

MÉTODO CUBA

Independent Artists'
Testimonies of Forced Exile

MÉTODO CUBA: Independent artists' testimonies of forced exile

July 11, 2023

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The Artists at Risk Connection (ARC) safeguards the fundamental right to artistic freedom of expression worldwide. Its mission is to ensure that artists and cultural workers can live and create without fear, regardless of their country or discipline. ARC plays the critical role of connecting artists at risk from any country and discipline to available resources across a global network of 800+ organizations, providing emergency funds, fellowships, and legal support. In addition, ARC provides emergency grants, resilience grants, and technical assistance, bolstering protection and resilience for artists at risk. ARC's impact is amplified by its regional protective networks in Africa and Latin America. Through collaboration with human rights and cultural organizations worldwide, ARC responds to on-the-ground threats to artistic freedom by providing localized emergency support to artists at risk. In partnership with civil society organizations, ARC also builds cross-regional coalitions to raise awareness around artistic freedom issues, celebrate global artists, and fight for increased recognition of the critical role that they play in society. By advocating for policy reforms that uphold the safety and well-being of artists under international human rights law, ARC works tirelessly with its coalitions to create a more secure environment for artistic expression worldwide. For more information, go to artistsatriskconnection.org.

PEN International is the foremost and largest association of writers that stands at the intersection of literature and human rights to protect free expression around the world. Founded in London in 1921, PEN International—PEN's secretariat—connects an international community of writers. PEN operates across five continents through 147 centers in over a hundred countries. It is a forum where writers meet freely to discuss their work; it is also a voice speaking out for writers silenced in their own countries. PEN International works to promote the PEN Charter to ensure that people everywhere have the freedom to create literature, to impart information and ideas, to express their views, and to access the views, ideas, and literatures of others. We champion the freedom to write, recognizing the power

of literature to transform the world. In 2021, PEN International celebrated its centenary. More than a hundred years since its founding, it is recognized as a leading international charity and expert on freedom of expression. For more information, go to pen-international.org.

Cubalex's mission is to empower citizens, strengthen civil society organizations, establish democracy and the rule of law, and guarantee respect for human rights in Cuba. Founded in 2010 in Havana, Cubalex operated on the island for seven years until its members were forced into exile. Currently, the organization is registered in the United States, from where it has worked continuously for five years. With 12 years of experience documenting and denouncing human rights violations on the island, Cubalex offers consulting services and free legal assistance to Cuban citizens, benefiting more than 5,000 people. For more information, go to cubalex.org.

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CONTENTS

EXECUTIVE SUMMARY	8
PREFACE	12
The Nightmare of a Failed Myth By Gioconda Belli	
THE CRIMINALIZATION OF CREATIVITY	15
METHODOLOGY	20
THE REALITY OF FORCED EXILE	21
Surveillance and Harassment	22
Deprivation of Liberty: Detentions and House Arrests	25
Imprisonment, Unfair Trials, and Forced Exile	30
THE CHALLENGES OF FORCED EXILE	36
Psychosocial Consequences	36
Creative Consequences	38
Economic Consequences	39
CONCLUSION	42
RECOMMENDATIONS	44
HUMAN RIGHTS OBLIGATIONS OF THE CUBAN STATE	46

ARTISTS' VOICES: Stories of Forced Exile	51
› Katherine Bisquet	52
› Tania Bruguera	58
› Solveig Font Martínez	64
› Claudia Genlui	70
› Abraham Jiménez Enoa	74
› Hamlet Lavastida	80
› Ramón López "El Inva"	86
› Eliexer Márquez Duany "El Funky"	90
› Michel Matos	96
› Yanelys Núñez	100
› Jorge Olivera	106
› Luis de la Paz	110
› Nonardo Perea	114
› Anamely Ramos	118
› Esteban Rodríguez	124
› Denis Solís	128

APPENDIX: CUBAN LEGAL FRAMEWORK	132
ACKNOWLEDGMENTS	134
ENDNOTES	135

EXECUTIVE SUMMARY

For more than six decades, the Cuban government has effectively masked its censorship of art and culture and evaded scrutiny by the international community. While it sought to portray itself to the outside world as a patron and guardian of artistic expression, the government in fact censored, harassed, and targeted dissident artists and cultural figures through tactics that included surveillance, house arrest, detention, and even physical violence.

The government's effort to suppress freedom of expression, with a particular focus on artistic freedom, has effectively hindered the creation and dissemination of critical art. Over the last five years, however, the independent artistic community has resurged as a powerful force against state censorship, actively resisting these restrictions.

The Cuban government's repression of dissident artists in Cuba should be recognized as part of a broader crackdown on independent and critical voices. This issue not only impacts human rights in general but also specifically affects artistic freedom and cultural rights. Professionals in these fields should acknowledge that today in Cuba, their counterparts cannot create as freely, constantly susceptible to the looming shadow of state censorship.

The artistic community's acts of creative defiance and protest, combined with widespread discontent and the impact of the COVID-19 pandemic, played a significant role in the large-scale peaceful demonstrations on July 11, 2021. On that day, thousands took to the streets, demanding improvement, change, and respect for their fundamental rights. In response, the authorities swiftly cracked down on dissent, targeting artists among other groups. Some of them faced harassment, extensive surveillance, house arrest, arbitrary detentions, sham trials, and even forced exile.

In this report, the Artists at Risk Connection (ARC), PEN International, and Cubalex compile 17 testimonies of independent exiled Cuban artists and cultural professionals, which expose the government-led censorship, harassment, and targeting of these groups. The artists' words vividly illustrate the recurring patterns of repression they endured: police and cyber surveillance, selective internet restrictions, threats, house arrest, harassment, physical assault, detentions, enforced disappearances, imprisonment, and even physical and psychological torture. Over time, this repression takes a toll on every aspect of an artist's life, shattering their personal and professional spheres. This all occurs within the con-

text of documented failures by the Cuban state to uphold its human rights obligations, such as the right to a fair trial, due process, and humane treatment of detainees. As the artists themselves point out, the impact of such measures extends beyond individual cases and permeates the entire artistic sector, instilling self-censorship across the field.

In the face of escalating persecution, these artists were all confronted with an unthinkable choice: endure unrelenting attacks by the state or leave their homeland, forced to abandon their families, and artistic communities. In some cases, interviewees revealed that the Cuban government engaged in negotiations with them regarding their departure from the country.

In drafting this report, ARC, PEN International, and Cubalex recognize that the embargo remains an ongoing concern that impacts the ability of the Cuban authorities to ensure the progressive realization of economic and social rights. We call on all states to uphold their human rights obligations. The focus of this report is the responsibility of the Cuban authorities in upholding relevant human rights norms necessary for the enjoyment and protection of the civil and political rights of its citizens.

Despite the Cuban government's self-portrayal as a supporter of art and culture, the testimonies of these artists expose a vastly different—and deeply troubling—reality. Being an artist in Cuba means navigating a climate of enforced silence encompassed by the censorship of art in public spaces, the potential confiscation of artwork, exclusion of independent artists from official cultural events, venues, publishing houses, and associations, and other obstacles in freely promoting and publishing their work. In exile, Cuban artists continue to face challenges. To overcome these hurdles, they will require the attention and action of art and human rights organizations dedicated to protecting vulnerable and marginalized voices.

ARC, PEN International, and Cubalex hope that the powerful testimonies in this report will prompt the international community to urge the Cuban government to live up to its self-proclaimed role as a guarantor of artistic expression.

KEY INSIGHTS

- Sixteen artists interviewed alleged they were either arbitrarily detained, subjected to police or judicial interrogations, or placed under house arrest. These artists also alleged that during detention or interrogation, they were threatened with arbitrary or rights-violative punishments, that may include acts of physical or psychological abuse, due to their work or activism. These threats included long prison sentences, expulsion from work, and eviction of the artists or their families from their homes.
- Fifteen artists mentioned receiving explicit threats from authorities of fines, imprisonment, and professional dismissal directed at friends, colleagues, and relatives.
- All artists reported suffering some form of surveillance in the physical or digital spheres. Mentions of physical surveillance included police patrols and State Security agents stationed in front of their homes, being followed in public spaces, or via surveillance cameras. Meanwhile, digital surveillance included the hacking or tapping of phone lines, messaging services, and other means of communication.
- Twelve of the artists we interviewed alleged that they have been victims of state-led harassment campaigns, enduring threats, leaks of their private conversations, and online attacks to delegitimize or badge them.
- All artists shared experiences of censorship including the confiscation of tools or works of art; prohibition from exhibiting in galleries or official institutions and from holding meetings between artists; the inability to publish or collaborate with state institutions or organizations affiliated with the government; the exclusion of specific works from exhibitions; and the blocking of online content.
- Once in exile, of the 17 artists interviewed, 14 explicitly mentioned experiences of isolation or difficulties associated with integrating into a new society. Artist-specific needs may include mobility, public financing, networking assistance, translation and language support, and access to tools, spaces, and cultural institutions.

By amplifying the stories of the artists interviewed, the myriad repressive practices they alleged to have suffered, and the principal challenges they report in exile, the following recommendations emerged to the Cuban government, governments of Latin America, the international human rights community, international civil society, cultural organizations, and the media:

KEY RECOMMENDATIONS

To the Cuban Government

- Immediately release all imprisoned artists and political prisoners, who are jailed for peacefully expressing their ideas and creative work.
- Respect the right of return for artists and remove all restrictions currently placed on artists in exile who wish to go back to Cuba as their country of origin, ensuring their free expression and the full exercise of their human rights.
- Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights.

To the Governments of Latin America and the International Human Rights Community

- Recognize and denounce human rights violations in Cuba in interactions with regional and international forums.
- Investigate allegations of the systematic abuse of human rights against artists, writers, and activists in Cuba as it relates to restrictions on freedom of artistic expression, arbitrary detentions, and patterns of forced exile.

To International Civil Society, Cultural Organizations, and the Media

- Invest in creating local, regional, and international platforms and coalitions that build solidarity with Cuban artists, amplify their voices, and further expose violations of freedom of expression in Cuba.

PREFACE

The Nightmare of a Failed Myth

By Gioconda Belli

Writer

Deportation, exile, imprisonment, and harassment. These are the most commonly used methods in today’s Cuba to prevent artists, journalists, and even the most daring or desperate citizens from freely expressing their opinions.

Within the Cuban system, the only public freedom granted to those who live on the island is assent and submission to the decrees and regulations of power. For over 60 years, the Communist Party of Cuba and its institutions have perfected a doctrine that requires the Cuban people’s obligatory acceptance of their circumstances. Since almost the start of the revolution in 1959, these circumstances have resulted in extreme isolation, scarcity, and precarious living conditions.

Not everything that has happened to Cuba has been just or self-inflicted. Proclaiming socialism and allying with the Soviet Union cost Cuba a North American economic blockade and other sanctions that affected the supply of products and goods to a country that had been accustomed to commercial relations with the United States and the world.

Under the leadership of Fidel Castro, the Cuban government’s decisions about the path that the country and its revolution were to take created the basis for an ideological platform that demanded a heroic and combative attitude from those who lived on the island, requiring them to defend the sovereignty of its political system. The country’s propaganda, culture, education, rites and rituals, and everyday life were structured around slogans and a “patriotic” discourse that exalted a set of values, presented not only as unquestionable but also as inalienable. In June 1961, Castro declared, “Within the Revolution, everything, outside of the Revolution, nothing.”

In the 1960s and ’70s, when U.S.-backed military dictatorships proliferated in Latin America, Cuban scarcities and difficulties were described by many intellectuals and artists of the time as symbols of the country’s epic resistance and its determination to uphold certain decisions and principles, regardless of the cost. To maintain this myth and the internal

cohesion of a self-sacrificing popular disposition, also meant the propagation and defense of a single unified thought, without exceptions imposed by the apparatus of the Cuban state. Neighborhoods and communities were organized to ensure that no one dared to express dissent or complain. Sanctioned media and information channels were established to repeat the “official” version of reality.

“The country’s propaganda, culture, education, rites and rituals, and everyday life were structured around slogans and a “patriotic” discourse that exalted a set of values, presented not only as unquestionable but also as inalienable.”

Although there were still seedlings of rebellion, all of them were silenced with strong warnings, dismissals, and the loss of rights, promotions, or privileges. The most prominent dissidents were often imprisoned. A large number of Cubans opted to leave the island by any means possible. Those who did were subjected to harassment by neighbors who insulted or mocked their supposed cowardice.

After the death of Fidel Castro in 2016, the changes in everyday life wrought by cell phones and the internet, and Barack Obama’s arrival to the White House, the isolating conditions on the island were somewhat reduced. Some cracks had begun to appear in the repressive ideological shell. After the cessation of the Soviet subsidies and the subsequent harsh period of scarcity known as the “special period,” help from Venezuela moderately improved Cuba’s economic situation. However, this progress stalled with the drop in oil prices after the death of Hugo Chávez in 2013.

Since about 2017, daily life and Cubans’ access to food and basic necessities, including water and electricity, have deteriorated substantially. The number of skilled workers and artists leaving Cuba has steadily increased. The tightening of punitive measures by Donald Trump’s administration, along with the lack of response and relief from Cuba’s current president, Miguel Mario Díaz-Canel Bermúdez, has increased social tensions. Discontent began to appear in artistic production, blogs, and news produced in the country.

This led to the 2018 issuance of Decree 349, which requires artists to obtain authorization for and undergo censorship of their art exhibitions and public presentations. Naturally, independent artistic groups protested the decree, as you can read in this detailed and enlightening report.

There are times when a poem, a song, an action can become a powerful trigger. That is what happened in February 2021, when the song “Patria y

Vida” (Homeland and Life), a magnificent collective composition performed by Yotuel Romero, Descemer Bueno, Maykel Osorbo, El Funky, and the group Gente de Zona, spread throughout Cuba. This song is possibly the most direct criticism ever made of the Cuban regime—a critique that is not only strong but of great quality; a critique that was also widely disseminated and that captured the popular imagination. That song, which helped ferment the cycle of rebellion that had been building among artists, gave rise to the most important street protests that the island has ever seen: those of July 11, 2021.

The state did not wait to react. Crushing this seed of popular mass rejection of the situation and the regime led to the development of what the title of the present report refers to as Método Cuba (the Cuba Method).

Despite the ideology and propaganda set up decades ago to foster the ascent and passivity of Cubans, and despite their countless misfortunes, the new generation perceives reality and their rights in a different way. Hence, the Cuban state, incapable of changing its rigid structure and disposing of the myths that it created, is intensifying its repressive measures and has developed this “method” as an appalling response to the Cuban people’s demands for freedom and change.

I invite you to read this excellent report, to spread the word about the Cuban Method and its effects on the Cuban people. I offer my respect and appreciation for the work that made it possible. I thank the Artists at Risk Connection, PEN International, and Cubalex for their hard work in preparing it.

THE CRIMINALIZATION OF CREATIVITY

The Cuban government positions itself as a champion of the island’s cultural heritage and a global ambassador for Cuban culture. The state has lobbied for the recognition of nine UNESCO World Heritage Sites in Cuba and achieved recognition of various Cuban art forms on UNESCO’s Intangible Cultural Heritage List.¹ Since the earliest days of its rule, the state has cultivated a depiction of their governance as promoting Cuba’s cultural patronage²—harnessing art and artists as part of its set of propaganda tools. Internationally, much of Cuba’s “soft power” comes from positive images of Cuban culture, from the music of the Buena Vista Social Club to Havana’s salsa scene to Tropicana cabarets. The Cuban state benefits from the perception that it permits—even encourages—exuberant artistic culture on the island, culture that voluntarily avoids criticizing the government. The reality is something completely different.

In Cuba, freedom of expression and the artistic community have been heavily centralized and controlled by the government since the 1959 revolution. As Gioconda Belli, a Nicaragua-born poet, and novelist, notes, the economic embargo of Cuba has badly damaged Cuban artists’ prospects for cultural interchange with the rest of the world, and the government has pursued its own policies that marginalize the creative urge and subject it to political control. The government’s takeover of creative and cultural practices such as art, literature, and journalism has resulted in mechanisms of censorship and repression that deeply curtail the expression of independent artists in particular.³ The Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) reported limitations on the online sphere and the right to freedom of expression include, “(i) highly restrictive and ambiguous legal provisions, (ii) the limited connectivity of the Cuban population, (iii) the blocking and censorship of critical media, and (iv) web surveillance.”⁴

The country’s laws and its state media’s monopoly restrict press freedoms and access to information, and embattled independent media outlets face harassment campaigns by state institutions. Beyond media, the Ministry of Culture (Minicult) has unrestricted oversight over nearly all artistic production. This supervision has only deepened in recent years. Between 2016 and 2019, government institutions adopted 27 new legal provisions regulating artistic production.⁵ This included 2018’s Decree 349, which essentially controls and restricts independent artistic production in the country.⁶ On May 25, 2023, the Cuban National Assembly passed a new

Social Communication Law, which criminalizes independent media and free expression.⁷ The Cuban government is continually renewing its legislative powers and prerogatives to institutionalize—and tighten its control of—all forms of cultural and creative expression.

As the space for free expression in Cuba has continued to shrink, numerous regional human rights bodies have expressed increasing concern over the rising repression, persecution, and harassment of artists.⁸ Cuban historian Rafael Rojas explained: “In over 60 years, censorship has not ceased or diminished in Cuba. In fact, it could be argued that it has multiplied and been perfected, as it currently does not operate against one artist or another but rather against entire collectives.”⁹

This report is intended to illustrate the realities of artistic repression in Cuba, drawn from a series of in-depth interviews with 17 artists, writers, and cultural professionals, each of whom has allegedly been targeted by the government. As a result of their creative expression and involvement in protest movements, these artists have been subjected to a wide range of repressive acts, including surveillance, threats, house arrest, arbitrary detention, torture, and, in many cases, forced exile. Their stories and experiences are critical to understanding the Cuban state’s systematic targeting of artists and the impact on their lives, careers, health, and safety.

The specter of censorship looms over artists from the beginning of their careers or their time in school. At the San Alejandro National Academy of Fine Arts, visual artist Hamlet Lavastida explained, teachers told him: “Don’t deal with this subject. Don’t talk about the revolution. It’s a difficult issue, it’s an issue that’s going to go wrong for you, it’s going to end badly, you’re going to end up broken.” If he kept up his political art, he was advised, “you are only going to achieve three things: end up as a frustrated drunk, end up in exile, or . . . in prison.”¹⁰ This last warning, he said, “was not a threat” but more like a statement of reality. Tania Bruguera, a multidisciplinary artist and the director of the Hannah Arendt Institute of Artivism (INSTAR), elaborated: “In Cuba, when your work gets censored, the number of professional opportunities available to you begins to dwindle, and this catalyzes a process that not only affects your artistic oeuvre, but also your personal life and your family.”¹¹

Despite—or perhaps because of—systemic restrictions on their work, in recent years artists have been at the forefront of massive demonstrations and acts of resistance. Along with cultural events such as the 2018 #00Bienal de la Habana (the country’s first independently organized art biennial),¹² artists have collaborated to create artistic collectives like the San Isidro Movement (MSI, per their name in Spanish)¹³ and 27N, a diverse community of artists and intellectuals.¹⁴ These artist collectives have engaged in hunger strikes, public demonstrations, and other forms of dissent.¹⁵

Hilda Landrove Torres, a Cuban cultural promoter now living in exile, explained that the intensifying state repression has kicked off an artistic “cycle of rebellion,” in which new crackdowns catalyze new protests and critical expression, which in turn trigger further crackdowns.¹⁶ One such cycle erupted on November 9, 2020, after police officers stormed the residence of rapper Denis Solís, a raid that he alleges occurred without a warrant. Two days later, the Municipal Court in Old Havana sentenced him to eight months in prison for the crime of *desacato* (contempt) by the Municipal Court in Old Havana. In solidarity with Solís, artists from the San Isidro Movement began a hunger strike at its headquarters, demanding his release.

“In Cuba, when your work gets censored, the number of professional opportunities available to you begins to dwindle, and this catalyzes a process that not only affects your artistic oeuvre, but also your personal life and your family.”
– Tania Bruguera

Authorities quickly responded by placing the headquarters in a state of siege, cutting off internet access, and intercepting a well-wisher bringing food. On November 26, police dragged protesters out and confined and force-fed them, invoking COVID-19 health regulations to do so. In response, the next day, more than 300 artists mobilized in front of the Ministry of Culture (a protest now commonly referred to as 27N), demanding an immediate end to the repression of creatives and calling for a dialogue between the authorities and the artistic and intellectual communities. The authorities initially agreed to an extensive meeting but later canceled.¹⁷

Such demonstrations, and the harsh crackdowns that often follow, are a testament to the power of art as a promoter of social change in Cuba. There is perhaps no better illustration of this than “Patria y Vida,” a protest song that took off in February 2021.¹⁸ The song criticizes repression by challenging the motto of the Cuban government, “Patria o Muerte” (Homeland or Death). It became the unofficial anthem of the historic demonstrations that swept the island on July 11, 2021 (now commonly known as 11J), in which thousands of people took to the streets in at least 58 towns to participate in peaceful protests spurred by the absence of domestic legal safeguards, food and medicine shortages, and the government’s handling of the COVID-19 pandemic.¹⁹

Since then, Cubalex and the solidarity group Justicia 11J have documented at least 1,812 arbitrary detentions in connection with the 11J protests.²⁰ The Inter-American Commission on Human Rights (IACHR) also documented hundreds of arbitrary detentions and “other violations of due process guarantees, mistreatment, deplorable detention conditions,” and other acts in the weeks following the protests.²¹ Artists who demonstra-

ted were among those targeted. In the two months after the protests, ARC, PEN International, and other partner organizations documented at least 39 protest-related arrests of artists.²² Within that same period, at least 55 other members of the artistic and literary communities were held under house arrest, arbitrarily detained or under investigation.²³

At the time of this report’s publication, 59 artists were detained in distinct public demonstrations (such as 11J, 15N, and other protests in 2022).²⁴ Of those documented, 13 are now in exile, while 13 remain in detention. Artists, journalists, and cultural professionals involved in protests may continue to face threats or intimidation. Examples include Bruguera, now in exile in the United States, who has faced ongoing harassment from state forces beginning in 2014, and Lavastida, who was imprisoned and later sent into exile in Poland.²⁵ Other emblematic cases include those of rapper Maykel Castillo Pérez, co-author of “Patria y Vida,” and multidisciplinary artist Luis Manuel Otero Alcántara. Both members of MSI, Castillo Pérez and Otero Alcántara were sentenced following unfair trials.²⁶ “When you declare yourself an opponent of the regime,” Denis Solís explained, “you become a target for them. You are under a magnifying glass. You are under surveillance.”²⁷

These burdens of repression may not fall on all artists equally. In our conversations, several interviewed artists emphasized the role of racism and class-based discrimination in systemically shaping the government’s treatment of artists. Cuban dissident Yanelys Núñez, researcher, cultural producer, and co-founder of the Museo de la Disidencia en Cuba [Museum of Dissidence in Cuba] and the #00Bial de la Habana, stated that within the Cuban artistic sphere: “We were in turn the most racialized fraction. [Cultural institutions] met with white artists who had graduated from the academy, and not with Luis [Manuel Otero Alcántara] or with Amaury [Pacheco], who did not graduate from the same institutions, who are black, who do not have a masters; there you also see the racial factor that the government [applies] when it comes to repressing and interacting with citizens.”²⁸

The Cuban government’s preferred tactics for targeting artists include detention, harassment, interrogations, threats, and in some cases, more severe actions such as long-term imprisonment, torture, and exile. Laritza Diversent, a lawyer and the executive director of Cubalex explained that this harassment “is a series of concatenated actions and events where official summons, threats, arrests, and interrogations converge. When these artists are detained or taken in for interrogation, many are often the victims of torture techniques and you are often locked up in a cell under horrible conditions. During the interrogation, they threaten you. Then when they release you, they fine you and we see a series of incidents, harassment, that the person suffers. Furthermore, when you arrive home, a week or a month later, there are new summonses.”²⁹

“you become a target for them. You are under a magnifying glass. You are under surveillance.”

– Denis Solís

During the interrogations, Diversent said, the authorities “will give you three proposals: 1) ‘Cooperate with us.’ They want you to give them information about the actions of other people within the movement. 2) ‘You leave the country,’ a forced exile. Or 3) ‘We’ll put you in jail if you continue with your art and activism.’ In other words, there’s no way you’re going to continue with your work. . . . The objective is clear.”³⁰

The stories shared throughout this report paint a picture of how Cuban officials levy such tactics against artistic dissenters and demonstrate that artists are a threatened sector in the country—facing crackdowns similar to those experienced by other targeted groups, including activists, human rights defenders, and journalists. The artists we interviewed describe the deliberately surreptitious nature of the repressive tactics, which impede their ability to fully document and publicize the abuses they face. According to Bruguera, state authorities either “forcibly exile you or they don’t let you back in. Or they harass you in subtle and insidious ways so that you can’t even [report it], which is another thing that happens. Many times they do things to you that are difficult to document”³¹

In this report, artists allege that the Cuban government employs coerced exile as a deliberate tool to marginalize and silence its critics. In multiple cases cited here, government representatives intensified pressure on dissident artists until they were compelled to go into exile—a decision that for many was previously unimaginable.

Most mainstream reporting on human rights abuse in Cuba focuses on activists, journalists, and other more traditionally conceived categories of human rights defenders. As this report reveals, however, artists face similar risks that are inextricably tied to their creative expression and identity as artists. To promote and defend human rights in Cuba, the international community must better understand and recognize the challenges that independent artists currently face in the larger political landscape.

This report underscores some of the artists’ shared challenges and the consequences of forced exile—legal, psychological, and economic. It ends with a set of recommendations delineating how individuals, institutions, and the international community can better defend artists and artistic freedom in Cuba.

METHODOLOGY

To develop this report, the ARC, PEN International, and Cubalex conducted in-depth interviews in Spanish with 17 Cuban artists, writers, and cultural professionals.³² They spoke about their careers, their experiences of repression within Cuba, the process of leaving the country, and their lives in exile.

