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*Plenary sitting*

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**B9-0345/2021**

7.6.2021

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the human rights and political situation in Cuba  
(2021/2745(RSP))

**Pedro Marques, Javi López**  
on behalf of the S&D Group

**European Parliament resolution on the human rights and political situation in Cuba (2021/2745(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Cuba, in particular those of 17 November 2004 on Cuba<sup>1</sup>, of 2 February 2006 on the EU's policy towards the Cuban Government<sup>2</sup>, of 21 June 2007 on Cuba<sup>3</sup>, of 11 March 2010 on prisoners of conscience in Cuba<sup>4</sup>, of 5 July 2017 on the draft Council decision on the conclusion, on behalf of the Union, of the Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part, namely its legislative resolution of consent<sup>5</sup> and accompanying non-legislative resolution<sup>6</sup>, of 15 November 2018 on the human rights situation in Cuba<sup>7</sup> and of 28 November 2019 on the case of José Daniel Ferrer<sup>8</sup>,
- having regard to the Political Dialogue and Cooperation Agreement (PDCA) between the European Union and Cuba, which was signed in December 2016 and has provisionally applied since 1 November 2017<sup>9</sup>,
- having regard to the main outcomes of the EU-Cuba Joint Council of 20 January 2021,
- having regard to resolution 14/2021 of the Inter-American Commission on Human Rights of 11 February 2021 regarding Cuba,
- having regard to the statement of the European External Action Service (EEAS) of 28 February 2021 on the third EU-Cuba Human Rights Dialogue, formally held under the EU-Cuba PDCA on 26 February 2021,
- having regard to the EEAS Statement of 26 March 2021 on the third EU-Cuba Dialogue on Unilateral Coercive Measures,
- having regard to the EU Action Plan on Human Rights and Democracy for 2020-2024,
- having regard to the UN Human Rights Council Universal Periodic Review on Cuba of May 2018,
- having regard to the International Covenant on Civil and Political Rights and other

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<sup>1</sup> OJ C 201 E, 18.8.2005, p. 83.

<sup>2</sup> OJ C 287 E, 24.11.2006, p. 81.

<sup>3</sup> OJ C 146 E, 12.6.2008, p. 377.

<sup>4</sup> OJ C 349 E, 22.12.2010, p. 82.

<sup>5</sup> OJ C 334, 19.9.2018, p. 235.

<sup>6</sup> OJ C 334, 19.9.2018, p. 99.

<sup>7</sup> OJ C 363, 28.10.2020, p. 70.

<sup>8</sup> Texts adopted, P9\_TA(2019)0073.

<sup>9</sup> OJ L I 337, 13.12.2016, p. 3.

- international human rights treaties and instruments,
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the UN General Assembly on 10 December 1984, to which Cuba is a State Party,
  - having regard to the EU Guidelines on Human Rights Defenders,
  - having regard to the Universal Declaration of Human Rights, to which Cuba is a signatory,
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas relations between the European Union and Cuba are based on a political dialogue that promotes cooperation, respect for human rights, the modernisation of the Cuban economy, and the development of joint responses to global challenges;
- B. whereas the EU and Cuba started a new era of relations in December 2016 with the signature of the PDCA, the first ever agreement signed between the EU and Cuba – the only country in Latin America with which the EU had not signed any type of agreement; whereas the PDCA defines general principles and objectives for the relationship between the EU and Cuba, including three main chapters on political dialogue, cooperation and sectoral policy dialogue, as well as trade and trade cooperation; whereas the PDCA has been provisionally applied since 1 November 2017; whereas 26 of the 27 EU Member States have ratified the PDCA;
- C. whereas the human rights dialogue between the EU and Cuba, led by the EU Special Representative for Human Rights, was established in 2015; whereas the PDCA has led to an unprecedented level of institutionalisation of relations between the EU and Cuba; whereas the EU is the only organisation to have such a high-level dialogue with Cuba;
- D. whereas on 26 February 2021, the EU and Cuba held their third formal Human Rights Dialogue under the EU-Cuba Agreement on Political Dialogue and Cooperation (PDCA); whereas the two sides discussed the issue of freedom of peaceful assembly and of association; whereas the EU emphasised, in line with international human rights law, the importance of allowing all citizens to take an active part in society through civil society organisations and associations; whereas the EU recalled the need to respect international human rights law obligations;
- E. whereas freedom for scientific research and creative activity was also discussed; whereas the EU emphasised the need to respect differing and non-aligned views among citizens, including those expressed through artistic means, and to promote inclusive and constructive dialogue;
- F. whereas in December 2018, Decree 349 entered into force in Cuba, requiring artists and those who employ them to obtain prior approval from the Government of Cuba to operate in public or private spaces, or otherwise be subject to the confiscation of materials, fines or sanctions; whereas in July 2019, Decree 370 entered into force, regulating and imposing sanctions with regard to the free distribution of information on the internet: whereas international human rights organisations have condemned

Decreets 349 and 370 as violating fundamental freedoms and contravening Article 54 of the 2019 Constitution of Cuba, which guarantees freedom of expression;

