [url](#)

<sup>3</sup> USDOS, 2021 Country Report on Human Rights Practices: Cuba, 12 April 2022, [url](#); Freedom House: Freedom in the World 2022 - Cuba, 28 February 2022, [url](#); AI, Amnesty International Report 2021/22; The State of the World's Human Rights; Cuba 2021, 29 March 2022, [url](#)

<sup>4</sup> AI, The State of the World's Human Rights; Cuba 2020, 7 April 2021, [url](#); Guardian (The), Thousands march in Cuba in rare mass protests amid economic crisis, 12 July 2021, [url](#)

<sup>5</sup> Foreign Policy, Pandemic Crisis Drives Cubans to Rare, Risky Protest, 4 December 2020, [url](#); Washington Post (The), Cuba's communist authorities have long feared change. Street protests show the risk of resisting it, 22 July 2021, [url](#)

<sup>6</sup> Reuters, Faced with rare protests, Cuba curbs social media access, watchdog says, 14 July 2021, [url](#)

<sup>7</sup> Reuters, Cuba prevents protest over police killing of Black man, 1 July 2020, [url](#); HRW, Cuba: Protest Over Police Killing Suppressed, 28 July 2020, [url](#)

<sup>8</sup> The ‘Sunflower Revolution’ (La Revolución de los Girasoles) is a Cuban movement for democratic change that calls people to take to the streets every year on September 8 coinciding with the day Cubans venerate the Virgin of Charity of El Cobre, Patroness of Cuba. The movement is led by the Patriotic Union of Cuba and the Cubadebate citizen initiative and it was first launched on 8 September 2019. See Democratic Spaces, Revolución De Los Girasoles En Cuba/Sunflower Revolution In Cuba, 7 September 2020, [url](#)

<sup>9</sup> Center for a Free Cuba, Cubabrief: Cachita, The Sunflower Revolution, And Her Legacy Of Freedom In Cuba, 9 September 2020, [url](#); CIVICUS, Protest Against Police Killing Suppressed In Cuba And Sunflower Uprising Proceeds Despite Repression, 17 September 2020, [url](#)

peaceful demonstration took place in Havana, organised by the San Isidro Movement<sup>10</sup>, and calling for political change.<sup>11</sup>

On 27 November 2020, hundreds of people, including artists and other intellectuals, staged out Cuba's Ministry of Culture protesting for freedom of expression and the release of detained artists and activists.<sup>12</sup> The protest followed a 'raid' on the headquarters of the San Isidro Movement on 26 November 2020 and the detention of 14 members of the movement, that were protesting over an eight-month jail sentence for a rapper, Denis Solis, on charges of contempt.<sup>13</sup> USDOS reported that the 27 November protest was 'the sole example of a protest successfully forming and being allowed to disperse peacefully'<sup>14</sup>, while several sources characterised the protest as 'rare'.<sup>15</sup>

On 11 July 2021, the largest and most widespread protests of the last decades took place in Cuba, when thousands of people peacefully demonstrated in different cities protesting over restrictions of rights, scarcity of food and medicines, and the government's response to the Covid-19 pandemic.<sup>16</sup> The demonstrations resulted in the killing of one person<sup>17</sup>, while many were others were injured.<sup>18</sup>

The Armed Conflict Location & Event Data Project (ACLED) reported that despite the restrictions on the activities of Archipiélago, a group that sought to organise anti-government rallies on 15 November 2021, 'pot-banging protests were recorded in La Habana, with members of the Catholic Church also staging marches in support of the 'Civic March for Change' in La Habana and Bejucal'.<sup>19</sup>

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<sup>10</sup> The San Isidro Movement is a group of artists, poets, journalists and activists that came together in 2018 to protest against Decree 349, a law prohibiting all artistic expression unless it had been authorised by the ministry of culture or other state bodies. This initiative aimed "to promote, protect, and defend full freedom of expression, association, creation, and dissemination of Cuban art and culture". See IWPR, Cuba's Black November, 30 November 2020, [url](#)

