

**THE PATH TO FREEDOM: COUNTER-
ING REPRESSION AND STRENGTH-
ENING CIVIL SOCIETY IN CUBA**

HEARING

BEFORE THE

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE
CORPS, AND GLOBAL NARCOTICS AFFAIRS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

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PRESSION AND STRENGTHENING CIVIL SO-
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THURSDAY, JUNE 7, 2012

U.S. SENATE,
SUBCOMMITTEE ON WESTERN HEMISPHERE,
PEACE CORPS, AND GLOBAL NARCOTICS AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 11 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the subcommittee) presiding.

Present: Senators Menendez and Rubio.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

Senator MENENDEZ. Good morning. The hearing on the Western Hemisphere Affairs Subcommittee will come to order.

First of all, our apologies to the Secretary and to the other witnesses. We had a vote on the floor and so we just came from that.

Welcome to our hearing on “The Path to Freedom: Countering Repression and Supporting Civil Society in Cuba.” A title that is more than a mere designation of why we are here, but a statement of what we must do for the people of Cuba and how we can get there.

I want to thank our panelists for coming today. I look forward to hearing their analysis and ideas on how we move down the path to freedom.

I want to acknowledge the wife of Alan Gross, Judy Gross, who is with us here today. And we are in solidarity with her and her husband and believe that he should never have been incarcerated and that he should, in fact, be free to come home to his family.

In addition to the Assistant Secretary for the Western Hemisphere Affairs, Roberta Jacobson, and former political prisoner, Normando Hernandez, we will have the unusual privilege of being joined by three individuals who have time and again risked their personal freedom to advocate for basic civil and human rights for their fellow Cubans.

This morning, they will again, simply because of their willingness to express their opinions at this hearing, put their personal freedom at risk by telling the truth about conditions in Cuba and providing testimony before this committee via digital videoconference and telephone. Their participation is so sensitive that we were

unable to include their names on the original hearing notice and only have this morning, following confirmation of their arrival at the U.S. Interests Section in Havana, issued a new hearing notice.

We are deeply grateful for their courage and their commitment to coming forward to speak about the realities of life within Cuba and for their advocacy for the freedom of the Cuban people. They are Jose Daniel Ferrer, who will speak to us by phone, and Jorge Luis Garcia Perez "Antunez" and Sara Marta Fonseca.

I must take this opportunity to thank the committee and the State Department for their assistance in facilitating the technical aspects of this hearing in D.C. and in Havana and for providing interpretation services as well.

Let me begin by providing some context for today's hearing. I am at once both encouraged and discouraged by conditions inside of Cuba. I am encouraged by the tremendous growth of civil society and the thousands of brave Cubans who every day stand their ground despite harassment, the loss of jobs, rations, and in many cases, their ultimate freedom as retribution for their actions and by those who speak their minds despite recurrent physical abuse, arbitrary arrests and detentions.

At the same time, the arrests and detentions this year alone are now more than 2,400, and that includes 1,158 documented arrests just in the month of March, a level not seen in Cuba since the 1960s. The tremendous increase in repressive actions against the Cuban people, recognized this week by the U.N. Committee Against Torture, reveals the growing level of discontent in Cuba and the inability of the regime to control this growing movement.

The growth of civil society in Cuba is, in fact, extraordinary, particularly if you consider the constraints faced by activists living on an island in which they are subject to constant observation, continuous harassment, and frequent detentions by Cuban security forces, while having limited means of communicating amongst themselves because the island has virtually no free Internet capacity, and the internal Intranet is obviously heavily monitored and completely controlled by the regime.

It is even more impressive if you consider that the roots of today's movement began to form inside Cuban prisons only in the late 1980s and early 1990s as the Soviet Union collapsed and the regime was weakened by the lack of Soviet subsidization. The Cuban Committee for Human Rights fomented the first seeds of civil discontent, basing its platform on the Universal Declaration of Human Rights.

From there, the movement grew into 135 groups that made up the umbrella group, the Concilio Cubano, which declared its "determination to struggle for an absolutely peaceful and nonviolent transition to a democratic state of law, rejecting all hatred, violence, or revenge, and equally embracing all Cubans everywhere."

The Concilio's plans to hold a meeting on 24 February 1996 were blocked by the regime, which arrested many of the leading activists, but it was in this moment that the regime won the battle, but lost the war. The Concilio's brave actions became legendary on and off the island, and their actions inspired others to stand up and face the regime.

Across the island, a diverse collection of liberation groups and freedom fighters sprang to life. They included women's groups, human rights groups, associations of independent lawyers and journalists, artists, and librarians.

Again and again, this pattern was repeated when the regime sought to crush the supporters of the Varela Project, a petition calling for a vote in favor of freedom of association and expression, freedom of the press, free elections, the right to operate private business, and an amnesty for political prisoners and other activists on March 18, 2003, an event known as the "Black Spring."

Cuba arrested and imprisoned 75 activists at that time, including Normando Hernandez, who is with us today, and Jose Daniel Ferrer Garcia, who will be calling on the phone in a short while. Normando was exiled to Spain after serving 7 harsh years as a political prisoner in Cuba. Jose Daniel served 8 years before being provided conditional release in March 2011.

Those 75 arrests again emboldened the opposition movement, leading to the creation of the Damas de Blanco, which has become a national symbol for a unified demand for freedom from repression and tyranny. If the past is truly prologue, this current wave of repression will only serve to further embolden the movement, bring others into the cause, and eventually lead to the freedom of the Cuban people.

The purpose of today's hearing is to call attention to the wave of repression taking place inside of Cuba, and at the same time, celebrate the courage of thousands of activists living on the island, the thousands of Cubans who every day stand against the regime, who every day put their personal freedom at risk for the freedom of their countrymen and their nation.

Let me close with a few facts that we have distributed to the audience. According to the 2011 State Department human rights report, "The principal human rights abuses in Cuba were abridgment of the right of citizens to change their government; government threats, intimidation, mobs, harassment, and detentions to prevent citizens from assembling peacefully; a significant increase in the number of short-term detentions, which in December rose to the highest monthly number in 30 years. Most human rights abuses were official acts committed at the direction of the government, and consequently, the perpetrators enjoyed impunity for their actions."

According to Freedom House, Cuba is ranked 190 out of 197 countries in terms of press freedom, right between Syria and Iran. During just the month of March 2012, there were 1,158 documented political arrests by the Castro regime in Cuba. According to the Cuban Commission for Human Rights, this represents "the highest monthly number of documented arrests in five decades."

Cuba has also seen its share of martyrs on this journey in the deaths of Orlando Zapata Tamayo and Wilman Villar after lengthy prison hunger strikes and that of Juan Wilfredo Soto after a beating by security officials.

Amongst the most recent detainees are Rogelio Tavio Lopez, who was arrested March 2 on charges of public disorder and actions against the norm in the development of a minor.

Niurka Luque Alvarez and Sonia Garro Alfonso of Damas de Blanco, who were arrested in mid-March during a wave of arrests leading up to the visit of Pope Benedict XVI to Cuba.

Jorge Vazquez Chaviano, who was arrested on March 27 as he stepped out of his home in Sagua la Grande, Villa Clara, in hopes of traveling to Havana to attend Pope Benedict's mass.

Bismarck Mustelier Galan, an activist with the Patriotic Union of Cuba, who was arrested April 1. Prosecutors are seeking a 2-year prison sentence against him.

Danny Lopez de Moya, who was sentenced in April to 18 months in prison after he was arrested in February for wearing a shirt denouncing the Castro regime for the deaths of political prisoners Pedro Luis Boitel, Orlando Zapata, and Wilman Villar Mendoza.

And 10 political prisoners are currently on hunger strike in the Guantanamo prison, demanding Cuba follow international standards for prisons. They are Leoncio Rodriguez Ponce, Andy Frometa Cuenca, Jesus Manuel Pena Ramirez, Alfredo Noa Estopinan, Miguel Matos Gainza, Leonardo Cantillo Galvan, Heriberto Tellez Reinoso, Juan Humberto Becerra Alfonso, Rolando Tudela Iribar, Yoandri Lafargue Rober.

Their courage, their sacrifice, is what we can never forget in our dealings with a dictatorial, repressive regime that has ruled Cuba with an iron hand since the middle of the last century. Still today, 23 years after the fall of the Berlin Wall, Cubans remain trapped in a closed society, cut off from the advancements of the world, repressed, threatened, fearful of saying or doing something that will land them in prison, often for years.

