



---

*Plenary sitting*

---

**B9-0341/2021**

7.6.2021

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the human rights and political situation in Cuba  
(2021/2745(RSP))

**Leopoldo López Gil, Michael Gahler, Isabel Wiseler-Lima, Gabriel Mato,  
Antonio López-Istúriz White**  
on behalf of the PPE Group

**European Parliament resolution on the human rights and political situation in Cuba (2021/2745(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Cuba, in particular those of 15 November 2018<sup>1</sup> on the human rights situation in Cuba, of 3 December 2019<sup>2</sup> on the case of José Daniel Ferrer, and of 5 July 2017 on the draft Council decision on the conclusion, on behalf of the European Union, of the Political Dialogue and Cooperation Agreement (PDCA)<sup>3</sup> between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part,
- having regard to the PDCA between the European Union and Cuba signed in December 2016 and provisionally applied since 1 November 2017<sup>4</sup>,
- having regard to the hearing on Cuba of the Delegation for Relations with the Countries of Central America, held on 11 December 2020,
- having regard to the informal video conference of the members of the EU-Cuba Joint Council, held on 20 January 2021<sup>5</sup>,
- having regard to the third formal Human Rights Dialogue under the PDCA of 26 February 2021<sup>6</sup>,
- having regard to the UN Human Rights Council Universal Periodic Review on Cuba of May 2018,
- having regard to the International Covenant on Civil and Political Rights (ICCPR) and other international human rights treaties and instruments,
- having regard to the Inter-American Commission on Human Rights (IACHR) Annual Report 2020,
- having regard to the public hearings of the 179th Period of Sessions of the IACHR,
- having regard to IACHR resolutions 7/2021, 14/2021 and 24/2021,
- having regard to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the UN General Assembly on 10 December 1984 and to which Cuba is a State Party,

---

<sup>1</sup> [OJ C 363, 28.10.2020, p. 70.](#)

<sup>2</sup> [Texts adopted, P9\\_TA\(2019\)0073.](#)

<sup>3</sup> [OJ C 334, 19.9.2018, p. 99.](#)

<sup>4</sup> [OJ L 337, 13.12.2016, p. 3.](#)

<sup>5</sup> [EU-Cuba Joint Council, 20 January 2021](#)

<sup>6</sup> [Human Rights Dialogue under the PDCA of 26 February 2021.](#)

- having regard to the EU Guidelines on Human Rights Defenders,
  - having regard to the Universal Declaration of Human Rights, to which Cuba is a signatory,
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 5 July 2017, the European Parliament granted its consent to the PDCA; whereas together with its consent to the PDCA, Parliament adopted a resolution calling for the EU to endorse Parliament's views on democracy, universal human rights and fundamental freedoms such as freedom of expression, assembly and political association, and freedom of information in all its forms; whereas with the PDCA, both parties reaffirmed their respect for universal human rights as set out in the Universal Declaration of Human Rights and other relevant international instruments on human rights; whereas the PDCA included a so-called 'human rights clause', which is a standard essential element of EU international agreements that allowed the PDCA to be suspended in the event of violations of the provisions on human rights;
- B. whereas human rights, freedom and the dignity and well-being of people are best represented and defended in a democracy, which means, among other things, the alternation of power, free and fair elections and respect for political pluralism; whereas Article 5 of the recently approved Cuban Constitution underlines the Communist Party of Cuba as the ultimate state authority, reinforced by Articles 4 and 229 underscoring socialism as an irreversible system; whereas since the approval of the new Cuban Constitution on 10 April 2019, and between then and April 2021, 1 946 legal norms have been adopted to the detriment of human rights and fundamental freedoms;
- C. whereas since the entry into force of the PDCA almost four years ago, no concrete progress in Cuba has been made vis-à-vis the general principles and objectives pursued by the agreement; whereas on the contrary, the Cuban regime has stepped up its repression and human rights violations on the island; whereas since the entry into force of the PDCA, there has not been a single meaningful change towards improving the situation of human rights and fundamental freedoms on the island, or towards improving the economic and social conditions of Cuban citizens; whereas the situation has continued to deteriorate throughout Cuban society, producing a new wave of resistance and peaceful demonstrations from significant sectors of Cuban society, which have been repressed and brutally crushed by the Cuban authorities and the regime's repressive structures;
- D. whereas April has been the most repressive month since the start of 2021, as the Cuban Human Rights Observatory (OCDH) has documented more than 1 018 repressive actions against human rights activists and independent journalists, of which 206 were arbitrary detentions and 13 involved serious violence; whereas the Cuban authorities illegally broke into the house of independent artist and San Isidro Movement coordinator Luis Manuel Otero Alcántara, and arbitrarily detained him for several hours without any charges; whereas according to the Prisoners Defenders organisation, there are currently 150 political prisoners in Cuba; whereas between March and May 2021, 31 new cases have been registered; whereas in the last 12 months up to 1 June 2021, 199 cases of political prisoners in Cuba have been part of that list, with 65 new cases of

