



## 88<sup>th</sup> PEN International Congress

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### PROPOSED RESOLUTION ON CUBA

*Presented by PEN Cuban Writers in Exile Centre*

*Seconded by PEN San Miguel and Paraguay*

The Cuban government has a long history of repression against writers, journalists, intellectuals, artists, and citizens who criticise the government. We can recall imprisoned and persecuted writers such as Heberto Padilla<sup>1</sup> and Ángel Cuadra<sup>2</sup>, emblematic cases for PEN. In recent years, the Cuban authorities have hardened the repressive machinery to silence independent ideas, art, literature and journalism critical of power, which has become a cruel strategy of harassment, persecution, surveillance, acts of torture and forced exile towards writers, journalists and artists, as well as the approval of laws depriving freedom of expression and artistic expression<sup>3</sup>.

Despite significant threats to their lives and freedoms, authors, activists, journalists and artists have led an important defence of freedom of expression on the island. Since 2018, PEN has documented the dramatic increase in violations of artistic freedom and attacks on freedom of expression in Cuba<sup>4</sup>. Systematic abuses against creators increased following the passage of Decrees 349<sup>5</sup> and 370<sup>6</sup>, which operate to proactively and reactively silence artistic and political opinions that do not conform to the official narrative. Decree 349 requires artists to obtain approval from the Ministry of Culture to engage in cultural and public activities<sup>7</sup>, and Decree 370 criminalises the digital dissemination of information contrary to public interests.

In 2020, 681 attacks against 119 journalists, activists and human rights defenders were documented. Meanwhile, in the first half of 2021, 656 aggressions were committed against 84 journalists, activists, human rights defenders and artists. Of these, 49% (321) were perpetrated against independent reporters<sup>8</sup>.

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<sup>1</sup> <https://www.nexos.com.mx/?p=11664>;

<https://www.theguardian.com/news/2000/oct/14/guardianobituaries.cuba>

<sup>2</sup> [https://www.pen100archive.org/pen\\_stories/pen-case-1967-angel-cuadra-cuba-imprisoned/](https://www.pen100archive.org/pen_stories/pen-case-1967-angel-cuadra-cuba-imprisoned/)

<sup>3</sup> <https://www.hrw.org/es/report/2022/07/11/prision-o-exilio/represion-sistematica-contra-las-protetas-de-julio-de-2021-en>

<sup>4</sup> <https://pen-international.org/news/pen-international-freemuse-christian-solidarity-worldwide-csw-and-artist-at-risk-connection-arc-pen-america-submit-upr-mid-term-report-on-cuba>; <https://pen-international.org/es/noticias/cuba-personalidades-destacadas-piden-que-cese-la-represi%C3%B3n-contra-artistas>

<sup>5</sup> <https://www.gacetaoficial.gob.cu/es/decreto-349-de-2018-de-consejo-de-ministros>

<sup>6</sup> <http://juriscuba.com/decreto-ley-no-370/>

<sup>7</sup> <https://artistsatriskconnection.org/story/art-under-pressure-decree-349-restricts-creative-freedom-in-cuba>

<sup>8</sup> <https://articulo19.org/democraciadepapel/>

Repressive tactics used by Cuban authorities against writers, journalists and artists include threats, subpoenas and interrogations, police surveillance, arbitrary arrests, raids, eviction from property, confiscation of journalistic equipment or other property, abusive restrictions on movement and communications, judicial harassment, house arrest, torture, imprisonment, summary trials, judicial proceedings without guarantees of due process. In addition, artists are harassed until their social circle disappears and they are dismissed from their jobs<sup>9</sup>.

Artists, writers and members of the cultural community are the voice that has led the criticism and protests to demand respect for human rights in Cuba, through groups such as the San Isidro Movement and 27N. The song "Patria y Vida" became the anthem of the protests, and was written by members of the San Isidro Movement, including musician Maykel "El Osorbo" Castillo Pérez and artist Luis Manuel Otero Alcántara<sup>10</sup>, sentenced to 5 and 7 years in prison<sup>11</sup> for exercising their freedom of association, movement and freedom of expression and artistic expression<sup>12</sup>, according to UN special rapporteurs<sup>13</sup>.