So we urge every American to remember all the victims of Fidel Castro and his brother Raul, just as we remember all those around the world who have suffered and died under the iron fist of other repressive dictatorships—in Cambodia under the Khmer Rouge; in Iran under the Ayatollah; in Iraq under Saddam Hussein; in Bosnia under Milosevic; and in the brutal genocide in Darfur.

As I have said many times before, the Cuban people are no less deserving of America's support than the millions who were imprisoned and forgotten in Soviet gulags, lost to their families and left to die for nothing more than a single expression of dissent.

I am compelled to ask again today, as I have before, why is there such an obvious double standard when it comes to Cuba? Why are the gulags of Cuba so different from the gulags of the old Soviet Union? Why are we willing to tighten sanctions against Iran, but loosen them when it comes to an equally repressive regime inside of Cuba?

When it comes to Cuba, why are we so willing to throw up our hands and say it is time to forget? It is not time to forget. We can never forget those who have suffered and died at the hands of dictators. Not in Iran. Not in Cuba. Not anywhere.

It is clear the repression in Cuba continues unabated, notwithstanding all of the calls to ease travel restrictions and sanctions; notwithstanding millions of visitors from across the globe; notwithstanding greater resources that the regime now has in terms of currency; notwithstanding calls to step back and, in effect, let bygones be bygones. That has not stopped the repression.

The repression, the imprisonment, the beatings, the torture still continues. In good conscience, I, for one, cannot and will not step back from that. As long as we have a voice in the United States Senate, that voice will be for the freedom of the Cuban people.

With that, let me recognize the distinguished ranking member of the committee, Senator Rubio.

**OPENING STATEMENT OF HON. MARCO RUBIO,
U.S. SENATOR FROM FLORIDA**

Senator RUBIO. Thank you, Mr. Chairman.

And first of all, Secretary Jacobson, thanks for being here. Thanks for your service to our country.

And thank you, Mr. Chairman, for holding these hearings. I, in the interest of time, will limit my remarks. And second, I doubt I could do it more eloquently than you have already done, and I echo every word you said. I just wanted to add a few things.

First, I think this hearing is also important because it allows us to illustrate what is happening just 90 miles from our shores. I think for many Americans and for many, as we look around the world, we somehow have come to think that totalitarianism, dictatorship, the abuses, human rights abuses are something that happen somewhere else.

They happen in our very own hemisphere, literally within 90 miles from the shores of this country. They happen in Cuba, and they have been happening now for a very long time. What exists in Cuba is not some cold war relic of interest. It is, in fact, three things.

First of all, it is an extremely repressive regime, as repressive perhaps as any other regime in the entire world. A manipulative regime, one that deliberately divides families against each other, that deliberately manipulates people who travel to the island of Cuba, that deliberately manipulates United States policy toward Cuba to their advantage.

It is a one-way street. Even our best intentions are manipulated. Families are deliberately divided by the Cuban Government, where they know that they can allow half the family to come here so they can send remittances back to the island to their relatives in a cynical effort to divide not just the Cuban people, but the Cuban families.

And the one thing we can't forget that despite their repressiveness and their manipulateness and the evil that exists in that regime, it also happens to be an economically incompetent one. They are very good at repressing people. They are very good at keeping people jailed on the island. What they are not good at is running a country.

They are literally incompetent leaders. They have no idea how to run an economy, how to create the conditions for job creation. And that, and that alone, is the reason why the Cuban people suffer economically, because their leaders literally do not know what they are doing.

Now, the other thing I would say is that our goal here, as the United States and as people who care deeply about human rights all over the world, is that the people of Cuba have freedom, the freedom to choose any economic model they want, but the freedom

to choose their leader so they can have any economic model they want.

What direction Cuba goes economically, that belongs to the Cuban people. That is not for us to say. What is for us to stand for is democracy and the right of the Cuban people to determine their own future. That is what we stand for.

In the United States, with some very rare exception, there is no debate on that topic. What there is debate about is the tactics about which we accomplish this.

Now I think I have been on record in the past as questioning the tactics of this administration, not because I question their motives or their intentions, because I, quite frankly, think the tactics that this administration has pursued are naive. The notion that somehow by flooding Cuba with tourists and people-to-people contacts we are going to somehow change the Cuban Government is naive.

The Cuban Government manipulates our policy toward Cuba to their advantage. I repeat it is a one-way street. So I don't think the United States or this administration is doing it out of bad intentions, but I don't think they fully grasp what we are dealing with here.

And what I have found is that even among some of my colleagues in the Senate who fly to Cuba or travel to Cuba with the notion that they are going to set things straight, they are going to be the ones that get things going. They are going to talk some sense into these folks. And many of them return scratching their heads and shaking their heads because they have come face-to-face with how truly manipulative and good at manipulating people and circumstances this repressive regime has become.

I hope one of the things we will be able to talk about today and over the next few months are some new tactics. One of the things I would love to see, and I have talked to the chairman about it, is somehow figuring out a way to give the people of Cuba access to the Internet, free and clear of interference from the government.

Because I believe with all my heart that if the people of Cuba had access to the Internet and could communicate with one another—literally, they could follow each other on Twitter and Facebook and get news from the outside world, free to choose any news they want to access—I do not believe the Castro regime could survive that for very long. And so, I hope we will explore options to doing that.

I close my statement with a message to the people who work for the government in Cuba, and particularly those involved in the repression because I know they like to watch these hearings. They may even have some people here in the audience today. So let me give you a message to take back.

If you are involved in beating people, if you are involved in jailing people in Cuba, if the government is using you, whether it is here in the United States as part of the Interests Section or in Cuba, in abusing human rights, your name is being recorded, and you are part of a government that is not sustainable. The government you work for cannot survive.

Fidel Castro is halfway gone, and his brother will be gone, too. And when they are gone, the system of government in place in

Cuba cannot survive. But your name is going to be recorded, and you will be brought before justice.

If you are a police officer, if you are a military official in Cuba involved in human rights abuses, your name is being written down, and you will have to answer for those crimes before a Cuban court or an international one. You need to think about that before you cooperate with some of the things that are happening to some of the folks that we are hearing about today.

Because you are part of a system that cannot survive and that long after those leaders are gone, you are going to be left behind picking up the pieces of what you are doing right now. And so, I hope that message gets there. I will be more than happy to deliver it in Spanish as well after the hearing.

Thank you, Mr. Chairman.

Senator MENENDEZ. Thank you, Senator Rubio, very much.

Let me recognize Assistant Secretary Roberta Jacobson, who served as the Principal Deputy Assistant Secretary for the Western Hemisphere Affairs before this present assignment, Senior Coordinator for Citizen Security Initiative of the Western Hemisphere. She has also served as the Deputy Assistant Secretary for Canada, Mexico on NAFTA Issues in the Bureau, and was Deputy Chief of Mission at the U.S. Embassy in Lima, Peru, from 2000 to 2002.

She has a long and distinguished record in the Western Hemisphere, and we are pleased to have her here with us today.

So I would ask you to summarize your testimony in about 5 minutes. Your full statement will be entered into the record, and we are pleased to have you and acknowledge you now.

STATEMENT OF HON. ROBERTA JACOBSON, ASSISTANT SECRETARY OF STATE FOR WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Ms. JACOBSON. Thank you, Mr. Chairman.

Chairman Menendez, Ranking Member Rubio, I am delighted for the opportunity to be here today, and I appreciate this subcommittee's engagement in the Western Hemisphere and your commitment to shared democratic values, human rights, and expanding economic and social opportunity in the Americas.

In most countries in the Western Hemisphere, we see governments working to provide greater political and economic opportunity for citizens, but there remain exceptions. That is why supporting human rights, democratic governance, and greater prosperity remains a fundamental U.S. objective throughout the hemisphere, but especially in Cuba.

In Cuba, the Obama administration's priority is to empower Cubans to freely determine their own future. The most effective tool we have for doing that is building connections between the Cuban and American people in order to give Cubans the support and tools they need to move forward independent of their government.

U.S. citizens engaging in well-defined, purposeful travel are the best ambassadors for our democratic ideals. The hundreds of thousands of Cuban Americans who have sent remittances and traveled to the island since we eased the way for them early in the adminis-

tration are a central part of a strategy to ensure that Cubans have these opportunities.