- G. whereas following the adoption of Decree 349, the San Isidro Movement (MSI), an organisation of artists, activists, academics and journalists, began to protest peacefully for freedom of expression and against increased artistic censorship in Cuba;
- H. whereas Denis Solís González, a musician and member of the MSI, was detained on 9 November 2020; whereas he was sentenced to eight months in prison on ‘contempt of authority’ and was transferred to the Valle Grande maximum security prison, where he was held incommunicado until 16 November 2020; whereas 14 independent artists and activists went on a seven-day hunger strike to contest his detention;
- I. whereas on 27 November 2020, approximately 300 people gathered outside the Ministry of Culture of Cuba to protest peacefully about the lack of artistic freedom in Cuba and the arbitrary arrest of Denis Solís González and other artists; whereas as a result of this protest, Cuban officials met with 30 artists and activists and agreed to put a stop to the harassment of Cuban artists and to initiate a dialogue between the activists and the government;
- J. whereas on 11 February 2021 the Inter-American Commission on Human Rights adopted precautionary measures in favour of 20 identified members of the MSI; whereas in the light of analysis conducted, the Commission concluded that from an applicable *prima facie* standard and given the current context for the Cuban State, it could be sufficiently proven that the rights to life and personal integrity of the 20 identified individuals from the MSI are at serious risk;
- K. whereas one MSI member, Luis Manuel Otero Alcántara, was taken from his home by police forces on 2 May 2021 and detained against his will at a hospital in Havana, without access to family or friends for weeks on end; whereas Amnesty International declared Mr Otero Alcántara a prisoner of conscience; whereas he was able to leave hospital on 31 May;
- L. whereas on 18 May 2021, Maykel Castillo Pérez, another MSI member, was arrested, handcuffed and disappeared; whereas he has been held incommunicado since; whereas the UN Committee on Forced Disappearances has called on the Cuban Government to inform Mr Castillo Pérez’s relatives about the place of his detention, to ensure that he is able to communicate with his family and lawyer, and to provide information on measures taken with regard to each of the concerns and recommendations highlighted by 11 June 2021;
- M. whereas Cuba has ratified all eight core conventions of the International Labour Organization but has not ratified the International Covenant on Civil and Political Rights;
- N. whereas Cuba modified its Constitution in 2019 to recognise the *habeas corpus* procedure and other significant fundamental rights: whereas in the past three years internet has been rolled out on the island, with 7 million people currently able to access it;

- O. whereas Cuba has deployed 4 000 doctors to help nearly 40 countries respond to the COVID-19 pandemic; whereas prior to the pandemic, there were an estimated 28 000 Cuban health workers in service;
- P. whereas the European Investment Bank (EIB) is active in around 160 countries, some of which face considerable challenges in terms of human and fundamental rights: whereas Cuba, however, is not yet eligible for EIB financing;
- Q. whereas the UN General Assembly has adopted 27 consecutive resolutions calling for an end to the United States' embargo on Cuba; whereas Parliament's longstanding position, which has been adopted on numerous occasions and shared by the EU institutions, is to oppose extraterritoriality laws, given that they are directly harmful to the Cuban people and affect the activities of European undertakings;
1. Reiterates its support for the Political Dialogue and Cooperation Agreement and the EU's approach of critical engagement towards Cuba to support the country in its modernisation, but also to openly address our disagreements;
  2. Highlights the importance of deepening relations between the European Union, its Member States and the Republic of Cuba, specifically within the framework of the PDCA, by seeking the development of mutually respectful and beneficial ties between the parties;
  3. Calls on the governments that have not yet done so to swiftly ratify the Political Dialogue and Cooperation Agreement;
  4. Reiterates the importance of extending the mandate of the EIB and calls for Cuba to be fully eligible for EIB financing;
  5. Supports the progress made by Cuba so far for greater recognition of fundamental rights in the country and the support of the ongoing process of modernisation and openness;
  6. Calls for the lifting of the economic, commercial and financial blockade imposed on Cuba by the United States of America;
  7. Calls on the new US administration to remove Cuba from the list of state sponsors of terrorism and to resume the path promoted during the Obama administration to work towards normalised bilateral relations between the two countries;
  8. Expresses solidarity with the members of the San Isidro Movement and all activists and human rights defenders in their efforts to advance freedom of expression in Cuba;
  9. Calls on the Cuban authorities to stop the prosecution of protesters and to engage in a meaningful dialogue process with the members of the San Isidro Movement and other artists and activists seeking to advance freedom of expression in Cuba;
  10. Calls on the Government of Cuba to adopt the necessary measures to protect the rights to life and personal integrity of the members of the San Isidro Movement and all human rights activists;

11. Calls on the Cuban Government to ratify the International Covenant on Economic, Social and Cultural Rights and to ensure the rights to freedom of association, including the registration of organisations, and collective bargaining, in line with International Labour Organization standards;
12. Calls on the Cuban Government to recognise independent journalism as a legitimate practice and to respect the rights of independent journalists in Cuba;
13. Calls on the Cuban Government to ensure the right of Cubans to exit and return to their country, including for doctors deployed in medical missions abroad, in line with international human rights standards;
14. Calls for the immediate repeal of Decrees 349 and 370 and other Cuban laws that violate freedom of expression;
15. Instructs its President to forward this resolution to the Government and National Assembly of People's Power of Cuba, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the Member States of the countries of the Community of Latin American and Caribbean States.