

CUBA

	2009	2011
INTERNET FREEDOM STATUS	Not Free	Not Free
Obstacles to Access	25	24
Limits on Content	30	30
Violations of User Rights	33	33
Total	88	87

POPULATION: 11.3 million
INTERNET PENETRATION: 1 to 3 percent
WEB 2.0 APPLICATIONS BLOCKED: Yes
SUBSTANTIAL POLITICAL CENSORSHIP: Yes
BLOGGERS/ONLINE USERS ARRESTED: Yes
PRESS FREEDOM STATUS: Not Free

INTRODUCTION

Despite a slight loosening of restrictions on the sale of computers in 2008 and the important growth of mobile-phone infrastructure in 2009 and 2010, Cuba remains one of the world's most repressive environments for the internet and other information and communication technologies (ICTs). There is almost no access to internet applications other than e-mail, and surveillance is extensive, including special software designed to monitor and control many of the island's public internet-access points.¹ Nevertheless, a growing community of bloggers has consolidated their work, creatively using online and offline means to express opinions and spread information about conditions in the country.

Cuba was connected to the internet for the first time in 1996, and the National Center for Automated Interchange of Information (CENIAI), the country's first internet-service provider (ISP), was established that year. However, the executive authorities continue to control the legal and institutional structures that decide who has access to the internet and how much access will be permitted.²

OBSTACLES TO ACCESS

According to the last official report on the website of the National Statistics Office, there

¹ "Prestaciones efectivas para redes informáticas" [Effective Features for Computer Networks], Radio Surco, April 11, 2009, <http://www.radiosurco.icrt.cu/Ciencia.php?id=415>; Danny O'Brien, "The Malware Lockdown in Havana and Hanoi," *CPJ Blog*, June 8, 2010, <http://cpj.org/blog/2010/06/the-malware-lockdown-in-havana-and-hanoi.php>.

² Ben Corbett, *This Is Cuba: An Outlaw Culture Survives* (Cambridge, MA: Westview Press, 2002), 145.

were 1.6 million internet users in Cuba in 2009, representing 14.2 percent of the population.³ However, only 2.9 percent of Cubans access the internet regularly and 5.8 percent routinely use email. Most internet users are only able to connect to a government intranet rather than the internet proper. Some sources estimate that only 200,000 residents have access to the world wide web.⁴

Most individuals who are able to access internet face extremely slow connections, making the use of multimedia applications nearly impossible. In January 2010, the government announced that it had expanded the national bandwidth and achieved a 10 percent increase in international connectivity. According to official data, Cuba now has speeds of 209 megabits per second (Mbps) for downloading and 379 Mbps for uploading.⁵ However, these high-speed connections are not available to regular users and officials also noted that the government's plans did not include fostering private use of the internet.

Cuba continues to blame the U.S. embargo for its connectivity problems, saying it must use a slow, costly satellite connection system and is limited in the space it can buy. But in 2009, in a move that eased some aspects of Washington's prolonged sanctions on trade with Cuba, President Barack Obama allowed U.S. telecommunications firms to enter into agreements to establish fiber-optic cable and satellite telecommunication facilities linking the United States and Cuba and to enter into roaming agreements with Cuban providers.⁶ Cuba's leaders reiterated their demand for a complete end to the embargo, and official media ignored this important change in the U.S. legal framework. The bilateral relationship was affected by another incident in 2009 that touched directly on the lack of open internet access in Cuba. On December 4, the Cuban authorities arrested an American independent contractor, Alan Gross, who was in the country to set up individual satellite-based internet connections as part of a U.S. government-funded project.

The Cuban government maintains tight control over the sale and distribution of internet-related equipment. The sale of modems was banned in 2001, and the sale of computers and computer accessories to the public was banned in 2002. This policy changed in early 2008, when the government began allowing Cubans to buy personal computers, and individuals can now legally connect to an ISP with a government permit. However, this permit is granted only to certain people, mostly Cuban officials or "trusted journalists." High costs also put internet access beyond the reach of most of the population. A simple

³ National Statistics Office, Republic of Cuba, *Tecnologías de la Información y las Comunicaciones en Cifras: Cuba 2009* [Information and Communication Technologies in Figures: Cuba 2009] (Havana: National Statistics Office, May 2010), <http://www.one.cu/ticencifras2009.htm>.

