

“HUMAN RIGHTS IN THE NEW APPROACH TO U.S.-CUBA POLICY”

TESTIMONY OF  
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Mr. Chairman, Ranking Member, and Members of the Committee: Thank you for the opportunity to testify today, and to share my thoughts about how we can best stand up for the human rights and fundamental freedoms of the Cuban people.

It is plain from the debate that followed the President’s announcement of our new policy that people who feel passionately about freedom for the Cuban people can disagree passionately about how best to advance it. I have long been committed to this cause, and I believe with all my heart that the President chose the right course. I have listened with great care and respect to those who disagree, and while I will try to address their concerns today, I want to be clear that I do not dismiss them.

I want to start by making a few points on which I hope we all agree.

First, the promotion of universal human rights and the empowerment of all Cubans must be the bedrock of our policy toward Cuba. President Obama has made clear that it will be. And here, we will take our cues from the Cuban people, supporting their vision for Cuba’s future. As Secretary Kerry has said, we support the key points around which Cuban civil society groups have rallied:

- Cuban ratification and compliance with various UN human rights treaties;
- Recognition of independent civil society;
- Implementation of constitutional and legal reforms to ensure full respect for labor rights, freedoms of expression, association, peaceful assembly, and expression, and to allow for free elections;
- Release of prisoners arrested for political reasons; and
- An end to government-sponsored harassment of independent civil society.

Second, the most immediate result of this policy shift – the release from prison of 53 activists who are now back with their families and able to continue their brave work – is unambiguously a good thing. The released men and women included all Cubans designated by Amnesty International as “prisoners of conscience,” and many known to my Bureau to have been prosecuted for peaceful expression, association, and assembly in Cuba. Among them is independent rapper “El Critico,” arrested after a government-organized counter protest retaliated against him for painting anti-government messages on his home and distributing pro-democracy pamphlets; Ivan Fernandez Depestre, arrested for the absurd offense of “precriminal dangerousness,” a label the government uses to detain people in anticipation of crimes that supposedly are yet to be committed; and Sonia Garro, who can march again on Sundays with her fellow Ladies in White. We will spare no effort to ensure that everyone still detained for simply exercising their rights to freedom of expression, association, or peaceful assembly is free, not just from prison but from harassment, threats and restrictions on their movement and their work.

Third, we agree that the release of these political prisoners does not of itself change anything in Cuba. Cuba remains a one-party state that tries to stifle virtually all political, cultural and economic activity that it does not control. The government continues to crack down on everything from art performances in Havana squares, to independent meetings by civil society out in the provinces. It continues to employ short-term detentions – at times with violence – to disrupt free expression and peaceful assembly, and has used this tactic since President Obama’s announcement, including against recently released political prisoners. No one should have any illusions about the nature of this system, or about the determination of the current leadership to keep things just as they are for as long as possible.

And let’s be clear: none of this, Cuba’s repression, its poverty, its isolation, is the fault of the United States or of the embargo. The responsibility lies with the Cuban government, period.

At the same time, after 50 years of experience with the embargo, we have to face the hard truth that it has not weakened the repressive apparatus of the Castro government. It has not strengthened Cuba’s civil society. It has not given us the leverage we need to press for change, or the Cuban people the hope they crave. The Castro government has been happy in its isolation. The Cuban people have not.

I say this as someone who often supports economic sanctions to leverage progress for human rights. I completely agree with Senator Rubio that no country ever became a democracy simply because of trade and tourists.

At the same time, over many years of working on this issue, I have seen how the Castro government has turned our policy against us, and how this has helped an authoritarian form of government survive so close to our shores long after walls of repression from Berlin to Moscow to our own hemisphere came tumbling down.

For decades, in capitals around the world, the Cuban government has succeeded in making our embargo and its isolation from the United States a bigger issue than its own repression, making it difficult to mobilize international pressure to improve respect for human rights on the island. To its own people, the government has justified Cuba's isolation, poverty and lack of democracy as being a result of American hostility. These were bad excuses; they justified none of what the Cuban people have suffered all these years. But we have to acknowledge that, over the years, shifting the blame to America has worked for the Castro government.

It is not going to work any more.

Now, every country in Latin America and the Caribbean, and indeed around the world, knows that the United States is not the obstacle to Cuba's integration with the hemisphere and its prospects for economic development. Cuban policies are the obstacle. Now every citizen of Cuba knows that the U.S. is willing to have improved relations with their country, to support private business on the island and to help connect them to the world. These steps have raised the Cuban people's expectations, and shifted the burden of meeting those expectations back upon the Cuban state.

The Cuban government can respond in one of two ways. It can begin the reforms needed for its people to benefit from the opening to the U.S. – by allowing greater Internet access, for example, and easing restrictions on private businesses, on travel, and on civil society – in which case the Cuban people will be less dependent on their government and will have more power to shape their future. This is what we hope will happen. Or it can keep resisting those reforms, in which case it will further lose domestic and international legitimacy, because Cubans and others in the international community will know exactly who is to blame for their country's problems.

Critics of our new policy have argued that we gave away leverage by easing restrictions on engagement with Cuba without demanding democratic reforms up front. But the Cuban government did not ask for and is not necessarily eager for us to take the steps the president announced, which involve efforts to get more information and resources to Cuban civil society and private citizens, and greater access to Cuba and its people for our diplomats. It should go without saying that the Cuban government wasn't going to stop repressing its people in exchange for Americans connecting its people to the internet. These steps were not tradable commodities, but actions we took in our own interest, to help ordinary Cubans, and to shift the attention of the world to the embargo that matters – the one the Cuban government has imposed on its own people.

