



Plenary sitting

B9-0148/2024

26.2.2024

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 critical situation in Cuba
(2024/2584(RSP))

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on behalf of the Renew Group

**European Parliament resolution on the critical situation in Cuba
(2024/2584(RSP))**

The European Parliament,

- having regard to its previous resolutions on Cuba, in particular its resolution of 12 July 2023 on the state of the EU-Cuba PDCA in the light of the recent visit of the High Representative to the island¹,
 - having regard to the Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part² (PDCA), signed in December 2016 and provisionally applied since 1 November 2017,
 - having regard to Article 5 of the Cuban Constitution,
 - having regard to the definition of ‘civil society organisation’ in the Official Journal of the European Union,
 - having regard to document ARES (2021) 2474104 by the European External Action Service (EEAS) Deputy Managing Director for the Americas,
 - having regard to reports by human rights organisations, such as Human Rights Watch, the Human Rights Foundation and Prisoners Defenders, to Chapter IV.B on Cuba of the 2020, 2021 and 2022 annual reports of the Inter-American Commission on Human Rights, to the communication of 6 November 2019 to the UN High Commissioner for Human Rights from the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and the UN Special Rapporteur on trafficking in persons, especially women and children, on Cuban medical brigades, to the communication of 2 November 2023 to the UN High Commissioner for Human Rights from the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on Cuban medical brigades, and to the conclusions of the UN Human Rights Council’s 2018 Universal Periodic Review of Cuba with regard to Cuban medical brigades,
 - having regard to the communication of 16 November 2023 issued to Cuba by the UN Special Rapporteur on freedom of religion or belief, the UN Working Group on Arbitrary Detention, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association and the UN Special Rapporteur on minority issues,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas Parliament gave its consent to the PDCA on 5 July 2017, with clear conditions

¹ Texts adopted, P9_TA(2023)0280.

² OJ L 337I, 13.12.2016, p. 3.

linked to the improvement of human rights and democracy in Cuba, including a suspension clause in the event of a violation of human rights provisions; whereas the accompanying resolution asked the Cuban authorities to allow European Parliament delegations to enter the country and have access to their interlocutors;

- B. whereas several articles of the EU-Cuba PDCA, namely Articles 1, 2 and 3, establish clear principles on equality, reciprocity, mutual respect, strengthening of contacts, dialogue and cooperation between both societies;
- C. whereas the number of political prisoners and prisoners of conscience in Cuba has risen dramatically, reaching 1 066 on 31 January 2024, including 33 people who were minors at the time of their detention, and is now over eight times higher than in 2018; whereas human rights organisations have also documented more than 11 000 cases of ‘pre-criminal’ convictions of people who have neither committed nor attempted any crime, this figure having been stated by the Speaker of the UN Committee Against Torture (CAT) in April 2022, during the 73rd session of the CAT, in the concluding verbal observations on the CAT’s third periodic report on Cuba; whereas in the past decades, Article 72 of the Cuban Civil Code has permitted an average of 3 850 new ‘pre-criminal’ detentions every year; whereas Articles 434.1 and 189.3 of Cuba’s new Penal Code build on the ‘pre-criminal’ measures contained in the Civil Code;
- D. whereas on 16 November 2023, five UN Human Rights Council Special Procedures mandate holders, including four special rapporteurs, sent Cuba a communication in which they described and condemned Cuba’s systematic pattern of persecution, imprisonment and torture of Muslim imams, Yoruba ifás (priests of the Afro-Cuban religion), evangelical pastors and Catholic priests;
- E. whereas the Institute for Crime and Justice Policy Research updated the World Prison Brief in January 2024 to show that the number of prisoners on the island had increased from 57 000 to 90 000, giving Cuba an incarceration rate of 794 prisoners per 100 000 inhabitants, the second highest in the world; whereas the Cuban Government continues to use arbitrary detention to harass and intimidate critics, independent activists, political opponents, and others; whereas in 2022, 5 499 individuals were arbitrarily detained;
- F. whereas human rights organisations continue to document the ongoing crackdown on the rights to freedom of expression, peaceful assembly and association in the country and the Cuban authorities’ stifling of dissenting voices and targeting of human rights defenders; whereas the PDCA has failed in its core aim of improving fundamental freedoms in Cuba;
- G. whereas the human rights situation in Cuba is deeply concerning, particularly with regard to vulnerable populations, such as women, ethnic minorities and the LGBTIQ+ community; whereas non-governmental organisations and independent observatories report an increase in femicides in Cuba, with the number of femicides rising to 89 in 2023 and eight new cases being reported so far in 2024; whereas despite this, the regime has not implemented a system for registering femicides in Cuba using up-to-date public data, and a comprehensive law against gender-based violence, guaranteeing the involvement of civil society representatives, has not yet been adopted;
- H. whereas any political dialogue must include the direct and intensive participation of

representatives of independent civil society and all opposition political actors, with no restrictions, as stressed in Article 36 of the PDCA; whereas the exclusion of independent civil society organisations from access to cooperation funds and/or participation in the PDCA, while, on the contrary, allowing participation and access to cooperation funds exclusively for companies in which the state participates and therefore controls, as has been the case since the signing of the agreement, should be remedied immediately;