This publication also contains a section of these testimonials, in which artists tell their stories in their own words (see “Artists’ Voices: Stories of Forced Exile”).³³ These artist stories are edited versions of oral testimonies provided by the artists. The authors consulted several experts on human rights in Cuba and conducted substantial research, some of it drawing on previous publications and human rights monitoring from ARC, PEN International, and Cubalex.

Consent was obtained from the artists, writers, and cultural professionals involved, allowing information from the interviews to be shared publicly by the aforementioned organizations.

This report is also available in Spanish.

THE REALITY OF FORCED EXILE

The Cuban government imposes both physical violence and psychological pressure on artists it deems dissident. Drawing from artists’ firsthand accounts, the two opening sections of this chapter—“Surveillance and Harassment” and “Deprivation of Liberty: Detentions and House Arrests”—scrutinize tactics commonly employed by the state, including pervasive online and offline surveillance, persistent harassment, frequent short-term detentions, and house arrests. These tactics obstruct and undermine artists’ ability to fully pursue their creative endeavors and expression. As a result, the artists ARC, PEN International, and Cubalex spoke with describe a profound sense of isolation, a lack of access to employment opportunities, a limited ability to generate income, and difficulties sustaining vital support networks.

The artists’ interviews underscored how the climate of censorship includes various state efforts intended to marginalize dissident work, including by restricting the spaces to publish their books or exhibit their art and by limiting the promotion of certain works.³⁴ Luis de la Paz, a journalist, writer, playwright, literary critic, and the president of the PEN Cuba Center in Exile notes that certain artists face exclusion from art institutions because their work does not respond to the interests of the state or the revolution—or because their work “lacks enthusiasm” for the revolution. In turn, this may further foment a widespread climate of censorship.³⁵

The UN Special Rapporteur on the situation of human rights defenders has recently expressed deep concern over the tactics that Cuban state security forces employ against human rights defenders, finding many of their practices contrary to international law.³⁶ All 17 of the artists interviewed for this report have personally experienced such abuses. Sixteen of the 17 said that they were subjected to physical or psychological harassment or ill-treatment while being interrogated by security forces. Several allege that their arrests involved the excessive use of physical force.

A common thread that emerges in the interviews is that the Cuban government perpetrates these abuses to punish artists for their creative work and activism, with the goal of silencing them. The last section of this chapter, “Imprisonment or Forced Exile,” highlights how the state ramps up pressure on dissident artists to its highest levels. Artists are frequently

imprisoned for long periods under false or arbitrary charges and subjected to unfair trials. As the artists testify, this pressure can culminate in their self-censorship, imprisonment, or exile.

Surveillance and Harassment

State censorship in Cuba manifests in a variety of ways, but a recurring trend is the escalation of repressive tactics if the targeted artists refuse to comply with attempts to silence them. This growing pressure affects not only the artists' personal well-being but also their ability to work, their friendships, and, directly or indirectly, their family members and other close acquaintances.³⁷ These pressures may violate a range of artists' economic, social, and cultural rights, including the right to work, to housing, to health, and to take part in cultural life. The 17 artists interviewed shared experiences of censorship that encompass various forms of repression. These included, but are not limited to, the confiscation of tools or works of art; prohibition from exhibiting in galleries or official institutions and from holding meetings between artists; the inability to publish or collaborate with state institutions or organizations affiliated with the government; the exclusion of specific works from exhibitions; and the blocking of online content.³⁸

For example, Claudia Genlui, a curator, activist, and founding member of MSI and the 27N movement, recounted that since 2020, state security has worked to isolate her from her friends, family, colleagues, and community. "They cut off our communication," she said. "They shut down our internet connection. . . . They block your email or telephone. The phone won't connect to the internet. These are obstacles that you have to deal with."³⁹ Controlling artists' communication can inhibit them from sharing their work online—disconnecting them from their audience and limiting their ability to collaborate with other artists.⁴⁰

Governmental harassment of artists can also include practices such as unfairly firing them from a job or depriving them of materials necessary for their work.⁴¹ Nine of the artists interviewed alleged that they were expelled from state art institutions and higher-education art schools they had either worked with or were part of.⁴²

All four of the musicians interviewed affirmed that state security blocked their ability to record their songs, work with DJs, or gain access to recording studios.⁴³ "Not only do they totally censor us," said rapper Eliexer Márquez Duany, a co-author of "Patria y Vida" and a member of MSI, better known as El Funky. "They exclude and prevent us . . . from recording in studios." Even at non-government-owned studios," he added, "state

security took it upon themselves to threaten that they would confiscate their equipment, [fine them] 3,000 pesos, even [impose] jail time."⁴⁴

At times, the threats and harassment reached the artists' family members. Around the same time that writer Abraham Jiménez Enoa faced heightened harassment for his creative expression, he said, "my mother was expelled from the workplace, my father had to retire, my sister had to leave her job, my partner was also harassed on social media, my mother-in-law too."⁴⁵ Those close to Katherine Bisquet, a writer, poet, and member of the 27N group, have also heard from state security. "They called my family so that I would stay silent," she said. "They began to threaten them that I could lose everything, and they could, too, if I didn't shut up and if I kept hanging out with my friends."⁴⁶ Solís's family endured similar harassment, which took its toll. "Out of fear," he said, "my family always told me to stop doing activism because they don't want to get into trouble because of my cause. And I understand why they felt this way. I did not live alone—I did not have the right to live alone—and my family was threatened."⁴⁷ Solís observed that such intrusions impair artists' mental state: "Surveillance also fulfills another purpose: to intimidate you. It is psychological violence. When you intimidate a person, . . . you are exerting psychological violence against that human being."⁴⁸

According to Cubalex, between April 26 and May 1, 2022, surveillance and police siege were the most reported repressive actions taken by the Cuban state "against activists, opponents, journalists, and relatives of people in detention for political reasons."⁴⁹ All the artists we interviewed say they've experienced some form of surveillance, both physical and digital. Police patrols and state security agents appeared in front of their houses, followed them in public spaces, and watched them with surveillance cameras. Digital surveillance has included the hacking and tapping of phone lines, messaging services, and other means of communication. Bisquet reported that microphones were installed on her and her family's devices. "All the phones were tapped," she said. "We couldn't have any privacy or talk about anything because it would all be exposed on national television."⁵⁰

These repressive tactics extend to artists' friends, some of whom have no connection to the artists' activism. Of the 17 artists interviewed, 15 mentioned explicit threats of fines, imprisonment, and professional dismissal directed at friends, colleagues, and relatives.⁵¹ These scare tactics isolate the artist, said Michel Matos, a cultural practitioner, member of MSI, and founder and former director of the independent music gathering Festival Rotilla. First, he said, the government "gets close to you." They figure out

“who your friends are, they know your collaborators, they end up knowing it all, and they control [your environment]. . . . And indeed, people end up distancing themselves from you.”⁵²

The Cuban government also leverages state media to harass groups they deem dissident to further intimidate and censor them.⁵³ Our analysis of various media outlets shows that they foment hateful discourse against independent artists,⁵⁴ engaging in smear campaigns and falsely portraying them as conspirators working against Cuba and participating in criminal activities.⁵⁵ In a well-documented example from April 2021, Humberto López, host of the state’s prime-time news show *Noticiero Estela*, called for members of MSI and 27N to be charged with treason against the homeland, a capital offense.⁵⁶ Such smear campaigns increase pressure on artists while ostracizing them in the public eye.

Twelve of the artists interviewed alleged that they have been victims of state-led harassment campaigns, enduring threats, leaks of their private conversations, and online attacks carried out by *ciberclarias* (internet trolls) as well as having their image broadcast on national television as a way to delegitimize or badger them.⁵⁷ After the events of November 2020, Anamely Ramos, an art historian, and curator who participated in the MSI hunger strike, said that after suffering physical violence on the streets, “other types of pressure began as well, such as discrediting on national television. When they take your phone, they take your personal information, and . . . they use that information . . . however they want.”⁵⁸

Katherine Bisquet said that five landlords “evicted me due to the pressure and threats they received from state security agents, who were tasked with interrogating them to lie and discredit me. Then, from November 27, 2020 onward, the audio recordings of private conversations, posts published on Facebook, and private chat messages from the 27N group in which my name appears were broadcasted on Cuban television news and posted on state security Facebook pages, like Guerrero Cubano [Cuban Warrior], with the intention of defaming and publicly discrediting me.”⁵⁹ During a news segment on the government-owned Canal Caribe, a media presenter decried a “new provocation” against Cuba, saying of independent artists: “In every society, there are people who live or try to live outside the law. People who have a long history of indiscipline and poor social conduct, who do not usually receive applause or praise from those who have morals and who have true values. Those who were in the street provocation . . . are basically delinquents and mercenaries, and very few people have doubts about that. In 27N—among the mercenaries and counterrevolutionaries, all of them fit the bill.”⁶⁰

Deprivation of Liberty: Detentions and House Arrests

When harassment fails to silence critical voices, the state intensifies its tactics. The aftermath of the 11J protests is a powerful example. On June 30, 2020, at least 132 people, including artists and activists, were subjected to various human rights violations, including arbitrary detentions and restrictions on leaving their homes, to prevent the coverage of protests against police violence.⁶¹ Independent media outlets and human rights organizations reported internet service cuts in June 2020 that “suspended the mobile service of around 20 independent activists and journalists as part of a state security operation intended to prevent their attendance at a gathering to protest the police killing of Afro-Cuban Hansel Hernández.”⁶²

Two months after the July 11 protests, PEN International reported “at least 39 documented arrests of artists for taking part in the protests, four of whom were subjected to trial without a jury. At least 55 artists and writers are currently either under house arrest, imprisoned, or under investigation.”⁶³ In their midterm report for the UN Universal Periodic Review, PEN International, ARC, Freemuse, and Christian Solidarity Worldwide documented that in 2020 “at least 22 dissident artists [were] arbitrarily detained by police officers and State Security agents in Cuba.”⁶⁴ The artists interviewed for this report share stories that document the harsh realities of these repressive tactics.

Arbitrary Detentions

Since 2018, arbitrary and pretrial detentions, whether in prisons or in the form of house arrest, have been among some of the most used—and abused—tools employed by the Cuban government to silence dissenting artists.⁶⁵

Sixteen of the 17 artists interviewed alleged that they were either arbitrarily detained, subjected to police or judicial interrogations, or placed under house arrest.⁶⁶ Some artists recounted being violently abducted from their homes or forcibly detained in the streets, without having committed any crime warranting their detention.⁶⁷ While branded as “conversations,” these arbitrary detentions and interrogation are typically executed by force at undisclosed locations.⁶⁸

Once detained, the interviewees reported being transported to municipal and provincial courts, detention centers, prison cells, police stations, or unofficial locations, where they were interrogated or held in irregular

detention known as *casas de trabajo* (work houses) or *casas de protocolo* (protocol houses) across Cuba for varying periods of time.⁶⁹ All 16 of these detained artists alleged that during detention or interrogation, they were threatened with arbitrary or rights-violative punishments for their work or activism.⁷⁰ These threats included long prison sentences, expulsion from work, and eviction of the artists or their families from their homes. Maykel Osorbo and Solís were reported as being arbitrarily detained and subjected to enforced disappearance—that is, they were held incommunicado while the authorities denied knowledge of their whereabouts or their detention status.⁷¹

In June 2020, Anamely Ramos was arrested and taken to a protocol house, allegedly because of her collaboration with MSI. “Detentions always occurred on the street, without authorization, some very violent,” she said. “They beat me to get me into the police vehicles or civilian cars they use.”⁷²

After November 9, 2020, following the detention of Solís by officers of the National Revolutionary Police in Havana, repression and arbitrary detentions intensified. Solís was allegedly detained without justification and held incommunicado for at least seven days in November 2020.⁷³ On November 11, he was sentenced by the Municipal Court of Old Havana to eight months in prison for *desacato* (contempt) based on statements in a video that he posted on Facebook that showed police officers entering his home without a warrant.⁷⁴ “The prison cells and the preventive detention system have been my second home,” he said.⁷⁵

Later that month, at least 14 artists, journalists, and teachers were arbitrarily detained after demonstrating for Solís’s release at MSI headquarters. During the protests, Cuban authorities took control of the surrounding area and reportedly prohibited a neighbor from bringing food and hygiene products to the protesters.⁷⁶ In response, the protesters held a poetry reading, and several members of MSI began a hunger strike against the denial of their food and supplies and the restrictions on their mobility. Luis Manuel Otero Alcántara, Maykel Castillo Pérez, Esteban Rodríguez, Katherine Bisquet, and Anamely Ramos were among those protesting.⁷⁷ On November 26, the authorities raided MSI headquarters and arrested Ramos and writer Carlos Manuel Álvarez.⁷⁸

“The prison cells and the preventive detention system have been my second home,” he said.”

– Denis Solís

Otero Alcántara had previously been arrested in 2019 for a performance using the national flag. He and Castillo Pérez, who were leading MSI, faced severe reprisals and were detained at least 16 times in 2020.⁷⁹ In an interview, Otero Alcántara says that he has been confined in jail cells at least 60 times in two years.⁸⁰ He and Castillo Pérez were arbitrarily detained and imprisoned on July 11 and May 18, 2021, respectively.⁸¹ Their prison sentences—five years for Otero Alcántara and nine for Castillo Pérez—represent the nadir of what the Artists at Risk Connection and PEN International have labeled a 12-month “ruthless and inhumane” effort to punish them for their artistic expression and their leadership of protest movements on the island.⁸²

At least nine interviewees said they had been arbitrarily detained or interrogated so many times that pinpointing the exact number has become nearly impossible.⁸³ “You lose count, and sadly it becomes your day-to-day,” said Jiménez Enoa, who has been detained, interrogated, placed under house arrest, and finally forced into exile and is now a columnist for *The Washington Post*. “It stops being a surprising act and becomes your everyday life.”⁸⁴

Carolina Barrero, an art historian, human rights advocate, and pro-democracy activist who has used artistic and literary invocations of the country’s heroes to support her protests, reported being detained more than 20 times between January 2021 and January 2022. “One day, they kidnapped me in the street,” she said, and “they threw me inside a police car like a sack of potatoes. . . . They detained me for hours in a room guarded by two women from the unit called Marianas, without any explanation or legal document justifying the detention. When I tried to leave, they beat me up. They were not wearing a uniform but were dressed in plain clothes.”⁸⁵

In February 2021, Barrero was charged with *clandestinidad de impresos* (clandestine printing) for printing 2,000 copies of a drawing and some poetry verses by José Martí. Threats and calls to leave Cuba became steady and insistent.⁸⁶ During this period, Barrero was charged on four occasions with separate crimes: twice for *instigación a delinquir* (incitement to commit a crime), once for *desacato* (contempt), and once for *clandestinidad de impresos* (clandestine printing). Carolina Barrero was under house arrest for six months in 2021 and was interrogated about 20 times in that period. During one of the detentions, she reported, she was asked to undress. When she refused, she was beaten by three women, then dragged into a cell and stripped naked. She was later transferred to house arrest in the Loma del Ángel neighborhood.

“they threw me inside a police car like a sack of potatoes. . . . They detained me for hours in a room guarded by two women from the unit called Marianas, without any explanation or legal document justifying the detention. When I tried to leave, they beat me up. They were not wearing a uniform but were dressed in plain clothes.”

– Carolina Barrero

Tania Bruguera said that she, too, suffered intense police harassment and innumerable arrests over the years. During some detentions, she said, “they put me in cells with men. [I] was the only woman, and everyone else were men. It’s something that really impacts you.”⁸⁷ This is despite the fact that, per the Cuban Penal Enforcement Law, detention or penitentiary locations must have separate areas for young people, women, and men.⁸⁸

Bruguera remembers one day in particular in December 2020. As she walked down a street, a car stopped and police agents grabbed her, put her in their car, told her to keep her head down, and took her to a house to interrogate her. She specified that her longest detention has been 26 hours. She highlighted facing a spate of brief detentions and explained that, under Cuban law, “if they detain you for less than 24 hours, they do not have to report it, and this is a new technique. . . . They detain you for less than a day so they don’t have to make a report, you don’t appear on any list as having been detained.”⁸⁹ In other words, per this allegation, the Cuban authorities are misusing this provision: To game the system and avoid making a report, they detain someone, free them, and detain them again hours later. These arbitrary, unreported detentions are contrary to international human rights law.⁹⁰

Furthermore, although Cuban law authorizes police detention for 24 hours, the clock only begins to toll once a detention is officially registered.⁹¹ This means that a person could be held by the police for several hours without their detention being registered in any official record, with the actual time of arrest contradicting the reported time of the arrest.

“When they are interrogating you, it’s as if you’re a prisoner. You don’t have rights, anything, they have absolute power,” Bruguera said. “I haven’t counted” the number of detentions, Bruguera clarified, but, “it’s more than 40 times.”⁹²

Three interviewees revealed particularly disturbing accounts of their detentions. They disclosed that they were forcibly stripped naked, sometimes subjected to violence, and/or photographed without consent. The

three artists were threatened during these detentions and in some cases falsely accused of acting as “foreign agents,” to further discredit them and their work.⁹³ Jiménez Enoa reported being beaten and abused during an 11-hour detention in 2017: “They [locked] me in a room with the temperature set super low,” he said, “left me alone, took my watch, and I didn’t know what time it was. . . . They threatened me with jail time.”⁹⁴ In all, 16 of the artists interviewed alleged that they suffered one or more acts of physical or psychological abuse during detentions.⁹⁵

“When they are interrogating you, it’s as if you’re a prisoner. You don’t have rights, anything, they have absolute power,” Bruguera said. “I haven’t counted” the number of detentions, Bruguera clarified, but, “it’s more than 40 times.”

– Tania Bruguera

Once released, Jiménez Enoa continued his work as a journalist, but he says that police officers were stationed outside his house to prevent him from covering stories. In August 2021, he says, he received a phone call from state security in which they said: “The only option you have is to leave now. We will give you your passport. If you keep writing, you’ll go to jail.” Jiménez Enoa recalled that he was so rattled that he went to the customs office, which issued him a passport to leave the island.⁹⁶ He left Cuba in December 2021.⁹⁷

House Arrest

The artists we interviewed shared similar experiences of being subjected to house arrest⁹⁸ as part of an ongoing pattern of harassment. This home confinement is normally overseen by police or state security agents. This practice not only restricts artists’ freedom but also hinders their ability to participate in public events and peaceful protests.⁹⁹

It is important to note that house arrest is not a new phenomenon in Cuba, though in recent years authorities have intensified its use and applied it more broadly against dissidents.¹⁰⁰ Curator and researcher Yanelys Núñez explained why this repressive tactic is increasingly applied to artists: “They don’t put you in prison because it would create a public scandal, but they don’t let you leave your house for 10 . . . or 200 days.” During this time, she added, they also don’t conduct “any kind of criminal proceedings. . . . It’s a process of isolation.”¹⁰¹ Claudia Genlui noted that she suffered her first wave of house arrests while living with her 80-year-old grandmother, putting greater pressure on her and her family.¹⁰²

The repression against Katherine Bisquet also demonstrates how Cuban authorities have weaponized house arrests and raids as a form of institutionalized harassment. Throughout 2020 and 2021, she said, she experienced a dozen police raids on her home and several house arrests. Three of the longest house arrests occurred from December 2 to 15, 2020 (13 days), and from June 23 to August 27, 2021 (65 days), as well as intermittently from January 27 to February 1, 2021—amounting to more than 80 (nonconsecutive) days under house arrest within a year, all without being charged with a crime. During that time, her former partner, Hamlet Lavastida, was in prison, and state security threatened that if she did not leave Cuba and obtain a visa to travel to another country, Lavastida would be unfairly sentenced.¹⁰³

Imprisonment, Unfair Trials, and Forced Exile

For the majority of the artists we interviewed, harassment does not end at temporary detention and surveillance. Many reported being tried and imprisoned without independent legal defense.¹⁰⁴ This repressive tactic—which weaponizes both law enforcement and the judiciary against domestic dissent—freezes artists’ activism, hinders their creative production, and contributes to the pressure leading to their exile.

At the time of this writing, 768 of those detained in the wake of the demonstrations of July 11, 2021, remain in prison.¹⁰⁵ Ample human rights reporting has documented how prisoners in the Cuban penitentiary system are subjected to severe conditions that violate human dignity. A 2022 report titled “Torture in Cuba: Report of Civil Society Organizations to the United Nations Committee Against Torture,”¹⁰⁶ released by Article 19’s Office for Mexico and Central America and other human rights groups, documents several instances of harassment against incarcerated individuals, including but not limited to: “deliberate transfer to places distant from the institution; the isolation, denial, cancellation or arbitrary postponement of visits; forced labor; the lack and often neglect of basic medical care and derogatory treatment by medical personnel; the provision of food in a state of decomposition and even the theft of food by the prison authorities themselves; the lack of supply of drinking water and water for sanitation; severe overcrowding in some prisons; [and] psychological pressure.”¹⁰⁷

According to the IACHR, Cuban authorities have not only subjected artists and activists to summary trials but also failed to respect the minimum guarantees of due legal process as stipulated under various Inter-American legal instruments.¹⁰⁸ The IACHR has reported practices

such as enforced isolation of detainees or prisoners and inadequate or lack of access to independent legal defense.¹⁰⁹

Numerous international human rights organizations have reported that trials in Cuba do not meet international standards for a fair trial, especially with regard to access to legal counsel.¹¹⁰ As Amnesty International has stated: “The right to legal representation and other procedural rights under Cuban and international law are frequently ignored when people are prosecuted for exercising freedom of expression or association, or for other offen[s]es that have a bearing on politically sensitive issues.”¹¹¹

Jorge Olivera, a journalist, musician, and co-founder of the independent news agency Havana Press, has firsthand experience of such violations. In April 2003, he said, he was able to see his lawyer for only “five or six minutes” before his trial for producing “enemy propaganda,” “I remember the lawyer told my wife that he would present a defense but that it was not going to influence anything—everything was decided.”¹¹² The arrests related to the 11J demonstrations represented the largest number of detentions against artists since the Black Spring in 2003, when 75 journalists, artists, activists, and critics were imprisoned. Similarly, most of those imprisoned during the Black Spring were forced into exile in 2010 in exchange for their freedom, after negotiations between the Cuban government and the Catholic Church with the support of the Spanish government.¹¹³

“I remember the lawyer told my wife that he would present a defense but that it was not going to influence anything—everything was decided.”

— Jorge Olivera

Journalist and influencer Esteban Rodríguez, told ARC and PEN International about his lengthy pre-trial detention: “They told me that my case was for *desorden público*, (public disorder.) It is a charge with a maximum sanction from three months to one year. . . . Normally, public disorder in Cuba [results in] a fine. . . . When I was in prison for four or five months, I explained to the lawyer that I had already passed the minimum sanction. In other words, I was serving a sentence without having been taken to trial.”¹¹⁴ Rodríguez also claimed a lack of independence in his legal defense. “Unfortunately, lawyers in Cuba work with the dictatorship,” he said. “It is the same thing—there is no separation of functions, no separation of identity, nor in their work. The lawyers are linked to the prosecutor’s office, and the prosecutor’s office is the one who decides justice. The head of the courts (Rubén Remigio Ferro, Chief Justice of Supreme People’s Court of Cuba) says that the courts are made to defend the revolution, which means that you don’t have any legal guarantees.”¹¹⁵

The lack of independence of defense lawyers in Cuba has been a long-standing one; as Human Rights Watch noted in 1999, “The Cuban constitution states that citizens have the right to a defense, but Cuba’s procedural laws, the banning of an independent bar association, and powerful, politicized judicial and prosecutorial authorities seriously debilitate this right.... The close ties of the government with judges, prosecutors, and state-appointed or approved attorneys leave many defendants with little belief that their attorneys can or will do anything but request a slightly shorter sentence.”¹¹⁶ These limits on defense lawyers may be even more circumscribed in political cases, given how all Cuban lawyers—not just prosecutors—are under an ethical obligation to, as Rodríguez notes, “defend the Revolution.”¹¹⁷

Hamlet Lavastida was detained from June 26 to September 25, 2021, after returning to Cuba from an art residency in Germany.¹¹⁸ When he arrived at the detention center, Lavastida recalled, “they tried to undress me. They didn’t do it because I defended myself, but they handcuffed me and sent me to pretrial detention. They wanted to accuse me of sedition and incitement to commit a crime or rebellion, and with the new penal code, which was just going into effect, they could have sentenced me for up to 15 years in prison.”¹¹⁹ Lavastida said that during his imprisonment, he was put in a cell with the lights on 24 hours a day. While he was given access to a state-appointed lawyer, he was not allowed access to a telephone or to communicate with his relatives. He did not have access to paper or pencil, nor adequate independent legal defense.¹²⁰

Seven of the 17 artists interviewed made clear that they only “accepted” exile as an escape from the sustained state-orchestrated harassment and repression they had experienced.¹²¹ They reluctantly came to accept that leaving their country was the only means to be free. Some artists said that Cuban authorities would actually negotiate their exile with them, demonstrating that their exile was intended by the state.

Tania Bruguera used the state’s demand that she leave the country as an opening to negotiate for the release of others, based on a list she provided that included imprisoned journalists, minors, and members of the 27N group. “I told them that I am not leaving unless it is in exchange for all these [prisoners], and I gave them a list,” she said. “So they told me, ‘This [person] yes, this one no, this one I have to talk to the boss’. . . . And there was a situation in which I told them, ‘I’m not leaving until Hamlet [Lavastida] is freed.’”¹²²

Lavastida’s exile came after months of imprisonment and was negotiated among many parties, including Bruguera and Lavastida’s then-partner, Katherine Bisquet. In prison, Lavastida was warned that he could be

forced out of the country instead of going home, but, he said, “I thought they were just psychologically torturing me when they said that.” He did not realize that the state planned to exile him until a security official told him, “Your departure process is already underway.”¹²³

Although organizations supporting Lavastida—including ARC—were able to arrange an artist’s residency in Germany, both Lavastida and Bisquet reported that Cuban officials insisted that they move to Poland instead. The reason, they believe, is that Lavastida has a son from a prior relationship in Poland, which meant that the Cuban government could portray his exile as a “family reunification” story.¹²⁴

As Bisquet explained, state security put substantial pressure on her to begin the process of obtaining visas for herself and Lavastida, essentially making her an accomplice to her own exile. When she got the visas, passports, and plane tickets, the Cuban authorities transported Lavastida out of prison to a work house, where he reported that they fed him to replace the weight he had lost while in prison. During the days prior to his exile, he was briefly allowed to see his family. “My mother came to see me,” he said. “It was very short, only an hour. . . . It was like a farewell . . . but always under the supervision of an officer.”¹²⁵ The Polish embassy granted Lavastida and Bisquet visas so they could leave Cuba.