Our policy also recognizes the importance of engaging with pro-democracy and human rights activists, some of whom you will speak to today, who have been working for years to expand the political and civil rights of all Cubans. Our programs provide humanitarian assistance to political prisoners and their families, support the documentation of human rights abuses, and promote the free flow of information to, from, and within the island.

Last year, Secretary Clinton recognized Cuban blogger, Yoani Sanchez, with the 2011 International Women of Courage Award, and the Damas de Blanco won the State Department's 2011 Human Rights Defenders Award.

In 2010 and 2011, the Cuban Government, with support from the Spanish Government and Catholic Church, released dozens of political prisoners, most on condition of exile in Spain. We welcomed the release of these political prisoners, including the last of the 75 peaceful activists who were unjustly arrested during the Black Spring of 2003.

Unfortunately, the release did not effect a fundamental change in the Cuban Government's poor record on human rights. The government has continued to punish political dissent, increasingly using repeated short-term arbitrary detentions to prevent citizens from assembling peacefully and freely expressing their opinions and it continues to limit fundamental freedoms.

It has continued to threaten and harass peaceful human rights defenders, including the Damas de Blanco, and that is why we will continue to support an independent civil society and the right of the Cuban people to freely determine their own future through both governmental policy and the facilitation of nongovernmental engagement.

Despite the Cuban Government's intolerance of political dissent, faith-based organizations have gained more latitude to conduct religious outreach and provide vital social services to marginalized Cubans. And, the administration has taken steps to support religious groups in Cuba by authorizing U.S. religious organizations to sponsor religious travel and allowing unlimited remittances to support religious activities in Cuba.

Against this backdrop, we also highlight the case of Alan Gross, who has been unjustly imprisoned in Cuba since December 2009, and I, too, would like to greet Judy Gross at this hearing. We will continue to seek the immediate release of this dedicated development worker and loving father, husband, and son.

Enhancing access to communication technology will facilitate Cuba's process of political change. Our Interests Section in Havana provides free Internet access to human rights activists and other Cubans, teaches basic information technology skills, and provides training to independent journalists.

To Cuba and other governments across the hemisphere, our message must be clear. Nonviolent dissent is not criminal behavior. Opposition to the government is not criminal behavior. Exercise of free speech is not criminal behavior. To the contrary, free speech is a right that must be defended.

I know that this subcommittee is committed to ensuring full respect for freedom of expression in the Americas, and in some countries in the region, we have seen new tactics used by governments and other actors determined to silence those who challenge them, including threats and violence against journalists and government regulations aimed at silencing critics. Wherever it occurs in our hemisphere, we need to confront these new measures to limit freedom of expression.

In closing, let me emphasize that we will be the first to cheer when a democratically chosen government in Cuba resumes its full participation in the inter-American system. This hemisphere has been a trailblazer in enshrining democratic principles in its national and regional institutions to the shared benefit of the peoples of the Americas. These principles remain critically relevant in the hemisphere, to its challenges and its future, as we underscored most recently in the OAS General Assembly in Bolivia.

I look forward to continuing to work with you to promote greater freedom and prosperity in Cuba and throughout the hemisphere.

Thank you very much, Mr. Chairman.

[The prepared statement of Ms. Jacobson follows:]

PREPARED STATEMENT OF ASSISTANT SECRETARY ROBERTA S. JACOBSON

Chairman Menendez, Ranking Member Rubio, members of the committee, thank you for the opportunity to be here today. I appreciate this subcommittee's engagement in the Western Hemisphere and applaud its commitment to shared democratic values, human rights, and expanding social and economic opportunity in the Americas.

In most countries in the Western Hemisphere, we see governments working to provide greater political and economic opportunities for citizens but there remain exceptions. That is why supporting human rights, democratic governance, and greater prosperity remains a fundamental U.S. objective throughout the hemisphere, especially in Cuba.

In Cuba, the Obama administration's priority is to empower Cubans to freely determine their own future. The most effective tool we have for doing that is building connections between the Cuban and American people, in order to give Cubans the support and tools they need to move forward independent of their government. U.S. citizens, engaging in well-defined, purposeful travel, are the best ambassadors for our democratic ideals. The hundreds of thousands of Cuban Americans who have sent remittances and traveled to the island since we eased the way for them early in this administration are a central part of a strategy to ensure that Cubans have the opportunities which they deserve. The administration's travel, remittance, and people-to-people policies are helping Cubans by providing alternative sources of information, taking advantage of emerging opportunities for self-employment and private property, and strengthening independent civil society.

Our policy also recognizes the importance of engaging with the pro-democracy and human rights activists who have been working for years to expand the political and civil rights of all Cubans. As Secretary Clinton has stated, societies move forward when groups of citizens work together peacefully to transform common interests into common actions that serve the common good. Our programs in Cuba provide humanitarian assistance to political prisoners and their families, support the documentation of human rights abuses, and promote the free flow of information to, from, and within the island. We consistently support and highlight the work of people promoting positive change in Cuba. Last year, Secretary Clinton recognized Cuban blogger, Yoani Sanchez, with the 2011 International Woman of Courage, and the Damas de Blanco (Ladies in White) won the State Department's 2011 Human Rights Defenders Award.

In 2010 and 2011, the Cuban Government, with support from the Spanish Government and Catholic Church, released dozens of political prisoners, most on the condition of exile in Spain. We welcomed the release of these political prisoners—including the last of the 75 peaceful activists who were unjustly arrested during the "Black Spring" of 2003 for exercising their universal rights and fundamental freedoms. We were especially pleased that twelve of these brave individuals, including

Jose Daniel Ferrer and Presidential Medal of Freedom winner Oscar Biscet, successfully campaigned to remain in Cuba. Unfortunately, their release did not effect a fundamental change in the Cuban Government's poor record on human rights. The Cuban Government has continued to punish political dissent, increasingly using repeated, short-term, arbitrary detentions to prevent citizens from assembling peacefully and freely expressing their opinions. It continues to limit fundamental freedoms, including freedoms of speech, freedom of the press, access to information, and peaceful assembly and association—issues on which this subcommittee has strongly spoken out, on, and for, which it has long advocated for in the region. And it has continued to threaten and harass peaceful human rights defenders, including the courageous “Ladies in White” (“Damas de Blanco”). That is why we will continue to support an independent Cuban civil society and the right of the Cuban people to freely determine their own future, through both governmental policy and the facilitation of nongovernmental engagement.

Despite the Cuban Government's intolerance of political dissent, faith-based organizations have gained more latitude to conduct religious outreach and provide vital social services to marginalized Cubans. We respect the efforts of various denominations to win greater space within Cuba and value their charitable work. The administration has taken steps to support religious groups in Cuba by authorizing U.S. religious organizations to sponsor religious travel, and allowing unlimited remittances to support religious activities in Cuba.

Against this backdrop, we also highlight the case of Alan Gross, who has been unjustly imprisoned in Cuba since December 2009. We will continue to seek the immediate release of this dedicated development worker and loving husband, father, and son.

Enhancing access to communication technology will facilitate Cuba's process of political change. Our U.S. Interests Section in Havana provides free Internet access to human rights activists and other Cubans, teaches basic information technology skills, and provides training to independent journalists. Although the Cuban Government severely restricts the ability of Cubans to access the Internet, cell phones were legalized in Cuba in 2008, and since then cell phone usage has more than doubled, enhancing the connectivity of Cuban civil society. Activists can now report human rights abuses by SMS and on Twitter.

To Cuba and other governments across the hemisphere, our message must be clear: nonviolent dissent is not criminal behavior. Opposition to the government is not criminal behavior. Exercise of free speech is not criminal behavior. To the contrary, free speech is a right that must be defended.

Let me expand on this last point briefly. Mr. Chairman, I know that you are committed to ensuring full respect for freedom of expression in the Americas. I would like to applaud the subcommittee's efforts to underline the importance of freedom of expression in our hemisphere. In some countries in the region, we have seen new tactics used by governments and other actors determined to silence those who challenge them. These include threats and violence against journalists, government regulations aimed at silencing critics, abusive requirements to carry obligatory government broadcasts, and disproportionate and unprecedented lawsuits against media owners. Wherever it occurs in our hemisphere, we need to confront these new measures to limit freedom of expression.