On 11 July 2021, in the midst of a devastating social, cultural, health, economic and political crisis, thousands of Cubans took to the streets to demand reforms<sup>14</sup>. Members of the National Revolutionary Police, the Riot Squads and the Department of State Security detained and assaulted demonstrators, including university students. Journalists and activists also reported the installation of security devices at their homes and cuts to internet service<sup>15</sup> and social media platforms such as Facebook, Twitter and instant messaging applications.

Since 11 July 2021, at least 1,320 people have been arrested, 39 of whom are writers and artists. PEN has recorded at least 50 writers or artists at risk following the protests who have been under house arrest, imprisoned or under investigation.<sup>16</sup> In November 2021, state security forces in Cuba prevented protesters from participating in a planned rally, barricading artists, journalists and activists in their homes.

Today, artists, authors and journalists are being sent into exile in exchange for their freedom, a strategy of total silencing of a country. Part of the Cuban government's forced exile procedure has affected artists such as Hamlet Lavastida and Tania Bruguera, writer Katherine Bisquet, and art curator Anamely Ramos, who was prevented from boarding a plane back to Havana, where she lives, and independent journalists such as Washington Post contributor Abraham Jiménez Enoa, forced into exile in exchange for their freedom<sup>17</sup>.

Many creators have been forced into exile by being forced to transit as irregular migrants, risking their lives in migrant caravans to change their country of residence in exchange for not being

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<sup>9</sup> <https://cubalex.org/2022/07/07/un-ano-sin-justicia-patrones-de-violencia-estatal-contra-manifestantes-del-11j/>

<sup>10</sup> <https://pen-international.org/news/prison-sentences-for-luis-manuel-and-maykel-osorbo-condemned>

<sup>11</sup> <https://pen-international.org/news/joint-statement-condemning-charges-against-cuban-artists>

<sup>12</sup> <https://www.npr.org/sections/latino/2021/07/19/1017887993/explaining-patria-y-vida-the-cuban-song-defying-an-evil-revolution>

<sup>13</sup> <https://twitter.com/MaryLawlorhrds/status/1551572981335199750>

<sup>14</sup> <https://www.amnesty.org/es/countries/americas/cuba/report-cuba/>

<sup>15</sup> <https://twitter.com/netblocks/status/1414633093814697993>

<sup>16</sup> <https://docs.google.com/spreadsheets/d/1-38omFpJdDiKTSBoUOg19tv2nJxtNRS3-2HfVUUwtSw/edit#gid=1779381084>

<sup>17</sup> <https://gatopardo.com/opinion/salir-de-cuba-por-primera-vez-abraham-jimenez-enoa/>

imprisoned for their work as artists or journalists. The silencing strategy has been dedicated to blocking critics from the limitation of their basic rights to imprisonment or exile.

Therefore, the Assembly of Delegates of International PEN calls on the authorities of Cuba:

- To stop censorship, threats, torture and all acts of intimidation to which they subject critics of the authorities.
- Allow Cuban citizens to return to their country without being detained at airports.
- Release the artists and writers imprisoned for exercising their freedom of expression, including Luis Manuel Otero Alcántara (artist), Maykel Castillo Pérez (musician), Didier Almagro (musician), María Cristina Garrido (poet) and Abel Lescay (musician), and stop surveillance and house arrest.
- Fulfil its international obligations, as a signatory to the International Covenant on Civil and Political Rights, to guarantee that artists, writers and journalists can exercise their right to freedom of expression without fear of reprisals, as well as the Declaration of Human Rights as Cuba is a member of the Human Rights Council.
- Repeal Decrees 370 and 349 that limit the right to freedom of expression and information.