Bisquet said that the months when Lavastida was detained, and negotiating his freedom brought the greatest psychological distress she ever faced in Cuba. The negotiations and period of imprisonment exacted a significant toll on Bisquet, as she alleged that state security said if she did not leave the country immediately, Hamlet would remain in prison and possibly be sentenced. “On September 25,” she said, “I drove to the José Martí airport with state security to board the flight to Poland. . . . They took us through the back of the airport, . . . and we were escorted by a caravan of police cars. Before boarding the plane, they threatened us with jail if we ever return to Cuba.”¹²⁶

Denis Solís was persecuted and forcibly disappeared by state agents for seven days, imprisoned, and forced into exile on November 27, 2021.¹²⁷ On November 11, 2020, he was brought to trial and sentenced to eight months in prison. “They transported me [to court] barefoot,” he said, “because I had lost my flip-flops during the kidnapping. . . . I went to trial with a huge wound on my left foot that became infected. They didn’t care at all, and they brought me in with this huge, exposed wound.”¹²⁸ After the trial, he was transferred to the Valle Grande Prison, where state security asked him to commit to leaving the country in exchange for his release. Solís accepted the deal, but the prison authorities denied his release letter. On November 27, 2021, Solís left Cuba for Serbia without his release letter,

which means that his legal status in Cuba remains that of a prisoner. If he ever returns to Cuba, he will be detained.¹²⁹

“They transported me [to court] barefoot,” he said, “because I had lost my flip-flops during the kidnapping. . . . I went to trial with a huge wound on my left foot that became infected. They didn’t care at all, and they brought me in with this huge, exposed wound.”

– Denis Solís

These exiles clearly violate domestic standards for criminal proceedings. The Cuban Migration Law does not allow anyone who is subject to criminal proceedings to leave the country.¹³⁰ However, in the case of certain artists, state security not only negotiates with the prisoners but also, on some occasions, offers to pay for plane tickets or arrange their entry to countries that do not require a visa, like Nicaragua, Montenegro, or Russia.¹³¹ By negotiating the release of dissident artists undergoing criminal proceedings, the government holds itself above the rule of law.

Esteban Rodríguez was also coerced into exile. On April 30, 2021, he was arrested and imprisoned for attending a peaceful protest on Obispo Street in Havana.¹³² “Two officers dressed in green put me against the wall” and “hooded me,” he recalled. “They lowered my head to the ground and kept me in this position during the whole trip to Villa Marista,” a state security investigation center. There, Rodríguez alleges that authorities accused him and other artists in the San Isidro Movement of collaborating with the CIA and foreign governments and demanded that he verify these allegations as a condition of his release.¹³³ Rodríguez did not accept these terms and was transferred to the Valle Grande Prison, where he alleges that he and the other inmates were given decomposed food. In protest, they went on a hunger strike, and as a result, he was transferred to the Guanajay maximum-security prison.¹³⁴ He was later sent to the Combinado del Este, another maximum-security prison, and held for nine months without trial.

On January 5, 2022, he was released and taken directly to the international airport. Héctor Luis Valdés Cocho, a friend of Rodríguez and an independent journalist, was forced into exile along with him and followed the same migration route.¹³⁵ Rodríguez reported that Cocho told him: “The

only way you are going to get out of prison is by leaving Cuba. . . . You, Maykel [Osorbo], and Luis Manuel [Otero Alcántara] . . . will only be free if you accept exile.”¹³⁶

Rodríguez recalled that his departure happened quickly: “My mom goes to the airport, they bring me to the airport, . . . I hug Héctor, I hug my mom. . . . I was with them for 10 minutes at most. I had never left Cuba before.” He added: “We arrived in Panama without any problem. But when we get to El Salvador, . . . they told me that I cannot go to Nicaragua, that Nicaragua was denying me entry. I asked the airline what to do, if I should return to Cuba, . . . and they said, ‘No, Cuba has already denied you entry as well.’”¹³⁷ Finally, the El Salvadorian authorities granted them temporary asylum so they could begin their migration journey to the U.S. border.

Some Cuban artists are forced to leave under the threat of harm to others. On January 27, 2022, Carolina Barrero was detained following a peaceful demonstration in support of an activist group composed of mothers of political prisoners. In an apparent attempt to apply pressure on her, she alleged, the authorities told her, “Carolina, you have 48 hours to leave, and it’s very simple: If you don’t leave, we will prosecute 12 of the mothers who were with you at the protest for public disorder.”¹³⁸ Barrero left Cuba within a week, on February 3, 2022.¹³⁹

THE CHALLENGES OF FORCED EXILE

At the time of this report, 8 of the 17 Cuban artists we interviewed were based in the United States, 6 in Spain, and the remaining 3 in other European countries. The artists' interviews revealed the difficult nature of life in exile, including economic precariousness, uncertainty, and the stresses of acclimating to a new country and culture, often without a social or financial safety net. In contrast, some artists underscored newfound opportunities in exile, such as greater freedom to publish their works, the ability to engage with multicultural communities, and the chance to express themselves without the restrictions they faced in Cuba. Even so, each of the artists emphasized that they struggle with high levels of uncertainty and fear as a direct result of their forced displacement.

The majority of the artists and writers interviewed for this report do not have a support system in their host country. Artist-specific needs may include mobility, public financing, networking assistance, translation and language support, and access to tools, spaces, and cultural institutions. This section addresses some of the main challenges and opportunities that artists currently face as they try to rebuild their lives in exile.

Psychosocial Consequences

The instability of displacement exacts a heavy toll on an artist's mental well-being. The abrupt nature of exile, the challenges of being far from home and adapting to an unfamiliar culture, and the lingering mental traumas from their experiences in Cuba. This can coalesce and generate self-censorship and a cascade of emotions, including insecurity, anxiety, fear, uncertainty, and creative blocks that transcend artistic endeavors and permeate all aspects of life. Nine interviewees mentioned mental health issues or the need for mental health care in exile.¹⁴⁰ Claudia Genlui described exile as "a process of total collapse: Between my grandmother and [partner] Luis Manuel, who are both in Cuba, life is slipping away for me here" in the United States.¹⁴¹ Genlui adds that she has received psychiatric support to treat the stress and trauma caused by the political pressure she faced in Cuba.¹⁴²

These feelings may be especially pronounced when artists must leave loved ones behind, particularly as those who remain on the island may

continue to face adversity. Yanelys Núñez explained that the hardest part of leaving is "the guilt," and "that's something I still carry. It's thinking that I abandoned the fight. It's the worst, really, . . . because in the end, there are very few of us, and you feel like you abandoned your family. Not your actual family, but the family that you made while being there, during the arrests."¹⁴³

Many interviewees point to the lingering impact of mental and emotional trauma. Solveig Font, an exiled curator and the founder of the independent Avevez Art Space, said that she still experiences "panic attacks, anxiety attacks, fainting spells" that inhibit her ability to participate in political life in her current home base. "It is difficult," she said, "because here in Spain, I want to be part of the protests, but I have to be a little distant."¹⁴⁴

Fourteen interviewees explicitly referenced experiences of isolation and difficulty integrating into a new society.¹⁴⁵ Lavastida, who is based in Berlin, said, "When one is not truly protected, doesn't know the language, doesn't know the culture, doesn't know the basic, fundamental forms of coexistence, it takes time."¹⁴⁶ Font said, "When you arrive, you have no idea of how things work. . . . The information is very disaggregated, very dispersed on the internet. Nobody has the complete information."¹⁴⁷

While all the artists report difficulties adapting to new cultures and countries, some note a sense of relief that comes with a decrease in harassment once they're outside Cuba. "At least to a certain extent," Jiménez Enoa said, "you have emotional peace of mind, you have peace at home, with your family. . . . No one will come, knock on your door, and kidnap you or put you under house arrest."¹⁴⁸ Núñez and Bruguera made similar points. "It has helped me to be in Cambridge [Massachusetts] because it is a very small place where people give you space," Bruguera said. "I've been here for a year, and I've also been in therapy. These are two nice things about having a space where I don't have any contact with Cuba."¹⁴⁹

*"When one is not truly protected, doesn't know the language, doesn't know the culture, doesn't know the basic, fundamental forms of coexistence, it takes time."
— Hamlet Lavastida*

Nonetheless, the clear pattern that emerges from these interviews is how forced exile leaves a deep psychosocial scar that impacts the artist's creativity in their host country.

Creative Consequences

Forced exile can also dampen artistic production.¹⁵⁰ While the use of the internet among the cultural and artistic diaspora may help connect artists with their past life, exile also separates artists from their natural audience and their local following. As such, to survive in exile is, to an extent, to adapt to a new mode of artistic and literary production. Ultimately, artists may be forced to abandon, or at the very least pause, the professional career they cultivated at home.

While some of the challenges faced by exiled Cuban artists are similar to those faced by immigrant artists from any country, others are specific to Cuba. Several interviewees, including rapper Ramón López (“El Inva”), Solís, de la Paz, and El Funky, lost their works almost entirely upon leaving Cuba. After El Inva had all his music and records confiscated from his home in Cuba, he was forced to rely on donations to acquire new equipment and continue recording in the United States.¹⁵¹ De la Paz had to hide and leave all his literary work in Cuba as taking materials out of the country was difficult given the developing political climate and control around art and culture in the country. For this reason, many dissident artists asked foreigners to secretly take their work to other countries.¹⁵²

The state’s confiscation of artists’ books, manuscripts, records, music, and artwork before it sends them into exile is another way of erasing their life as an artist. Invalidating, ignoring, or destroying their work impacts their experience in exile, where they must demonstrate their value as artists but without the body of work that they built throughout their careers. The IACHR’s Special Rapporteur on Economic, Social, Cultural, and Environmental Rights has previously noted that the Cuban state’s repression of the artistic sector has included this “censorship, confiscation, and destruction of artworks,” and raised the possibility that the practice may have worsened since the 11J protests.¹⁵³

Writer and journalist Abraham Jiménez Enoa also spoke about the professional difficulties of restarting a career in exile: “There’s a good chance they void your résumé,” Enoa says. “I’m writing because I want to do it. But I no longer have contacts in the editorial or media world. It’s that sense of uncertainty about what’s going on with your professional career: What’s going to come now? Should I stay, or should I go?” These challenges may force artists to sideline their professional creative pursuits or abandon them altogether. As Jiménez Enoa explained: “I have things stuck in my throat, and I want to spit them out, throw them up, write

them down. But . . . I have a baby, and I have to earn money, and I have to live. So it becomes very hard, and afterward, it’s easy. . . to end up in a stall selling croquetas.”¹⁵⁴

Some exiled artists find that they can do more for their country and for the arts from outside Cuba. “Sometimes censorship limits you, and you can’t do anything [but] resist, whereas being here, I have felt more useful,”¹⁵⁵ said Genlui, who lives in Miami. Through her platform, activism, and recent work, she has been able to amplify the work of Cuban artists in exile and engage a general audience on the risks Cuban artists on the island continue to face. El Funky has flourished creatively since fleeing to Miami. “I became known for a great song, but people are unaware of my trajectory and how I have evolved,” he said. “Everyone is discovering who El Funky is now that I’m working on new music. . . . I will continue making raps, I will continue denouncing the corruption of the Cuban government in my music, and it is very nice to be in a city that has many different possibilities and . . . fields to explore and take advantage of.”¹⁵⁶

“I have things stuck in my throat, and I want to spit them out, throw them up, write them down. But . . . I have a baby, and I have to earn money, and I have to live. So it becomes very hard, and afterward, it’s easy. . . to end up in a stall selling croquetas.”

– Abraham Jiménez Enoa

Economic Consequences

Cuban artists may often be forced into exile with minimal or no resources to sustain themselves in another country.¹⁵⁷ Some, such as Esteban Rodríguez and Hamlet Lavastida, were directly escorted to the airport by state security.¹⁵⁸ Others have weeks or just days to prepare before leaving their homeland, potentially permanently.¹⁵⁹ El Inva’s migration involved an arduous journey across 14 countries before he settled in the United States. “In the group of migrants I joined, which was about 400 people, 12 died from heatstroke,” he said, adding: “I almost died in the Rio Bravo.”¹⁶⁰

Upon arrival to a new country, artists face the need to work while also going through the legal process of applying for residency, asylum, or refugee status.¹⁶¹ Very few artists forced into exile arrive with the paperwork required to work. Their ability to restart their careers and integrate into their host countries may be further complicated by their transition from Cuba’s centrally planned economy to free-market economies.¹⁶²

Like many displaced artists globally, one of the main consequences for Cuban artists living in exile is having to start from scratch to rebuild economic, social, and creative ties. As Nonardo Perea, a writer, visual artist, YouTuber, and member of MSI now living in Madrid, explained, “At night, I’m cleaning in a bar. . . . It’s an exhausting job, but thank God I have a job. . . . Here, if you don’t have a job, how are you going to pay for your room? It’s complicated. In Cuba, I had a house, my own house, and I didn’t have to pay anything. My life has taken a complete 180.”¹⁶³

Claudia Genlui emphasized the particular challenges of her early days in exile. “Migration is very difficult, especially in terms of financial support—to have a home or at least make it through the first few months,” she said. “The help received from organizations has been very important.”¹⁶⁴ Four interviewees explicitly referenced economic struggles,¹⁶⁵ and some mentioned the complexities of obtaining a work permit if they have entered the country with tourist visas or under conditions that do not allow them to work. Without a work permit, they often require assistance from non-governmental organizations and other institutions, especially emergency funds and relocation assistance.

Other exiled artists have managed to sustain themselves with both their art and the support of organizations in the artistic and human rights spheres. Solveig Font leveraged her experience as a curator to work in a gallery and teach workshops as part of a master’s program in art and human rights in Vienna. Yanelys Núñez has also managed to remain in the art world by curating exhibitions, but she noted that these shows are “not something that I can really live on. . . . I have also cleaned houses, worked in bars—all the normal things that an immigrant does here, and whenever I have less work, I go back to that.”¹⁶⁶

This process is difficult to navigate from within Cuba, making it hard for targeted artists to prepare in advance for life someplace else. They face a series of challenges when looking for help from foreign organizations, including navigating rules and regulations to obtain funds from outside the country, transferring financial aid to artists on the island—which is subjected to economic sanctions—and meeting narrow or specific requirements to qualify as “an at-risk artist.” Solveig Font illustrated this point in her testimony: “There are institutions that should know how

this process works in Cuba,” she said, but often “they don’t have the slightest idea.”¹⁶⁷

Limited financial support for newly exiled artists, especially from artistic and human rights organizations, results in limited work opportunities in their fields. This is exacerbated by the migration policies of various host countries, which often prevent artists from receiving the help and the necessary permits to work and survive in an independent and stable manner. Ultimately, the interviewees, forced into exile without resources, connections, or possessions, have struggled to sustain themselves from their art as they did in Cuba.

CONCLUSION

The artists' testimonies featured in this report underscore the many ways that the Cuban government censors, harasses, and targets dissident artists and cultural professionals. Their words demonstrate recurring patterns of repression, including police surveillance, cyber surveillance, selective internet cuts and blocking, threats, house arrest, harassment, physical attacks, detentions, forced disappearances, imprisonment, exile, and, in some cases, physical and psychological torture. This repression may intensify over time, harming an artist's personal and professional lives, including their social, family, and work circles. All of it occurs against a backdrop of well-documented failures of the Cuban state to guarantee human rights obligations for its targets—such as the right to a fair trial, due process, and minimum standards of treatment during detention.¹⁶⁸ As the artists point out, such measures can spill out from individual cases to the artistic sector at large, prompting self-censorship across the field.

Confronted with this escalating persecution, these artists have been forced to make a previously unthinkable choice: Either continue resisting and suffering the constant and intensifying violence of the Cuban state or abandon the island, leaving behind their families, economic resources, and artistic communities. As these artists' stories reveal, the decision to go into exile may often occur under extreme coercion. In some cases, interviewees alleged, the Cuban government explicitly negotiated with the artist to achieve their exile, using the pressure against them or others as leverage. In such instances, while exile is technically a choice made by the artist, it is nonetheless forced upon them by the state.

In the words of Katherine Bisquet: “It is not our decision to be in exile. We do not go into exile for economic benefit or to go on vacation in some country. It was not our decision at the time. I had to leave it all behind, I had to leave my books, all my things. In the matter of a day, I had to pack a suitcase with everything that made up my life to that point, all 29 years of it. . . . I only had a one-way ticket.”¹⁶⁹

When the Cuban government expels these independent artists, they are often denied the right to return, leaving them in migratory limbo. The first time that Anamely Ramos tried to return, in February 2022, she said, she learned “that Cuba had sent a message to the airline saying that I was not allowed. . . . The Cuban embassy never answered me . . . as if I didn't exist . . . as if they didn't have the obligation to assist me as the Cuban citizen that I am.”¹⁷⁰

The artists' stories in this report serve as powerful reminders of the ways a government may marginalize, punish, and repress independent artistic voices for political ends, and the ramifications for freedom of artistic expression. By presenting these testimonies, the Artists at Risk Connection (ARC), PEN International, and Cubalex hope to spotlight the risks that independent Cuban artists face when they engage in dissenting artistic expression, participate in acts of solidarity with other targeted artists, or criticize those in power. The Cuban state has honed a variety of repressive tools to use against subversive artists, and their testimonies demonstrate the state's willingness to wield them.

“It is not our decision to be in exile. We do not go into exile for economic benefit or to go on vacation in some country. It was not our decision at the time. I had to leave it all behind, I had to leave my books, all my things. In the matter of a day, I had to pack a suitcase with everything that made up my life to that point, all 29 years of it. . . . I only had a one-way ticket.”

– Katherine Bisquet

Cuba's repression of dissident artists must be understood as a specific subset of its broader repression of independent and critical voices. This is an issue that impacts not just the broader human rights sphere but also artistic and cultural rights in particular. Professionals in the world of arts and culture should recognize Cuba as a place where their counterparts are not free to create without the heavy specter of state repression looming over them and, in some cases, extracting a heavy price for creative expression.

While the Cuban government paints itself as a champion of art and culture, these artists' testimonies reveal a starkly different—and disturbing—reality for artists on the island. Namely, to be an artist in Cuba is to navigate a climate of enforced silence, including the censorship of art in public spaces, the confiscation of artwork, prohibition from participating in official cultural events or joining any official group, and difficulties or total impediments to publishing their work. Artists in Cuba and in forced exile face immense hurdles in their desire to express themselves freely, and these hurdles must be addressed by the art and human rights organizations who work to protect vulnerable and marginalized voices.

ARC, PEN International, and Cubalex hope that this report, and the powerful testimonies it presents, expose the need for the international community to call on the Cuban state to become the guarantor of artistic expression that it claims itself to be.

RECOMMENDATIONS

To the Cuban Government

- Immediately release all imprisoned artists and political prisoners, who are jailed for peacefully expressing their ideas and creative work.
- Respect the right of return for artists and remove all restrictions currently placed on artists in exile who wish to go back to Cuba as their country of origin, ensuring their free expression and the full exercise of their human rights.
- Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights.
- Adapt procedural norms based on international human rights standards, especially as they relate to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; the International Convention for the Protection of All Persons from Enforced Disappearance; the Convention on the Elimination of All Forms of Discrimination Against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; and the Discrimination (Employment and Occupation) Convention (ILO).
- Establish legislative guarantees under the Cuban constitution and in line with international human rights obligations for exercising artistic expression, freedom of assembly, and freedom of petition. Ensure that the independent artistic community enjoys the full right to express their ideas through any means without being subjected to harassment, threats, torture, detentions, house arrests, or exile.
- Revoke Decree Law 349 and Decree Law 370. Amend or abolish articles or legal stipulations as reflected in Decree Law 35, Decree 42, Resolution 105, Law No. 1289 of the Family Code, and the Cuban Penal Code, which challenge free expression rights by spurring censorship of artistic, cultural, literary, and journalistic activities.
- Adopt measures such as the creation of programs, spaces, or projects that promote diverse opinions, including those critical of the state, and forms of cultural and artistic expression to prevent and combat the stigmatization and criminalization of artists, journalists, and intellectuals, accounting for various social, economic, and ethnic or racial perspectives.
- Put an end to the practice of shutting down the internet or other services to guarantee the full and free access to information and art in the digital environment.

To the Governments of Latin America and the International Human Rights Community

- Recognize and denounce human rights violations in Cuba in interactions with regional and international forums.
- Urge the Cuban government to release artists and political prisoners incarcerated for their work, activism, and/or dissident ideas.
- Stop minimizing the restrictions to, and violations of, human rights in Cuba, propose recommendations or resolutions that promote free expression rights of Cuban artists at the UN Human Rights Council and the Inter-American Commission on Human Rights to stop minimizing the restrictions to, and violations of, human rights in Cuba.
- Facilitate special procedures to grant asylum to Cuban artists and political prisoners within the region or internationally, and provide the necessary protection schemes to assist artists at risk from Cuba.
- Adopt comprehensive integration programs, including professional assistance, financial literacy, and mental health support, to help artists in exile with their resettlement.
- Investigate allegations of the systematic abuse of human rights against artists, writers, and activists in Cuba as it relates to restrictions on freedom of artistic expression, arbitrary detentions, and patterns of forced exile.
- Continue monitoring and urging the respect and implementation of international human rights and freedom of expression principles in all measures, regulations, and legislation adopted by the Cuban government.

To International Civil Society, Cultural Organizations, and the Media

- Improve independent documentation processes for violations of freedom of expression committed by the Cuban state to promote inter-organizational communication and ensure coordination and accountability.
- Invest in creating local, regional, and international platforms and coalitions that build solidarity with Cuban artists, amplify their voices, and further expose violations of freedom of expression in Cuba.
- Prioritize the preservation of Cuban literature and art and the well-being of Cuban creatives by establishing platforms, residencies, and social programs that disseminate and promote their art within the country and in exile.
- Examine how mental health problems stemming from repression affect societal integration in order to provide effective psychosocial support to exiled artists who need it.

HUMAN RIGHTS OBLIGATIONS OF THE CUBAN STATE

The Cuban state has ratified the Universal Declaration of Human Rights and affirmed its commitment to the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). Although not legally binding, the wide recognition of the provisions enshrined in the Universal Declaration of Human Rights results in their undisputed place in customary international law and, as such, their universally obligatory nature. These legal standards define the rights to freedom of expression and opinion and the basic norms for incarcerated individuals. These rights refer especially to the necessary conditions for arrests and the rights of people who are deprived of liberty to address the lack of procedural guarantees and poor penitentiary conditions that may occur. Specifically, sections of the Mandela Rules stipulate important principles and conditions that member states should follow or adopt to ensure protection from torture (Rule 1), proper access to and adequacy of healthcare services (Rules 24.1 and 27.1), contact with the outside world (Rule 58.1), access to legal aid (Rule 61.3), and the rights of persons arrested or detained without charge (Rule 122).¹⁷¹ In addition to these documents, the Cuban state has ratified several conventions,¹⁷² such as:

- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which dictates that “each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment.”¹⁷³ The convention also notes the importance of “ensur[ing] that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities,”¹⁷⁴ and the need to have proper systems in place to redress victims of torture.¹⁷⁵
- The International Convention for the Protection of All Persons from Enforced Disappearance, which enshrines the principle that no one “shall be subjected to enforced disappearance.”¹⁷⁶ It also calls on state parties to ensure that enforced disappearance is constituted as an offense under the state’s criminal law and to ensure that those who commit enforced disappearances are held criminally responsible.¹⁷⁷

- The Convention on the Elimination of All Forms of Discrimination Against Women, which calls for its practical realization through the adoption of appropriate legislation, legal protections, and other appropriate measures to ensure the protection of women against any act of discrimination.¹⁷⁸
- The International Convention on the Elimination of All Forms of Racial Discrimination, which obliges states to “prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of”¹⁷⁹ rights to equal treatment, security, political and civil rights, as well as the right to the freedom of movement and the right to leave any country, including one’s own, and to return to one’s country.¹⁸⁰
- The Discrimination (Employment and Occupation) Convention (ILO), which went into effect in Cuba in 1965. Once in force (for Cuba: August 26, 1965), the convention calls on states to undertake and pursue “a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.”¹⁸¹ The convention thus obliges the Cuban state to prevent the distinction, elimination, or exclusion of individuals in the workplace on the basis of “race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.”¹⁸²

All of the aforementioned conventions, which are legally binding international law instruments, obligate ratifying states to fulfill, protect, and respect the rights enshrined in them. Furthermore, Cuba became a member of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1947, remaining obliged to follow the 1980 Recommendation concerning the Status of the Artist. These recommendations include the freedom of expression of this sector and the need for states to maintain “not only a climate encouraging freedom of artistic expression but also the material conditions facilitating the release of this creative talent.”¹⁸³ Additionally, UNESCO’s member states, including Cuba, are expected to support freedom of expression and the media, including the promotion of media pluralism, the safety of journalists, and access to information. The Cuban state has also ratified the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. This convention introduces the rights and obligations of parties, including but not limited to the creation of measures aimed at enhancing diversity in media, en-

couraging the participation of civil society in protecting and promoting cultural expression, and “providing domestic, independent cultural industries and activities in the informal sector effective access to the means of production, dissemination, and distribution of cultural activities, goods, and services.”¹⁸⁴

The Cuban state has signed, but not ratified, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Both of these international treaties enshrine fundamental freedoms, including: freedom from torture and other cruel, inhuman, or degrading treatment or punishment (ICCPR Article 7); the right to liberty and freedom from arbitrary and unlawful arrest (ICCPR Article 9); the right to a fair trial and due process (ICCPR Article 14); freedom of thought, speech, assembly, and association (ICCPR Articles 18, 19, 21, 22); the right to work (ICESCR Article 6); the right to physical and mental health (ICESCR Article 12); and the right to take part in cultural life (ICESCR Article 15).¹⁸⁵

The accounts of artists interviewed for this report raise concerns about the Cuban state’s violation of these indivisible and inherent rights. Though Cuba has not ratified these treaties, as a signatory it is obligated not to frustrate the purpose of either covenant. The lack of ratification of these fundamental documents has been a subject of concern and recommendations by UN experts and other organizations, who have called on the Cuban state to ratify them.¹⁸⁶

The Office of the United Nations High Commissioner for Human Rights (OHCHR), several special procedures mandate holders, UNESCO, regional bodies, civil society, and others have expressed concern about freedom of expression, the rights of artists and journalists, and the distinct forms of harassment, intimidation, and other threats used against these individuals in Cuba.¹⁸⁷ Poor detention conditions; selective discrimination against Afro-Cubans, women, and the LGBTQIA+ community; and other forms of action that violate freedom of expression demonstrate inconsistencies between the ratification (when applicable) and implementation processes of the Cuban state.¹⁸⁸

Regional institutions, human rights organizations, and civil society reports from Human Rights Watch, Freedom House, Amnesty International, and

the Inter-American Commission on Human Rights, among others, have also increasingly documented the deteriorating human rights situation in the country.¹⁸⁹ Actions contributing to this deterioration include acts of torture, the criminalization of protest, arbitrary detentions, violations of freedom of expression, and restrictions to online freedom.¹⁹⁰ The artists’ accounts in this report point to a state-led strategy designed to target artists in order to silence and isolate dissident voices. These actions warrant urgent further investigation by the international community and human rights organizations.