<sup>11</sup> USDOS, 2020 Country Report on Human Rights Practices: Cuba, 30 March 2021, [url](#)

<sup>12</sup> Reuters, Cubans stake out culture ministry in unusual display of dissent, 27 November 2020, [url](#); Al Jazeera, Cuban artists say authorities agree to talks after rare protests, 28 November 2020, [url](#)

<sup>13</sup> Guardian (The), Cuban security forces evict hunger-striking activists in raid on HQ, [url](#); Crisis24, Protesters gather outside Ministry of Culture in Havana November 27, [url](#); IWPR Cuba's Black November, 30 November 2020, [url](#)

<sup>14</sup> USDOS, 2020 Country Report on Human Rights Practices: Cuba, 30 March 2021, [url](#)

<sup>15</sup> AI, The State of the World's Human Rights; Cuba 2020, 7 April 2021, [url](#); Foreign Policy, Pandemic Crisis Drives Cubans to Rare, Risky Protest, 4 December 2020, [url](#); Reuters, Cubans stake out culture ministry in unusual display of dissent, 27 November 2020, [url](#)

<sup>16</sup> AI, Cuba: Massive protests are a desperate cry to a government that doesn't listen, 12 July 2021, [url](#); Reuters, Cuba sees biggest protests for decades as pandemic adds to woes, 12 July 2021, [url](#); Freedom House, Freedom in the World 2022 - Cuba, 28 February 2022, [url](#)

<sup>17</sup> Freedom House, Freedom in the World 2022 - Cuba, 28 February 2022, [url](#); USDOS, 2021 Country Report on Human Rights Practices: Cuba, 12 April 2022, [url](#)

<sup>18</sup> Al Jazeera, US slams Cuba 'intimidation tactics' before planned protests, 15 November 2021, [url](#)

<sup>19</sup> ACLED, Regional Overview: Mexico, Central America, And The Caribbean, 13-19 November 2021, 25 November 2021, [url](#)

## 2. Response by state authorities to the protests in Havana in 2020 and 2021

Article 53 of the Constitution of Cuba provides that:

‘The State recognizes, respects, and guarantees people freedom of thought, conscience, and expression.  
Conscientious objection may not be invoked with the intention of evading compliance with the law or impeding another from the exercise of their rights’.<sup>20</sup>

According to Article 56 of the Constitution of Cuba:

‘The rights of assembly, demonstration, and association for legal and peaceful purposes are recognized by the State whenever they are exercised with respect to public order and in compliance with the precepts established by the law’.<sup>21</sup>

USDOS reported that ‘the constitution grants a limited right of assembly’ and that ‘the law requires citizens to request authorization for organized meetings of three or more persons, and failure to do so carries a penalty of up to three months in prison and a fine’.<sup>22</sup> Freedom House reported several Cuban laws restricting freedom of expression and speech.<sup>23</sup> Several sources reported that on 15 May 2022, Cuban law makers approved a new penal code that, *inter alia*, prohibits foreign funding to Cubans citizens. Rights groups critiqued the new law for tightening dissent and for the chilling effect it might have on independent journalism.<sup>24</sup>

According to Human Rights Watch, ahead of the scheduled protests on 30 June 2020, Cuban authorities ordered people who were planning to attend not to join the protests, forcing some of them to stay in their houses, while detaining allegedly 52 others.<sup>25</sup> According to Freedom House, ‘nearly 20 independent activists and journalists had their mobile service temporarily suspended by ETECSA’ as part of the crackdown.<sup>26</sup>

On 19 August 2020, Aníbal Riveaux Figueredo, a member of the political opposition movement Unión Patriótica de Cuba (UNPACU)<sup>27</sup>, and three other activists were detained, allegedly as a warning for the scheduled demonstrations on 8 September 2020<sup>28</sup>, while several other members of UNPACU were detained on 7 September. Citing human rights NGOs, USDOS noted that at least 70 arrests and arbitrary detentions linked to ‘Sunflower

