

118TH CONGRESS  
1ST SESSION

# S. RES. 295

Expressing solidarity with the Cuban people in demanding freedom and human rights, and commending their courage in the wake of the July 11, 2021, protests.

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## IN THE SENATE OF THE UNITED STATES

JULY 13, 2023

Mr. SCOTT of Florida (for himself, Mr. BRAUN, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Expressing solidarity with the Cuban people in demanding freedom and human rights, and commending their courage in the wake of the July 11, 2021, protests.

Whereas the communist dictatorship in Cuba has been responsible for numerous atrocities including the extrajudicial assassinations of innocent civilians and activists by firing squad and other brutal methods, including the Tugboat Massacre of 1994 and the Brothers to the Rescue Shoot-Down of 1996;

Whereas, in the notorious Black Spring of 2003, the Cuban regime engaged in brutal violence against independent journalists, human rights activists, and others who dared to expose the realities of totalitarian Cuba, which was

roundly condemned by international human rights groups;

Whereas human rights activists such as Pedro Luis Boitel, Juan Wilfredo Soto Garcia, leader of the Ladies in White Laura Pollan, Orlando Zapata Tamayo, Wilman Willar Mendoza, Oswaldo Paya, Harold Cepero, Armando Sosa Fortuny, and Yosvany Arostegui Armenteros died under suspicious circumstances, including while in state custody;

Whereas Report No. 83/23 published by the Inter-American Commission on Human Rights on June 9, 2023, states that—

(1) “there is serious and sufficient evidence to conclude that [agents of the Cuban regime] participated in the death of Mr. Payá and Mr. Cepero”;

(2) the Cuban regime “is responsible for the violation of the right established in Article I of the American Declaration to the detriment of Oswaldo Payá and Harold Cepero”;

(3) “there was a context of reprisals and human rights violations against human rights defenders and persons who expressed dissent against government policies”;

(4) Harold Cepero and Oswaldo Paya “were subjected to various acts of violence, harassment, threats, attempts on their lives, and finally, a car crash that caused their deaths”; and

(5) “this case was framed within the contextual elements of state repression of human rights defenders in Cuba”;

Whereas the report entitled “Cuba 2022 Human Rights Report” published by the Department of State notes that

“significant human rights issues [in Cuba] included credible reports of”—

(1) unlawful or arbitrary killings, including extrajudicial killings, by the government;

(2) torture and cruel, inhuman, and degrading treatment of political dissidents, detainees, and prisoners by security forces;

(3) harsh and life-threatening prison conditions;

(4) arbitrary arrests and detentions; political prisoners;

(5) transnational repression against individuals in another country;

(6) serious problems with the independence of the judiciary;

(7) arbitrary or unlawful interference with privacy;

(8) serious restrictions on freedom of expression and media, including violence or threats of violence against journalists, censorship, unjustified arrests or prosecutions of journalists, and enforcement or threat to enforce criminal libel laws to limit expression;

(9) serious restrictions on internet freedom; substantial interference with the right of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations;

(10) severe restrictions on religious freedom;

(11) restrictions on freedom of movement and residence within the country and on the right to leave the country;

(12) inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation;

(13) serious government corruption; lack of investigation of and accountability for gender-based violence, including femicide; and

(14) trafficking in persons, including forced labor; and outlawing of independent trade unions;

Whereas 2023 Trafficking in Persons Report published by the Department of State lists Cuba as a Tier 3 country, the lowest possible rating, stating that—

(1) “there was a government policy or pattern to profit from labor export programs with strong indications of forced labor, particularly in the foreign medical missions’ program”; and

(2) the regime “continued to deploy Cuban workers to foreign countries using deceptive and coercive tactics” and “failed to address trafficking crimes despite an increasing number of allegations from credible NGOs, former participants, and foreign governments of Cuban officials’ involvement in abuses”;

Whereas, in January 2019, Secretary General of the Organization of American States Luis Almagro stated that “the Cuban dictatorship has failed in access to rights and equity, its productive system has failed, its financial management has failed, its management of the economy has failed and the only way to melt away its social deficiencies is to push its people into exile; it is a system that is incapable of giving dignified and honest work to its people, that is unable to open its youth to enterprise, unable to generate a competitive productive system and unable to achieve solutions for the simplest financial issues”;

Whereas the Asociación Sindical Independiente de Cuba (commonly known as “Independent Trade Union Associa-

tion of Cuba” or “ASIC”) has filed complaints with the International Labour Organization condemning violations of fundamental labor rights, such as freedom of assembly, and repression of labor activist Ivan Hernandez Carrillo, and, in response, the International Labour Organization provided recommendations on March 24, 2021, to address the violations, which Hernandez Carrillo continues to endure in the wake of the July 11, 2021, protests;