ARTISTS' VOICES

Stories of Forced Exile*

**These stories are editorialized profiles made to reflect the oral testimony of the artists interviewed. To convey the experiences and perspectives shared as accurately as possible, the authors decided to maintain the conversational style and syntax of the text.*



KATHERINE BISQUET

Sancti Spiritus, December 10, 1992

HARASSED, UNDERWENT A LONG HO USE ARREST, CENSORED, AND FORCED INTO EXILE

Writer with a Bachelor of Arts degree from the University of Havana. She has published the poetry books *Algo aquí se descompone* [Something here is decomposing] (Colección Sur Editores, Havana, 2014), *Ciudad Nuclear mon amour* [Nuclear city mon amour] (Ediciones Sinsentido, Havana, 2020) and *Uranio Empobrecido* [Depleted Uranium] (Rialta Ediciones, Querétaro, Mexico, 2021). She was an organizer and curator of the #00Bienal 2018 of Havana, participated in the San Isidro strikes in 2020. She is a human rights activist and member of 27N. She has published poetry, featured articles, and interviews in magazines and newspapers such as *El Estornudo*, *Hyperallergic*, *Hypermedia Magazine* and *Rialta Magazine*. She also won the 2022 poetry prize of the city Alcalá de Henares, Spain, with a poetry collection titled *Esquizopatria*.

I was born in the province of Sancti Spiritus, located in the central region of the country, but I grew up in a very peculiar place in the south of Cuba called Ciudad Nuclear, where the government set out to build a nuclear plant that was never finished due to the fall of the Soviet Union. In some way, this place marked the trajectory of my artistic career and my activism. This place represents in itself the failure of the revolutionary project and the “unfinished thing” that also marked my generation. My career started very early: when I was 10 years old I started studying music at a Vocational Art Center, an art school for children. That’s when I began to go beyond the boundaries of the provincial context of Ciudad Nuclear. From an early age, I had access to different types of literature, music, and other artforms. And that somehow led me to adopt a different sensitivity towards other humans and their dilemmas. It made me empathize with others and take an interest in them.

When I finished university, I had to work at the *Casa de la Poesía* [House of Poetry], which is part of the *Oficina del Historiador* [Office of the Historian] in Havana. I only worked there for a few months until I got a job as an editor at the Union publishing house, which belongs to the Union of Writers and Artists of Cuba (UNEAC, acronym in Spanish). At that moment, I didn't have a choice but to go down institutional paths. Once university students graduate, they have to occupy institutional positions for a period of one or two years, this is referred to as "Social Service." Halfway through this Social Service working as an editor, I led



Photo of the book of poetry "Uranio Empobrecido" (2021) Written by Katherine Bisquet. Courtesy of Katherine Bisquet

in parallel a career as a writer which had begun with the publication of my first poetry book as a student: *Algo aquí se descompone* [Something here is decomposing]. This book was published in 2014 as part of one of the UNEAC's editorial collections. I had achieved certain recognition within this institutional literary guild, when something happened that marked a setback in my professional career and in my life. On February 12, 2019, I was attacked during a poetry reading that was part of the *Noveno Encuentro de Jóvenes Escritores de Iberoamérica y el Caribe* [Ninth Yearly Reunion of Young Writers from Ibero-America and the Caribbean] at the Havana International Book Fair. The aggression was perpetrated by the organizer of that event who was also employed at the *Casa de la Poesía*.

This act was a reaction to the fact that, during the poetry reading, I had publicly positioned myself against the constitutional referendum that was taking place on that very day. I both wore a T-shirt that said "#YoVotoNo" and read a statement against Decree 349.¹⁹¹ In the days that followed, on February 14, 2019, barred from attending the *Calendario* awards, granted by the *Asociación Hermanos Saíz* (AHS). This is an organization for young Cuban artists that is part of the establishment, and from which I had obtained a special mention for my second book of poetry *Uranio Empobrecido* [Depleted Uranium]. The directors of the AHS called me to bar me from participating in the awards gala. A short time after, my work contract as an editor was annulled under the pretext that my "Social Service" period had already ended. I faced strict censorship; I was completely removed from all the state-sponsored cultural spaces where I had often been present and I was never again invited to contribute to any publication supported by the Cuban cultural establishment.

"From an early age, I had access to different types of literature, music, and other artforms. And that somehow led me to adopt a different sensitivity towards other humans and their dilemmas. It made me empathize with others and take an interest in them."

After this incident, the political police saw me as an agent of change, a person capable of influencing other people to commit this type of "subversive" act. That's when persecution against me and anyone in my social circles began. Up to that moment, State Security agents had not talked to me directly, I had not been summoned yet. What happened during that year, 2019, is that they harassed and persecuted me everywhere I went: they got me thrown out from wherever I lived and harassed my family and my friends. That same year, I was evicted from more than five places due to the pressure and the threats that the homeowners received from the State Security. On October 10, 2020, after attempting to hold a rap concert at the headquarters of the San Isidro Movement, I was detained and interrogated twice. That day marked the start of a much more constant and violent persecution. At the time, I also faced public repudiation and was placed under house arrest.

I was illegally deprived of my freedom on more than a dozen occasions, with police operatives outside my home. Two of the longest-running police operations took place from December 2 to December 15, 2020, 13 days; and from June 23 to August 27, 2021, 65 days.

After the protests in front of the Ministry of Culture on November 27, 2020, and the day after the police evicted us from the San Isidro headquarters during our hunger strike and the ensuing siege by State Security, a vast defamatory campaign began against many of the activists who had participated in these initiatives. The State's Security Agency started leaking our private conversations from the chats where we organized ourselves as a cultural movement. National television featured entire specials dedicated to analyzing us and constructing profiles to criminalize us. They referred to us as mercenaries, CIA agents, terrorists, criminals. They thought this would create a negative perception of our movement in the eyes of others, but what it actually did was make our activism much more popular. On the other hand, it was also a way of frightening us, of instilling fear in our family members and loved ones. There was an imminent threat of what could happen to us. These television programs sought to destroy our reputation, but also to warn about what they could do to us based on those same false and unfounded accusations that were manipulated, taken out of context, falsely constructed, etcetera.

My last confrontation with the State Security agents was during the three months that my former partner was imprisoned in Villa Marista. His im-

prisonment was used to send me into exile. They blackmailed me: if I didn't leave the country immediately, my then-partner would remain in prison. On September 25, 2021, I was taken by State Security to the José Martí airport to board a flight to Warsaw. That day, we were both forced into exile, escorted by the political police to the door of the plane.

Once in forced exile, in my particular case, we felt like displaced people, people who had to rebuild ourselves, reinvent ourselves, and start over. It has been a healing process. For me, exile is not at all a salvation—it is a blind-fold, it is maintaining a survival instinct. The best way out would have been having the power to choose our own destiny, not fleeing, not having to save ourselves.

Something very poetic in our struggle was that constant creation, that improvisation. In a way, that inexperience, that vitality were there in the poetry, in the desire to express ourselves. We were aware of this, and we are now too. We cannot create under ideological patterns, under norms, under rules, under all that heartless grandiloquence used by the regime. So, we use our souls, our humanity.

Lustrar tumbas

*Un poeta hoy lustra unas tumbas.
Me ha dicho que sintió frío y se sintió solo.
Sube sus poemas a Facebook.
Ha subido muchos en lo que va de año.
Me dice, amiga, casi me voy al trabajo,
cuando tengas un tiempo lee los que subí anoche,
me han escrito burlándose.
Tengo un libro que no he abierto de un poeta que se llama
Rolando Escardó.
También saqué las obras poéticas de Miguel Hernández
que quiero leer con mucha calma.
No pienses que soy un cobarde,
solo estoy enfermo de los nervios.
Ya han dejado de golpear la puerta en las noches.
Y ya no mandan a los niños a lanzar piedras al techo.
Tengo que ir a lustrar las tumbas del mausoleo,
es el trabajo que aquí he conseguido,
o vender café en la funeraria a algunos vivos.
Las pastillas me calman mucho.
Trabajo con presidiarios por la mañana.
En el horario del descanso les leo poesía.
Me he enamorado de uno de los presos
que cumple condena por acuñar billetes.
Perdona, amigo.
Solo he tenido frío y me he sentido muy sola.
Camino por un pasillo de piso azul
que va hacia un baño lejano.
Voy custodiada por unas palabras que me gritaron
al amanecer.
He creído que el café no me es suficiente,
cuando podía haberme librado de este presidio.
Se me ha acabado el papel de las cajas de cigarros
y ya no puedo retener las palabras en el techo.
Me han regalado un pomo de tinta
o se lo he robado a alguien
o alguien me lo ha dejado en una mesa para que tuviese
algo para robar.
En todo caso, no me ha servido de mucho.
En todo caso, podré bebérmela.
Para escribirte los versos desde adentro
y veas que me he inspirado
en lo último que me has leído.*

Excerpt of the poem "Lustrar tumbas" written
by Katherine Bisquet. Courtesy of Katherine Bisquet.



TANIA BRUGUERA

Havana, July 18, 1968

HARASSED, DETAINED, FORCED INTO EXILE

Multidisciplinary contemporary Cuban artist. She has participated in events such as Documenta and the art biennials in Venice, São Paulo, and Shanghai. Her work has been exhibited at the Tate Modern, the Museum of Contemporary Art in Chicago, and at the New Museum in New York.

I have always considered myself to be an independent artist, even though I worked for the Cuban establishment as an instructor in an institution and I participated in official museum exhibitions and the Havana Biennial. However, my work has always been faithful to my ideas. Yes, I have been censored. In Cuba, when your work gets censored, the number of professional opportunities available to you begins to dwindle, and this catalyzes a process that not only affects your artistic oeuvre, but also your personal life and your family.

The government profiles you and treats you as an enemy of the State, and then it is like a enormous weight falls on your shoulders: you can't exhibit anymore, you start to have problems at work, your parents start to have problems too, people isolate you, the government fabricates claims about you to scare off people and to let everyone know not to be seen next to you or defending you, because it would get them into trouble. The entire process is built around the defense of the government. Treating an artist like a terrorist is something completely abnormal within any system or society, but not in Cuba.

The first time I was censored was in 1993, when I created a piece in the form of a newspaper called *Memoria de la postguerra* [Memory of the postwar].¹⁹² I wanted to reflect on what had happened with the individuals from the generation of the 1980s that had left, and I asked several people to write articles, as if it were for a newspaper. I was called by the *Consejo de la Plástica* [National Council of the Plastic Arts] and they told me something along the lines of: "this is too much, the institution is giving you a warning, I am your friend



Construction in front of Tania Bruguera. Photo: Henry Constantin Ferreiro. Courtesy of Tania Bruguera.

and I want to help you, I advise you, please, do not do this, do not print anything else.” I left and ran to print the next issue because I knew things would get bad. Afterwards, the director of the Council called me to tell me which laws I had broken, and that I could be imprisoned for 15 years.

In Cuba, aesthetic criteria is used to carry out political censorship. For example, when the government does not like the work of an artist because of its critical content, they say the artist is a bad artist. Censorship starts as a social stigma, but above all is also an artistic stigma. It is “bad art,” because it is critical.

The second time I created a newspaper, in 1994, this person, the Director, spoke to me and then I ran home to distribute everything I had. And my dad, who was a member of the Ministry of Interior, showed up at my house in his capacity as a policeman (I mean he didn’t act like my dad, but like a policeman) and he said to me: “Give me the newspapers.” I gave him what was left because, fortunately, I had already distributed everything else. Facing major censorship from my father was traumatic, and I couldn’t talk about it for a long time. I couldn’t create art for almost a year. I didn’t understand what had happened.

The first time I was interrogated was at a private house somewhere in Havana. After that, they kept interrogating me or summoning me to “chat,” as they called it, and then I decided to leave Cuba to go study abroad because I felt too much pressure. During the interrogations they always try to convert you into an agent or a collaborator, a “*chivito*,” and every day the violence increases. So I left to study for a master’s degree in Chicago, in 1999.

In Chicago, I started discovering things, reading books that educated me. I started watching documentaries (no one saw Reinaldo Arenas’ work in Cuba, for example) and I started to have access to books, biographies—the biography of a person who was with Ernesto “Che” Guevara in the guerrilla and writes of how it all happened.

In 2001, I returned to Cuba to hold an exhibition at the Bial. State Security did not bother me again until 2014, when I was censored several times, but always within the visual arts. When I wanted to host an open microphone at the Plaza de la Revolución. They accused me of wanting to spark a “Maidan,”¹⁹³ a reference to what happened in Ukraine, and also accused me of having contact with people I didn’t know. From then on, things got worse. They interrogated me almost every day and summoned me to interrogations without proper citation, at any time of the day. You start to face physical, psychological and economic insecurity. I also understood that they don’t treat everyone the same. The level of racism in Cuba is tremendous, [so much] that they put black people in jail and white people or the people with greater economic means were treated differently.

“In Chicago, I started discovering things, reading books that educated me. I started watching documentaries (no one saw Reinaldo Arenas’ work in Cuba, for example) and I started to have access to books, biographies—the biography of a person who was with Ernesto “Che” Guevara in the guerrilla and writes of how it all happened.”

In 2014, I was arrested. At first, I was detained six or seven times, I can’t remember, but then they only took me in for questioning. This is the confusing part, because State Security agents take you to be interrogated, but they treat you as if you were detained. I have been detained more than 40 times. It’s impossible to count the times you are interrogated or detained.

In 2015 I was forcefully pulled into a car and held down so I couldn’t see where they were taking me. In the house there was a man, a dog, a kitchen, and seven military personnel. I was there for twenty-something hours, I don’t know how long exactly, but I was there, and nobody else knew where I was.

I was under home arrest from November 16, 2020 to August 27, 2021, with the exception of a few days that I could go out. Ironically, on November 27 I didn't suffer from cowardice and I went to the protests, but when the police left, I no longer wanted to leave home. I was afraid. When censorship gets into your life, it gets into your private life, it gets into your possible future.

During the house arrest, I was offered a chance to leave Cuba, to which I said no. But given the situation of many of my colleagues, I decided to negotiate my departure in exchange for the release of several. So I gave them a list of people who should be freed, among them minors, journal-

ists, artists like Hamlet, in exchange for my departure from Cuba. When the officer took the list, he said to me: "This [person] yes, this one, no." In short, they control people's freedom, there is not a single real legal process against any of them. I had put Luis Manuel Otero Alcántara and Maykel Osorbo on the list, and they told me: "Those don't depend on us, we can talk about the others, but they are not in our hands, they are in the Executive Branch", it's on another level.

I left Cuba and now I hope I can renew my passport, because if not, we don't know what I can do to move to other places and work.

MIF19 Integration School. Photo: Michael Pollard. Courtesy of Tania Bruguera.





SOLVEIG FONT MARTÍNEZ

Havana, 1976

HARASSED, DETAINED, AND FORCED INTO EXILE

Curator. Founder of the independent and alternative art space Avecez Art Space.

I was born in Havana and grew up on the Isle of Youth. I graduated with a degree in Sociocultural Studies at the Faculty of Arts and Letters (FAyL) in Havana.

My mother was a journalist for the National Information Agency (AIN, acronym in Spanish) and from her I learned perseverance, dedication and how to look for answers without giving up. My father was a writer and intellectual who studied English and North American Language Arts.

My love for curating came with time and now it is my passion. Curatorship offers me the opportunity to tell stories along with the possibility of showing my concerns, doubts, fantasies, and worries in these stories. Good art curation is a powerful weapon. It's like having a brick in your hand. Its reach is still underestimated.

I worked at the Union of Writers and Artists of Cuba (UNEAC, acronym in Spanish) from 1998 to 2013, where I got to know very well how cultural policy works in Cuba. I later worked at the Cuban Art Factory (FAC, acronym in Spanish), my first mixed project (private/institutional) until I was classified as an "unreliable" person for organizing certain events, such as the first edition of the annual festival "Hors-Pistes: The Spring of Love – Havana" where I met Luis Manuel Otero Alcántara. After his visit, the FAC management team questioned the quality and professionalism of his work.

In 2014 I founded the alternative independent art space Avecez Art Space, which I led until 2021, when I immigrated to Spain. We held about twenty exhibitions and created a space for conversation, reflection, discussion, and we invited curators to present projects in that space.

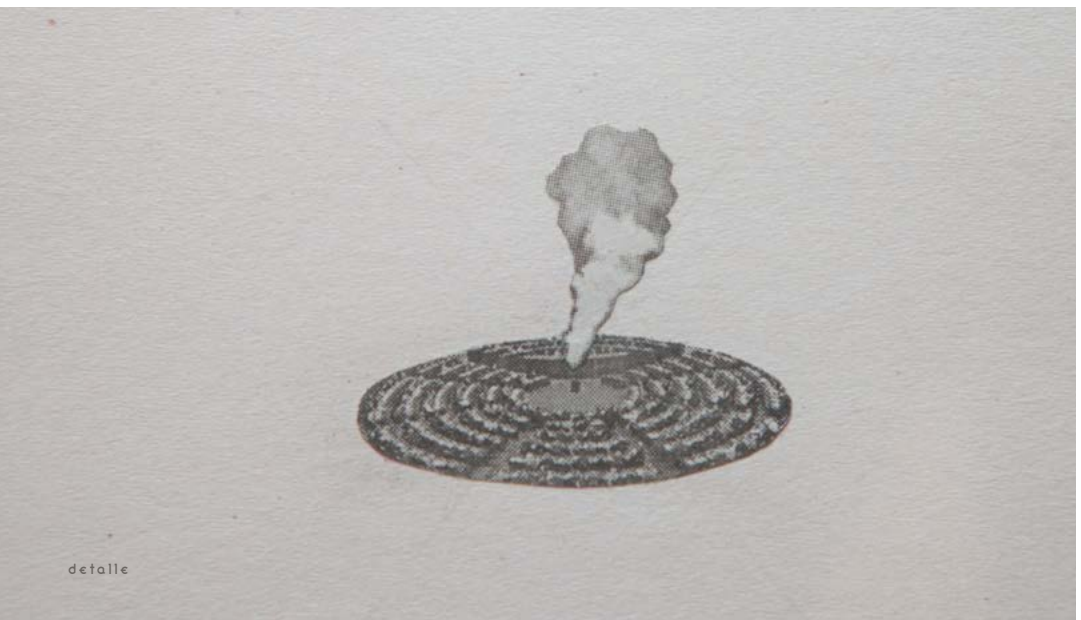
I learned of the existence of Decree 349 through friends and social media. I began to participate in meetings where we talked about our rights, about violations, censorship and freedom. Our positions were becoming clearer and on September 27, 2018, we met at the National Council of Plastic Arts with the Vice Minister of Culture, Fernando Rojas, and other directors of Cuban cultural institutions to express our disagreement with that Decree and request its immediate repeal.

“My love for curating came with time and now it is my passion. Curatorship offers me the opportunity to tell stories along with the possibility of showing my concerns, doubts, fantasies, and worries in these stories. Good art curation is a powerful weapon. It’s like having a brick in your hand. Its reach is still underestimated.”

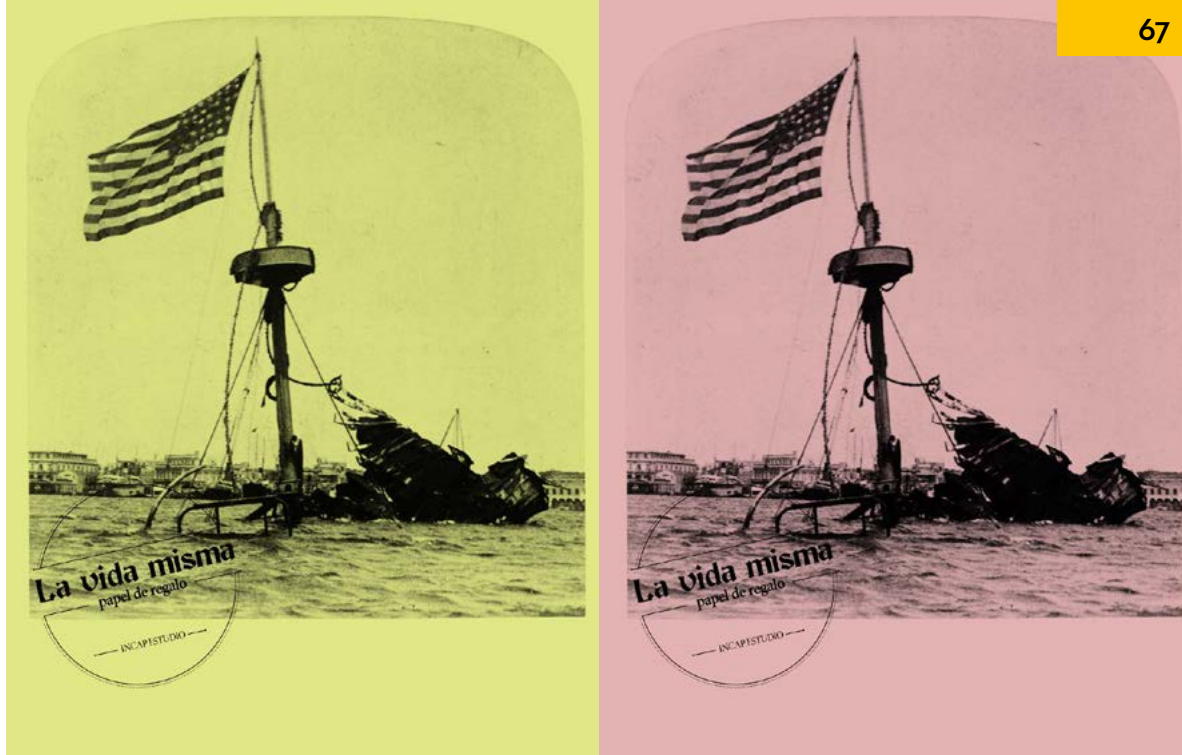
I was invited in 2019 to be part of the documentary series *Sin 349*, a collection of short videos that documents the opposition of the independent Cuban intellectual community to Decree 349.

On November 25 and 26 of 2020, I participated in the poetic vigils held by some artists and friends in support of the strikers who were at the headquar-

Photo from the series “Notas al margen,” (2014) by Reynier Leyva Novo. Part of the collective exhibition “Bonus Level” (2015) that took place in Avevez Art Space, Havana, Cuba. Courtesy of Solveig Font.



detalle



El Llópiz (c.) Papel de Regalo, 2014, RISO printing on paper. Ed. ilimitada. Part of the collective exhibition “Bonus Level” (2015). Exhibition at the Avevez Art Space, Havana, Cuba. Courtesy of Solveig Font.

ters of the San Isidro Movement. On November 27, I was at the demonstration that took place at the Ministry of Culture, to which many more people joined, especially artists, creators and intellectuals. I was part of the community that was called, a few hours later, 27N.

Since then, as a member of 27N, I have undergone constant attacks by the government, cultural institutions, the media and State Security. In those months I underwent surveillance and received threats. I was prohibited from meeting with other artists and I was cut off from communication, etcetera.

During the January 27, 2021 demonstration, I was taken to prison through beatings, violence, and the use of force by State Security agents and officials from the Ministry of Culture¹⁹⁴. From then on, I began suffering from panic attacks, anxiety, insomnia, and depression. At the same time, I was invited to do an exhibition in Vienna, Austria and I conceptualized “Obsesión,” [obsession] a show about the pain, frustration and fear in which I lived, but also about rebellion, struggle and unity.

I participated in the protest on July 11, 2021, and was arrested and interrogated by State Security. I was charged with public disorder and, later, they released me under the precautionary measure of house arrest on the charge of

“public disorder.” I was prohibited from attending another protest, demonstration, or meeting and was awaiting my trial. They said I could never do exhibitions again.

On November 27, 2021, “Obsesión” debuted at the ENTRE gallery in Vienna. This exhibition features 15 Cuban artists and its fundamental objective was to make visible the current Cuban context. I was invited to a workshop on human rights and art in Cuba today by the University of Applied Arts Vienna and by the chair of Human Rights and Art.

On December 30, 2022, while I was in Vienna working on the exhibition, the press announced that the other artists who had been part of the July 11 were notified that the charges were dropped. But not in my case. They threatened me with jail if I ever returned to my country. Right now, I am in exile and trying to survive.



The work *Duro frío*, 2017, by Julio Llopis-Casal. Photo by Solveig Font. Courtesy of Solveig Font.



Photo from the series “Notas al margen,” (2014) by Reynier Leyva Novo. Part of the collective exhibition “Bonus Level” (2015) that took place in Avecez Art Space, Havana, Cuba. Courtesy of Solveig Font.