⁴ Ray Sanchez, "Cuba Cutting Internet Access," *Sun Sentinel*, May 7, 2009, <http://www.sun-sentinel.com/news/nationworld/sfl-cuba-internet-cutoff-050709.0.4376220.story>; Reporters Without Borders, http://www.rsf.org/article.php3?id_article26096.

⁵ Amaury E. del Valle, "Cuba, la red sigue creciendo" [Cuba, the Network Continues to Grow], *Juventud Rebelde*, January 6, 2010, <http://www.juventudrebelde.cu/suplementos/informatica/2010-01-06/cuba-la-red-sigue-creciendo/>.

⁶ "Fact Sheet: Reaching Out to the Cuban People," The White House: Office of the Press Secretary, April 13, 2009, http://www.whitehouse.gov/the_press_office/Fact-Sheet-Reaching-out-to-the-Cuban-people.

computer with a monitor averages around 722 convertible pesos (US\$780) in retail outlets, or at least 550 convertible pesos (US\$594) on the black market.⁷ By comparison, the average monthly Cuban salary is approximately 16 convertible pesos (US\$17).⁸ Computers are generally distributed by the state-run Copextel Corporation, which imports ICT equipment. Approximately 31 percent of Cubans report having access to a computer, but 85 percent of those said that the computers were located at work or school.⁹ An internet connection in a hotel costs between 6 and 12 convertible pesos per hour.

Cuba still has the lowest mobile-phone penetration rate in Latin America, but the number is rising fast. There were 443,000 active mobile-phone subscriptions in 2009, a huge increase since 2004 when that figure was approximately 75,400.¹⁰ In part because family members frequently share a mobile phone, it is estimated that the total number of users currently exceeds one million.¹¹ The government eased restrictions on mobile-phone purchases in March 2008, and reduced the sign-up fee by more than half, though it still represents three months' wages for the average worker.

In another step to increase affordability, the state-owned telecommunications firm ETECSA announced a series of rate modifications in April 2010.¹² Per-minute rates for calls on prepaid accounts will be reduced from 0.65 convertible pesos to 0.45 convertible pesos, except for 11:00 p.m. to 7:00 a.m., when a 0.10 convertible peso rate will apply. Also, international long-distance rates will fall, for both mobile and fixed-line accounts, by between 42 and 75 percent. Calls to the Western Hemisphere will now cost 1.60 convertible pesos per minute, except for the United States (1.85) and Venezuela (1.40), and calls to the rest of the world will be 1.80 per minute.¹³ In addition, a scheme will be introduced whereby either the caller or the call recipient will be able to indicate that they will pay the entire charge for a call. Ordinarily, both parties to a call pay 0.45 convertible pesos per minute, but under the new scheme, the party taking on the whole charge will pay 0.60 convertible pesos per minute.

Activation fees for new accounts have fallen from 120 to 60 to 40 convertible pesos. Cuba has roaming agreements with 306 carriers in 128 countries, and 2.2 million people

⁷ "Cubans Queue for Computers as PC Ban Lifted, But Web Still Outlawed," *Irish Examiner*, May 5, 2008.

⁸ "Mobile Phone Use Booms in Cuba Following Easing of Restrictions," *Agence France-Presse*, April 24, 2008.

⁹ National Statistics Office, Republic of Cuba, *Tecnologías de la Información y las Comunicaciones en Cifras: Cuba 2009* [Information and Communication Technologies in Figures: Cuba 2009]

¹⁰ There were 327,000 subscriptions in 2007. International Telecommunications Union (ITU), "ICT Statistics 2009—Mobile Cellular Subscriptions," http://www.itu.int/ITU-D/icteye/Reporting/ShowReportFrame.aspx?ReportName=/WTI/CellularSubscribersPublic&ReportFormat=HTML4.0&RP_intYear=2009&RP_intLanguageID=1&RP_bitLiveData=False.

¹¹ "ETESCA mobile phone users cross million mark," *cubastandard.com*, July 14, 2010

<http://www.cubastandard.com/2010/07/14/etecsa-mobile-phone-users-cross-million-mark>.