- I. whereas on 2 January 2024, the UN made public the letter of indictment sent to the Cuban regime accusing it of forced labour, one of the forms of modern slavery highlighted by the UN Special Rapporteur on trafficking in persons, especially women and children, and the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences; whereas several international organisations have denounced the fact that Cuban civilian workers serving abroad, including doctors, teachers, sailors, engineers, artists or athletes, are subjected to human trafficking by inherently coercive laws and regulations affecting very explicit basic freedoms, including Article 176 of the Penal Code, Mincex Resolution 368 of 2020, the Migration Law and Decree 306 of 2012;
- J. whereas in a communication dated 2 November 2023, the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, pointed out that Cuba, Spain, Italy, Qatar and MSC Cruises allow and/or collaborate in the slavery of Cuban labour missions abroad;
- K. whereas the regime gradually imposed on Cuba rules out any prospect of democratic change, as Article 5 of the Cuban Constitution states that the ‘unique, Martí, Fidelista and Marxist-Leninist Communist Party of Cuba’ is the superior political force and ruler of society and the state, and as Articles 4 and 229 establish the current political system as irrevocable;
- L. whereas despite years of insisting on the need to visit the island, the Cuban authorities systematically refuse to allow official committees, delegations and some political groups from the European Parliament, international human rights organisations and other independent observers of the human rights situation, including UN special rapporteurs, to enter Cuba;
- M. whereas on 20 September 2023, the European Parliament received an invitation to visit the country from the Ambassador of Cuba to Belgium and the EU; whereas on 19 December 2023, soon after the ad hoc European Parliament delegation had been formed, the Vice-President of the Cuban Parliament informed the EU Ambassador to Cuba of the country’s refusal to receive the delegation with the justification that ‘they do not wish to receive the visit of Members of the European Parliament who work against Cuba’s interests and are completely aligned with the United States’; whereas the European Parliament should apply a policy of reciprocity with regard to Cuban official delegations; whereas the Ambassador of the Republic of Cuba, in a letter dated 25 January 2024 addressed to the President of the European Parliament, described the President of the ad hoc delegation of the European Parliament to Cuba and two other members as ‘maintaining links and supporting citizens and organizations included in the National List of persons and entities (...) based on acts of terrorism’;

- N. 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 being regularly harassed, intimidated and prevented from leaving the country and participating in international events;
1. Regrets that despite the time that has elapsed since the entry into force of the PDCA, the situation of lack of democracy and freedoms in Cuba has not improved, and that on the contrary, there has been a further deterioration and aggravation of the human rights situation on the island, in clear and systematic violation of the basic provisions of the PDCA;
 2. Stresses the obligation for all parties to fulfil the binding provisions of the PDCA and to uphold the principle of the universality of human rights;
 3. Condemns in the strongest terms the systematic human rights violations and abuses perpetrated by the Cuban regime against protesters, political dissidents, religious leaders, human rights activists and independent artists, among others; urges the Cuban authorities to immediately put an end to the policy of repression;
 4. Is concerned at the alarming increase in the number of political prisoners, which has risen more than eightfold since 2018; calls for the immediate and unconditional release of individuals detained solely for exercising their human rights, including the rights to freedom of expression and peaceful assembly; further calls for the dismissal of unjust criminal charges and supports the facilitation of the return of those in exile;
 5. Denounces the Cuban Government's practice of excluding legitimate civil society organisations from EU-Cuba civil society seminars; declares it unacceptable that the EEAS and the EU Delegation in Havana agreed to exclude the Cuban democratic opposition and both European and Cuban independent and legitimate civil society organisations from political dialogues because of the lack of endorsement by the Cuban authorities;
 6. Expresses deep concern over the existence of Cuban medical brigades working in conditions of forced labour; condemns Cuban state-driven forced labour, which is motivated solely by economic gain; denounces the fact that 78 % of the 'volunteers' in international missions stated that they were deployed against their will or had to participate under coercive structural conditions;
 7. Notes that in November 2023, members of the Cuban Parliament, including the Secretary of the Cuban National Parliament, Homero Acosta, were treated respectfully and received warmly at the European Parliament; declares the continued exclusion of the European Parliament, which is the sole European institution denied access to Cuban territory, to be unacceptable and a violation of the PDCA; rejects Cuba's decision to refuse a visit by an ad hoc delegation from the European Parliament and urges the Cuban authorities to adhere to the principles of the PDCA and grant the European Parliament access to the country; calls, in accordance with the policy of reciprocity, for members of the Cuban Parliament and of any Cuban national delegation to be banned from accessing the European Parliament in the meantime;

8. Demands that, in accordance with the PDCA, the Cuban authorities grant access for a European Parliament, EU and Member State delegation and independent human rights organisations to monitor trials and visit the hundreds of activists and ordinary Cubans who remain imprisoned for exercising their right to freedom of expression and assembly;
9. Reiterates its call on the Council to apply the EU Global Human Rights Sanction Regime (the EU Magnitsky Act) and adopt sanctions against those responsible for the persistent human rights violations in Cuba, starting by sanctioning Miguel Díaz-Canel, as the most senior figure in the chain of command of the Cuban security forces, along with other high-ranking officials within the Cuban Government;
10. Reiterates its call for the EU to trigger Article 85(3)(b) of the PDCA to request an immediate meeting of the joint committee owing to the Cuban Government's breaches of the agreement, which constitute a 'case of special urgency' that may lead to the suspension of the agreement; underlines that these breaches involve persistent and substantial violations of democratic principles and a disregard for the basic human rights and fundamental freedoms outlined in the Universal Declaration of Human Rights and emphasised in Article 1(5) of the PDCA; stresses that the Cuban Government's failure to address these transgressions despite the European Parliament's repeated calls to do so could lead to the suspension of the agreement;
11. 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, the United Nations High Commissioner for Human Rights and the governments of the Member States of the Community of Latin American and Caribbean States.