In closing, let me emphasize that our policy toward Cuba is focused on supporting Cubans' desire to freely and peacefully determine their future. We will be the first to cheer when a democratically chosen government in Cuba resumes its full participation in the Inter-American system. This hemisphere has been a trailblazer in enshrining democratic principles in its national and regional institutions, to the enormous shared benefit of the peoples of the Americas. Those principles remain critically relevant to the hemisphere, its challenges, and its future as we underscored most recently at the OAS General Assembly in Bolivia.

Again, I appreciate your commitment to human rights, democracy, economic growth, and security in the Western Hemisphere. I look forward to continuing to work with you to promote greater freedom and prosperity in Cuba.

Thank you and I look forward to answering any questions the committee may have.

Senator MENENDEZ. Thank you, Madam Secretary.

Let me start off by saying that I find it very difficult to understand some of the administration's views as it relates to strengthening civil society inside of Cuba, strengthening the information flow that Senator Rubio talked about, and the policies that we adopt. I am outraged with the Department's decision to authorize

visas for a stream of Cuban regime officials to visit the United States, starting with Josefina Vidal, Cuba's Director for North American Affairs, in April, whose husband was ultimately kicked out of the U.N. mission in New York.

Most recently, I am outraged by the approval of visas for the daughter of Cuban dictator Raul Castro, Mariela Castro Espin, and her friends to attend the Latin American Studies Association conference. I do not understand how, as the Castro regime holds an American hostage for over 2½ years and when we have, as described, the highest monthly number of documented arrests in five decades, we permit Mariela Castro to be parading around the United States on a publicity tour, largely declaring herself a disidente. I don't know what she is a disidente of.

I want to know under what authority were Ms. Castro and other Communist Party officials issued visas to enter the United States? Did the Department exercise its waiver authority under Executive Order 5377 to issue these visas? And how do you justify giving those visas when you have this incredible repression inside of Cuba and an American citizen languishing for 2½ years in Castro's jails for nothing more than helping the Jewish community in Havana to try to communicate with each other?

Ms. JACOBSON. Thank you, Mr. Chairman.

I want to start off by saying that certainly no one has been more outraged at Alan Gross' detention and continued detention, and we will continue to do everything that we can to see that he is home with his family, as he should be now with his mother and his family.

Senator MENENDEZ. But everything that we can do would include sending the regime a message that you can't keep an American in prison and then have all your people parade over here. To me, that is an oxymoron.

Ms. JACOBSON. Senator, under the regulations for visas, and which we look at every time that we have visa applications from any citizen, but certainly Cuban citizens, we look at the full range of national security, foreign policy, immigration laws and regulations, including reviewing, obviously, Proclamation 5377. In the cases of Mariela Castro and Eusebio Leal, those two cases did not fall under the exception requirement of Proclamation 5377, as that was effectively implemented since 1999 under Secretary Albright.

And so, those Cubans were allowed to come to the United States to speak openly because in our country, they are able to do so, despite my not agreeing at all with the statements of Mariela Castro, obviously. And to speak at the Latin American Studies Association and at other events.

In the case of Josefina Vidal, she had originally applied for that visa to do work with the Interests Section here in Washington. We obviously apply for visas to go to Havana to work with our own Interests Section. And we felt that it was appropriate to allow her to come into this country and work with the Interests Section here under that principle of reciprocity, recognizing that we want to be able to meet with and talk to the widest range of people in Cuba that we possibly can and recognizing that the Cuban Government does not always allow us that.

Senator MENENDEZ. Are you suggesting that Mariela Castro is not a Communist Party official?

Ms. JACOBSON. I am not suggesting that she may not be a member of the Communist Party. But as the proclamation was interpreted and effectively narrowed in 1999, she was not a senior party official.

Senator MENENDEZ. The United States denies visas to all types of people all across the world. It has broad jurisdiction in doing so. You exercised your discretion in giving a visa to these individuals who are part of a repressive system inside of Cuba, which has an American languishing in jail. You had the authority to say no.

You talk about reciprocity. Every time I have talked to the head of our Interests Section, both those now and in the past, that reciprocity is not ultimately observed inside of Cuba. They are restricted in their travel inside of Cuba. They are restricted in their actions inside of Cuba.

So what we are doing is giving a one-way street here and sending a totally wrong message. Those who fight for freedom inside of Cuba each and every day, they languish there. And yet those who oppress them, they get to come to the United States and carry out their propaganda.

I understand the beauty of our freedom, but there is also a public policy decision to say we do not condone this type of behavior. I guess we would allow Syria's dictatorship to come here and express their views. Last I saw, we expelled their diplomats from the United States.

The bottom line is we make choices all the time in terms of promoting the national interests and security of the United States, and certainly, the national interests of the United States have to be to see democracy fostered inside of Cuba and not to allow those who repress democracy to come to the United States to promote their propaganda.

Let me turn to another set of circumstances that I don't understand policywise, which is the whole "people to people" travel to Cuba. Since the administration eased restrictions on travels and remittances in April 2009, the Castro regime has doubled its hard currency reserves in foreign banks. The Bank for International Settlements reported banks in 43 countries held \$5.76 billion in Cuban deposits as of March 2011, which is the date that we have figures for, compared with \$4.2 billion at the close of 2009 and \$2.8 billion at the close of 2008.

So it is very clear, because nothing else has changed inside of the island in terms of revenue source, that we are essentially bank-rolling the regime and stashing its hard currency abroad. I look at that, and I say to myself, look at the travel.

In the time that we have permitted this travel we have seen salsa tours, visits to Hemingway's marina, cigar factory tours, performances of the Cuban National Ballet at the Gran Teatro, and my all-time favorite, part of Inside Cuba's "Undiscovered Cuba" trip, the opportunity in Santa Clara to visit the Che Memorial, where the Cuban revolutionary was laid to rest, where you meet with an historian to ultimately understand Che's legacy.

This is a tremendous way to help civil society inside Cuba promote democracy and human rights by dramatically increasing the

Castro regime's ability to have resources to oppress its people while we see the highest amount of repression, as has been said by those within Cuba, in five decades.

Tell me how that policy is working.

Ms. JACOBSON. Senator, there are other reasons—as difficult as it is to ascertain actual statistics on Cuban revenues, there are other things we believe have—

Senator MENENDEZ. You don't dispute those reserves, right? They are internationally reported.

Ms. JACOBSON. We have certainly seen those reports, obviously, of the increase in reserves. But there have also been increases until fairly recently in prices for nickel and recovery from the 2008 hurricanes in Cuba. Because of their policy of import substitution industrialization, an increasing number of countries and firms have required increased cash and reserves because of Cuba's bad credit risk, quite frankly.

So we believe there are many different reasons that their reserves may have increased. Certainly, we do not believe there is a sole reason for the increase.

Senator MENENDEZ. Do you dispute that the largest increase in reserves to the Castro regime is a combination of remittances and travel money that is going into Cuba?

Ms. JACOBSON. I simply don't know that that is the reason directly one to one for the increase in reserves.

Senator MENENDEZ. So nickel has increased so much that it has now created an increase of \$2 billion in reserves?

Ms. JACOBSON. Well, I know that there are multiple reasons that they may have increased their reserves, and I do know that there are obviously increased funds from remittances and travel. But we don't know that that is the whole reason.

Senator MENENDEZ. Talk to me about how the Che Memorial really helps create civil society inside of Cuba.

Ms. JACOBSON. Senator, there are abuses that are committed in the regulations that we promulgated for purpose of travel.

Senator MENENDEZ. But you have created regulations that permit abuses to take place rather widely.

Ms. JACOBSON. There are also some very positive things happening in the interactions between Americans, religious organizations, humanitarian groups, human rights outreach that are occurring under this program.

Senator MENENDEZ. And those successes ultimately can be justified in the context of record numbers of imprisonments?

Ms. JACOBSON. We think that the benefits over time of the increased contact to the Cuban people and their ability to change the situation in Cuba will outweigh the negatives. But certainly, as I have stated in my opening statement, we do not in any way condone or tolerate the increased detentions and harassment of Cubans inside the island.

Senator MENENDEZ. Well, it is hard to understand how you have this dramatic increase. The one fundamental thing that has changed is that there is an unlimited flow of remittances and, visits like these "tours" to the Che Memorial—all of these things where you don't interact with average Cubans, you don't engage average Cubans. You are self-reporting. So that is why the abuses

largely are allowed because you create a general license in which anyone can go, and therefore, you have no real reporting of travel itineraries and engagements.