¹² The website of ETECSA, or Empresa de Telecomunicaciones de Cuba SA, can be found at <http://www.enet.cu>.

¹³ Amaury E. del Valle, "Rebajaran tarifas para llamadas de telefonía móvil en Cuba" [Prices for Mobile Telephone Calls Will Fall in Cuba], *Juventud Rebelde*, April 21, 2010, <http://www.juventudrebelde.cu/suplementos/informatica/2010-04-21/rebajaran-tarifas-para-llamadas-de-telefonía-movil-en-cuba/>.

used those services in Cuba in 2010.¹⁴ The island's mobile network already covers 70 percent of Cuban territory, and further expansions are planned.¹⁵ Most mobile phones do not include internet connections, but it is possible to send and receive international text messages and photographs with certain phones.

In November 2010, after a series of delays, the government announced that the fiber-optic cable being installed between Cuba, Venezuela, and Jamaica to improve the island's internet connection would become available in January 2011. When the cable becomes fully functional, it is expected to dramatically improve the internet speed on the island and make it easier to access multimedia content. However, it is unlikely that the cable will enable significant network expansion and bring the internet to a greater number of Cubans.¹⁶

The government divides access to web technology between the national intranet and the global internet. Most Cubans only have access to the former, which consists of a national e-mail system, a Cuban encyclopedia, a pool of educational materials and open-access journals, Cuban websites, and foreign websites that are supportive of the Cuban government.¹⁷ Cubans can legally access the internet only through government-approved institutions, such as the approximately 600 Joven Clubs de Computación (Youth Computer Clubs) and points of access run by ETECSA.¹⁸ Users are generally required to present identification to use computers at these sites. Many neighborhoods in the main cities of Havana and Santiago advertise "internet" access in ETECSA kiosks, but field research has found that the kiosks often lack computers, instead offering public phones for local and international calls with prepaid phone cards. The government also claims that all schools have computer laboratories, while in practice internet access is usually prohibited for students or limited to e-mail and supervised activities on the national intranet.

In June 2009, the government adopted a new law (Resolution No. 99/2009) allowing the Cuban Postal Service, which is controlled under the domain of the Ministry of Computers and Communications, to establish cybercafes at its premises and offer internet access to the public.¹⁹ However, home connections are not yet allowed for the vast majority of Cubans and only those favored by the government are able to access the internet from their own homes.

One segment of the population that enjoys approved access to the internet is the professional class of doctors, professors, and government officials. Facilities like hospitals, polyclinics, research institutions, and local doctors' offices are linked by an online network called Infomed. However, even these users are typically restricted to e-mail and sites related

¹⁴ Ibid.

¹⁵ Nick Miroff, "Getting Cell Phones Into Cuban Hands," *Global Post*, May 17, 2010, <http://www.globalpost.com/dispatch/cuba/100514/cell-phone>.

¹⁶ Ellery Biddle, "Cuba: Fiber Optic Cable May Not Bring Greater Internet Access," *Global Voices*, November 19, 2010, <http://globalvoicesonline.org/2010/11/19/cuba-fiber-optic-cable-may-not-bring-greater-internet-access/>.

¹⁷ ETECSA: Empresa de Telecomunicaciones de Cuba S.A., www.enet.cu, Accessed August 28, 2010.

¹⁸ See the club system's website at <http://www.cfg.jovenclub.cu/>.

¹⁹ Resolution No. 99/2009 was published in the Official Gazette on June 29, 2009)

to their occupations. Beginning in 2007, the government systematically blocked core internet portal sites such as Yahoo!, MSN, and Hotmail. This ban was extended to blog platforms and blog commentary technology during certain periods in 2008. As a result, Cubans cannot access blogs written by their fellow citizens. Moreover, Voice over Internet Protocol (VoIP) remains blocked in Cuba, with the exception of unauthorized points of connection in old Havana. Some social-networking platforms such as Facebook and Twitter are accessible in university cybercafes and other location, although with varying consistency.