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<sup>20</sup> Cuba, Constitution of Cuba, 24 February 2019, [url](#)

<sup>21</sup> Cuba, Constitution of Cuba, 24 February 2019, [url](#)

<sup>22</sup> USDOS, 2021 Country Report on Human Rights Practices: Cuba, 12 April 2022, [url](#)

<sup>23</sup> Freedom House, Freedom in the World 2022 - Cuba, 28 February 2022, [url](#)

<sup>24</sup> Reuters, Cuban lawmakers pass new penal code critiqued by rights, media groups, 16 May 2022, [url](#); CPJ, CPJ condemns Cuba’s new penal code as a threat to independent media, 16 May 2022, [url](#); Guardian (The), Cuban parliament approves penal code which activists warn curbs dissent, 17 May 2022, [url](#)

<sup>25</sup> HRW, Cuba: Protest Over Police Killing Suppressed, 28 July 2020, [url](#)

<sup>26</sup> Freedom House: Freedom on the Net 2020 - Cuba, 14 October 2020, [url](#)

<sup>27</sup> UNPACU, About us, n.d., [url](#)

<sup>28</sup> CIVICUS, Protest Against Police Killing Suppressed In Cuba And Sunflower Uprising Proceeds Despite Repression, 17 September 2020, [url](#)

Revolution’.<sup>29</sup> CIVICUS, a global civil society alliance dedicated to strengthening citizen action and civil society throughout the world<sup>30</sup>, noted that ‘the Inter-American Commission on Human Rights received information of over 80 people arbitrarily detained and that ‘News outlet Radio Televisión Martí reported that at least 129 people were detained, fined and attacked in the context of the mobilisation’.<sup>31</sup>

As mentioned above, on 26 November 2020, security agents forcibly entered the San Isidro Movement headquarters and arrested 14 government critics, after ‘alleging that one of them had violated Covid-19 rules by failing to re-take a test for the coronavirus’.<sup>32</sup> On 27 November 2020, after the protesters were gathered in front of the Ministry of Culture, more protesters joined the participants via social-media mobilisation and demanded a meeting with Culture Minister Alpidio Alonso. As a response, authorities ‘imposed localized connectivity restrictions and blocked social media platforms nationwide, and restricted the communications of independent journalists and movement leaders’.<sup>33</sup> Finally, ‘over two dozen’ of the protesters outside the Ministry, managed audience with the Vice Minister of Culture.<sup>34</sup> Following the 27 November protest, Amnesty International noted that the members of the San Isidro Movement were under ‘frightening levels of surveillance’.<sup>35</sup>

In response to the ‘landmark’<sup>36</sup> wave of demonstrations that took place on 11 July 2021, authorities ‘acted violently in order to disperse the protests; security officers used live ammunition, tear gas, and pepper spray, and were also seen charging protesters’.<sup>37</sup> President Miguel Díaz-Canel called government supporters and security forces to suppress the protest violently, urging them to go to the streets ‘to defend the revolution’.<sup>38</sup>

Amnesty International (AI) reported on 12 July 2021 that it had received ‘reports of internet blackouts, arbitrary arrests, excessive use of force – including police firing on demonstrators – and reports that there is a long list of missing persons’.<sup>39</sup> Sources reported that hundreds were detained, including several activists, of whom almost 700 protesters remain in detention as of December 2021.<sup>40</sup>

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<sup>29</sup> USDOS, 2020 Country Report on Human Rights Practices: Cuba, 30 March 2021, [url](#)

<sup>30</sup> CIVICUS, About Us, n.d., [url](#)

<sup>31</sup> CIVICUS, Protest Against Police Killing Suppressed In Cuba And Sunflower Uprising Proceeds Despite Repression, 17 September 2020, [url](#)

<sup>32</sup> HRW, Cuba: Covid-19 Rules Used to Intensify Repression, 9 December 2020, [url](#); Guardian (The), Cuban security forces evict hunger-striking activists in raid on HQ, [url](#)