political imprisonment, which on average represents 5.4 new cases of political imprisonment per month; whereas during the last few months, the number of denunciations of torture and ill-treatment of political prisoners in prison have increased;

- E. whereas the Cuban Criminal Code includes provisions such as ‘state of danger’ and ‘pre-criminal security measures’ for which more than 8 000 people are being held in prison with no attributable crime, and 2 500 more have been condemned to forced labour;
- F. whereas the Cuban Criminal Code punishes all civil employees who do not finish the medical missions or decide not to go back to Cuba, with sentences of eight years in prison; whereas Resolution 168 of 2010 of the Ministry of International Trade and Foreign Investment of Cuba, imposes on all civil employees abroad who work for the state or for state-owned enterprises, including medical personnel, unjustified duties and obligations that violate human dignity and the most basic and fundamental human rights, which have to be recognised for all human beings; whereas these medical missions could be considered a modern form of slavery; whereas Cuba is breaching International Labour Organization (ILO) Conventions 29 and 105 on forced labour; whereas Cuba is breaching Article 38 of the PDCA;
- G. whereas the IACHR Annual Report of 2020 points to a series of allegations of abuses and human rights violations committed by the Cuban state against its healthcare personnel assigned to work abroad under the guise of so-called medical missions; whereas the statement of the UN High Commissioner for Human Rights (CUB 6/2019) on the Cuban medical missions underscored the precarious and inhumane working conditions of the medical personnel, allegations that were supported by Human Rights Watch and 622 testimonies;
- H. whereas Parliament has awarded its Sakharov Prize for Freedom of Thought to Cuban activists on three occasions: Oswaldo Payá in 2002, the Ladies in White in 2005 and Guillermo Fariñas in 2010; whereas Sakharov laureates and their relatives are still regularly harassed and intimidated, and prevented from leaving the country and participating in international events or in events organised by the European Parliament;
- I. whereas Sakharov Prize winners such as Berta Soler, and activists such as Jose Daniel Ferrer, Luis Manuel Otero Alcántara and Reinaldo Escobar, have been invited several times by Parliament, most recently on 11 December 2020; whereas the Cuban authorities have systematically prevented their participation, as was the case in December 2020, by arbitrarily arresting Berta Soler and Reinaldo Escobar and, in addition, by restricting the internet connection of the other participants; whereas the Chair of the Delegation for Relations with the Countries of Central America, the Chair of the Committee on Foreign Affairs and a Vice-President of Parliament signed a joint declaration repudiating the harassment of the activists; whereas neither the European External Action Service (EEAS) nor the EU Delegation in Cuba have ever made a statement defending them or shown any kind of public or private support;
- J. whereas there is a clear, or at least tacit, agreement between the EEAS and the Cuban regime not to publicly voice any kind of criticism of possible violations of human rights by the Cuban regime; whereas the EU Ambassador in Havana, Alberto Navarro, signed

a letter addressed to the President of the United States, requesting, among other things, the lifting of the US embargo on the island, as well as non-interference in Cuban affairs; whereas this fact constitutes a clear exceeding of the Ambassador's diplomatic mandate and shows the highly politicised role played by the EU Embassy in Havana; whereas Mr Navarro has publicly made statements affirming that 'Cuba is not a dictatorship';