There are only two ISPs, CENIAI Internet and ETECSA, and both are owned by the state. Cubacel, a subsidiary of ETECSA, is the only mobile-phone carrier. In 2000, the Ministry of Information Science and Communication was created to serve as the regulatory authority for the internet, and its Cuban Supervision and Control Agency oversees the development of internet-related technologies.²⁰

LIMITS ON CONTENT

Rather than engaging in the technically sophisticated blocking and filtering used by other repressive regimes in countries like China and Tunisia, Cuban authorities rely heavily on lack of technology and prohibitive costs to limit users' access to information. The websites of foreign news outlets—including the British Broadcasting Corporation (BBC), *Le Monde*, and *El Nuevo Herald* (a Miami-based Spanish-language daily)—and human rights groups like Amnesty International, Human Rights Watch, and Freedom House remain largely accessible, though slow connection speeds impede access to the content on these sites.²¹ Some sites and writings that are considered anti-Cuban or counterrevolutionary are restricted. These include many of the Cuban dissident sites based in the United States and abroad, and any documents containing criticism of the current system or mentioning dissidents, supply shortages, or other politically sensitive issues.²² Blogs and other sites with content written by Cubans residing in Cuba—such as the blogging platform Voces Cubanas and the *Bitácora Cubana* blog—are also inaccessible. Sites such as Cubanet.org, Payolibre.com, Cubaencuentro.com, and the Association for Freedom of the Press also cannot be accessed at youth computer centers.²³ Even Revolico.com, a platform for classified advertisements that has no direct association with politics, has been censored.²⁴

²⁰ The ministry's website can be found at <http://www.mic.gov.cu/>.

²¹ Reporters Without Borders, "Free Expression Must Go With Better Communications, Says Reporters Without Borders as Blogs Prove Hard to Access," news release, March 31, 2008, http://en.rsf.org/cuba-free-expression-must-go-with-31-03-2008_26396.html.

²² OpenNet Initiative, "Country Profiles: Cuba," May 9, 2007, <http://opennet.net/research/profiles/cuba>.

²³ *Bitácora Cubana* can be found at <http://cubabit.blogspot.com/>; the Association for Freedom of the Press (Asociación pro Libertad de Prensa) can be found at <http://prolibertadprensa.blogspot.com/>.

²⁴ Marc Lacy, "A Black Market Finds a Home in the Web's Back Alleys," *New York Times*, January 3, 2010, <http://www.nytimes.com/2010/01/04/world/americas/04havana.html>.

It is a crime to contribute to international media that are not supportive of the government, a fact that has led to widespread self-censorship. Cuban blogs typically feature implicit or explicit elements of self-censorship and anonymity. Many of those working closely with ICTs are journalists who have been barred from official employment, and the prohibitive costs surrounding the technology represent a major obstacle for them. The majority of their work is done offline by hand, typewriter, or computer, then uploaded and published once or twice a week using a paid internet-access card. For those contributing to international outlets, content can be dictated via costly international phone calls.

Despite all of these barriers, Cubans still connect to the internet through both authorized and non-authorized points of access. Some are able to break through the infrastructural blockages by building their own antennas, using illegal dial-up connections, and developing blogs on foreign platforms. The underground economy of internet access also includes account sharing, in which authorized users sell access to those without an official account for one or two convertible pesos per hour. Some foreign embassies allow Cubans to use their facilities, but a number of people who have visited embassies for this purpose have reported police harassment. Some cases of Cuban activists using mobile phones or text messaging to organize events or disseminate political information have been reported. There is a thriving improvisational system of “sneakernets,” in which USB keys and data discs are used to distribute material (articles, prohibited photos, satirical cartoons, video clips) that has been downloaded from the internet or stolen from government offices.

There is no exact count of blogs produced in Cuba, but the Cuban Journalists’ Union (UPEC) has reported a current total of 174. Examples include Yoani Sánchez’s famous blog *Generación Y*, which draws 26 percent of its readers from within Cuba, as well as sites like *Retazos*, *Nueva Prensa*, and *Convivencia*. Regional radio stations and magazines are also creating online versions, though these are state-run and do not accept contributions from independent journalists. However, in a recent development, some of these sites have installed commentary tools that allow readers to provide feedback and foster discussion, albeit censored.