CLAUDIA GENLUI

Bayamo, November 12, 1990

HARASSED, PERSECUTED, AND FORCED INTO EXILE

Curator. She runs art and social therapy workshops. She has collaborated on projects with Luis Manuel Otero Alcántara, the MSI, 27N and other art groups. She was the director of the Factoría Habana and has published articles in various publications such as *Rialta*, *Hypermedia Magazine* and *El Estornudo*.

I was born in Granma, in Bayamo, Cuba. I studied at the Faculty of Arts and Letters at the University of Havana for five years and began working as a musicologist at the *Casa Oswaldo Guayasamín*, a museum administered by the Office of the Historian. I have always been interested in contemporary art. At that time, *Factoría Habana* Contemporary Art Gallery was a place of reference for all the young people who were graduating, that also belonged to the Cuban establishment, and where they needed new staff to be in charge of the gallery, I introduced myself and I was one of the individuals selected to start working at *Factoría* as an art specialist.¹⁹⁵

After the Decree 349 came out, I began to adopt a more critical position with respect to artistic freedom. Of course, this brought me many problems and from then on, all my stances regarding my work began to be questioned. I met Luis Manuel Otero Alcántara and he brought me closer to the San Isidro Movement, and then things began to get worse.

I received several threats until *Factoría Habana* decided to fire me in 2019, due to a lecture I gave on independent art at the Czech embassy. I consider that it is important to give visibility to all the independent art active within Cuba. Cuba is a society that, from my experience, is very classist and also very racist. In other words, *Factoría Habana* was a huge gallery, with enormous prestige, but it excluded artists like Luis Manuel Otero Alcántara, for example, or like Amaury Pacheco, who are artists that are somehow not recognized by the system because of their critical stances. And yes, also because of the color of their skin, because they are self-taught, because they don't make compromises with the system. The system is designed so that you do

not see these artists, so that you do not realize that these artists exist. So, it is through this art that is not displayed for a specific elite, but rather for the people, that barriers are truly broken.

When you have professional interests that may be contradictory to those interests of a totalitarian system like Cuba, it becomes very difficult for you to do anything in the country. And this corresponds precisely with the censorship, the lack of artistic freedom, the constant oppression that barely lets you create.

The first time I had contact with State Security was in 2019, Luis Manuel wanted to do a performance, and the Havana Biennial was also going to start that same year in April. I was helping him with the entire production, writing the texts, when State Security came to my house. They appeared suddenly, with the intention of confiscating anything that was linked to Luis Manuel's work. In addition, they summoned me, they called me on the phone, which is to say, constant persecution and surveillance began. Officers also intimidated me when I went to the police stations to look for Luis, but until then I had never been arrested. In other words, we are talking about how they sometimes took Luis Manuel in front of me, no matter how much I shouted or told them "no more," they didn't take me. But afterwards there was an incident during which they threw me to the ground and beat me for trying to film Luis Manuel's arrest that was happening at some distance from where I was. They were constantly keeping tabs of what I was doing, the threats were constant. Until I was fired and thus the threats increased, they went from kicking me out of work, almost kicking me out of my rented home, to arresting me.

"When you have professional interests that may be contradictory to those interests of a totalitarian system like Cuba, it becomes very difficult for you to do anything in the country. And this corresponds precisely with the censorship, the lack of artistic freedom, the constant oppression that barely lets you create."

One day, after speaking with State Security about Luis Manuel traveling to the United States for an artistic residency that would take place for a limited period of time, they sat down with me and told me: "Look, Claudia, forget about everything we told you about letting Luis Manuel out for six months. Luis has to leave Cuba permanently." This was an impossible demand because he had said it from the beginning, that he was definitely not leaving Cuba permanently. I told Luis what State Security told me and he replied: "Look, in the end I think it's better that you leave because if they send you to jail right now, I'm going to rot here, my work will stagnate. You have lots of things to do right now. The two of us are not going to do anything as pris-

oners, you go out first and then we are going to see if they let me leave with a tourist visa, without implications of permanently leaving, because I am definitely not going to stay out of Cuba." And from then on, State Security began to pressure me to expedite my departure: "When do you get your ticket?", "When are you leaving? When are you leaving? When are you leaving? When are you leaving?" Then they cut off Luis Manuel's calls, they wouldn't let him communicate with me. State Security agents spent their time pressuring me, threatening that they were going to speak with my grandmother, they spoke with my friends, they showed up at my house until I solved the ticket issue. They were there when I got to the airport. They walked me through the very same tunnel used to board the plane.

Leaving Luis in Cuba has been one of the worst and most painful things given the circumstances. I sometimes get up and say "look, I'm leaving, I don't want to stay here, I'm going back" and there goes a whole battalion of people trying to convince me to stay, to give me lucidity, because it is a trauma that I still have not overcome.

The other day someone wrote a post on Facebook that said: "What does it feel like when you are outside of Cuba?" and my answer was that it's like missing a piece of yourself. I think that feeling of being incomplete is what causes the most pain. Here I have the comforts that perhaps I did not have in Cuba and even so, I still feel that enormous emptiness inside. It's like something is missing, something is always missing. I am afraid that what I want and care for will continue to be taken away from me. Cuba has not taken something from me that I can do without. The dictatorship has taken Cuba from me. It has taken away what I am, the most valuable thing I had in life. The most valuable things are the ones it has taken from me. And once you look at it from the outside, the pain increases and that fear of not being able to recover them, is what hurts the most, it's that they are not replaceable. My grandmother is not replaceable. My cat is not replaceable. My home is not replaceable. Luis Manuel is not replaceable. That's how it is. A piece of you is missing.

Photo of the poster for the collective art exhibition "No nos sirve de nada el miedo" (2022). The exhibition took place in Gloria Delson Contemporary Arts Gallery, Los Angeles, US. Curated by Claudia Genlui and Ana Olema. Courtesy of Claudia Genlui.





ABRAHAM / JIMÉNEZ ENOA

Havana, December 16, 1988

THREATENED, HARASSED, PLACED UNDER HOUSE ARREST, AND EXILED IN EXCHANGE FOR FREEDOM.

Journalist and writer. Columnist for *The Washington Post*, *The New York Times* and *Gatopardo*. Author of *La isla oculta [The Hidden Island]* (*Libros del K.O.*, 2023). He founded and directed the first digital magazine in Cuba, *El Estornudo [The Sneeze]*. He received the 2022 Press Freedom Award from the Committee to Protect Journalists (cpj).

I started publishing my articles when I graduated from the Journalism School at the University of Havana, in 2012. I am part of a generation of journalists who wanted to change things in Cuba, where all the media is controlled by the Communist Party; my generation wanted to do real journalism and I began to contribute to magazines like *OnCuba* about one of my passions: sports.¹⁹⁶

When the magazine turned “officialist” [influenced by the Cuban State], we saw the need to create *El Estornudo*,¹⁹⁷ the first online magazine dedicated to narrative journalism, long-form reporting, and literary stories based on real events. In Cuba there was no such magazine, and I directed this magazine for four years. That’s where my career as a journalist and writer began.

Later I started publishing in foreign media and, in parallel, I began facing repression. Pressure and persecution are part of the government’s reaction when you do independent journalism, they want to break you so that you stop writing. It is inevitable to make alliances, to make connections within the field of independent journalism and with human rights organizations in Cuba, it is the only way one has to protect oneself. In addition to being authoritarian, the government is *legalized*, to say that what we do is illegal.¹⁹⁸

When we founded *El Estornudo*, my office was literally a park. There were only 33 public squares where there were antennas and Wi-Fi, and where an hour of connection cost two dollars, we are talking about 2015. My team and

I worked on the magazine in a park sitting on a sidewalk under a tree, in the rain, under the sun. Later that changed, but it was not until 2018 that we had the internet on our phones. The generation to which I belong, which is that of the boom of digital media in Cuba, was thanks to the arrival of the internet.

To access independent media from Cuba, you have to do it through a VPN or proxy. Furthermore, in Cuba the internet is a luxury, not a necessity. If 400MB costs you five dollars, people would rather eat and dress than read an article on the internet.

The censorship worked like this: they blacklisted publications and, later, they discredited us in the official press, saying that we were CIA agents or that we were mercenaries paid by a foreign government. Suddenly they prescribe you a kind of civil death, suddenly you are seen as plague-stricken by the rest of the country. When they saw that this was not enough, they got physical, they turned to express kidnappings, arrests, confiscating your work equipment, house arrest, spying on your communications, and harassing family and friends. They realized that if you kept writing, they would increase the tyranny.

In June 2016, they would not let me leave the country and they notified me of my “immigration regulation” condition. In addition, I was subject to the famous “*actos de repudio*” [acts of repudiation] in various circumstances, both by individuals and by groups: nobody talks to you, you can’t interview anyone, you can’t do your job, you can’t tell stories, they encircle you until they annihilate you. My “immigration regulation” status lasted five years, I couldn’t have a passport, they told me that as long as I wrote I would never be able to leave the country.

In 2017 I was detained for 11 hours: they took my laptop, my phone, and they tried to break me down with both physical and psychological torture. They put me in a room with a super low temperature, they left me alone and they took my watch: I didn’t know what time it was and they threatened to put me in jail. On another occasion, during the worst of the arbitrary arrests, a police summons was brought to my house requiring me to go in for questioning. When I arrived at the place specified for the interrogation, there was no such police station, it was demolished, and someone told me “Come in, go ahead.” Inside they stripped me naked, handcuffed me, put me in a car, and yelled at me: “Don’t raise your head, don’t raise your head!” I didn’t know where they were taking me. They threatened me and tried to get me to sign a “orden de advertencia” [warning order], they told me that if I wrote for *The Washington Post* again, I would go to jail.

State persecution also works differently depending on who has political and media capital. Those who do more local journalism are the ones who have the worst time, they are the ones who get harassed and imprisoned the most –it is perverse. The threats and repression impacted my family, for example, my mother was fired from her job and my father had to retire; my sister left her job, and my partner and mother-in-law were harassed. That created a toxic environment within my family; the family broke up. The worst was when they showed me naked on television, images of when I was arrested and threatened.

They stopped me so many times that it is impossible to remember the number of times. The harassment is so much that it becomes “normal” and public complaints were not as effective if made frequently, so you have to “manage that repression.” It was that perverse.

One day they called me on the phone, as obscure as it sounds: a person with a number without identification (sic). During the call, a person started yelling at me, I didn’t understand what was happening and suddenly he told me: “The only option you have is to leave now, we are going to give you your passport, but if you keep writing, you are going to jail.” I asked who I was speaking to, and, almost hanging up, he said: “You are not going to thank me?”. It was hard, I did not expect that to be the moment to leave Cuba. I felt like a slave, like a hostage.

“That is not a negotiation, the option is freedom outside of your country or jail in your country. It is like exile or freedom.”

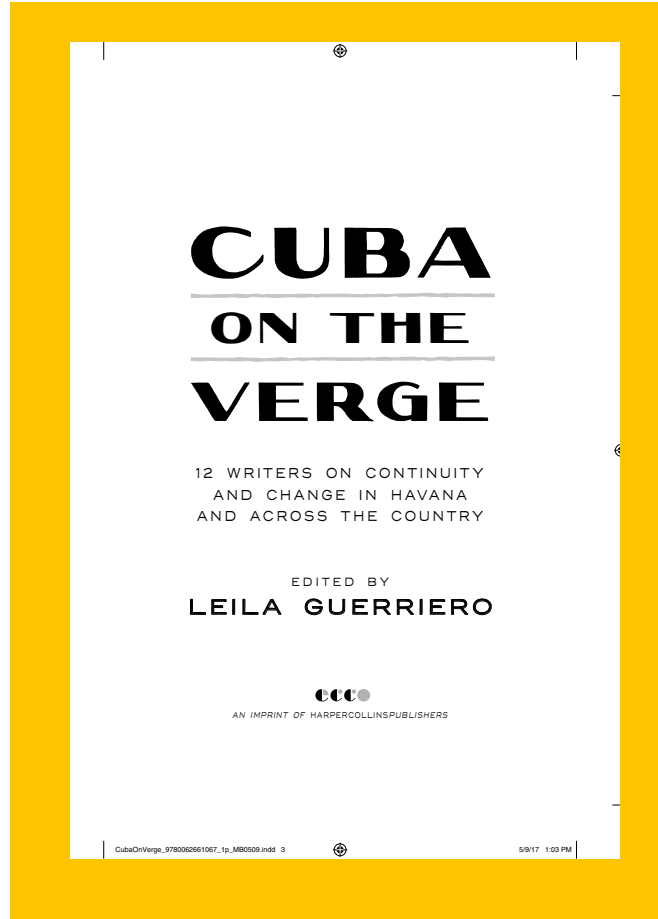


Image of *Cuba on the Verge: 12 Writers on Continuity and Change in Havana and across the Country* (Ecco, an imprint of Harper Collins Publishers, 2018) by Leila Guerriero. Courtesy of Abraham Jiménez Enoa.

From that moment, there was a whole process. I went to State Security to say “yes” to that call and, indeed, despite the fact that I had gone to the Customs Office countless times, and they always denied me a passport, on this occasion, they told me “Yes, go ahead,” and they processed the passport and everything. When we arrived at the airport there was a police unit with the policemen who held me in house arrest the last time. They followed me all over the airport. It wasn’t until the plane took off that I was certain that I was going to leave the country.

Always in climactic moments, Cuba opens the tap as if to release the pressure and begins to exile dissidents, opponents, journalists. What they have done is that they have taken people out of the prisons and sent them directly to the airports, like Hamlet Lavastida, Esteban Rodríguez, –directly from a prison to an airport! That is not a negotiation, the option is freedom outside of your country or jail in your country. It is like exile or freedom.

La pelea imposible de Namibia Flores

Su vida ha sido un combate contra su sombra, a la que no ha podido derrotar. A sus 45 años, en la sala de la casa que renta en el barrio Miramar en La Habana, le lanza golpes rectos a su imagen en el espejo. Sus brazos parecen impulsados por un resorte. Quien ve la sinergia del movimiento, la belleza efímera del acto, tiene claro que caería tumbado al suelo si llegara a recibir un impacto de esa índole.

Golpes mortales, pero sin oponentes.

El espejo está ubicado a la salida de la cocina, en el comedor. Es un espacio amplio donde no hay ni un solo mueble. Un espacio que Namibia, en su imaginación, ve como un cuadrilátero de boxeo con cuerdas azules y rojas, un lugar al que entra para soltar estrés, remordimientos, angustia.

Namibia Flores sube la guardia ante su imagen, la mira con cara de rival, mueve sus pies con ritmo sincopado para intentar engañar al cuerpo de enfrente con un amague, con un ademán. Suelta una combinación de izquierda, derecha, izquierda, derecha, buscando abuyentar el reflejo de su rostro, pero, por más que se esfuerza en que la ejecución de sus golpes sea explosiva para vencer a su némesis, su imagen sigue intacta.

Excerpt of “La pelea imposible de Namibia Flores”
(Gatopardo, 2021). Text courtesy of Abraham Jiménez Enoa.



HAMLET LAVASTIDA

Havana, August 9, 1983

HARASSED, THREATENED, IMPRISONED, AND EXILED IN EXCHANGE FOR FREEDOM

He is one of the key contemporary visual artists from Cuba, winner of awards such as the Idealista Prize for Contemporary Art 2022. He has exhibited his work in countries such as Germany, Spain, and Poland.

At the age of 15, I enrolled in the San Alejandro Academy of Fine Arts in Cuba. I have always been interested in the plastic arts and especially in this Academy, which has a storied tradition in Cuba, where famous intellectuals like José Martí studied.¹⁹⁹ Because in Cuba work means nothing, because you don't earn anything, because people don't have to study because they think, "why study?" Cubans have a lot of free time and if you know how to take advantage of it, you can develop your personality, which is perhaps why it is said that there are so many artists in Cuba. Despite the chronic lack of material goods, one becomes a creative self in a context where there is nothing: pencils, materials, nothing.

I believe that creativity in Cuba is akin to the creativity that exists in prison. When you are in prison you don't have much material, but what you do have is a lot of time, and Cuba has that strange condition that I call the *Penitentiary Republic*,²⁰⁰ which is that you live in a penitentiary regime even if you are free. And if you are a sensitive person, that forces you to elaborate and re-elaborate your creativity. I don't often use the concept of political art in my creative work. For me, political art is relative and depends on how one articulates it. What does exist is art and its muses: beauty, social history... In my artistic work, I try to define invisible spaces that exist as voids, black holes of Cuban political history. I try to break the stereotypes that are held about the history of Cuba. I try to rediscover, conduct a kind of archeology and propose a physical archive, personal, paper archive, let's say, of symbols and linguistic, lexical forms, etc. My work itself is about history, about the history of these politics.



I have been censored, yes. There are so many examples I could give regarding the censorship of my work that I lose track. In Cuba there are many types of censorship: self-censorship, explicit censorship (you are prevented from exhibiting your work at all costs and under any pretext or euphemism), public censorship (they degrade you on national television or in the propaganda-producing media of the regime) and imprisonment as the last form of censorship, the most physical, the one that deprives your intellect by affecting your physical body.

"I believe that creativity in Cuba is akin to the creativity that exists in prison. When you are in prison you don't have much material, but what you do have is a lot of time,"

In Cuba, when you are censored, given that everything is controlled by the hegemony of the political regime, you are subjected to total persecution. This negative atmosphere becomes so close, even within your own family environment. You begin to be a person that is observed and ostracized by the State, you become a kind of contaminated individual, that is, eliminated, erased, and *edited*. Thereafter, you start to be consumed by paranoia and mistrust. This is the beginning of the non-citizen, you become an "element" as the official propaganda says, "criminal elements", "mercenary elements", "counterrevolutionary elements", etc.

Photo of *Vida Profiláctica*, 2015. 44 cut paper templates on wall, 100 x 70 cm.
View of the installation in the exhibition *Iconocracia* at Centro de Arte Contemporáneo Artium, Vitoria, Spain.

I started to be threatened in 2003, when I started doing public pieces on the street. The work that I did had to do with many aspects neglected by the regime, historical memory, freedom of broadcasting, of expression, other political narratives. I was trying to rehearse a kind of return to these forgotten notions on the street with direct messages from and to the public space. Afterwards, I did a series of pieces linked to political language and its historical images. From that moment I began to receive strange calls to my house at night. It was very difficult to verify them, but they were threats, like "I know what you are doing."

The threats increased in 2008 or 2009. They started sending me messages with family members and friends. State Security began to undermine me among my closest friends by saying that I was a confrontational person or had ties to the CIA.

Despite that, I decided to continue with my artistic work. I consider myself an opponent of the political doctrine in Cuba, I have never been fascinated by the myth or the stereotypes of the Cuban Revolution. It

always caught my attention how the story of the revolution was exclusive to the Cuban regime and I wondered about how to break the storyline that was recounted thousands of times. From the beginning, that is, from my childhood, this always seemed very suspicious to me. No one else has the right to do that, to tell what happened to historical figures at the beginning of the revolution such as commanders Eloy Gutiérrez Menoyo, Humberto Sorí Marín, the guerrillas of the Second Front of Escambray, etc. And my work is about the opposite, it tries to show that we, as active citizens, also have the right to talk about other stories and rethink political identities, to think about other social identities, their other cultural identities, about the other narrative forms, about the other expressions, *about the other Cubas*.

On June 26, 2021, I was detained by Captain Darío, a State Security officer who has monitored the press for several years, as he acknowledged. He monitored all the foreign press that went to Cuba. I traveled from Germany to Cuba, and once I arrived, they detained me in an immigration center for five days, as they do with those who arrive from other countries as a measure against COVID-19. As soon as my test came back negative, five agents from the State Security agencies were waiting for me under the building. “Hamlet Lavastida, you are under arrest,” Captain Darío said. They tried to undress me, and I refused. From there they took me with my head bowed to an interrogation center in the *Cerro* area, I discovered then that it was an immigration center where they detain foreigners and Cubans coming from abroad. They interrogated me for 12 hours about my ties to Tania Bruguera, Luis Manuel Otero Alcántara, and why I wanted to create a union, party, or something like that. At night, they decided to transfer me to *Villa Marista*, the jail for political prisoners or people, as they say, accused of committing crimes against State Security. And that started another process, the three-month process.

My name was number 2239, “that’s what you’re going to call yourself now,” they said when they gave me a piece of paper with that number. I never understood what my crime was. It was evident that I was there because of my political ideas. They said that I was inciting civil disobedience and that this was very serious, and thus began the interrogation process about what I wanted to do, why, where, from whom did I receive money, things like that. They told me: “You haven’t said everything, you haven’t confessed anything.” And they made me sign a paper to take me to prison. The crime was “instigation to commit a crime,” without trial, for a crime for which you can be in prison between three months to a year. Over time, they decided that the crime was “*instigación a la rebelión o sedición*” [incitement to

rebellion or sedition] and they told me that this could mean 15 or 18 years in prison. “A ball of years,” was what they said, which means that it is a lot.

State Security carries out psychological torture to avoid leaving physical traces. For example: you are in a three by three jail cell, you are not brought out into the sun, I was only taken out to a cubicle on the roof, in which you only see the sky. They left the lights on in the cell all the time, they were never turned off in all those months, you lost track of time, you had no right to literature, your toothbrush and personal hygiene items were taken away at night, they gave us very little food. The prisoners were subjected to constant and random sounds from political propaganda put on a television that functioned as a radio. From time-to-time we could hear shouts: “Get me out of here, they want to kill me!” Several times I heard prisoners screaming in despair. I saw an 18-year-old boy walk into my cell without having the right to a lawyer or knowing where or why he was there. Telephone calls were granted only at the will of the interrogator. During my incarceration, I contracted COVID-19 and my relatives were never notified, they lied about what they had communicated to them. The visits with my lawyer or phone calls with my friends and family were a kind of gift depending on good behavior during the interrogations, you had to do or say what they wanted to obtain these “benefits.” Several documents were dictated to me to sign under duress, texts that made me disavow civil groups such as the San Isidro Movement or 27N. All this was done under psychological pressure and after long days of interrogations.

During my imprisonment they told me: “What would you do if you could leave the country?” I thought they weren’t serious because that hadn’t happened in ten years, since the Black Spring. They told me “a political solution is being proposed for your departure... You are not going to go home, but you are not going to go to prison either.” Before they released me, they took me to a work or “protocol” house, it is called an “operative house,” a house for State Security operations. And there, a colonel named Samuel arrived, and they planned how they were going to get me and Katherine Bisquet out, and perhaps many more. From that operative house, I was taken to the airport, escorted by a long caravan of undercover patrols to be exiled from Cuba. I believe that banishment into exile is a form of political violence.



RAMÓN LÓPEZ

“EL INVA”

Bayamo, October 18, 1990

HARASSED, IMPRISONED, AND FORCED INTO EXILE

Rapper. Despite the fact that the Cuban government confiscated his music, people sing it in the streets. Author of songs such as “Oe ‘Policía Pinga” and albums such as *Pila* and *Entre la vida y la muerte*.

I consider myself to be an independent artist, I have been creating music for 12 years.²⁰¹ Rap is a different genre, in which you can talk about reality, about what is happening. That music led me to activism, to seek the freedom of my country. Of those years of creation, a large part of my music was lost the day State Security entered my house and took everything. Fortunately, my career has continued and evolved. My first solo album was *Pila* [I came to tell you], which had a lot of social criticism of the government, with songs like “Silencio” [Silence] and “Voy a hablar por mí” [I’m going to speak for myself]. After I made *Entre la vida y la muerte* [Between life and death] about the death of my grandmother. Everything was lost and I was left with a gap in my six-year career. But later I published my song “Voy a hablar por mí,” which marked a new stage and divided what “El Inva” was into a before and after.²⁰²

I started doing social criticism because that is at the heart, at the root of rap, it is frank music without double meanings, and it speaks about what one has lived. So, what do you sing when a country is under dictatorship? You sing what you live. I have collaborated with groups such as Los Aldeanos, El Funky, Maykel Osorbo, Marichal, and Sector 25, among others.

In Cuba, censorship was on the rise. In 2013 or 2014 it was normal to go to a concert and sing on a stage in any province of the country. In 2012 I joined the *Asociación Hermanos Saíz de Bayamo*, [the Association of Hermanos Saíz in Bayamo] a group that seeks to regulate creators. I belonged to that Association for several years, until Denis Solís’ [arrest] happened, on November 9, 2020, and afterwards I left.

The repression began to intensify in 2015: they censored the independent music venues that criticized the government. It was very difficult for us rappers to have a presence between 2015 and 2018, because, as of 2018, you could no longer sing anywhere. No artist who expressed themselves against the system was given any space.

The repression began to take on various forms. In addition to the fact that you couldn't sing or make music and upload it to social media, the physical and digital threats began through false profiles, death threats, and surveillance. They called home and threatened my mother or told her that they would fire her from work. In addition to my music, what caught their attention were my “*directas*,” live broadcasts that I did in which I started to have up to 500 people viewing and, therefore, you are already a problem.

“I started doing social criticism because that is at the heart, at the root of rap, it is frank music without double meanings, and it speaks about what one has lived. So, what do you sing when a country is under dictatorship? You sing what you live. I have collaborated with groups such as Los Aldeanos, El Funky, Maykel Osorbo, Marichal, and Sector 25, among others.”

They handle the method of psychological and physical repression in the same way. It is a *modus operandi*, that is why it is a dictatorship. Surveillance is soft when you start to “cause problems,” but the repression is progressive: first, they put one person at the corner of your house, then two, then you have an entire patrol, then you have a patrol and a car, then you have a police car, a car, and a motorcycle, and then they put you in jail. It's in phases.

Then they seek to distance you from your friends and family. State Security called my friends and told them that they couldn't hang out with me, that I was a problem for society. The psychological work that the repressive apparatus does is crazy: the government persecutes under a constitution. I've been questioned a million times. First, they make you think that they are your friends, that they are going to help you; then they gouge out your eyes.



