

Testimony of Mr. Normando Hernández González

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Honorable Chairman Robert Menendez, Honorable Ranking Member Marco Rubio, and members of the subcommittee:

When I read the topic of this hearing, I did nothing but rejoice. Events like this show the world that Cubans are not alone on their long and difficult road to freedom. To be against the repression that exists in Cuba is to be against the totalitarian regime of the Castro brothers. It is to be in favor of the true, emerging Cuban civil society.

I use the terms true and emerging Cuban civil society to distinguish from those organizations that call themselves civil society, when in reality they are created and manipulated by the Cuban government. Independent civil society in Cuba is composed of self-created citizen groups – established without authorization from the government – to defend their interests before the state. This includes what is known today as the dissidence, the peaceful opposition, the human rights movement, independent political parties, bloggers, and professional and intellectual associations.

The seed of organized civil society was planted on January 28, 1976 with the creation of the Cuban Committee for Human Rights (CCPDH), under the direction of Dr. Ricardo Bofill Pagés and a small group of intellectuals. Since its foundation, the CCPDH has advocated for the respect of human rights in Cuba and denounced the flagrant violations that occur on the island.

The profound political, economic, and social crisis that the fall of the Berlin wall provoked in Cuba led many other Cubans to create independent civic spaces in order to express their frustrations and search for alternative solutions to their problems. Thus, hundreds of groups of different professional, political, and ideological streams began to emerge across the island. To give you an idea of the growth of the Cuban civil society, in 2003, the Institute of Independent Economists of Cuba counted in a census more than 29,000 citizens as members and supporters of more than 450 independent, non-governmental organizations. One year before, the Christian Liberation Movement gave another sign of the growing strength of the dissidence in Cuba by

presenting before the Cuban National Assembly a petition signed by 11,020 citizens for a referendum on a series of political, economic, and social rights.

The growth of Cuban civil society has occurred under a marked increase of repression by government authorities. Perhaps one emblematic case of this repression was the “Black Spring” of 2003, in which 75 activists and civil society leaders, myself included, were convicted in summary trials and sentenced to lengthy, unjust prison sentences. This crackdown obviously was intended to eliminate the roots to the Cuban civilian movement and instill fear in the population. However, it only served as a call for many other citizens to join in the search for freedom, such as the Ladies in White and the independent bloggers movement. Today, Cuban civil society finds itself in a phase of dynamic and pluralist growth, ever more conscious that citizens have inalienable rights that the state must respect.

Repression of civil society activists increases every day. The Cuban government, using tactics that can be considered state terrorism, has created a new model of repression that consists of arbitrary detentions, without any judicial order, for small periods of time as a mechanism of harassment, intimidation, psychological destabilization of activists and their family members to prevent them from exercising their inalienable rights to freedom of expression, association, and assembly.

In the first four months of this year, the Cuban Commission of Human Rights and National Reconciliation, an independent human rights organization in Cuba, documented 2,795 arbitrary detentions, an increase of 140% from the 1,166 cases of documented arrests that took place during the same period of time last year. One of the cruelest faces of this repression is the repudiation rallies organized by the repressive forces of the Castro brothers against the Ladies in White. In the same way, the Rapid Response Brigades, paramilitary forces that serve the government, physically beat any independent, peaceful individual that tries to organize civil society activities. The impunity of the repressors is an incentive for their actions.

The Castro brothers do not have limits in their cruelty. Their murderous nature led them to execute thousands of people at the beginning of the revolution. Today, they kill in a more subtle form. We must not forget the death in very strange circumstances the leader of the Ladies in White, Laura Pollán Toledo, in October 2011. Also, we cannot forget the deaths on hunger strike

of political prisoners Orlando Zapata Tamayo in February 2010, who was denied water for 18 days, and Wilman Villar Mendoza in January 2012, who was tortured by being placed in a boarded up, dark, damp, and putrid cell. Also, in May 2011, peaceful activist Juan Wilfredo Soto died two days after the Revolutionary National Police agents savagely beat him. In a recent report, the United Nations Committee Against Torture criticized the arbitrary detentions, acts of repudiation, lack of independence between the executive, legislative and judicial branches, lack of information on the death in police custody of Juan Wilfredo Soto, and requested an impartial investigation on the deaths of 202 prisoners that occurred between 2010 and 2011. Extermination against those who dissent and/or oppose the Castros is the policy of the State.

The path for a true Cuban civil society is full of obstacles. The violations of fundamental rights are institutionalized in the Constitution of the Republic of Cuba. The Penal Code includes articles with ambiguous provisions such as “pre-criminal social dangerousness”, which are used to prosecute civil society activists. Amnesty International estimates that there are around 5,000 prisoners in Cuba serving sentences between one and four years for allegedly being socially dangerous and they serve their sentences alongside individuals whose crimes have been proven. In addition, Law 88, the Law for the Protection of the National Independence and Economy of Cuba, is another judicial aberration by which the government curtails the fundamental and inalienable rights of Cuban citizens. This law is nationally and internationally known as the Censorship Law. I hope you realize that this legal framework is tyrannical by nature and guillotines the civil, political, economic, social, and cultural rights of the Cuban people. We can be ironic and say that in Cuba, the government does not violate human rights simply because human rights do not exist. The regime of the Castro brothers denies Cubans their right to rights.

In spite of the conditions I just described to you, Cuban civil society fervently advocates for the freedom of all Cubans in a peaceful way, based on the precepts of nonviolent struggle practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr. From civil society emerge ever more proposals that aim to improve the quality of life of all Cubans, from concrete social demands to broad public demands to respect human rights and democratic values. In their actions, Cuban civil society has always advocated for national reconciliation and dialogue based on the respect to all human, civil, and political rights as a necessary processes to achieve a truly democratic Cuba.

To conclude, I respectfully ask this committee to put into practice the title of this hearing. Please, show solidarity with the growing and genuine Cuban civil society, and condemn all levels of repression that take place in Cuba. I also ask you to encourage other democratic governments and parliamentarians from around the world, multilateral institutions, and international NGOs to support Cuba's civil society activists. In this sense, please take into account the words of Elie Wiesel, Nobel Peace Prize winner and Holocaust survivor when he said: "We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented...action is the only remedy to indifference, the most insidious danger of all."

Thank you.