Yoani Sánchez has become the most visible figure in a blogging movement that uses new media to report on daily life and conditions in Cuba that violate basic freedoms. She and other online writers—including Claudia Cadelo, Miriam Celaya, Orlando Luis Pardo, Reinaldo Escobar, Laritza Diversent, and Luis Felipe Rojas—have come together on the *Voces Cubanas* blogging platform to portray a reality that the official media ignore, earning broad support throughout society that resulted in the government shutting down the platform. They have even made it “trendy” to exercise the right to free expression. Young people are increasingly using the Twitter microblogging service and mobile phones to document repression, as well as to spread leaks of prohibited information. These have included reports from a closed-door meeting at the Communist Party’s Central Committee headquarters, news on freezing and starvation deaths in a psychiatric hospital, and explicit

videos of student protests and police beatings.²⁵

Unable to completely suppress dissident activity on the internet through legal and infrastructural constraints, the authorities have taken a number of countermeasures within the medium itself. Government entities maintain a major presence on the social networks, and they have relied on trusted students at the University of Computer Sciences to help fight the “internet campaigns against Cuba.” The authorities have also created official blogs designed to slander and criticize the independent bloggers.²⁶

VIOLATIONS OF USER RIGHTS

The legal structure in Cuba is not favorable to internet freedom. The constitution explicitly subordinates freedom of speech to the objectives of socialist society,²⁷ and freedom of cultural expression is guaranteed only if the expression is not contrary to the Revolution.²⁸ The penal code and Law 88 set penalties ranging from a few months to 20 years in prison for any activities that are considered a “potential risk,” “disturbing the peace,” a “precriminal danger to society,” “counterrevolutionary,” or “against the national independence or economy.”²⁹

In 1996, the government passed Decree-Law 209, which states that the internet cannot be used “in violation of Cuban society’s moral principles or the country’s laws,” and that e-mail messages must not “jeopardize national security.”³⁰ In 2007, Resolution 127 on network security banned the spreading via public data-transmission networks of information that is against the social interest, norms of good behavior, the integrity of people, or national security. The decree requires access providers to install controls that will enable them to detect and prevent the proscribed activities, and to report them to the relevant authorities.

Resolution 56/1999 provides that all materials intended for publication or dissemination on the internet must first be approved by the National Registry of Serial Publications. Moreover, Resolution 92/2003 prohibits e-mail and other ICT service providers from granting access to individuals who are not approved by the government, and requires that they enable only domestic chat services, not international ones. Entities that violate these regulations can have their authorization to provide access suspended or

²⁵ For example, see the videos of a August 2008 police beating and October 2009 student protest posted on YouTube: <http://www.youtube.com/watch?v=L0mztlF8wxE>, http://www.youtube.com/watch?v=WLEX6_VAzMo&feature=fvw. Also, pictures of malnourished patient bodies from a local hospital on the Penúltimos Días blog <http://www.penultimosdias.com/2010/03/02/los-muertos-de-mazorra/>.

²⁶ A few examples include Cambios en Cuba, <http://cambiosencuba.blogspot.com/>; Yohandry’s weblog, <http://yohandry.wordpress.com/>; and the official bloggers platform CubaSí, <http://www.cubasi.cu>.

²⁷ Article 53, available at http://www.cubanel.org/ref/dis/const_92_e.htm, accessed July 23, 2010.

²⁸ Article 39, d), available at http://www.cubanel.org/ref/dis/const_92_e.htm, accessed July 23, 2010.

²⁹ Committee to Protect Journalists, “International Guarantees and Cuban Law,” special report, March 1, 2008, <http://cpj.org/reports/2008/03/laws.php>.

³⁰ Cuba – Telecoms Market Overview & Statistics 2008.

revoked.

Resolution 179/2008 requires all ISPs to censor materials viewed in conflict with state security or contrary to social interests, ethics, and morals. Specifically, it authorizes ETECSA to “take the necessary steps to prevent access to sites whose contents are contrary to social interests, ethics and morals, as well as the use of applications that affect the integrity or security of the State.” The resolution, which also spells out the requirements and procedures to become an ISP, requires ISPs to register and retain the addresses of all traffic for at least a year.³¹

Cuban customs regulations specifically prohibit the entry of any phones that use the Global Position System (GPS) or satellite connections.³² Despite constitutional provisions that protect various forms of communication, and portions of the penal code that set penalties for the violation of the secrecy of communications, the privacy of users is frequently violated in practice. Tools of content surveillance and control are pervasive, from public access points and universities to government offices. The government routes most connections through proxy servers and is able to obtain all user names and passwords through special monitoring software Avila Link, which is installed at most ETECSA and public access points. In addition, delivery of e-mail messages is consistently delayed, and it is not unusual for a message to arrive without its attachments.