Screenshot from the video “EL INVA”. Courtesy from Ramón López “El Inva”.
<https://www.youtube.com/watch?v=IVudCQdCJkU>

On July 11, 2021, I went out to the peaceful protest, and they took me to jail on the 12th. They went to my house and arrested me. When they arrested me, they told me that they were going to charge me for *propagación de epidemia* [spreading an epidemic], *sedición* [sedition], and *resistencia al arresto* [resisting arrest]. They said that I had bribed people to release me when the July 11 thing happened, that they were going to accuse me of *cohecho* [bribery]. I was at the station where they interrogated me for 30 or 32 days. A video of me surfaced where I was removing stones from the protesters' hands, telling them that things weren't like that, that they should not attack, that we should move forward and walk.

State Security wanted to see me throwing stones. I knew that throwing a stone would cost me 50 years in jail. Later I was placed under house arrest while the case was pending, as a precautionary measure. Many people who participated in the protests were tracked down from the videos and detained after the demonstration. A month earlier, on June 18, 2021, Security agents had broken into my house and detained me until June 21.²⁰³ I had recently released the song “Oe' police Pinga.”

When they gave me my freedom and they lifted the regulation to leave the country (I had a travel regulation and I couldn't travel anywhere, I couldn't do anything), I tried to leave to be able to continue with my music, I had no way to continue my career in Cuba. They had taken away my studio and nobody wanted to record with me because they were afraid. And without music... it's not possible... They suggest that you leave the country, but I'm never interested in what they say. I shouldn't have to serve a prison sentence for crimes I haven't committed.

I left Cuba on April 3, 2022. I traveled to Havana at dawn, then to Santiago de Cuba on a charter, but in Santiago, I tested positive for COVID-19 and returned to Bayamo, and then I had to try to leave Cuba again. I flew to Jamaica, and in Jamaica, on the loudspeakers at the airport, they tell me that they deny me entry. The airline says: “No, that has nothing to do with us, you have to talk to the Nicaraguan embassy in Jamaica. You appear on a list that says that you cannot enter Nicaragua.” I waited for two more days at the airport and got a ticket to Guyana where my journey began, during which I crossed 14 countries through the jungle, the Darien region, where 12 Venezuelan and Bolivian migrants died. The Darien is terrible.

My forced exile to be able to work included this entire migratory journey. In the group of migrants that I was part of, which numbered more or less 400, there were 12 deaths from heat stroke and everything that happens there. There are no words to describe it. I went through a lot, I almost drowned when I crossed the Rio Grande.



ELIEXER MÁRQUEZ DUANY, “EL FUNKY”

Havana, November 14, 1981

SURVEILLED, CENSORED, AND EXPELLED FROM THE CUBAN RAP ESTABLISHMENT, SUBJECTED TO HOUSE ARREST AND FORCED INTO EXILE

Rapper and dissident musician, co-author of “*Patria y Vida*”, a song that became the hymn of social protests in Cuba. He has performed several concerts in Cuba and the United States.

I was born on November 14, 1981 in Old Havana, in a rather marginalized neighborhood, but in a very beautiful area, populated by people with possibilities. I started to venture into music because I have an uncle who took me to bonches, private parties held on the street where he put on moña, moña is rap or hip hop, reggae. I didn't know or understand what they were saying, but I liked what I heard. From a very young age, I saw these personalities, I saw these artists and I identified with them. I saw them on television, listened to them and said, “I would like to be like them.” First of all, a great mentor once told me that to be a good artist or to be “someone” you have to be genuine, that everything you do has to be different from everyone else.

Today, I'm talking about what happened, and it's already history. I was one of the creators of a great song, which moved my people, my brothers to come out on the streets, to express their dignity. But before this, and from that moment I was expelled from the Cuban Rap Agency, I decided to do my art independently. I already belonged to the San Isidro Movement, an independent artistic movement. I could relate with these young people who are so smart, with the talent that they had and I felt like part of a family. From there onwards, censorship was coming for us, at least for Maykel Osorbo and me.²⁰⁴ At the studios where we could record, State Security agents threatened the people. And so, we couldn't create, we couldn't make music.

Justicia (feat. Escuadrón Patriota)

*Los ojos se me aguaron coño y empieza a llorar
Pensaron que te iban a ver en un funeral
Y el va mala nunca muere tu eres
duro de maldad*

*Pero son otros tiempos, loco basta de locura
Vamos a darle un poco de tranquilidad la pura
Que la guapería no liga con la cultura*

Excerpt from the song "Justicia," (2021) by Eliexer Márquez Duany "El Funky." Courtesy of Eliexer Márquez Duany "El Funky."

"I started to venture into music because I have an uncle who took me to bonches, private parties held on the street where he put on moña, moña is rap or hip hop, reggae. I didn't know or understand what they were saying, but I liked what I heard. From a very young age, I saw these personalities, I saw these artists and I identified with them. I saw them on television, listened to them and said, "I would like to be like them."

During this period, one of the ways that State Security harassed me was through home arrest, to the point that they don't allow money to be brought to your house. Once I spent six months at my house. In these six months, I tried to receive money three times before realizing that I was not going to solve this problem on my own. I had to ask one of my friends, with whom I never communicated much, for help so that the money would arrive in his name. Then, he sent his girlfriend to my house as if she were a friend of my mom, or a neighbor from the building, and would go to the house of any neighbor helping us, and give them the money. Then, at night, my mom would lower a basket from the verandah with a rope, the neighbor threw the money in, and then she'd pull it up. That's how I managed to survive.

In addition, I already had many confrontations with State Security, and, of course, threats, insults, blackmail, but on the day of my exile, I did not see

In addition, State Security always tries to influence you into joining them, so that you become a scapegoat. I always told them, "brother, I only defend my reality, I don't defend a party nor politics." It doesn't interest me at all, it's a business, it's for people who are there and who have to represent the government. I am only the voice of the people that cannot speak, I simply reflect the people in my lyrics and people identify with it, nothing more. I don't do anything wrong, I don't kill, I don't murder, I don't rape.

it like that. I saw it as something cold, something more than a threat, or a warning. Climbing up the stairs leading to the plane, a [State Security agent] touches me on the shoulder, turns me around and says to me: "Funky, don't come back for now, or don't come back anymore, my 'brother'." He also said: "My brother," "mi consorte," "don't ever come back because you'll be jailed, 'bro. So think about your life and think about your future because returning to Cuba, for you, is not going to be good. It's going to be another torment and you're going to jail, 'man'". In reality, that was the strategy... that I left, because they didn't want me in Cuba, they didn't need me. They didn't need me in jail because otherwise they would have done it from the beginning.

But I am very happy to have shared my last days in Cuba with my father who suffered from a cancer that consumed him in three months. A man who was always by my side, supporting me, despite the fact that I thought that the music I made was not his taste, but he supported me. And during that last hug we shared I remember that he told me he was very proud of me. When I arrived in the United States, he had already been diagnosed. I didn't know. My mom didn't want to tell me because I was dealing with the Grammy award situation for the song "Patria y Vida" and I was in Las Vegas. Once I returned to Miami, when she told me what happened, I started to prepare myself, and he was also preparing himself. We talked a lot until that November day when he died...

Every day I think about my family. I think of my little piece of myself there, in my space, my house, my room, my son, my late father whom I couldn't say goodbye to. He died while I was here, and I believe that this is one of the strongest pains that an immigrant can experience—losing a family member and not being there by their side, we just continue to suffer. There were many human losses caused by COVID-19, there was no medicine, the hospitals were overwhelmed, and I believe that the arrival of the song "Patria y Vida" at that moment was like the last straw when people said, "enough already, let's take to the streets." Of course, you realize that in the demonstrations on the 11th, people shouted on the streets "Patria y Vida" and then it was like something took me away and what I said to myself was that "it was worth it". And I feel very proud, not of the Grammys, trust me— I am not interested in the award, but of the people that I believe are the biggest award that an artist can win—the recognition of your people, their support, and them shouting "¡Patria y Vida!"

Patria y Vida

*Y eres tú mi canto de sirena
 Porque con tu voz se van mis penas
 Y este sentimiento ya está añejo
 Tú me dueles tanto aunque estés lejos
 Hoy yo te invito a caminar por mis solares
 Pa' demostrarte de que sirven tus ideales
 Somos humanos aunque no pensemos iguales
 No nos tratemos ni dañemos como animales
 Esta es mi forma de decírtelo
 Lloro mi pueblo y siento yo su voz
 Tu cinco nueve yo, doble dos
 Sesenta años trancado el dominó
 Bombo y platillo a los quinientos de la Habana
 Mientras en casa en las cazuelas ya no tienen jama
 ¿Qué celebramos si la gente anda deprisa?
 Cambiando al Che Guevara y a Martí por la divisa
 Todo ha cambiado ya no es lo mismo
 Entre tú y yo hay un abismo
 Publicidad de un paraíso en Varadero
 Mientras las madres lloran por sus hijos que se fueron
 tu cinco nueve, yo, doble dos
 (Ya se acabó) sesenta años trancado el dominó, mira
 (Se acabó) tu cinco nueve, yo, doble dos
 (Ya se acabó) sesenta años trancando el dominó
 Somos artistas, somos sensibilidad
 La historia verdadera, no la mal contada
 Somos la dignidad de un pueblo entero pisoteada
 A punta de pistola y de palabras que aún son nada
 [...]*

Excerpt from the song "Patria y Vida," (2021) by Yotuel, Gente de Zona, Descemer Bueno, Eliexer Márquez Duany "El Funky." Courtesy of Eliexer Márquez Duany "El Funky."

Funky Style

*Yo no sé quién se atrevió
 Y al demonio despertó
 Ha'te un ebbo
 Que el zombi ya regreso
 Tu no sabe quién soy yo
 Querían swing
 Traba funky, coge un tin
 King del beef don't fuck with me
 Ven hazme el do'
 Pa' que vean quien soy yo
 El relajo se acaba
 Yo nací en nuevo vedado puentes grandes y 26
 Y en el sagrado corazón habanero de por ley
 Cumplía yo los 6 y soplando las velitas del cake
 Pedí un deseo que quería ser un rey
 Y okey, sé que todo estaba bien
 Hasta que de pronto nos mudamos pa belén
 Pa' un solar que lo mismo venden micocilen
 Que una vieja sale y te mete con un sartén
 Conocía gente buena y mala también
 Recuerdo en este tiempo yo escuchaba a mack 10
 Y to' el mundo pal' fuego, (what you want my friend)
 No importaba la police había que buscar un yen
 Kik y yo bailábamos en los bonches raggamolfi
 Y yo que especulaba con mis muelas de oro go'fi
 Hasta que po' fin rapeando me cole en el ranking
 [...]*

Excerpt from the song "Funky Style," (2020) by Eliexer Márquez Duany "El Funky." Courtesy of Eliexer Márquez Duany "El Funky."



MICHEL MATOS

Havana, 1980

HARASSED, ARRESTED, AND CENSORED. HIS FESTIVALS WERE EXPROPRIATED BY THE STATE WHEN FORCED INTO EXILE.

Cultural practitioner, producer, and activist. Member and vice coordinator of the MSI and organizer within the Cuban rap and electronic music scene. He was the founder and director of *Festival Rotilla*²⁰⁵ (1998-2011) and the producer and co-founder of the independent hip hop festival, *Puños Arriba* (2008-2015).

I was born in Havana in 1980. I became an activist quite young. At the age of 17 I had an experience that led me to spend a few days in a sort of prison and that had a deep impact on me. A year later, with a group of friends, I decided to organize a party at the Rotilla beach to break with the conventional idea of what it meant to throw a party. At the beginning, the party we threw was quite small. So, for the authorities, that did not represent a danger or attract their attention.

However, in 2004 we began to be directly censored. Cuba is an absolutely totalitarian country. That is to say, the State occupies all spaces of social life, cultural life, economic life, and the rest of the facets that make up the life of an individual or of a society; in this case the Cuban State occupies them all.

State Security was very careful in the way they destroyed or attempted to collapse our festival, they did not do it overnight, it lasted years. They began to try to influence us and the festival in 2007, and the total censorship of Festival Rotilla happened in 2011. It ended in a sui generis type of way because the Cuban State simply did not censor the event, but rather appropriated it. They have staged the event since 2011, as if it were their event, as if it had occurred to them and they had been doing it all their lives. They also launched smear campaigns against us: when censorship started, many people distanced themselves from us and you feel almost toxic, radioactive, and if someone approaches you, they get contaminated. Very basic logic, but it works well.

I also received direct, intense, and sustained retaliation from State Security around 2010 or 2011. Of course, the first had to do Rotilla. They



Screenshot from the film “Si Dios quiere y el Partido lo permite”. Courtesy from Michel Matos.
<https://www.youtube.com/watch?v=QeQQ-MVthU&t=2s>

tried to censor the festival; I was forbidden to leave the areas of the city where I lived, they were constantly watching not only me but also a large part of the festival’s team. That was my first experience of censorship and surveillance.

On one occasion, I attended an event at the home of Luis Manuel Otero Alcántara with a group of friends, at the San Isidro headquarters, at the *Calle de Dama* in Old Havana. In front of Luis Manuel’s house, the government had organized a kind of act of repudiation. Someone from State Security asked a special forces agent, who was wearing a red beret, to stay with me. I was calm, but this man grabbed my left-hand finger and bent it hard. He didn’t break it, he just sprained it, but my hand was in shock for two or three minutes. In addition, that day I was arrested in the afternoon. With the idea of getting us out of there, they put us all in a sort of fleet of cars. It’s a form of intimidation or public shame, collective, neighborhood shame.

One of the worst things I’ve been through is living through house arrest: I spent almost six months without leaving my house, with certain intervals in which I could leave my house, for example, a week when my surveil-

lance was withdrawn. When I didn’t have food, I was escorted to “*las filas*,” in Cuba, these are the lines to buy food. Once, while facing a long period of confinement, I collapsed and told them that I wanted to be arrested, that I did not want anything else. “I can’t stand being at home. I’ve been stuck at home for 30 days and there’s no reason. I haven’t done anything, I’m not a criminal, many of my friends in the same situation are under arrest, arrest me,” I told them. And well, they ended up arresting me for a day or two.

When I left the island in 2021, I did so with my grandfather, thinking that I was going to return to Cuba. In fact, I thought I’d be back soon. I was in Italy for two or three months when the July 11 protests took place and, among other things, I had received threats and warnings by State Security agents or people outside the island who issue threats through social media. I think it’s State Security because when I look at profiles that sent the threats, they are clearly bots. The messages warn me not to return to Cuba because I would be going to jail, that only jail awaits me there. Another person, who I couldn’t tell if they were State Security, told me that if I visited Miami they were going to open me up and fill my stomach with stones, that they were going to stitch me up again and they were going to throw me into the bay.

Living in exile means leaving behind the friends you grew up with, your roots, your family. It’s very hard and traumatic. I never set out to immigrate, I have always wanted to travel. Traveling is a human right, it is a very enriching thing. But I never saw myself simply as an immigrant living off the island.

The Cuban government and the State Security agents, who serve as its arms, are willing to run this type of risk, that is, this type of cost, to show the world that they are violating international laws and their own national law. What they are showing is that they are going to act above the law and that they have no problem with that. Their priority is power.

“Living in exile means leaving behind the friends you grew up with, your roots, your family. It’s very hard and traumatic. I never set out to immigrate, I have always wanted to travel. Traveling is a human right, it is a very enriching thing. But I never saw myself simply as an immigrant living off the island.”



YANELYS NÚÑEZ

Havana, July 11, 1989

SURVEILLED, EXPELLED AND THREATENED. VICTIM OF PSYCHOLOGICAL HARASSMENT WHICH LED HER TO GO INTO EXILE

Researcher and curator. Co-founder of the Museum of Dissidence in Cuba and of the #00Bienal de la Habana with Luis Manuel Otero Alcántara.

I was born on July 11, 1989 in Nuevo Vedado. I studied art history and I graduated from the Faculty of Arts and Letters at the University of Havana in 2012. I started working at *Revolución y Cultura* magazine until I was expelled in 2016 for creating, together with Luis Manuel Otero Alcántara, the Museo de la Disidencia en Cuba [Museum of Dissidence in Cuba].

I started collaborating in 2012 with an independent blog that still exists, called *Havana Times*. These were my first steps in meeting people who were doing activism. I grew up without political information, without information on human rights or anything like that, and it was really in 2012 when I began to come across censored books in Cuba and I began to meet people who had activism projects.

The idea of the Museum of Dissidence came to us when Luis Manuel and I became aware of the hidden Cuba. It was opening up before our eyes, a hidden Cuba of opposition, of censored books, of arrested artists, and we realized that at some point we were going to be in that place and being in this place meant social stigma.²⁰⁶ So, that's what led us to conceptualize and try to recontextualize what it means to be a dissident in contemporary Cuba and how important dissent is, and that in addition to being important, it is necessary and natural.

Due to this project, State Security began harassing me and Luis. They fired me from work, and my perspective of the regime and how the regime looked at me changed. The event that most marked our work within the museum was the #00Bienal de la Habana, which was held in response to the official

biennial's suspension. When the Biennial ended, we believed that we had unlocked a greater space for freedom. We had hosted the Biennial in our homes, in the studios, that some of the artists made available to us, but the government allowed it. When the government wants to prevent something from being done, it puts everyone in jail, we already know that. So, since the government allowed that Biennial to exist, we, perhaps naively, believed that we had made some progress on the issue of freedom and cultural rights.

In July 2018, we learned that the Decree 349 was signed, one of the first decrees signed by Miguel Díaz Canel when he became president and that directly targeted the artistic community. We became a movement in the middle of the campaign against Decree 349, not before. We say that this is not only because of Decree 349, this is because of a whole cultural policy that is repressive, that is coercive, that is 60 years old and that has not, at any time, created space for dialogue about the interference of the state institutions in artistic production.

The first violent act I suffered from was being fired from my workplace. After that fact, I realized the complicity of all sectors of society, be it the Prosecutor's Office, or my co-workers themselves. There is a moment when the government corners you and you have to decide to stay dignified, or not, because there's no other explanation for that degree of complicity. After that incident, I saw how absurdity and delirium functioned in that country. After being fired in 2016, the progression of violence was *in crescendo* with my first arrest happening in public in 2017.

They also stationed a State Security agent outside my house. In addition, they started harassing my family, they went to my mom's workplace and threatened her. Friends turned away from me. The government did everything: interrogations during arrests, threatening to put me in jail, trying to smear other activists so I wouldn't trust them. In the end, what the government does is increase the pressure until you lose hope, you feel alone. At all times, we were afraid that at some point the police were going to enter [our headquarters, our houses] and we would get arrested.

How do you survive all this? That's a different story.

"There is a moment when the government corners you and you have to decide to stay dignified, or not, because there's no other explanation for that degree of complicity. After that incident, I saw how absurdity and delirium functioned in that country."



Yanelys Núñez during the #00 Bienal de la Habana with Luis Manuel Otero Alcántara. Havana, Cuba, 2018. Courtesy of Yanelys Núñez.

"How do you survive all this? That's a different story."

In the midst of these repressive acts, I attended several video journalism workshops in Prague, thanks to the support of the NGO People in Need. In 2019, without intending to go into exile, when I went to one of these workshops, I decided to stay. I really did not leave the country psychologically, or economically prepared, or prepared at all, for that matter. I had told my mom that we would see each other in nine days, which was how long the workshop lasted. However, being in Prague my intuition and my body told me that I had to rest. I had suffered from facial paralysis in 2018 due to the stress that the regime subjected me to. Paranoia was also an issue— I was not able to establish new working relationships or to be friends with other people because I believed they were all State Security. These things affect you little by little, to the point that you isolate yourself.

The most difficult thing about exile is guilt, that's something I still bear. It's thinking that I gave up the fight. It's the worst, it's really the worst. In the end we are few in number, you feel like you abandoned the family. Not to your blood relatives, but the family that you made while being arrested.

Right now Luis and Maykel are in jail. Normally, if we were there, we would be at the station, we would be making trouble, but we are here. I know that in the end exile, at least in my case, has been because of self-preservation. It was a decision I made, a feminist self-care decision. However, I always think that we are few on the ground [in Cuba] and if we all leave, who builds from the inside?

Photo of "La Bandera es de Todos." Superposition of images, Yanelys Núñez with the Cuban flag. Photo: Nonardo Perea. Courtesy of Yanelys Núñez.





JORGE OLIVERA

Havana, September 8, 1961

HARASSED, JAILED, SENTENCED TO 18 YEARS FOR HIS JOURNALISM, AND EXILED.

Writer, journalist, and musician. He co-founded and directed the independent agency Havana Press. Author of *En cuerpo y alma [In body and spirit]* and *Quemar las naves [Burn the ships]*, among other books. Honorary member of English PEN and PENAmerica. He was awarded the Scholars At Risk Fellowship at Harvard University, among other honors and awards.

I was born in a municipality in Old Havana and graduated as a Technician from the Polytechnic Institute of Electronics at the age of 19. I did my military service in the jungle of Angola, where I lived underground for 26 months. I returned to Cuba and started working at the Cuban Institute of Radio and Television (ICRT, acronym in Spanish) as an editor. My father was a political prisoner, arrested in 1967 and tried along with others in 1968 in a legal process that Fidel Castro named “the microfraction,” made up by prior members of the Communist Party. My father was a proofreader in the communist newspaper before the Cuban Revolution and he directed several clandestine urban cells in the struggle against Batista. Although my father did not live at home with my family nor was I directly influenced by him, in the years of 1985 and 1986, with the Perestroika process and Glasnost in the Soviet Union, he began to hold a series of workshops at his home. The ones that I attended made me question the Cuban reality.

In 1991, I jumped onto a raft to leave Cuba by sea, but I was caught by the border patrol about 12 miles from the coast. They fined me and that created problems at the ICRT, because I got demoted, I think they “forgave” me because I went to Angola. In 1993, I decided to leave my job and join the independent trade unionism of the Confederation of Democratic Workers of Cuba as secretary of dissemination and propaganda. From that moment onwards, I was arrested several times, and, in September 1995, I began my career as an independent journalist at the Havana Press agency, directed by Rafael Solano, a journalist who came from Cuban radio. I ran the agency from 1999 to 2003, before I was arrested in the so-called Black Spring.

In addition to being a writer and journalist, I am a musician. I recorded six songs that I composed in Cuba in 2018. I wanted to record an album of 10 songs written and sung by me, but the political police prevented me, threatening the producer and the arranger that if they continued recording in an underground studio there would be consequences. In exile, I recorded the songs and you can listen to them on YouTube.

My first “act of opposition” was to work for *Radio Martí* in 1993, thus publicly declaring myself a dissident.²⁰⁷ At *Radio Martí* I contributed to many news and opinion programs. I also worked for journalistic agencies such as *Cubanet*, *Nueva Prensa Cubana*, and was vice president of the Manuel Marquez Sterling Society of Independent Journalists, which I co-founded with Raúl Rivero and Ricardo González before the independent art boom.

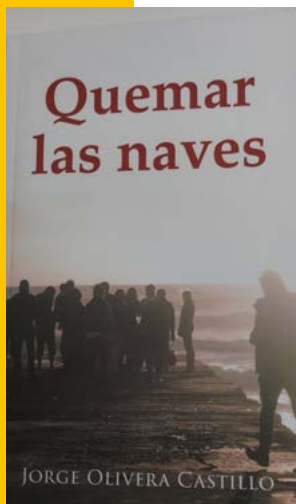
My imprisonment began precisely on March 18, 2003 and ended on December 6, 2004, although my original sentence was 18 years in prison. Law 88 was applied to me, which, roughly speaking, is a law to protect the independence of Cuba. My conviction was a consequence of this government campaign.

I never saw my lawyer during trial; I saw him five or six minutes before the trial. The lawyer told my wife that everything was decided. The prosecutor’s request was for 15 years of imprisonment, but due to the way I expressed myself in trial, they increased it by three more years. We were four journalists participating in the legal process, and I defended myself using a proper vocabulary, without offending anyone, and I said that freedom of expression was something sacred. The prosecutor verbally assaulted me, and my sentence was increased by three years. In a second stage of the persecution, during my last years in Cuba, the threats were to a greater extent aimed against my wife, Nancy Alfaya Hernández, against her work as an activist and defender of women’s rights.

I was in prison for 20 months and 18 days, and I spent time in three different ones. Most of the time in the Combinado Provincial of Guantánamo, and almost nine months in solitary confinement, during which poetry saved me. Fortunately, they allowed us to have paper and pencil, and the water that I drank or bathed with was dirty. The food was rotten. It was a little hell.

Later I was in Agüica, also a maximum security prison, of greater “rigor,” a word widely used in prison slang. I was in three prisons and then I was in the *Combinado del Este*, which is the largest prison in Cuba, and there I was released on medical parole.

Cover image for the book “*Quemar las naves*” (Neo Club Press, 2015). Text courtesy of Jorge Olivera.



It is difficult to remember how many times I have been detained, for most of the arrests, there is no record. It was 30 years of independent journalism, in those decades I was arrested, fined, interrogated, surveilled, my equipment confiscated. In 2003, they even took personal items such as family photos, letters, and presented an extremely old typewriter as evidence in the trial. I spent 36 days in *Villa Marista*, in a walled cell for one person, where four of us lived.

It was a challenge to work under pressure from the State for so long, under fines, threats, interrogations. In Cuba, everything you do, no matter how small, if it’s contrary to what the Communist Party dictates, it’s seen as a challenge. But that’s not what we intended to do as writers, journalists, and intellectuals; we just wanted to build a space for freedom and coming together, but in the atmosphere of fear that existed, that was taboo and it was impossible.

My literature was not censored because I did not publish it in Cuba. My journalism, yes, as well as all the tools we used: they cut off the fax, the telephone. Other forms of censorship include harassing our relatives. In my case they harmed my wife’s family, the elderly, and the sick.

“The independent art boom took shape in 2000. I dedicated my life, almost half of my life, to these tasks, to the peaceful struggle for freedom and for freedom of expression and other fundamental rights.”

Collaboration with the Cuban government has always been impossible. In Cuba we are non-persons. I am a nonviolent person inclined to dialogue, but there is no space to debate on equal terms with the State, the government makes no distinction: “Either you are with me or against me.”