- K. whereas the third formal Human Rights Dialogue between the EU and Cuba was held on 26 February 2021 and led to no results, as was also the case with the previous dialogues; whereas any political dialogue must include direct intensive dialogue with independent civil society and all opposition political actors with no restrictions, as stressed in Article 36 of the PDCA; whereas the Cuban regime has denied several NGOs and independent organisations the right to participate during these Human Rights Dialogues; whereas the EEAS has silently endorsed the regime's vetoes; whereas the dialogue is intended to produce tangible results and cannot be considered a goal in itself;
- L. whereas Parliament has, on several occasions, invited the diplomatic representatives of the Cuban Government to hearings and activities regarding Cuba; whereas these invitations were not only declined, but also responded to in the form of a letter full of insults and unfounded accusations against Parliament and its Members; whereas Parliament is most probably the only EU institution which has not been granted permission to visit the country following the provisional entry into force of the PDCA, an attitude which clearly contradicts the essential element upon which a political dialogue agreement should be based;
1. Strongly condemns the existence of political prisoners, the persistent and permanent political persecution, acts of harassment and arbitrary detentions of dissidents in Cuba; also condemns the current attacks against artists of the San Isidro Movement, peaceful dissidents, independent journalists, human rights defenders and members of the political opposition; calls for an immediate end to these actions and for the immediate release of all political prisoners and those arbitrarily detained solely on the grounds of exercising their freedom of expression and assembly; calls for better guarantees for the right to a fair trial and to the independence of the judiciary, and to ensure that persons deprived of their liberty have access to an independent lawyer, as stressed in Article 24 of the PDCA;
  2. Strongly condemns the arbitrary detention of Aymara Nieto Muñoz, Mitzael Díaz Paseiro, Iván Amaro Hidalgo, Edilberto Ronal Arzuaga Alcalá, Yandier García Labrada, Denis Solís González, Luis Robles Elizástegui and the 64 prisoners of conscience; urges the Cuban authorities to release them immediately;
  3. Deeply regrets the lack of commitment and willingness of the Cuban regime to endeavour to advance towards even minimal progress towards change or to open channels that could allow for ways to reform the regime, which would improve the social and political participation of Cuban society, as well as the living conditions of citizens, and the regime's rejection of any democratic measures; regrets the fact that, despite the entry into force of the PDC almost four years ago, the situation regarding human rights and democracy has not improved and has not led to any substantial and tangible positive result for the Cuban people; considers that the PDCA has only

contributed to the whitewashing of the Cuban regime and its official recognition before the international community, when in fact it is clear that this is a case of an anti-democratic anomaly in the region that has endured for more than six decades now;