So smoking a Cuban cigar made by those who are not free, having a Cuba libre on the beaches of Varadero, which is an oxymoron, is not the way in which we liberate the Cuban people. Giving the regime more money for its repressive apparatus, which obviously in the face of all of these benefits have only dramatically increased the number of arrests, not decreased it, has not created a more open opportunity for civil peaceful society to promote themselves and is not my idea of success.

And I don't know how many people have to be arrested, how many Americans have to languish in jail before we send a totally different message to the regime.

Senator Rubio.

Senator RUBIO. Yes, before we leave the visa topic, because you touched upon a point about how we deny visas all the time, I want to use an example, just to see why this doesn't make any sense to me.

Maybe a decade and a half ago, the United States, in cooperation with the Government of Honduras, conducted an operation to capture a gentleman responsible for the murder of an American agent. One of the people in that was a Honduran who now lives in the United States. And a decade and a half later, under a new government, new court system, he has been indicted for that operation that the United States—in Honduras, he was indicted in an operation conducted by the United States in conjunction with the Honduran Government.

Sadly, his grandchildren—his daughter and her husband were murdered in Honduras about 4 months ago, and he has three grandchildren who have applied for a tourist visa to enter the United States and visit their grandfather and were, quite frankly, treated very rudely yesterday at the consulate, and their three visas denied. But Raul Castro's daughter is parading through the streets of the United States of America.

And obviously, I hope that that denial will be reconsidered. It is not the topic of this hearing, and I know you didn't make that decision. But my point is that I don't get it.

I don't understand how three little children, three orphaned children who want to visit their grandfather in the United States are somehow deemed—or denied a tourist visa. But the same government that denied them the tourist visa gave one to Mariela Castro so she could come to the United States and justify the fact that they are holding an American hostage. To come to the United States and call dissidents “despicable parasites,” people who all they want basically is for their country to have freedom and self-determination. So I hope we can have a further conversation about that process.

I do want to touch on two other things quickly. Talked about the Internet, and I saw in your statement you talked about free Internet access at the Interests Section. That is a good thing. And I have talked to Senator Menendez about this a little bit. I am very interested in the possibility, and I would like to work with you and

the State Department in the possibility of providing Internet access through satellite into Cuba.

There are existing commercial satellites now that beam signals throughout the world. If you have a receiver, right now in Cuba, you could receive satellite signals from any number of satellites that are up there now. Obviously, you have to be able to pay for the subscription service.

If somehow we could figure out a way for the Government to do that, whether it is through our broadcasting efforts or otherwise, we could potentially provide a vehicle. But obviously, the people of Cuba would have to have access to the computer equipment that would allow them to access the Internet through the satellite.

But it is technologically feasible for the United States to be involved in sponsoring Internet access for 13 million people on the island of Cuba, which I think if the people on Cuba had an opportunity to have access—for example, if they could read Yoani Sanchez's Tweets, which is very difficult. We can see it in the outside world, but sometimes she can't even see her own Tweets.

Facebook. If somehow the dissidents in Cuba were able to quickly post on YouTube videos about the abuses that are happening there. And more importantly, if they were able to talk to one another and have access to the outside world in terms of information, I think that is one of the single greatest contributions that this country could make to the advancement of freedom and democracy on the island.

And I hope we can work with your office to put something like this together, which I really think would be a very cost-effective way to further the cause of freedom and liberty.

And the last thing I hope that State will consider is a mechanism by which we can begin to create, if it doesn't exist already—and maybe it does—a registry where dissidents and resistance and others on the island could register the names of human rights abusers so that the world can know their names, so that they can be held to justice if and when the day comes.

These are people that are part of the flash mobs on the street. These are people that wear uniforms but, in fact, are thugs. And they beat people and they torture people and they jail people, and they are fully cooperating with this government and its endeavors. I think their names need to be recorded. I think we need to know who they are.

Some of these folks, by the way, wind up here in the United States. A few years later, they change their minds. They decide, oh, we don't like what is going on in Cuba, and then they are walking in Miami around the street. So I would like to know their names as well.

But I know that dissidents keep track of who these individuals are, and there is going to be a free Cuba soon. There is going to be. And these folks need to be held accountable. And I hope we will consider sponsoring some sort of registry where we can publicize the names of these folks, of who they are and what they are conducting so that it is clear there for the record in the future when the time comes for them to be held up to justice.

Ms. JACOBSON. Thank you, Senator.

And I look forward to working with you on these issues, and in particular, as you know, we think it is absolutely critical that greater information, greater access to information be given to the Cuban people. That is why so much of our efforts are focused on that, whether in the Interests Section or in our assistance programs.

There are some reports that say there are well over double the number of cell phones in Cuba now than there were just a short number of years ago when they were first permitted. And I think this is a trend that we certainly want to engage with you on encouraging.

Senator MENENDEZ. Two last sets of questions. One is on that note. One of the reasons that the Castro regime arrested Alan Gross was to try to chill the very essence of what our democracy programs are inside of Cuba. And after Mr. Gross' arrest, a series of actions were taken, and grantees were basically told to refrain from activities that ultimately are just about creating an ability for Cubans to communicate with each other about what is happening inside of their country.

I hear you say that we support that, and I certainly am very interested in Senator Rubio's idea here. I would love to see us possibly fund such an initiative. Have you not chilled all of those grantees in terms of their engagement inside of Cuba, which is exactly what the regime wants?

Ms. JACOBSON. Senator, I don't think that we have. Clearly, the regime is trying to send us a message about the ability to get information around Cuba and connect Cubans to each other, and I think we have to continue to try and ensure that in the environment that our democracy programs operate in Cuba, we do them as safely for the participants and as effectively as we possibly can. That is the intention of our conversations and our review of all of our grant programs.

Senator MENENDEZ. Well, having spoken to many of the grantees, both past and present, it seems to me that we are sending a far different message, and, in essence, we have never permitted our worldwide democracy or surrogate broadcasting programs to be impinged upon by either jamming or policies of a regime to stop, in essence, the very essence of what we are trying to accomplish in our democracy programs.

And so, I would really look forward to having a sit-down about all of the programs and how they are not necessarily accomplishing what we want.

Finally, I heard you referred to Mr. Gross before, and I want to know what is the present status? I mean, obviously, he is in jail. The question is, Has the regime made any offers, any suggestions about his freedom to the State Department?

Ms. JACOBSON. Certainly they have not responded to any of our entreaties, demands, or requests that he be allowed to come home with his family with any acceptable response, which would be, yes, now. There has been no response from the Cuban Government in our conversations either with them or their public statements that they are willing to do that.

Certainly, most recently, we have focused on Mr. Gross' mother who is gravely ill and is 90 years old, Evelyn Gross, and the fact

that he should be released on humanitarian grounds to be able to see her. And we have pressed that very hard, and we have not gotten a satisfactory answer at all on that.

Senator MENENDEZ. Did you not permit one of the individuals who had been released after his custody to go back to Cuba and promote a humanitarian ability in that respect?

Ms. JACOBSON. Senator, in that particular case, the Justice Department objected to his return to Cuba on that visit. But the court allowed him to go back to Cuba. Frankly, the court having done so, we thought that was a perfect opportunity for the Cuban Government to take a humanitarian gesture and let Mr. Gross see his mother, and they did not.

Senator MENENDEZ. And they did not, which is par for the course. It is a one-way street.

Thank you very much for your testimony. There may be questions that come to you through the committee. We look forward to your answering them.

Let me call up, both here and in Cuba, our next set of witnesses. First, Mr. Normando Hernandez, who is here physically with us. He is an independent journalist who has dedicated his career to providing alternative sources of news and information in Cuba. He cofounded the Cuban Foundation for Human Rights, and established the Camaguey Association of Journalists, the first independent organization in the Camaguey province since 1959.

He was declared a prisoner of conscience by Amnesty International following Cuba's Black Spring. He was exiled to Spain in 2010 and has since resettled in the United States. Mr. Hernandez is currently a fellow at the National Endowment for Democracy, where he is examining the Cuban communications monopoly and considering strategies by which independent journalists may combat totalitarianism, and we welcome him to our committee.

Inside of Cuba, by telephone through the U.S. Interests Section, we welcome Mr. Jose Daniel Ferrer Garcia. He is a leader of the Patriotic Union of Cuba and organizer of the Varela Project, a campaign to put political and economic constitutional reforms to a vote through an initiative process.