Our new policy has opened these new opportunities to engage with the Cuban people; we will now work energetically to seize them and to advance them. In doing so, we will continue to consult with independent Cuban civil society to hear their views and plans for the future activities. And we will urge other countries to join us in pressing the Cuban government on human rights and democracy.

We have reengaged nations throughout our hemisphere on the importance of supporting genuine progress on human rights and democratic principles in Cuba as a means to advance meaningful and principled regional integration. Last week, I attended the inauguration of Bolivian President Morales where I had the opportunity to meet with leaders and foreign ministers from throughout the Hemisphere to stress the importance of ensuring we speak with a united voice on Cuba. The common reaction was that we had taken a giant step for the Hemisphere and that the time had come to encourage Cuba to do its part.

We are also working with our friends in the region, and directly with the Government of Panama, to ensure that independent civil society, including independent voices from Cuba, can engage meaningfully with governments at the coming Summit of the Americas. I hope to be at the Summit and meet with Cuban civil society, as well as other civil society representatives, particularly those who find themselves threatened by repressive governments.

We are also deepening our engagement with Europe to encourage partners there to push for advances in human rights and democratic principles with their Cuban counterparts. We have engaged with European delegations here, and I plan to travel to Europe personally to further these discussions. As you know, efforts by

the Vatican were critical to the successful negotiation that secured the release of Alan Gross and of the 53 imprisoned Cuban activists, and we will continue to work with the Vatican to encourage the Cuban government to follow through on its other commitments. We will also encourage the EU to press for concrete improvements in human rights in their discussions with Havana and to support the agenda of independent civil society on the island. No government – neither that of the Castros nor those of third countries – can credibly make the case that pushing the Cuban government to respect universal human rights is taking sides in a dispute between Cuba and the United States.

We are also looking for new and innovative ways to responsibly support the emergence of a Cuban private sector as a critical component of civil society. We also envision a role for Latin American and European countries to create links between private small businesses in Cuba and the small businesses in their regions.

Cubans are also entitled to access uncensored information, including through the internet. As Assistant Secretary Jacobson noted, the Administration's regulatory changes will help U.S. and international telecommunications companies provide internet service to the island. These regulatory changes respond directly to requests made to the Administration by civil society to facilitate greater access to telecommunications equipment on the island. The Castro government can no longer argue that its failure to provide internet access to all Cuban citizens is somehow the responsibility of the United States. And we hope Latin American and European companies can cooperate in our efforts to promote the free flow of information to, from, and within the island.

We are also asking other countries to encourage the Cuban government to allow greater access by the United Nations and other international organizations. These actors will provide much needed transparency and are widely seen as credible, objective observers. Cuban dissidents have emphasized the important role that the United Nations can play in advancing human rights in Cuba, and we will use the new opportunities presented by our Cuba policy to mobilize others in the UN and other multilateral fora in support.

The Cuban government has proposed bilateral talks on human rights, and I look forward to leading the U.S. team to these talks. Our objective in such talks will be to develop an agenda of specific reforms that will bring about concrete improvements in compliance with applicable international human rights obligations and commitments. The Cuban side will of course raise its usual allegations about problems in the United States, and I will be proud to defend our

record. But we are not interested in an abstract debate; we will continue such talks only if they chart a course for concrete progress on human rights and democratic principles in Cuba. And we will insist that the most important dialogue the Cuban government should have on human rights is with its own people.

President Obama has also made it clear that the U.S. government will continue programs that promote the realization of human rights and fundamental freedoms such as freedoms of peaceful expression, association, and assembly in Cuba, just as we do in 95 countries around the world. These programs are a fundamental part of our human rights policy and national security interests around the world. The Cuban government may continue to object to these efforts, and to try to crack down on those involved with their implementation. But it will find it harder to treat contacts with the U.S. government and with international NGOs as criminal when Cubans see their own leaders engaging in diplomatic relations with us. In any case, we will continue to manage our programs in Cuba with appropriate discretion to protect human rights activists from further reprisal, even as we ask the Cuban government to stop punishing its citizens for activities considered a normal part of life in most other countries. We greatly value the input and coordination of this Committee on our programs and we look forward to further conversations.

Of course, none of this will be easy. If I am right, and our new policy succeeds in empowering the Cuban people to shape their political destiny, then the Cuban government may respond by cracking down harder in the short run but the Cuban people will have the best opportunity in more than half a century to freely determine their own future in the long run.

None of us can say what will happen next. Some of Cuba's bravest dissidents – voices we profoundly respect – believe that we've made a mistake and that nothing good is likely to come from these changes. I hope critics of our policy will acknowledge that others in Cuba who have sacrificed for the cause of democracy believe just as strongly that we have done the right thing. There are many different views on this question, because the future is uncertain.

I'll close by suggesting that this sudden uncertainty, after decades of absolute, depressing certainty that nothing can change, constitutes progress. It carries with it a sense of possibility; an opportunity for debate. This is what most of the Cubans we've heard from in recent days are saying; they don't know if the changes we've announced will bring better days or not, but they feel that something better is at least possible now.

Reinaldo Escobar, a journalist who began his career writing for official Cuban government media and now writes for the independent Cuban news outlet 14ymedio, summed up this feeling in an essay he titled “A New Dawn:”

The entire world, he wrote, now “has its eyes set on the government of Cuba . . . They know it and will have to choose between loosening the repression or letting the world down. I am betting that they will let the world down, but I am hoping to lose the bet. All the signs and accumulated experience clearly say that this is only a new maneuver to win some time and to allow them to get away with their schemes, but this is also an unprecedented move and things can always turn out differently. The most important thing is that the domino game has been shaken up and it is time to move the pieces.”

Mr. Chairman, members of the Committee, having shaken up the game, we have a chance now to help things turn out differently for the Cuban people. I hope we can work together to seize that chance.