Whereas the 2023 reports entitled “Freedom on the Net” and “Freedom in the World” published by Freedom House summarized that—

(1) “Cuba’s one-party communist state outlaws political pluralism, bans independent media, suppresses dissent, and severely restricts basic civil liberties”;

(2) the government “continues to dominate the economy despite recent reforms that permit some private-sector activity”; and

(3) “the regime’s undemocratic character has not changed despite a generational transition in political leadership between 2018 and 2021 that included the introduction of a new constitution”;

Whereas the United States has long supported the Cuban people through policies that limit hard currency to the oppressive Cuban regime while—

(1) providing democracy-building support to civil society activists;

(2) broadcasting outside information to pierce the propaganda of the Cuban regime; and

(3) permitting virtually unlimited donations of food, medicines, and other necessities through—

(A) Acts of Congress such as—

(i) the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.);

(ii) the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.);

(iii) the Cuban Democracy Act of 1992 (22 U.S.C. 6001 et seq.);

(iv) the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 et seq.); and

(v) the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.); and

(B) Executive orders and regulations;

Whereas numerous activists in Cuba such as members of the Patriotic Union of Cuba, the San Isidro Movement, the Christian Liberation Movement, ASIC, the Ladies in White, the Orlando Zapata Tamayo National Resistance Front, religious organizations, exile groups, and others are demanding freedom for the Cuban people;

Whereas Jose Daniel Ferrer Garcia, independent journalist and leader of the Patriotic Union of Cuba, has been held in solitary confinement since August 14, 2021, and held incommunicado since March 17, 2023, with his health condition unknown, which was condemned by Amnesty International on June 6, 2023;

Whereas artists Maykel Osorbo Castillo Perez and Luis Manuel Otero Alcantara of the San Isidro Movement, who participated in the Grammy-winning “Patria y Vida” and were sentenced to 9 and 5 years, respectively, have been unjustly imprisoned for 2 years, and Otero Alcantara has engaged in hunger strikes to protest his abhorrent treatment;

Whereas the Cuban regime has employed so-called “Committees for the Defense of the Revolution” to force neighbors to spy and turn against each other, which has spread distrust and fear among the Cuban people and caused an environment that is deleterious to a strong social fabric and thriving civil society;

Whereas, on July 11, 2021, thousands of courageous protesters gathered throughout Cuba, in every province, to demand “libertad” and human rights and to express opposition to dictatorship in Cuba;

Whereas the Cuban regime reacted to the July 11 protests with violence, arbitrary arrests, often by plain clothes state security operatives, and forced disappearances and by shutting down internet access and calling on supporters of the regime to harass protesters, and prosecuted as many as 790 Cubans for peacefully calling for freedom in the protests;

Whereas Cubalex reported that the Cuban regime prosecuted 55 children in the wake of the July 11 protests, imposing prison sentences as long as 23 years, while dozens of children reportedly remain in prison to this day; and

Whereas, since Fidel Castro illegitimately and violently seized power, hundreds of thousands of Cuban nationals have fled Communist oppression: Now, therefore, be it

1        *Resolved*, That the Senate—

2            (1) calls for the release of all political prisoners  
 3            and for the end of acts of repression, arbitrary  
 4            imprisonments, torture, and other human rights  
 5            abuses against the Cuban people;

1           (2) honors the courageous Cuban people for  
2 daring to stand up to the Cuban regime and de-  
3 manding respect for fundamental freedoms, such as  
4 freedom of expression and assembly;

5           (3) recognizes the brave prodemocracy and  
6 human rights activists, including independent jour-  
7 nalists, artists, labor leaders, and religious leaders,  
8 who have been persecuted throughout decades of  
9 Communist tyranny;

10           (A) urges other democracies, regional, and  
11 multilateral organizations to affirm that—

12                   (i) violence against the unarmed peo-  
13 ple of Cuba will not be tolerated; and

14                   (ii) human rights abusers will be held  
15 accountable for their crimes;

16           (4) calls on the European Union—

17                   (A) to reconsider the failed Political Dia-  
18 logue and Cooperation Agreement; and

19                   (B) to place freedom and human rights at  
20 the center of the policy toward Cuba;

21           (5) expresses solidarity with the longsuffering  
22 Cuban people in their demands for a genuine demo-  
23 cratic transition; and

24           (6) calls on the international community to  
25 stand with the people struggling for freedom in

1 Cuba by condemning repression and expressing un-  
2 equivocal support for the rights to self-governance,  
3 human rights, and basic liberties for the Cuban peo-  
4 ple.

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