During the Black Spring, he was arrested, tried, convicted, and sentenced to 25 years in prison for his role in the campaign. While in prison, Mr. Ferrer worked as an independent journalist to report the abuses he witnessed behind prison bars and the courage of other prisoners of conscience. In March 2011, after serving 8 years in prison, he was granted a conditional release, and we welcome him.

By video conference, we welcome Ms. Sara Marta Fonseca, a distinguished leader of the Partido Pro Derechos Humanos de Cuba. As captured in the now-famous photographs, Ms. Fonseca was publicly roughed up by government authorities during the Black Spring crackdown. Years later, after putting signs outside her house that read "long live human rights" and "we demand rights for all Cubans," Ms. Fonseca; her husband, Julio Ignacio Leon Perez; and her oldest son were violently beaten by a large mob that was acting under the direction of state security organs.

As a freedom fighter, Ms. Fonseca has been harassed, arrested, detained, and beaten by the Castro regime and its supporters, and

she is a hero for all who support human rights, and we welcome her.

And Jorge Luis Garcia Perez “Antunez” is a political activist who has fought over 20 years for human rights and democracy in Cuba. In 1990, “Antunez” was beaten and arrested by agents of state security police for shouting in public that Communism was “an error” and “utopia” and demanding that Cuba adopt reforms like those taking place in Eastern Europe.

After being charged for “oral enemy propaganda” and sentenced to 6 years in prison, “Antunez” started a hunger strike that lasted 21 days. After serving 17 years in prison, he was finally released in April 2007, and we welcome him as well.

So we are going to go, obviously, through a process under which our witnesses and our guests are going to be speaking in Spanish and we will have an interpreter translate into English. We are going to start off with Normando Hernandez.

I am going to have to ask you, as you go through your presentation, to pause at times to give the interpreter an opportunity to interpret so that the rest of the committee and the transcript that is being developed will have its English version. And while Senator Rubio and I may fully understand what you are saying, we need for the rest of the committee, the audience, and the members who have staff here to understand what you are saying as well.

So it will take a little bit of time, but we look forward to your testimony, and we thank you for your willingness to come forward.

So, with that, Mr. Hernandez, we are going to start with you. If you can summarize your testimony in around 5 minutes or so, we will be a little flexible here. We don't always get these opportunities.

And then all of your testimony will be included in the record. With that, Bienvenido y puedes empezar.

**STATEMENT OF NORMANDO HERNANDEZ GONZALEZ, FELLOW,
NATIONAL ENDOWMENT FOR DEMOCRACY, FORMER CUBAN
POLITICAL PRISONER, WASHINGTON, DC**

Mr. HERNANDEZ. Honorable Chairman Robert Menendez, Honorable Ranking Member Marco Rubio, and members of the subcommittee, good morning.

Thank you very much for inviting me to testify. My name is Normando Hernandez, and I am a journalist and an ex-political prisoner from Cuba, member of the group of 75.

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 in Cuba is to be against the totalitarian regimes of the Castro brothers. It is to be in favor of the true emerging Cuba civil society.

I am still learning English. So please allow me to continue in Spanish.

Mr. HERNANDEZ. Les digo, la emergente y verdadera sociedad civil cubana, para distinguir de aquellas organizaciones del gobierno cubano que se dicen llamar sociedad civil, cuando en realidad son creadas y manipuladas por el gobierno. La sociedad civil independiente en Cuba.

INTERPRETER. I would like to highlight the emergent and growing civil society in Cuba as different from the so-called civil society of the past, which was created and manipulated by the government.

Mr. HERNANDEZ. La Sociedad Civil Independiente en Cuba, está pon . . . Compuesta por grupos autoconstituidos de ciudadanos, sin autorización del estado, para defender sus intereses frente a este.

INTERPRETER. 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.

Mr. HERNANDEZ. Esto incluye lo que se conoce hoy en día como disidencia, la oposición pacífica, el movimiento de Derechos Humanos, partidos políticos, blogueros y asociaciones de profesionales e intelectuales.

INTERPRETER. This includes what is known today as the dissidents, peaceful opposition, the human rights movement, political parties, bloggers, and professional and intellectual associations.

Mr. HERNANDEZ. La semilla de esta sociedad, se sembró el 28 de enero de 1976, con el nombre de Comité Cubano Pro Derechos Humanos, bajo la dirección del doctor Ricardo Bofill Pages y otros intelectuales.

INTERPRETER. The seed of this civil society was planted on January 28, 1976, with the name of the Cuban Committee for Human Rights under the direction of Dr. Ricardo Bofill Pages and a small group of intellectuals.

Mr. HERNANDEZ. Desde su fundación, el Comité Cubano Pro Derechos Humanos, ha abogado por el respeto a los Derechos Humanos en Cuba, y denunciado las flagrantes violaciones que ocurren en la isla.

INTERPRETER. Since its creation, the Cuban Committee for Human Rights has advocated for their respective human rights in Cuba and has denounced the flagrant violations that occur on the island.

Mr. HERNANDEZ. La profunda crisis política, económica y social que provocó la caída del muro de Berlín en Cuba, llevó a muchos otros cubanos a crear espacios cívicos independientes del estado, para expresar sus frustraciones y buscar soluciones alternativas a sus problemas.

INTERPRETER. The profound political, economic, and social crisis that the fall of the Berlin Wall created in Cuba led many other Cubans to create independent civil spaces, independent from the government, that is, in order to express their frustrations and search for alternative solutions to their problems.

Mr. HERNANDEZ. Así comenzaron a surgir cientos de grupos en toda la isla, de diferentes corrientes profesionales, políticas e ideológicas.

INTERPRETER. And thus, hundreds of groups of different professional, political, and ideological streams began to emerge across the island.

Mr. HERNANDEZ. Para ofrecerles una idea del crecimiento de la Sociedad Civil Cubana, en el 2003, el Instituto Cubano de Economistas Independientes, contabilizó en un censo, a más de 29,000 ciudadanos como miembros y simpatizantes de más de 450 organizaciones de la Sociedad Civil Cubana.

INTERPRETER. 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 civil society organizations.

Mr. HERNANDEZ. Un año antes, el Movimiento Cristiano Liberación, dio otra muestra de creciente pujanza de la Sociedad Civil Cubana, al entregar a la Asamblea Nacional del Poder Popular, una petición ciudadana de referéndum, sobre una serie de derechos políticos, económicos, sociales amparados en la Constitución de la República de Cuba, y firmada por 11,020 ciudadanos.

INTERPRETER. One year before, the Christian Liberation Movement gave another sign of the growing strength of the dissidence in Cuba by presenting before the National Cuban Assembly a petition signed by 11,020 citizens for a referendum on a series of political, economic, and social rights.

Mr. HERNANDEZ. Este surge creciente de la sociedad civil, ha estado ocurriendo dentro de un marcado aumento de la represión por parte de las autoridades gubernamentales.

INTERPRETER. This growth of Cuban civil society has occurred under a significant increase of repression by government authorities.

Mr. HERNANDEZ. Quizás el caso emblemático de esta represión, fue la primavera negra del 2003, en que 75 activistas y líderes de la sociedad civil—yo incluido—fuimos apresados y condenados en juicios sumarísimos, a altas penas de cárcel.

INTERPRETER. Perhaps the one emblematic case of this repression was the Black Spring of 2003, where 75 activists and civil society leaders, myself included, were arrested and convicted in summary trials and sentenced to lengthy and unjust prison sentences.

Mr. HERNANDEZ. Este obvio intento de eliminar de raíz el movimiento civilista cubano e inocular el temor en la población, solo sirvió de abono, para que muchos otros ciudadanos se unieran a los reclamos de libertad, como las Damas de Blanco, y el Movimiento de Blogueros Independientes.

INTERPRETER. This crackdown obviously was intended to eliminate the roots of the Cuban civilian movement and instill fear in the population. But it only served as a call for many other citizens to join in the search for freedom, such as just the Ladies in White and the independent bloggers movement.

Mr. HERNANDEZ. Hoy en día, la Sociedad Civil Cubana, se encuentra en una fase creciente de dinamismo y pluralismo. Cada vez más consciente de que los ciudadanos tienen derechos inalienables, que el estado debe respetar.

INTERPRETER. Today, Cuban civil society finds itself in the face of dynamic and pluralist growth, ever more conscious that citizens have inalienable rights that the state must respect.