The government continues to repress independent journalism and blogging with fines, searches, the confiscation of money and equipment. There have been a few cases in which online journalists were imprisoned for their work, most notably two correspondents for Cubanet.org. One of them was sentenced to four years in prison in April 2007 for “precriminal social danger,” and the other was sentenced to seven years in November 2005 for “subversive propaganda.” More recent is the case of Dania Virgen Garcia, a blogger and journalist, who was arrested in April 2010 and sentenced to 20 months in prison on arbitrary charges; the authorities released her a few weeks following the arrest.

Prominent bloggers and activists face a variety of other forms of harassment and intimidation. In May 2008, during a public trial of dissident economist Martha Beatriz Roque, state television and *Granma* showed evidence of government hacking of dissidents’ Yahoo! accounts.³³ Bloggers have been summoned for questioning, reprimanded, and had their domestic and international travel rights restricted.³⁴ Luis Felipe Rojas, a blogger who

³¹“Internet En Cuba : Reglamento Para Los Proveedores De Servicios De Acceso A Internet” (Internet in Cuba: Regulations for Internet Service Providers), <http://cubanosusa.com/opinion/editorial/42454-internet-en-cuba-reglamento-proveedores-acceso-internet.html>, accessed on August 28, 2010.

³² See the website of Aduana General de la Republica de Cuba (Cuban Customs): <http://www.aduana.co.cu/turista.htm>.

³³ Deisy Francis Mexidor, “Presentan evidencias irrefutables sobre actividad subversiva de Estados Unidos contra Cuba” [Irrefutable Evidence Is Presented of Subversive Activity Against Cuba], *Granma*, May 19, 2008, <http://www.granma.cubaweb.cu/2008/05/19/nacional/artic20.html>.

³⁴ Steven L. Taylor, “Cuba vs. the Bloggers,” *PoliBlog*, December 6, 2008, <http://www.poliblogger.com/index.php?s=cuba+bloggers>; Eduardo Avila, “Cuba: Government Officials Tell Bloggers to Cancel Planned Meeting,” Global Voices Advocacy, December 6, 2008, <http://advocacy.globalvoicesonline.org/2008/12/06/cuba-government-officials-tell-bloggers-to-cancel-planned-meeting/>;

documents human rights abuses, was taken for questioning and detained on numerous occasions, most recently in August 2010.³⁵ Moreover, in recent years, the Cuban government refused on multiple occasions to issue Yoani Sánchez a travel visa that would have allowed her to receive various prizes or honors overseas.³⁶ Similarly, in May 2010, the government denied another blogger, Claudia Cadelo, a permission to leave Cuba to attend an international gathering of bloggers in Germany.³⁷

Marc Cooper, "Cuba's Blogger Crackdown," *Mother Jones*, December 8, 2008,

<http://www.motherjones.com/politics/2008/12/cubas-blogger-crackdown>.

³⁵ For more information, see Rojas' blog Crossing the Barbed Wire, <http://cruzarlasalambradaseng.wordpress.com/>.

³⁶ "Cuba Refuses to Give Blogger Visa to Collect Prize," Agence France-Presse, May 6, 2008. On Yoani Sanchez being denied visa to Brazil on July 2010 see

<http://www.google.com/hostednews/epa/article/ALeqM5jSr2Tul94zsTbnak2Il-C-p44gcA>.

On Yoani Sánchez denied visa to travel to receive a special recognition from the Maria Moors Cabot Prize committee in New York on October 2009 see, <http://www.americasquarterly.org/yoani-sanchez-cabot-award>.

³⁷ Claudia Cadelo, "Confessions Regarding Utopian Journey," translated by Octavo Cerco, May 12, 2010, <http://octavocercoen.blogspot.com/2010/05/confessions-regarding-utopian-journey.html>