4. Acknowledges the right of the Cuban people to demand the democratisation of their country through a dialogue with civil society and the political opposition in order to establish a roadmap towards democratic multi-party elections;
5. Calls on the EEAS to insist that the Cuban authorities fulfil the binding obligations established in the PDCA between the EU and Cuba, in particular concerning respect for basic human rights and elementary fundamental freedoms, as stressed in Article 1(5) of the agreement;
6. Condemns the systemic labour and human rights violations committed by the Cuban state against its healthcare personnel assigned to work abroad on the medical missions, which are in breach of core ILO conventions ratified by Cuba; urges Cuba to effectively implement and comply with the American Convention on Human Rights and ILO Conventions 29 and 105 respectively;
7. Recalls that the PDCA includes a provision for the suspension of the agreement that should be applied in the event of a violation of the provisions on human rights; insists therefore that the European Union closely follow and monitor respect for human rights and fundamental freedoms in Cuba when implementing the PDCA, and submit regular reports relating thereto to Parliament; considers that the imprisonment of Denis Solís González, Luis Robles Elizástegui, Maykel Castillo Pérez ('Osorbo'), and more than 120 political prisoners and convicts of conscience, and all the arbitrary and repressive actions registered in April and June 2021, including those against the members of the San Isidro Movement and the authors of the video 'Patria y Vida', which constitute a case of special urgency, as established in Article 85 (3)(b) of the PDCA; calls for the EU to convene an urgent meeting in this regard accordingly;
8. Reiterates that human rights are an essential part of the PDCA as stressed in Articles 1(5), 2(c), 5, 22 and 43(2) respectively; calls, therefore, on the Council to apply the provisions on the fulfilment of obligations underscored in Article 85 of the agreement, including its suspension, if the Cuban authorities continue to violate human rights, which would constitute a material breach of the PDCA owing to the violation of 'the essential elements of the agreement, as described in Article 1(5) and Article 7';
9. Demands that the Cuban Government implement legal reforms in order to guarantee freedom of the press, association and demonstration, and launch the political reforms enabling free, fair and democratic elections that take account of the sovereign and freely expressed will of the Cuban people; urges the Cuban Government to align its human rights policy with the international standards defined in the charters, declarations and international instruments to which Cuba is a signatory and to allow civil society and opposition political actors to actively participate in political and social life with no restrictions;
10. Denounces as being contrary to the PDCA the systematic denial of the participation of Cuban and European independent civil society in the human rights dialogues held between the EU and Cuba, particularly during the third formal Human Rights Dialogue

that took place on 26 February 2021, as a consequence of the Cuban Government's refusal to grant its authorisation, stipulating that the EU should not accept it; calls, therefore, for an institutionalised, formal, open and public dialogue between the EU and Cuba, with the participation of civil society, thereby upholding the pillars of the PDCA, similar to those held with other countries with which the EU has cooperation agreements; reminds the EEAS and Member States that the PDCA underscores the participation of civil society as essential for the dialogue's development in the framework of the agreement (Preamble and Articles 19, 36, 42(1), 47(6)(e) and 59(2)); points out, therefore, that excluding EU-Cuban civil society and all opposition political actors means taking away an essential component of the nature of the PDCA;

11. Recalls that favouring only organisations or individuals affiliated to the Cuban Government, and excluding opposition organisations or other civil society representatives from the funds, is against the provisions of the PDCA; calls, therefore, for the inclusion of all stakeholders in the cooperation funds, regardless of the Cuban Government's approval;
12. Deeply regrets the fact that the Cuban authorities refuse to allow Parliament's committees, delegations and some political groups to visit Cuba despite Parliament granting its consent to the PDCA; calls on the authorities to immediately allow entry to the country;
13. Calls for the EU to support Parliament's vision on democracy, universal human rights and fundamental freedoms such as freedom of expression, assembly and political association, and freedom of information in all its forms, and of its 'global policy in support of human rights defenders' throughout this dialogue; confirms, nevertheless, that currently the human rights dialogues have not prevented politically motivated detentions in Cuba; points out that, on the contrary, according to the Cuban Human Rights and National Reconciliation Commission (CCDHRN), these kinds of detention have increased significantly over the past few years;
14. Calls the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to acknowledge the existence of political opposition to the Cuban Government, and therefore to include it in the political dialogue between the EU and Cuba accordingly; calls on all Member States' representatives to address human rights issues during their visits to the Cuban authorities and to meet with Sakharov Prize winners when they travel to Cuba, in order to guarantee the coherent internal and external implementation of the human rights policy of the European Union;
15. Instructs its President to forward this resolution to the Government and National Assembly of People's Power of Cuba, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States and the United Nations High Commissioner for Human Rights.