Mr. HERNANDEZ. La represión a los activistas de la sociedad civil, aumenta por día.

INTERPRETER. Repression of civil society activists increases every day.

Mr. HERNANDEZ. El gobierno cubano, utiliza tácticas que pueden ser calificadas como terrorismo de estado.

INTERPRETER. The Cuba Government uses tactics that can be considered state terrorism.

Mr. HERNANDEZ. Una nueva modalidad de represión, consiste en detenciones arbitrarias sin ninguna orden judicial, por breves períodos de tiempo, como un mecanismo de hostigamiento, intimidación, desestabilización psicológica del detenido y la familia, para entre otros objetivos, evitar que los integrantes de la sociedad civil, ejerzan derechos inalienables, como es el de la libertad de expresión, de asociación y de reunión.

INTERPRETER. A new model of repression consists of arbitrary detentions without a court order for small periods of time as a mechanism of harassment, intimidation, psychological destabilization of the detainees and their family members to prevent them from exercising their inalienable rights to freedom of expression, association, and assembly.

Mr. HERNANDEZ. En los primeros 4 meses de este año, la Comisión Cubana de Derechos Humanos y Reconciliación Nacional, una organización independiente de Derechos Humanos en Cuba, documentó 2795 detenciones arbitrarias, para un incremento del 58% comparado con igual período del tiempo del pasado año, cuando fueron 1166.

INTERPRETER. In the first 4 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 58 percent from the same period the year before, 1,166.

Mr. HERNANDEZ. Una de las caras más crudas de la represión, son los mítines de repudios organizados por la fuerza represiva de los hermanos Castro, contra las Damas de Blanco.

INTERPRETER. 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.

Mr. HERNANDEZ. Del mismo modo, brigada de respuestas rápida, fuerzas paramilitares al servicio del gobierno, la emprenden a golpes contra cualquier acto cívico, independiente y pacífico que organice la emergente y verdadera sociedad civil cubana.

INTERPRETER. In the same way, rapid response brigades, paramilitary forces that serve the government, physically beat any independent, peaceful individual that tries to organize civil society activities.

Mr. HERNANDEZ. La impunidad de los represores, es un incentivo en su actuar.

INTERPRETER. The impunity of the repressors is an incentive for their actions.

Mr. HERNANDEZ. Los hermanos Castro, no tienen límite en su crueldad.

INTERPRETER. The Castro brothers do not have limits to their cruelty.

Mr. HERNANDEZ. Su naturaleza asesina, los llevó a fusilar a miles de personas a inicios del triunfo de la revolución.

INTERPRETER. Their murderous nature led them to execute thousands of people at the beginning of the revolution.

Mr. HERNANDEZ. Hoy, asesinan de forma sutil.

INTERPRETER. Today, they kill in a more subtle way.

Mr. HERNANDEZ. No olvidemos la muerte en circunstancias muy extrañas, de la líder de las Damas de Blanco, Laura Pollán Toledo, en octubre de 2011.

INTERPRETER. We must not forget the death under very strange circumstances of the leader of the Ladies in White, Laura Pollan Toledo, in October 2011.

Mr. HERNANDEZ. Tampoco podemos olvidar las muertes en huelgas de hambre, de los presos políticos Orlando Zapata Tamayo, en febrero de 2010, a quien le negaron el agua por 18 días. Y, Wilman Villar Mendoza, en enero de 2012, a quien torturaron introduciéndolo en una tapiada oscura, húmeda y pestilente celda de castigo.

INTERPRETER. 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.

Mr. HERNANDEZ. Juan Wilfredo Soto, fue otro opositor pacífico que murió 2 días después de que agentes de la Policía Nacional Revolucionaria, le propinaran una salvaje pateadura, en junio de 2011.

INTERPRETER. Juan Wilfredo Soto, a peaceful activist, died 2 days after the Revolutionary National Police agents brutally beat him in June 2011.

Mr. HERNANDEZ. En un reciente informe, el Comité Contra la Tortura de las Naciones Unidas, criticó las detenciones arbitrarias, los actos de repudio, la falta de independencia entre los Poderes Ejecutivo, Legislativo y Judicial. La falta de información sobre muerte en custodia policial de Juan Wilfredo Soto, y pidió una investigación imparcial sobre las muertes de 202 presos que fallecieron en las cárceles cubanas, entre 2010 y 2011.

INTERPRETER. In a recent report, the United Nations Committee Against Torture criticized the arbitrary detentions, the acts of repudiation, lack of independence between the executive, legislative, and judicial branches; lack of information on the death under police custody of Juan Wilfredo Soto, and requested an impartial investigation of the deaths of 202 prisoners that occurred in Cuban jails between 2010 and 2011.

Mr. HERNANDEZ. El exterminio contra quienes disienten o se oponen a los Castro, es política de estado.

INTERPRETER. Extermination against those who dissent and/or oppose the Castros is the policy of the state.

Mr. HERNANDEZ. El camino por el que transita la verdadera Sociedad Civil Cubana, está llena de obstáculos.

INTERPRETER. The path for a true Cuban civil society is full of obstacles.

Mr. HERNANDEZ. Las viola . . . Las violaciones a los derechos fundamentales de las personas, están institucionalizadas en la Constitución de la República de Cuba.

INTERPRETER. Violations of fundamental rights are enshrined in the Constitution of the Republic of Cuba.

Mr. HERNANDEZ. El Código Penal, tiene tipificaciones jurídicas tan ambiguas, como el delito de peligrosidad social pre-delictiva,

que permiten enjuiciar a todo ciudadano que el gobierno considere que presenta una amenaza a su poder.

INTERPRETER. The penal code includes articles with ambiguous provisions, such as precriminal, social, and dangerous, which are used to prosecute civil society activists deemed by the government as dangerous.

Mr. HERNANDEZ. Amnistía Internacional estima que existen alrededor de 5000 presos en las cárceles de Cuba, extinguiendo sanción entre 1 y 4 años de privación de libertad, por los supuestos delitos de peligrosidad social, junto a personas con delitos probados.

INTERPRETER. Amnesty International estimates that there are around 5,000 prisoners in Cuba serving sentences between 1 and 4 years for allegedly being socially dangerous, and they serve their sentences alongside individuals whose crimes have been proven.

Mr. HERNANDEZ. También existe la Ley 88 o ley de Protección de la Independencia Nacional y la Economía de Cuba. Otra aberración jurídica, destinada a cercenar los derechos fundamentales e inalienables de los ciudadanos cubanos. Esta ley, es conocida a nivel nacional e internacional, como Ley Mordaza.

INTERPRETER. In addition, Law 88, the law for the Protection of the National Independence and Economy of Cuba, is another legal 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.

Mr. HERNANDEZ. Espero que se den cuenta, que este ordenamiento jurídico, liberticida por naturaleza, guillotina los derechos civiles, políticos, económicos, sociales y culturales de los cubanos.

INTERPRETER. I hope you realize that this legal framework is tyrannical by nature, and it slashes away the civil, political, economic, social, and cultural rights of the Cuban people.

Mr. HERNANDEZ. Podemos ser irónicos y decir que en Cuba no se violan los Derechos Humanos, simplemente, porque no existen.

INTERPRETER. We can be ironic and say that in Cuba, the government does not violate human rights simply because human rights do not exist.

Mr. HERNANDEZ. El régimen de los hermanos Castro, niega a los cubanos el derecho a los derechos.

INTERPRETER. The regime of the Castro brothers denies Cubans their right to rights.

Mr. HERNANDEZ. A pesar de esto, la Sociedad Civil Cubana, aboga por los derechos de los cubanos, de forma pacífica, tomando como ejemplo, la doctrina de la lucha no violenta, promovida por Ghandi y el doctor Martín Luther King, Jr.

INTERPRETER. In spite of this, Cuban civil society advocates for the freedom of all Cubans in a peaceful way, based on the precepts of nonviolent struggle practice by Gandhi and Dr. Martin Luther King, Jr.

Mr. HERNANDEZ. Desde la sociedad civil, emergen cada vez más propuestas para mejorar la calidad de vida de los cubanos, que van desde la búsqueda de soluciones a problemas sociales concretos, hasta las amplias exigencias públicas al gobierno que respete los Derechos Humanos y los valores democráticos.

INTERPRETER. From civil society, we see an increasing number of proposals aimed at improving the quality of life of all Cubans, from

concrete social demands to broad public demands for the government to respect human rights and democratic values.