I left Cuba because the Scholars at Risk (SAR) Program at Harvard University awarded me a scholarship in 2009, but the Cuban government did not allow me to leave until 2016, when Barack Obama went to Cuba. It is hard to be forced to leave your country and not have the possibility to return. It is very difficult. I feel Cuban and I am going to feel Cuban wherever I am. I won’t lose my roots. It’s terrible because you leave behind an entire life story of friends, of events, of my neighborhood, which is quite a poor neighborhood, but it is my roots. I dream one day, I don’t know, that a miracle will happen...

La nueva clase

*He aprendido que las máscaras
son las madres legítimas
de las fábulas.*

*Detrás de esa prolífica
comunidad pudieras encontrar
algún rastro humano.*

Excerpt of the poem “La Nueva Clase” from the book “*Quemar las naves*” (Neo Club Press, 2015). Text courtesy of Jorge Olivera.



LUIS DE LA PAZ

Havana, August 13, 1956

HARASSED, CENSORED, AND FORCED INTO EXILE

Journalist, writer, playwright, and literary critic. President of the Cuban Writers In Exile PEN Center. Chronicler of the Cuban exile experience, which he has highlighted in his literary and journalistic work.

I started writing literature in the 70s. The brothers José, Juan, and Nicolás Abreu introduced me to a large archive of old newspapers through which I was able to grow and learn until Reinaldo Arenas²⁰⁸ appeared, with whom we created a group of intellectuals who met in *Parque Lenin*, which is outside of Havana and where we could talk without too much surveillance.

It is important to remember that the first thing the Cuban government did in 1959 was to massively intervene in the media... In June 1961, at the National Library of Cuba, there was a meeting of intellectuals where Fidel Castro arrived and gave a closing speech, addressing freedom of artistic expression. It was a meeting that, I think, lasted two or three days in June of 1961, and there Castro uttered the famous solemn phrase about Cuban culture: “Within the Revolution everything, against the Revolution nothing.” That policy continues to the present day.²⁰⁹ That is the foundation of the cultural, political, and social policy of the Cuban government.

In 1961, that frightened the playwright Virgilio Piñera and provoked him to, right there and then, in the National Library, stand up and say: “I don’t know about the rest of you, but I’m afraid, very afraid.”²¹⁰ That phrase has stood out within the literary framework as a transcendental fact that marked in some way the end of freedom of expression.

Once the government of Fidel Castro was in place, another of the fundamental things that the government did was close and take over all the private printing presses so that there was no means for writers to print or publish a book. They took over the presses, and even the paper had to be bought from the Cuban government, a system was put into place so that anything that was going to be published had to first go through a group or a team of “censors” who analyzed the work that was to be published and decided if it was approved or not.

Reinaldo Arenas himself managed to get a manuscript out of Cuba thanks to a Frenchman, as he narrates in his books, who went to Havana. Reinaldo had hidden the manuscripts of his novels under the roof tiles, on top of his house, and State Security found them.

The beginning of my literary career was in some of the literary workshops organized by the government with the purpose of gathering young writers at a cultural center. If there were certain approaches that they considered to be politically incorrect, they would ask for adjustments; if the text was not very enthusiastic towards the revolution, they would say: “Your poem lacks enthusiasm.” I was excluded for not conforming to their rules.

I was indirectly linked to the persecution of Reinaldo Arenas himself in 1973. We used to meet in those gatherings at the Abreu household or in *Parque Lenin*. We went to the movies, to dine out, that is, we had a relationship. Reinaldo was a well-known person, wherever he went everyone knew Reinaldo. One time he ran into problems at the beach where he was accused of getting close to some teenage boys who, in short, were sent by State Security and accused him of pedophilia as a pretext. Reinaldo Arenas lived inside a sewer in Parque Lenin, a drainage sewer, and a group of intellectuals helped him.

“The beginning of my literary career was in some of the literary workshops organized by the government with the purpose of gathering young writers at a cultural center. If there were certain approaches that they considered to be politically incorrect, they would ask for adjustments; if the text was not very enthusiastic towards the Revolution, they would say: “Your poem lacks enthusiasm.” I was excluded for not conforming to their rules.”

At first, I didn't know that Reinaldo was hiding in the park, and there was a policeman in front of my house, watching me all the time. I was never able to openly do literature in Cuba due to the rules of the revolution. Most of the pieces I had written were lost. Like many writers, I was forced to write and keep my texts in a drawer, it was drawer room literature, and all my movements, anything I did, had to be under the surveillance of the police. I had State Security cars following me. State Security follows you into every area of your life: it harasses you because you write. In my case, I left

with the Mariel exodus, which occurred in September 1980 and brought 125,000 people to the shores of Key West, including me.²¹¹

In the 1960s and 1970s, the punishment was to not let you leave Cuba if you were a writer who was critical of the Cuban state. What's more, there were writers who made concessions to be able to travel to Paris or Madrid. The Cuban regime has been forced to establish new ways to carry out intellectual harassment, due to the advances in technology, and not because they have wanted to make concessions.

The approach has evolved and has culminated in the government expelling artists from Cuba and not allowing their return, especially for intellectuals. They know that these people, the intellectuals, are the conscience, the mentality of a nation. The intellectuals are the ones who make ideas, the ones who elaborate concepts, and they try to prevent these people from coming back. They don't want them in Cuba because the government tries to make you spend your whole life waiting to see if piping comes to your house so they can give you a gallon of water to be able to drink at home.

However, contrary to the 1960s and 1970s, today there is a much livelier youth movement, much more willing to challenge than back then. In the 1960s and 1970s, when you were jailed, you were sentenced to 30 years in prison or you were shot. Like the case of Nelson Rodríguez Leyva, a writer who was executed.²¹²

The Cuban government, or Cuba as a nation, is a failed state. Completely failed but still persisting with a politics and way of conducting itself that has only one purpose: to remain in power, and to remain in power in that way, is only achieved through terror.

Luis de la Paz

AL PIE DE LAS MONTAÑAS

Memorias del Fuerte



Cover of the book “Salir de Casa”
(Alexandria Library Publishing House, 2015).
Courtesy of Luis de la Paz.



NONARDO PEREA

Havana, February 12, 1973

SURVEILLED, HARASSED, AND FORCED INTO EXILE.

Non-binary and androgynous storyteller, visual artist, and YouTuber who delves into LGBTQIA+ issues and dirty realism. Author of the books *Donde el diablo puso la mano* [Where the devil put his hand] (Montecallado, 2013), *Los amores ejemplares* [Exemplary loves] (Fra, Prague, 2018) and *Vivir sin Dios* [Living without God] (Extramuros, Havana, 2009). He has received recognition with awards such as the “Premio El Camello Rojo,” [Red Camel Prize] recognition at the UNEAC Cienfuegos’s “XXV Encuentro Debate Nacional de Talleres Literarios” [XXV National Literary and Debate Convention] and “El Herald Negro (2008)” [The Black Herald].

I was born in Havana on February 12, 1973, in Marianao. I started writing when I was 15 years old. As time went by, I took the subject of writing more seriously, which is why I decided to take part in a literary workshop at the Writer’s House in the municipality of Marianao. After being there for a couple of years, I moved to Alamar, which is an area located in the municipality of Eastern Havana. I tried to get into the Onelio Jorge Cardoso Literary Training Center, but for four years I was rejected, and finally on the fifth attempt, I was accepted and joined the class of 2005.

That’s where my first novels came from. In literature, and in practically all my artwork, I mainly focus on themes related to the LGBTQIA+ community and to the body and sexuality. Both in literature and photography, as well as through audiovisual mediums and performance pieces, I carry out a self-referential work that consists of addressing my own experiences, and I also use fiction to recreate my inner world.

I joined the San Isidro Movement, where they also welcomed artists who made art on their own without affiliation to any State institution, and where they did not set any requirements, they simply valued my work, they noticed the value of my work, and I immediately started integrating into the movement. And even though in Cuba there are still serious problems in being accepted as trans and non-binary people, and also for those who somehow look like girls.



Photo from the series
“Los Colores del Silencio”
by Nonardo Perea.
Courtesy of Nonardo Perea.

In one way or another, I have always been followed by censorship. When I tried to enroll at the Union of Writers and Artists of Cuba (UNEAC, acronym in Spanish) I already had three books published, with awards, with a good resume, and they didn't accept me because I wrote for *Havana Times*.

In 2011, I did a photographic exhibition in Cuba, it was called “Miss Pop,” and it was my first personal exhibition. The exhibition was deemed problematic by some of the people who were going to see it. The municipality's people went to see the exhibition, to complain and censor it because it addressed LGBTQIA+ themes.

My biggest run-in with State Security happened after my participation in the #00Bienal de la Habana.

On the eve of the presentation of my expo at the #00Bienal, I had surveillance outside my house, every day there was a patrol car in the corner, and a neighbor I was friendly with came to my house to tell me that at the entrance to our block there were security people surveilling me too, and that they spent a good part of the day there. They called me with unknown numbers, at any moment. That kind of harassment also leaves you a little emotionally unstable and creates conflicts. Somehow, they hurt you and make you feel bad, and you have to be strong and show them that nothing they say can affect you, even if it does.

After the #00Bienal de la Habana everything happened very quickly, I went through three “interviews,” which are not interviews, but interrogations.

I decided to make the tough decision to leave Cuba because if I had not done so, I would have been forced to collaborate with State Security agents, and I was not going to allow myself to do that, I could not play their game.

The third of these interviews was the worst. During that interview they took my fingerprints and took me to a classroom, where they always interviewed me, and we stayed there for about an hour. That time the interrogation was done by two agents, they asked me so many things; psychologically they tormented me a bit. After the barrage of questions, they made me get up from the chair, searched me and put me against the wall, one of them touched me to see if I had any device on me. Then, he grabbed me by the neck and rushed me to the police station yard and they made me get into a red car with tinted windows. They put a black hood on me and asked me to put my head between my legs. I was like this for about 20 minutes, on a journey to an unknown place. They began to lower their voices and treat me well. They told

me: “Look, if you collaborate with us, we will give you the support to get a job, to be able to exhibit your work, no problem. But you have to collaborate with us.” We spent five hours talking there. They also told me that they had people within the San Isidro Movement who were collaborating with them. They told me: “You are not going to be the only one.” I thought, “My God, I don't know what I'm going to do.” I don't know if what they were doing was to make me stay or to make me make the decision to leave, because they want to get rid of all the people who make them look bad and who could create a future problem for them in Cuba.

Exile was the option I found. If I had collaborated with them, it would have been through coercion. I told Yanelys Núñez: “Yanelys, if I had stayed there, I would have been a double agent.” Because I had no other option, I would have had to tell Luis Manuel, “this is happening, State Security is forcing me to collaborate with them, and we are going to play with this somehow, that is, you give me some false information, we create conflict between them.” It's what I thought I'd do if I returned. But at some point, they were going to realize that I was acting as a double agent, because of the information I would give them, and maybe I would have gone to jail.

“I decided to make the tough decision to leave Cuba because if I had not done so, I would have been forced to collaborate with State Security agents, and I was not going to allow myself to do that, I could not play their game.”

Going into exile is the worst, and you have to live in exile to realize it. I've been in exile for three years now, and I still feel like I'm adjusting. As an artist I have continued to create despite everything, creation serves as a way of escaping and getting out of all the conflicts created in my head. When you are forced into exile, facing and learning about another reality that is very different from yours, where people are not the same, starting from scratch to live another reality is never not complicated. In Cuba things are different, I already had my life there, my house, now I have nothing, I only have myself and the desire to continue with new projects that help me forget the past, although forgetting is also difficult.

In exile you lose your family, you lose everything. I have not lost my roots, but after two years of being abroad, I have lost my identity as a Cuban, I am no longer Cuban for the government. Although for now I do not want to return to Cuba, I must admit that I like my country, I like it because it's where I was born, and I miss it. But until the dictatorship falls, I don't plan to return.



Photo from the series
“Silencios” from Nonardo Perea. Courtesy
of Nonardo Perea.



ANAMELY RAMOS

Camagüey, January 22, 1985

THREATENED, HARASSED, AND FORCED INTO EXILE.

Scholar and curator. Art historian from the University of Havana and professor for 12 years at the University of the Arts of Cuba. PhD student in Anthropology at the Ibero-American University in Mexico. She has curated exhibitions in the Americas and Europe and writes regularly about art criticism and activism.

When I started teaching at the University of the Arts, I realized that the best way to interact with students was by getting to know their artistic work. So I began to visit the workshops, to get a little involved with their artistic experience, and we created a curatorial project in parallel to the classes I taught at the university. We would take artists to abandoned historical spaces and revitalize them with art installations. Years later we named this project “Ánima” [Spirit].

The exhibitions were a kind of *site specific* work, a genre within contemporary art that promotes the use, by artists, of anything that can come from the place where the installation is exhibited. In this way we were materially, historically, and spiritually connected to the place and the art of the creators. We did it for a decade, while I continued my work as a curator in other countries. I went to Germany in 2018 to do a group exhibition. I have also held exhibitions in the United States, Argentina, and other countries.

I have collaborated with other groups such as the *Observatorio de Derechos Culturales* [the Cuban Observatory of human rights], where we register cultural rights violations and map the independent projects that still exist on the island. I started collaborating with the San Isidro Movement at the end of 2018. The most intense political confrontation began in 2020 with the protest, hunger strike, and subsequent siege of the San Isidro headquarters, and from there on out we began to experience constant persecution and a few of us were imprisoned.



Photo of the exhibition “11J: Nos quitamos el ropaje del silencio” (2022). The exhibition took place in the San Martín General Cultural Center Montserrat Buenos Aires, Argentina. Curated by Anamely Ramos. Courtesy of Anamely Ramos.

The persecution against me began in 2017. I went to Angola to found a university as part of an agreement with the University of Cuba itself and I spent two years there, from 2014 to 2016. Upon my return, there was a meeting at the Higher Institute of Art (ISA, acronym in Spanish), now called the University of the Arts, to analyze and discuss documents of an economic nature [within the university]: “Economic Guidelines” with an implementation period of 20 or 30 years. I gave my opinions, which included criticism of a part of the document, saying that the perspective and information in the document was totalitarian, and that the economic part was quite neoliberal. That generated controversy among the students who did not want to vote for the document. I was summoned by the director of the university and began to be investigated by State Security.

State Security spoke with the Ministry of Culture and the Ministry of Culture sent a request for an assessment of me due to what had happened. The Head of Department told me what had taken place, and the pressure began to mount. The director of the university was new; furthermore, he was neither an artist nor an academic, he was a bureaucrat trained for the position [considered a reliable person by the State].

He started calling me into his office every time there was any kind of conflict. In 2018, Decree 349 was launched and the Cuban artistic and intellectual community rose up against that decree. Within academia, I was told I could express my opinions, but that I was straying further and further away from the institutional position and that I had to consider that there were limits. In June 2019, the director called me to his office and told me that they had decided to end my contract due to administrative measures. After appealing before the university’s Labor Justice court and then to the municipal courts with lawyers, and despite the fact that the defense was very good, the judge ruled in favor of the university, and I could no longer teach classes.

Later, surveillance came to my workplace at the Loyola Center, where I had a social debate project that they began to consider as a potential danger.

Due to my recognition in the national academic and cultural sphere, detaining me arbitrarily represented a certain political cost for them, which is why they tried to avoid it at first. However, when I started going to look for Maykel Osorbo and Luis Manuel Otero Alcántara at the police stations, things changed. One night I went to look for them with other colleagues and the policemen threw me to the ground, while Luis and Maykel were beaten while handcuffed. Later, we tried to file a complaint and were again detained and interrogated separately. That day they threatened me so that I would no longer go out on the streets with Maykel and Luis.

From then on the constant arrests began, taking me to jail, not just to the informal “houses of protocol.” The arrests took place on the streets, some very violent, in which they beat me to get me into cars or patrol vehicles. They never showed me any official summons or gave any explanation. The longest detention was 24 hours.

The first arrests are always “friendly,” they try to tell you all the good things they know about you, they try to turn you against your own friends or colleagues. State Security insisted that I was paid for my work at “Ánima” and that I received funds from terrorist organizations and the CIA. I always said: “The remuneration I receive is for doing my job, which is basically writing about artists and projects, doing research. I don’t think it’s a crime for me to get paid to do an article. My activism has never been remunerated.”

After the hunger strike at the San Isidro headquarters, when there was a lot of violence against us by State Security, other types of pressure began, such as defamation in public media. They take your phone, use your personal information to share it on national television. At this time, the harassment against my family also began, which in my case was never serious, and I was placed under house arrest for a whole month after the strike, also without legal justification. My son’s father was also harassed.



Photo of the exhibition "11J: Nos quitamos el ropaje del silencio" (2022). The exhibition took place in the San Martín General Cultural Center Montserrat Buenos Aires, Argentina. Curated by Anamely Ramos. Courtesy of Anamely Ramos.

I applied for a doctorate in Mexico, at the Ibero-American University, they accepted me and I traveled to Mexico in January 2021. I never thought that my departure would be final. Before leaving, they called me by phone to, according to them, summoned me, and showed some evidence that I had committed criminal offenses against State Security. I did not attend said appointment and told them that they could take their evidence to court and judge me for it. Of course, they didn't because such evidence doesn't exist.

I had planned to travel from Mexico to the United States and then, during my vacation, go directly to Cuba, do field work and try to influence from within to get Maykel and Luis Manuel released from prison. I also wanted to go to Cuba to renew my passport. I tried to return on February 16, 2022, and when I checked in for the flight I found out that the Cuban authorities

had sent a message to the airline informing them that I was not allowed into the country. I, with no residence elsewhere, was left in a migratory limbo in the United States, forced into involuntary exile. The Cuban embassy never responded to my emails or calls, nor did they respond in-person when I went to their headquarters in Washington. For them, I stopped being Cuban. I cannot return to my country because the Cuban authorities do not allow it.

"From then on the constant arrests began, taking me to jail, not just to the informal "houses of protocol." The arrests took place on the streets, some very violent, in which they beat me to get me into cars or patrol vehicles. They never showed me any official summons or gave any explanation. The longest detention was 24 hours."



ESTEBAN RODRÍGUEZ

Havana, March 15, 1986

THREATENED, HARASSED, IMPRISONED WITHOUT TRIAL AND EXILED IN EXCHANGE FOR FREEDOM

Teacher and freelance journalist, influencer. He has worked for *Adn Cuba*, *BBC*, *Univisión* and other media, covering stories on foot in Old Havana.

I have a degree in Physical Culture from the Manuel Fajardo Institute. Years later, I realized that I wanted to tell the stories of my neighborhood, of Old Havana, a place where everything is happening because it is a marginalized neighborhood. That is how I started doing broader work for digital media outlets. Later, I started a small business to increase my salary from when I was a teacher, which was blocked by the State, and then I began to broadcast what was happening on the island.

At that time I met Luis Manuel Otero Alcántara, when I covered one of his performance pieces in San Isidro. It was the performance piece about the American flag, in which a man, Daniel Llorente, would appear in Havana on May 1, running with the flag on his shoulders.²¹³ The event took place but was shut down by the police. Of course, Luis Manuel was arrested. I came to know more about the San Isidro Movement and joined it.

My journalism is neighborhood journalism. *ADN Cuba*, one of the media outlets that whipped up attention on the island, contacted me and hired me to show the reality of Old Havana, which is a municipality where people do not bow their heads in shame. That's how I started at *ADN*, with a segment called "El Barrio Habla" [The Neighborhood Speaks].

The State denounced us on Cuban television. On a more serious occasion, after the San Isidro hunger strike, they put up an image of my daughter. The TV show host said: "Look at the girl, they were partying, and no strike was happening. Look how they are partying." It was my daughter's birthday. The next day, she came back from school and told me: "Dad, at school, the civics teacher told me that you and the others were terrorists and they tried to fail me." My daughter was suspended from school.



Screenshot from “Esteban Rodríguez Colaborador de ADNCUBA es un cubano honesto que está preso injustamente” (2021) that highlights the voice and work of Esteban Rodríguez. Courtesy of Esteban Rodríguez.

My first arrest occurred when medical students from Angola were coming out to protest because they had not been paid at school in Cuba. I posted a call for solidarity on social media so that our brothers of the people of Angola would know that we Cubans are not all oppressors, and we organized a drive to bring water and food to those boys. They arrested me, telling me: “Black guy, we’ll rip your head off or I’ll smash it.” I began to receive countless threats, so many that I no longer kept track or counted them.

The most traumatic interrogation was in the Dragones Unit. I was being subdued and interrogated by the officer, Captain Angelito, and he told me that his boss would be in charge from that moment on. The boss was one of my best friends, Giovanni.

During one of my arrests, they transferred me from unit to unit so that I supposedly would not go out into the streets to protest. I didn’t have a bathroom available. At one point, I had to relieve myself in the office; after that they beat me and stripped me naked. I was naked for almost five days and they moved me from cell to cell all the time. When I would go to sleep, they would put me in the car and transfer me to another prison.

On April 30, 2021 I attended a peaceful protest on Obispo street. They stopped me and put a hood over my head. They took me to a car where they bent me over. I arrived like that, my head and my body pressed against the ground, to *Villa Marista*.²¹⁴ Once in *Villa Marista*, the officer Kenia, an enforcer of the regime, received me and told me, “well, you are here because we have verified that you were financed by the CIA to provoke a subversive

act.” Then they said: “Esteban, we want to reach an agreement with you. You tell us that you were financed by the CIA and financed by the United States, and that they each sent money to do this, and that the San Isidro Movement is financed by the United States and that Maykel and Luis Manuel are also financed and we are going to make it so you are not imprisoned. We will let you go...” I replied that my principles are not up for negotiation, not today, nor tomorrow, nor ever. I was in Villa Marista for around twenty days.

Then they took me to the Valle Grande Prison. I was put back with the rest of the inmates, and they told me that the soup was rotten, so we went on a hunger strike for some proper food. When they found out that I orchestrated that protest, with dogs and batons, they sent me to the Guanajay prison. I had been jailed without trial. I had even already served my minimum prison sentence. I was imprisoned for nine months and I was kicked out of Cuba directly from prison. I never had access to a trial.

When I was in the Combinado del Este prison, Héctor Luis Valdés Cocho, another independent journalist and friend of mine, told me: “I have other news. The only way you are going to get out of prison is by leaving Cuba. You, Maykel and Luis Manuel will only be free if you accept exile.” On January 4, they took me out of prison to get tested for COVID-19. We didn’t even wait an hour for the results, and they told me, “you’re leaving Cuba.”

They called my mother and she went to the airport. I hugged Héctor and my mother. State Security, at that moment, told me that I had to go.²¹⁵ I was with my mother and Héctor for 10 minutes at most. I had never left Cuba. We arrived in Panama, no problem. We arrived in El Salvador without a problem too, but when we made the layover to Nicaragua, we were denied entry into Nicaragua. Fortunately, El Salvador gave us temporary asylum²¹⁶ and we began our journey as Cuban migrants through Guatemala and Mexico. I was imprisoned for 20 days in Mexico City, in a migration center, where I lived through very dark moments. Fortunately, I am here in the United States, giving this testimony.

“The most traumatic interrogation was in the Dragones Unit. I was being subdued and interrogated by the officer, Captain Angelito, and he told me that his boss would be in charge from that moment on. The boss was one of my best friends, Giovanni.”



DENIS SOLÍS

Havana, June 20, 1988

THREATENED, HARASSED, IMPRISONED, AND EXILED IN EXCHANGE FOR HIS FREEDOM

Musician. Member of the San Isidro Movement. Despite the fact that his artwork was confiscated, Solís continues to pursue his artistic career from exile in Serbia.

I began my artistic career in 2007, despite not having the financial resources to record music. I just carry music in my genes – it’s because my grandfather was a musician. He played all the wind instruments and I, since childhood, learned to sing. I love to sing, that’s in my genes too. Sometimes I would sing quietly at school, instead of learning in class, and I would get in a lot of trouble. It’s because music inspires me, and music has always been in my blood. Music is what helps me live each day. It’s like the air I breathe, I don’t have a studio, I don’t have anyone to guide me. What I sing is what I feel. What I compose is what comes out of me. I use my music as freedom of expression, to express my emotions and some of the greatest emotions that spring forth from me are about the problems of my Cuban people. Everything we have been facing for more than 63 years in Cuba. All the “bad life” we have suffered from. All the experiences that we have been suffering through because it can be said that we were born in survival mode. And I began to detoxify myself from all the doctrine, but when you confess to being an opponent of the regime, you are a target for them. You are under a magnifying glass, you are already under surveillance.

I have always been persecuted, watched, and threatened by the dictatorship for my principles. The prison cell and the preventive detention system have been my second home, so to speak. By that, I mean that the number of times I have been arbitrarily detained is impossible to count. I have spent from a short period of time to more than four days, maximum, inside a dingy cell, completely blameless and faultless. It is impossible to count, because from the age of 23 to the age of 33, my current age, I have been living in prison cells, each detention in a different type of police unit. Until the day they put me in the cell of *Zanja* and *Dragones*, of *Punto Treinta*, Bivouac. In the Bivouac, the preventive detention center there, I learned how to walk with my eyes closed, it was like my second home.

In addition to the arrests, surveillance also serves another important purpose, to intimidate you. It is psychological violence. Because when you in-

Mercenario

*Mercenario, es todo aquel que va a la guerra
por salario. No tienen bandera, van a cualquiera, son sicarios.*

Que voy hacer si tú me llamas Mercenario, Mercenario?

*Mercenario, es traficar por intereses monetarios a médicos llamados
revolucionarios, robandoles la mayor parte del salario, Mercenario.*

*Soy El Lobo Solitario, el que metiste a la cárcel, por darle su merecido
a un puto esclavo de tu ley. En lo que estuve en prisión 8 meses sin joder,
estuve bien ocupado cargando la winchester.*

*De los canallas traidores tú has sido el máximo de los peores
MOTHER FUCKER!!*

*Yés sr. De narcos más reputados tú estás entre los mayores señores.
Cínico psicópata, la masacre de aquellos del remolcador contra mujeres
y menores, tú te pasaste. Aquellos que sin tocar un pelo en esa lancha
fusilaste. Mas terroristas de Colombia tú los refugiarte. [...]*

Excerpt from the song "Mercenario" (2021) by Denis Solís.
Courtesy of Denis Solís.

timidate a person, a human being, you are also affecting them psychologically. I'm sure it's one of the macabre strategies they use, I call it "macabre psychology."