<sup>33</sup> Freedom House, Freedom on the Net 2021 - Cuba, 21 September 2021, [url](#)

<sup>34</sup> Al Jazeera, Cuban artists say authorities agree to talks after rare protests, 28 November 2020, [url](#)

<sup>35</sup> AI, Cuba: San Isidro movement and allies under frightening levels of surveillance, 15 December 2020, [url](#)

<sup>36</sup> HRW, Cuba: Peaceful Protesters Systematically Detained, Abused, 19 October 2021, [url](#)

<sup>37</sup> Freedom House, Freedom in the World 2022 - Cuba, 28 February 2022, [url](#)

<sup>38</sup> Reuters, Faced with rare protests, Cuba curbs social media access, watchdog says, 14 July 2021, [url](#); HRW, Cuba: Peaceful Protesters Systematically Detained, Abused, 19 October 2021, [url](#)

<sup>39</sup> AI, Cuba: Massive protests are a desperate cry to a government that doesn’t listen, 12 July 2021, [url](#)

<sup>40</sup> Freedom House: Freedom in the World 2022 - Cuba, 28 February 2022, [url](#); AI, Amnesty International Report 2021/22: The State of the World’s Human Rights; Cuba 2021, 29 March 2022, [url](#); USDOS, 2021 Country Report on Human Rights Practices: Cuba, 12 April 2022, [url](#)

There were reports of ill treatment of detainees and due process violations, during detention and the subsequent trials.<sup>41</sup> Furthermore, internet connectivity was disrupted<sup>42</sup>, and social media such as WhatsApp, Telegram, and Signal were blocked.<sup>43</sup> Expressing concerns over use of excessive force and the large number of arrests, the UN High Commissioner for Human Rights called the Cuban government to release protestors and journalists detained, some of whom were held incommunicado.<sup>44</sup>

The Cuban authorities restricted the activities of Archipiélago that sought to organise anti-government rallies on 15 November 2021.<sup>45</sup> On 12 October 2021, the government denied the group's request to hold demonstrations in November.<sup>46</sup> On 15 November 2021, 'security forces were deployed to prevent the planned protests from occurring, while organizers and prominent government opponents were detained'.<sup>47</sup> Between 14 and 15 November 2021, police arrested members of the Archipelago movement, journalists, and leaders of other opposition organizations that supported the call for the anti-government demonstrations that would take place on the 15<sup>th</sup> of November.<sup>48</sup> Citing local organisations, ACLED noted that 'authorities detained more than 50 people on 15 November'.<sup>49</sup>

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<sup>41</sup> USDOS, 2021 Country Report on Human Rights Practices: Cuba, 12 April 2022, [url](#); Freedom House: Freedom in the World 2022 - Cuba, 28 February 2022, [url](#); AI, Amnesty International Report 2021/22; The State of the World's Human Rights; Cuba 2021, 29 March 2022, [url](#)

<sup>42</sup> AI, Cuba: Massive protests are a desperate cry to a government that doesn't listen, 12 July 2021, [url](#); AI, Amnesty International Report 2021/22; The State of the World's Human Rights; Cuba 2021, 29 March 2022, [url](#)

<sup>43</sup> Freedom House, Freedom on the Net 2021 - Cuba, 21 September 2021, [url](#)

<sup>44</sup> UN, UN rights chief calls for prompt release of protestors held in Cuba, 16 July 2021, [url](#)

<sup>45</sup> Al Jazeera, US slams Cuba 'intimidation tactics' before planned protests, 15 November 2021, [url](#)

<sup>46</sup> BAMF, Briefing Notes, 18 October 2021, [url](#)

<sup>47</sup> Freedom House, Freedom in the World 2022 - Cuba, 28 February 2022, [url](#)

<sup>48</sup> Al Jazeera, Planned Cuba protests fizzle amid police deployment, confinement, 16 November 2021, [url](#); ACLED, Regional Overview: Mexico, Central America, And The Caribbean, 13-19 November 2021, 25 November 2021, [url](#)

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