So, out of fear, my family always told me to stop my activism because they didn't want to get in trouble due to my cause. I understand this feeling, because I didn't live alone, I didn't have the right to live alone and, yes, my family was threatened. In fact, when I was last kidnapped in 2020, they threatened me in prison that they were going to evict my family from the house. They also threatened to remove my tattoo in cold blood and assaulted me. After the kidnapping, for the trial I had to undergo, they took me barefoot because I had lost my flip-flops when they kidnapped me, and I got a huge wound on my left foot, which became infected. But they don't care about

anything, that's how they brought me to trial, with my infected foot and this huge, raw wound. The same police officer who raided my home, without my permission, without my authorization, accused me of contempt of authority. The trial lasted an hour and a half, during which the judge asked me if I had anything to say regarding the accusation made by the officer. And I only told her that, first of all, the sentencing did not depend on her, but on the regime, because she was being manipulated by the regime. And the other thing is that, the same officer that accused me is the one who should be dressed in gray.²¹⁷ It was he who raided my home, I was at my home, and what he has done is a State crime.

"Exile must be lived in order to truly believe it. You feel how it is like leaving behind all your roots, everything that was born with you to start another life, a different idiosyncrasy. It's like a void, because you have to start from scratch. It's very difficult to be exiled. It is something inexplicable, but it is hard—that is the only thing I can tell you. Very hard."

During my imprisonment, my family let me know everything that was happening daily in the news, on social media platforms, throughout the world, about the protests of artists fighting for my freedom, given that many say that I was the spark that ignited the demonstrations in Cuba. But it was all thanks to, first of all, my brothers from San Isidro who went on a hunger strike for my freedom in November 2020. But when you're in prison, time freezes. So I spent eight months in prison, but my life was totally frozen. I was oblivious to everything that was happening outside. You leave prison and see what happened, it really impacted me. Since the 1990s and the special period,²¹⁸ the Cuban people had not gone out to the streets in protest. Seeing the protests in the streets shocked me, but also left me with a sense of inner happiness. I was speechless, I felt totally dissociated from everything that was happening. That very same July 11, when they came looking for me to get me out of prison, they put me in a car, with my head lowered, and they took me to a house far from civilization, to a house near a beach. They kept me there from July 11th until the 12th, I didn't know that the protests were happening yet. Later, State Security was in charge of transferring me to the airport of Varadero, Matanzas. They kept insisting that we couldn't go back to Cuba anymore; in fact, that they were going to put us on the blacklist and we would not be able to enter Cuba ever again.

Exile must be lived in order to truly believe it. You feel how it is like leaving behind all your roots, everything that was born with you to start another life, a different idiosyncrasy. It's like a void, because you have to start from scratch. It's very difficult to be exiled. It is something inexplicable, but it is hard—that is the only thing I can tell you. Very hard.

APPENDIX: CUBAN LEGAL FRAMEWORK

The Cuban state has created a legal system that impedes the full exercise of freedom of expression and artistic freedom and institutionalizes the persecution and violence of the state. In Cuba, judges, prosecutors, and lawyers completely lack “conditions that provide guarantees for judicial independence,”²¹⁹ per the IACHR’s Annual Report 2021, Chapter IV.B on Cuba. This section highlights some of the relevant legislative actions and international obligations that impact artistic freedom of expression in Cuba.

Decree Law 349 (2018) grants substantial power to Cuban authorities to monitor artists, particularly in the audiovisual disciplines.²²⁰ Articles such as 3.1 and 4.1 impose broad restrictions on certain content and artistic behavior, including the unauthorized use of patriotic symbols in the audiovisual domain or “anything that violates the legal provisions that regulate the normal development of our society in cultural matters.”²²¹ These limitations significantly curtail artists’ creative expression. Other worrying aspects of this decree law are the substantial discretionary power granted to government agents and the excessive punitive measures, such as the ability to impose fines of between 1,000 and 2,000 Cuban pesos and to confiscate instruments, art material, and other personal belongings.²²² These measures can affect the way an artist creates and survives, and seek to intimidate independent and dissident voices.²²³

Decree Law 370 (2018), published in July 2019, establishes sanctions associated with information and communication technologies (ICT) that regulate and restrict online content.²²⁴ Decree Law 370 “could give rise to undue restrictions on the exercise of the rights to freedom of expression and assembly through the Internet, affecting the free flow of information.”²²⁵ It makes it illegal for Cubans to host their websites on a server located abroad. Due to the regulation’s lack of clarity, this could affect independent Cuban news sites that criticize the government. It also prohibits the dissemination of information “contrary to the social interest, morals, good customs, and integrity of the people.”²²⁶ Infractions may result in fines and equipment confiscations.

Decree Law 35, Decree 42, and Resolution 105 impose disproportionate restrictions on the use of information and communication technologies. For example, Resolution 105 penalizes the dissemination of content “that

violates the constitutional, social and economic precepts of the State” or that “incites mobilizations or other acts that alter the public order,” as well as the dissemination of false news, offensive information, or “defamation impacting the prestige of the country.”²²⁷

Law No. 1289 of the Family Code states that parents can lose custody of their children if they endanger them or fail to comply with the duty to “inculcate in them love of the homeland, respect for its symbols, and due esteem for its values, internationalist spirit, norms of coexistence, and socialist morals.”²²⁸ During 2020 and the first half of 2021, this legal provision was repeatedly used to threaten women journalists and the spouses of journalists, activists, and artists.²²⁹

Cuban Penal Code. Cuba’s new penal code, which went into effect on December 1, 2022, sets a new precedent for already eroded freedom of expression in Cuba.²³⁰ It punishes those who “endanger the constitutional order and the normal functioning of the State and the Cuban Government,”²³¹ and it criminalizes the receipt of funds. In particular, article 143 establishes penalties of between 4 and 10 years in prison for those who receive independent funding in Cuba when it is considered to be used to “support activities against the Cuban State and its constitutional order.”²³² Since some independent artists use financing channels such as crowdfunding and depend on independent financing to continue creating, this article jeopardizes their work and economic stability. Furthermore, the new penal code severely limits freedom of expression online. Article 391.1 stipulates a term of six months to two years in prison, or a fine, or both, for anyone who spreads “false facts” that result in the discrediting of a person.²³³ Under article 391.2, more severe penalties may also occur if these “false facts” are disseminated via social media or social networks “in their physical and digital spaces.”²³⁴

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- Maykel Castillo Pérez, “el Osorbo,” are imprisoned. Other members are in exile, such as Yanelys Núñez, Michel Matos, Claudia Genlui, Nonardo Perea, and Esteban Rodríguez. For more information, see: <https://www.facebook.com/Mv.SanIsidro>
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 - 21 See: “Annual Report 2021, Chapter IV.B, Cuba,” Inter-American Commission on Human Rights (IACHR), June 1, 2022, paragraph 37, <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap4B.Cuba-en.pdf>.
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 - 23 “Cuba: Writers and Artists Remain Threatened and Imprisoned Two Months After Protests,” Artists at Risk Connection (ARC) et al, September 16, 2021, <https://artistsatriskconnection.org/story/cuba-writers-and-artists-remain-threatened-and-imprisoned-two-months-after-protests>.
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 - 27 Denis Solís, interview with staff of the Artists at Risk Connection (ARC) and PEN International, June 6, 2022 (virtual).
 - 28 Yanelys Núñez, interview with staff of the Artists at Risk Connection (ARC) and PEN International, June 16, 2022 (virtual).
 - 29 Laritza Diversent, interview with staff of the Artists at Risk Connection (ARC) and PEN International, August 4, 2022 (virtual).
 - 30 Diversent, interview with the Artists at Risk Connection (ARC) and PEN International; These “proposals,” especially in the context of social movements and demonstrations, such as 11J, have forced many into exile for fear of imprisonment, arrest, or persecution. In this regard, please see: Human Rights Watch, “Prison or exile.”; “The State of Artistic Freedom 2023,” Freemuse, June 18, 2023, <https://freemuse.org/media/cvaxjuvr/saf-2023-compressed.pdf>.; For examples concerning state security’s attempts to coerce artists into collaborating with them, please see Nonardo Perea’s profile in the section “Artists’ Voices: Stories of Forced Exile.” or the case of Adonis Milan (theater director): Adonis Milan, “Mi primer encuentro con la Seguridad del

- Estado,” *14ymedio*, December 6, 2017, https://www.14ymedio.com/cuba/Adonis_Mi-lan-primer-encuentro-Seguridad-testimonio-Seguridad-del-Estado-El-companero-que-me-atiende-Cuba-cubanos_0_2340965884.html.
- 31 Bruguera, interview with the Artists at Risk Connection (ARC) and PEN International.
- 32 Carolina Barrero (historian, art curator, and activist), Katherine Bisquet (writer), Tania Bruguera (performance artist), Solveig Font (art curator), Claudia Genlui (art curator), Abraham Jiménez Enoa (journalist and writer), Hamlet Lavastida (visual artist), Ramón López, “El Inva” (rapper), Eliexer Márquez Duany, “El Funky” (dissident rapper and musician), Michel Matos (cultural practitioner, producer, and activist), Yanelys Núñez (researcher and art curator), Jorge Olivera (writer, journalist, and musician), Luis de la Paz (journalist, writer, playwright, and literary critic), Nonardo Perea (narrator, visual artist, and youtuber), Anamely Ramos (academic and art curator), Esteban Rodríguez (teacher, independent journalist, and influencer) and Denis Solís (rapper and musician).
- 33 Consult the section “Artists’ Voices: Stories of Forced Exile.”
- 34 The IACHR has also noted concerns with how the government, through legislation such as Decree 349, impacts cultural policy. Per reports, the decree “has aggravated censorship and persecution of artists in Cuba.” The Commission also notes how Decree 349 essentially empowers State officials to judge an artwork’s compliance “with ethical and cultural values or with other broad criteria.”—See “The Situation of Human Rights in Cuba,” Inter-American Commission on Human Rights (IACHR), February 3, 2020, paragraphs 214, <https://www.oas.org/en/iachr/reports/pdfs/Cuba2020-en.pdf>; Additionally, consult paragraphs 212, 213, 215, 216, and 217.
- 35 Luis de la Paz, interview with staff of the Artists at Risk Connection (ARC) and PEN International, August 5, 2022 (virtual).
- 36 “Cuba: Rights of human rights defenders must be upheld, says UN expert,” United Nations, March 11, 2021, <https://www.ohchr.org/en/press-releases/2021/03/cuba-rights-human-rights-defenders-must-be-upheld-says-un-expert>.
- 37 “Cuba: writers and artists imprisoned, detained or under threat,” PEN International, July 20, 2021, <https://www.pen-international.org/news/lylfbmg12gxa81gsvf6phskf2mzfds?rq=cuba>.
- 38 Diversent, Kauer García, Matei, and Trébault, “Art under Pressure.”; various forms of silencing were reflected in several interviews conducted for the present report.
- 39 Claudia Genlui, interview with staff of the Artists at Risk Connection (ARC) and PEN International, July 8, 2022 (virtual).
- 40 For more information on internet disruptions and target of artists in the digital sphere, consult: “Cuba: Freedom on the Net 2022 Country Report,” Freedom House, accessed May 14, 2023, <https://freedomhouse.org/country/cuba/freedom-net/2022>.
- 41 “Your mind is in prison”—Cuba’s web of control over free expression and its chilling effect on everyday life,” Amnesty International, November 16, 2017, <https://www.amnesty.org/en/documents/amr25/7299/2017/en/>; Santiago Tinta, “The odyssey of making a dissident rap in Cuba,” *Cartel Urbano*, June 22, 2021, <https://cartelurbano.com/creadorescriollos/la-odisea-de-hacer-un-rap-disidente-en-cuba>.
- 42 Direct requests from the International Labor Organization (ILO) have also expressed concern about the unfair dismissal of workers for their freedom of expression and political opinion, and the lack of transparency about the working conditions of groups such as independent journalists in Cuba. For more information, see: “Direct Request (CEACR)—Adoption: 2011, Publication: 101st ILC Session (2012),” International Labor Organization (ILO), 2012, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:P13100_COUNTRY_ID:2699361,102603;](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:P13100_COUNTRY_ID:2699361,102603;:) “Observation (CEACR)—adopted 1999, published 88th ILC session (2000),” International Labor Organization (ILO), 2000, paragraph 4, http://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:2181865.
- 43 López, Márquez Duany, Olivera, and Solís, interviews with the Artists at Risk Connection (ARC) and PEN International.
- 44 Eliexer Márquez Duany, interview with staff of the Artists at Risk Connection (ARC) and PEN International, May 17, 2022 (virtual); See also “Cuba: The rebellion of the alternative music industry,” *americatévé*, October 22, 2015, <https://www.americateteve.com/cuba/cuba-la-rebelion-la-industria-musical-alternativa-n883778>.
- 45 Abraham Jiménez Enoa, interview with staff of the Artists at Risk Connection (ARC) and PEN International, May 23, 2022 (virtual); “Annual Report 2020, Chapter IV.B, Cuba,” Inter-American Commission on Human Rights (IACHR), April 10, 2020, paragraph 59, <http://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap.4b.CU-en.pdf>.
- 46 Bisquet, interview with the Artists at Risk Connection (ARC) and PEN International.
- 47 Solís, interview with the Artists at Risk Connection (ARC) and PEN International.
- 48 Solís, interview with the Artists at Risk Connection (ARC) and PEN International.
- 49 For more information on surveillance tactics, see: “80 actos represivos: así celebró Cuba el Primero de Mayo,” *Cubalex*, May 2, 2022, <https://cubalex.org/2022/05/02/80-actos-represivos-asi-celebro-cuba-el-primero-de-mayo/>; “Represión en Cuba: todos los datos de julio/2022,” *Cubalex*, September 13, 2022, <https://cubalex.org/2022/09/13/represion-en-cuba-todos-los-datos-de-julio-2022/>; Inter-American Commission on Human Rights | Resolución 14/2021, Inter-American Commission on Human Rights (IACHR), February 11, 2021, https://www.oas.org/en/iachr/decisions/pdf/2021/res_14-2021_mc-1101-20_cu-en.pdf.
- 50 Katherine Bisquet, interview with staff of the Artists at Risk Connection (ARC) and PEN International, June 6, 2022 (virtual).
- 51 Barrero, Bisquet, Bruguera, Genlui, Jiménez Enoa, Lavastida, López, Márquez Duany, Matos, Núñez, Olivera, de la Paz, Ramos, Rodríguez, and Solís, interviews with the Artists at Risk Connection (ARC) and PEN International.
- 52 Michel Matos, interview with staff of the Artists at Risk Connection (ARC) and PEN International, June 28, 2022 (virtual).
- 53 Freedom House, “Cuba: Freedom on the Net 2022.”; “Periodista cubana desenmascara a ‘ciberclaria’ que robó su identidad en Twitter,” *Periódico Cubano*, September 2, 2019, <https://www.periodicocubano.com/periodista-cubana-desenmascara-a-una-ciberclaria-que-robo-su-identidad-en-twitter/>; Claudia Padrón Cueto, “Con tecnología china y muchos recursos, el Gobierno cubano intensifica la censura en internet,” *14ymedio*, December 7, 2020, https://www.14ymedio.com/cienciaytecnologia/tecnologia-recursos-Gobierno-intensifica-internet_0_2999100065.html; Ciberclaria: Fake social media accounts that create and disseminate pro-government content, including attacking dissidents and activists in Cuba. For more information, see: “Que son las Ciberclarias en Cuba? Conozca este nuevo ejército cubano,” *La Nueva Cuba*, August 20, 2019, <https://www.lanuevacuba.net/?p=1784>; Samantha Bradshaw and Philip N. Howard, “The Global Disinformation Order: 2019 Global Inventory of Organized Social Media Manipulation,” The Computational Propaganda Project, September 25, 2019, <https://demtech.oii.ox.ac.uk/research/posts/the-global-disinformation-order-2019-global-inventory-of-organised-social-media-manipulation/>; “Cuba: Clampdown on Artists, Journalists,” Human Rights Watch, June 30, 2021, <https://www.hrw.org/news/2021/06/30/cuba-clampdown-artists-journalists>.
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- 55 Human Rights Watch, “Cuba: Clampdown on Artists, Journalists.”; Human Rights Watch, “World Report 2023: Cuba.”
- 56 “Humberto López, de Televisión Cubana, entra en la lista de ‘represores violentos,’” *14ymedio*, April 14, 2021, https://www.14ymedio.com/cuba/Humberto_Lopez-represores-MSI-27N_O_3073492623.html.
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- 60 “Detrás de la nueva provocación contra Cuba,” published April 8, 2021, Canal Caribe, video, <https://www.youtube.com/watch?v=cuTK8Vwyl5U>.
- 61 “Cuba: organisations denounce arbitrary arrests of journalists and artists,” PEN International, July 1, 2020, <https://www.pen-international.org/news/ngjwebeumuxhntn27jt9h8qiv87ct5?rq=cuba>; June 30, 2020 was designated as a day of peaceful protest against racism and to denounce the death of the Afro-Cuban Hansel Hernández. Some articles reported that a number of people suffered arbitrary detentions and other repressive actions to prevent possible protests. For more information, see: Natalia Plazas, “Opositores señalan al Gobierno cubano de silenciar protestas contra el racismo,” *France 24*, July 1, 2020, <https://www.france24.com/es/20200701-cuba-policia-racismo-protestas-joven>.
- 62 Freedom House, “Cuba: Freedom on the Net.”
- 63 “Cuba: Writers and artists remain threatened.” PEN International, September 16, 2021, <https://www.pen-international.org/news/cuba-writers-and-artists-remain-threatened-and-imprisoned-two-months-after-protests>; From information available relative to detentions following 11J related to the demonstrations, Justicia11J and Cubalex noted that of 342 detained individuals (23% of total cases registered), 42 were identified as artists. (Cubalex and Justicia 11J, “Patrones de violencia estatal contra manifestantes del 11J,” p. 11.)
- 64 “Joint submission to the mid-term Universal Periodic Review of Cuba by Freemuse, PEN International, Christian Solidarity Worldwide (CSW) and Artists at Risk Connection (ARC), June 4, 2021, <https://artistsatriskconnection.org/story/joint-mid-term-report-universal-periodic-report-on-cuba>.
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- 67 Barrero and Bruguera, interviews with the Artists at Risk Connection (ARC) and PEN International.
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- 69 Diversent, interview with the Artists at Risk Connection (ARC) and PEN International. This process against the independent media and activists on the island has been well documented. For more information, consult: “‘El Toque’ califica de ‘acoso y tortura psicológica’ las presiones sobre sus periodistas,” *14ymedio*, September 10, 2022, https://www.14ymedio.com/cuba/Toque-califica-psicologica-presiones-periodistas_O_3384261542.html; Tremenda Nota, “‘Mercenarismo’: El delito que la Seguridad del Estado de Cuba usa para presionar al activista LGBTQ Raúl Soublett,” *Washington Blade*, October 15, 2021, <https://www.washingtonblade.com/2021/10/15/mercenarismo-el-delito-que-la-seguridad-del-estado-de-cuba-usa-para-presionar-al-activista-lgbtq-raul-soublett-2/>.
- 70 Barrero, Bisquet, Bruguera, Font, Genlui, Jiménez Enoa, Lavastida, López, Márquez Duany, Matos, Núñez, Olivera, Perea, Ramos, Rodríguez, and Solís, interviews with the Artists at Risk Connection (ARC) and PEN International.
- 71 Ibrahim Salama, Director, Human Rights Treaties Division, to the Committee on Enforced Disappearances to Javier Larrondo, June 3, 2021, <https://drive.google.com/file/d/1ku5pDUxxgzwsAs8blJDURQw1wJzEV/view>; “Cuba: We Condemn the Detention of Musician and Activist Maykel Osorbo and Support an International Investigation,” *Freedom House*, August 10, 2021, <https://freedomhouse.org/article/cuba-we-condemn-detention-musician-and-activist-maykel-osorbo-and-support-international>; “El caso de Denis Solís,” *Cubalex*; Also see article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance OHCHR: “For the purposes of this Convention, ‘enforced disappearance’ is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.” <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>.
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- 76 Francesco Manetto, “La policía cubana desaloja la sede del Movimiento San Isidro y detiene a varios integrantes durante horas,” *El País*, November 27, 2020. <https://elpais.com/internacional/2020-11-27/la-policia-cubana-desaloja-la-sede-del-movimiento-san-isidro-y-detiene-a-varios-integrantes.html>.
- 77 Katherine Bisquet, “Los huelguistas de San Isidro,” *El Estornudo*, November 20, 2020, <https://revistaelestornudo.com/huelga-hambre-movimiento-san-isidro-opositores-cuba/>.
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- 84 Jiménez Enoa, interview with the Artists at Risk Connection (ARC) and PEN International.
- 85 Carolina Barrero, interview with staff of the Artists at Risk Connection (ARC) and PEN International, June 2, 2022 (virtual).
- 86 Barrero, interview with the Artists at Risk Connection (ARC) and PEN International.
- 87 Bruguera, interview with the Artists at Risk Connection (ARC) and PEN International.
- 88 “Ley No. 152 Ley de Ejecución Penal,” Gaceta Oficial, p. 2702, September 1, 2022. https://www.minfar.gob.cu/sites/default/files/documento_tramite/2022-11/Ley%20No.152.%20De%20Ejecucion%20Penal.pdf; Separation of female and male prisoners is also noted in Rule 11 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules): “Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate.” The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Office of the United Nations against Drugs and Crime, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-S_ebook.pdf.
- 89 Bruguera, interview with the Artists at Risk Connection (ARC) and PEN International; see also “2022 Country Reports on Human Rights Practices: Cuba,” U.S. Department of State, March 20, 2023. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/cuba/>. (“Police routinely conducted short-term detentions to interfere with individuals’ rights to freedom of assembly and freedom of expression, and at times assaulted detainees. Such detentions generally lasted from several hours to several days. After being taken into custody, suspects were typically fined and released.”).
- 90 See “Working Group on Arbitrary Detention,” OHCHR. Accessed June 21, 2023. [https://www.ohchr.org/en/about-arbitrary-detention#:~:text=Definition%20of%20arbitrary%20detention,aim%20sought%2C%20reasonable%20and%20necessary](https://www.ohchr.org/en/about-arbitrary-detention#:~:text=Definition%20of%20arbitrary%20detention,aim%20sought%2C%20reasonable%20and%20necessary.). (“Deprivation of liberty is arbitrary if...When the total or partial non-observance of the international norms relating to the right to a fair trial, spelled out in the Universal Declaration of Human Rights and in the relevant international instruments accepted by the States concerned, is of such gravity as to give the deprivation of liberty an arbitrary character.”).
- 91 “Observaciones finales sobre el tercer informe periódico de Cuba,” Committee against Torture (CAT), June 9, 2022, paragraph 18 item b, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhss%2BWTDysgbMA5m%2FlyJJLGUmTRXorxmGi3EiJH7Om346ZxB9dJ7vjQctbwVaFtJ9M9oQiTFUnjwNuyC43CWbeSElrWgTzNaNEdBsgjSWK%2Fuz>; “Ley No. 143 de 28 de octubre de 2021, Ley del Proceso Penal,” Gaceta Oficial, p. 2702, December 7, 2021, Articles 129, third section, 342, first section, 347, second section, and 357, [https://www.tsp.gob.cu/documentos/ley-1472021-del-proceso-penal-militar](https://www.tsp.gob.cu/documentos/ley-1472021-del-proceso-penal-militar;);

- 92 Bruguera, interview with the Artists at Risk Connection (ARC) and PEN International.
- 93 Barrero, Jiménez Enoa, and Lavastida interviews with the Artists at Risk Connection (ARC) and PEN International.
- 94 Jiménez Enoa, interview with the Artists at Risk Connection (ARC) and PEN International.
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- 96 Jiménez Enoa, interview with the Artists at Risk Connection (ARC) and PEN International.
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- 99 Freemuse, PEN International, Christian Solidarity Worldwide (CSW), and Artists at Risk Connection (ARC), “Joint submission to the mid-term Universal Periodic Review of Cuba.”; IACHR, “Annual Report 2021, Chapter IV.B, Cuba,” paragraphs 41, 84.
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- 109 IACHR, “Annual Report 2021, Chapter IV.B, Cuba,” paragraph 6(i), 61, 126.; IACHR, “Annual Report 2022, Chapter IV.B, Cuba,” paragraph 35.; IACHR, “The Situation of Human Rights in Cuba,” paragraph 130.
- 110 “Restrictions on freedom of expression in Cuba,.” Amnesty International, 2010, pp. 17-18, <https://www.amnesty.org/en/wp-content/uploads/2021/06/amr250052010en.pdf>. (Deficiencies in trial standard can include access to defense counsel, the holding of a defendant for extend time with limited or no access to a lawyer, ignoring the right to legal representation or other procedural rights.); IACHR, “Annual Report 2022, Chapter IV.B, Cuba,” paragraph 37. (“Regarding the lack of impartiality and nonobservance of the law in judicial proceedings, interviews conducted by the IACHR with former members of the Cuban justice system highlight the following: ‘To the police, investigators, and prosecutors, legality is irrelevant. The state prosecutor’s office acts, rather than as guarantor of the law, as accuser and arbiter. Police chiefs talk with the chief prosecutors and presidents of courts or tribunals involved to decide the case. That is why, no matter how much an attorney prepares, researches, and presents evidence, he knows he must accept what the Cuban Communist Party decides.’...”); This has also been documented in particular with legal proceedings against individuals who participated in the 11J demonstrations. See “World Report 2022: Cuba,” Human Rights Watch, accessed June 30, 2023, <https://www.hrw.org/world-report/2022/country-chapters/cuba>; “Freedom in the World 2023: Cuba,” Freedom House, accessed June 30, 2023.
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- 112 Jorge Olivera, interview with staff of the Artists at Risk Connection (ARC) and PEN International, May 20, 2022 (virtual).
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- 143 Núñez, interview with the Artists at Risk Connection (ARC) and PEN International.
- 144 Solveig Font, interview with staff of the Artists at Risk Connection (ARC) and PEN International, July 22, 2022 (virtual).
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