Mr. HERNANDEZ. En su lucha por la democracia, la Sociedad Civil Cubana, siempre ha planteado la reconciliación entre todos los cubanos y el diálogo basado en el respeto a todos los Derechos Humanos, civiles y políticos, como procesos necesarios para lograr una Cuba verdaderamente democrática.

INTERPRETER. In their fight for democracy, Cuban civil society has always advocated for national reconciliation and dialogue based on their respect of all human, civil, and political rights as a necessary process to achieve a truly democratic Cuba.

Mr. HERNANDEZ. Para concluir, pido respetuosamente a este comité, que lleve a la práctica el título de esta audiencia.

INTERPRETER. To conclude, I would respectfully ask this committee to put into practice the title of this hearing.

Mr. HERNANDEZ. Que se solidarice con la emergente y verdadera Sociedad Civil Cubana y condene a todos los niveles la represión . . . La represión existente en Cuba.

INTERPRETER. Please, show solidarity with the growing and genuine Cuban civil society and condemn all levels of repressions that take place in Cuba.

Mr. HERNANDEZ. Que aúne voluntades con gobiernos y parlamentarios democráticos de todo el mundo, instituciones multilaterales y organizaciones no gubernamentales internacionales, para que apoyen a la verdadera Sociedad Civil Cubana.

INTERPRETER. I encourage you to seek other democratic governments and parliamentarians from around the world, multilateral institutions, and international NGOs to support the true Cuba.

Mr. HERNANDEZ. En este sentido, les ruego tomen en cuenta las palabras de Elie Wiesel, Premio Nobel de la Paz y sobreviviente del Holocausto, cuando dijo: “Hay que tomar partido. La neutralidad ayuda al opresor, nunca a la víctima. La acción es el único remedio contra la indiferencia.”

INTERPRETER. 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. Action is the only remedy to indifference.”

Mr. HERNANDEZ. Muchas gracias.

INTERPRETER. Thank you very much.

[The prepared statement of Mr. Gonzalez follows:]

PREPARED STATEMENT NORMANDO HERNÁNDEZ GONZÁLEZ

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, nongovernmental 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 4 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 percent 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 2 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 “precriminal 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 1 and 4 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.

Senator MENENDEZ. Thank you very much.

We appreciate your testimony, and keep up with your English. It was going pretty good there at the beginning.

So let me now welcome from the U.S. Interests Section in Havana, Sara Marta Fonseca Quevedo. She is the spokesperson for the National Civic Resistance Front, a Cuba prodemocracy leader.

We will hear from her first, and then we will hear from Jorge Luis Garcia Perez "Antunez," who, as I said earlier, has been a political activist inside of Cuba and served a long time in Castro's jails.

So with Sara going first, we will need to do the same thing. We will need to translate what you say so we will have to ask you to stop in certain blocks of time.

Bienvenido.

[Pause.]

Senator MENENDEZ. This is Senator Menendez. We see you, and we hear you. So we will ask Sara Marta Fonseca Quevedo to start first.

Ms. FONSECA. Le voy a decir—sí. Bueno, buenos días—buenas tardes.—Cuba. Que Dios les bendiga y quisiera decirles que tenemos a José Daniel Ferrer en, en, en línea. Debemos aprovechar esta oportunidad. No, no vaya a ser que, que interrumpen la comunicación para que él les hable primeramente.

Senator MENENDEZ. OK.

INTERPRETER. Good morning. Good afternoon, actually already.

I wanted to bring to your attention that we have Jose Daniel Ferrer on the line, and I think we need to take this opportunity right now just in case the communication gets cut off.

Senator MENENDEZ. All right. So we would be happy to then go to Jose Daniel Ferrer Garcia, who is the leader of the Cuba Patriotic Union from Santiago de Cuba.

Mr. Ferrer Garcia, please?

Mr. FERRER. Sí, ¿aló? Hello?

Senator MENENDEZ. Sí, señor, ga . . . Ferrer García, puede ir adelante. Es el senador Meléndez.

**STATEMENT OF JOSE DANIEL FERRER GARCIA, LEADER,
CUBA PATRIOTIC UNION, SANTIAGO DE CUBA, CUBA**

Mr. FERRER. Sí, senador, ¿cómo está? Buenas tardes para todos. Buenas tardes al señor Michael Rubio también y a los demás ahí presentes. Un fuerte y fraterno abrazo, ¿no? De decenas de opositores pacíficos acá en el oriente del país.

INTERPRETER. The interpreter would like to say that the sound quality is very poor. So I am doing my best.

Good afternoon to all of you, and warmest greetings from all of us peaceful activists in the eastern part of the country.

Senator MENENDEZ. Adelante.

INTERPRETER. Go ahead.

Mr. FERRER. Sí, ¿me escuchan?

Senator MENENDEZ. Sí.

Mr. FERRER. Yo me pierdo un poco—pierdo un poco su voz. Me parece que hay problemas con la comunicación. Pues nada, desde acá, desde el oriente—le reitero un abrazo fraterno. Nosotros por acá, la Unión Patriótica de Cuba y Bonilla, a otros grupos opositores que luchan con muchísima energía, con muchísima firmeza, con muchísimo valor, por los cambios que tanto Cuba necesita. Y, les saludamos y les recordamos de que explicar el no, para el pueblo cubano, la solidaridad y el apoyo del mundo libre, no solamente el apoyo de la solidaridad de la comunidad cubana exiliada, si no también de la, de las personas, de los líderes del mundo libre, que desean que se solidaricen con el sufrido pueblo cubano. Durante los últimos meses, el reto principal de nuestra organización y de la oposición en general, ha sido enfrentar la fuerte represión, el acoso constante de los órganos represivos, detenciones constantes de mayor o menor duración. El hecho también de que en un traspaso—siendo encarcelado arbitrariamente. Ya la Unión Patriótica de Cuba tiene 6 presos políticos en las cárceles del oriente del país. Ahora tenemos otro clic en Cuba, hay 2 que estamos por confirmar, que también . . .

Senator MENENDEZ. He has a lot to say, obviously.

INTERPRETER. He does. Well, again, I think we have an audio problem, but I was saying I would like to give you our warmest greetings here from all the activists and other groups that oppose the government that are so firmly and courageously fighting for this change that we very much need.

And we would like to remind you all that it is vital for the Cuban people to have the support and solidarity from the free world, not only from our brothers and sisters in the United States, but from all over the world because the Cuban people is suffering a lot. We are facing a lot of challenges, and mostly the mounting repression by the government and the never-ending arrests.

We have tons of activists that have been jailed arbitrarily and are considered now political prisoners. And actually, today we have fresh news a new activist has been jailed for 8 years.

Senator MENENDEZ. All right. If you can ask him to please go slowly and stop at certain intervals so we can get his translation?

INTERPRETER. Que, que procedas en esto y, y hagas pausas para que puedan traducir.

Mr. FERRER. Sí, de acuerdo. De acuerdo. Entendido. Le decía que el principal reto ha sido enfrentar la represión, ¿no? De el régimen

castrista. Precisamente porque nuestra agrupación pretende maximizar y dinamizar la lucha no violenta a lo largo y ancho del país, en unidad con otros grupos pacíficos, con otros grupos de oposición no violenta.

INTERPRETER. I was saying that our biggest challenge is to face the repression by the Castro government, and our group is trying to make massive mobilization of nonviolent struggles all over the country, nonviolent fight.

Mr. FERRER. Para poder contrarrestar la represión, ¿no? De los órganos de la policía política y demás cuerpos represivos del régimen castrista, se necesita, ¿no? De efectiva propaganda y de efectivos medios de comunicación, es decir, en manos de los opositores, en manos de nuestros activistas. Radio Martí era un importantísimo papel en este proceso no democratizador que llevamos adelante en nuestra isla. Y, necesitamos del apoyo del mundo libre, para poder burlar y para poder salir del aislamiento, ¿no? Y, hacia la Internet y hacia otros medios, otras vías de comunicación que el régimen nos impone.

INTERPRETER. All this to counteract the violent repression by the regime. We need to send our message out. We need our activists to have access to the media so that we can try to get the message out about the importance of this democratic process that is just now starting.

We want help from the free world to get out of the oppression, have access to the Internet, and some other media out there.

Senator MENENDEZ. Can you—the gentleman also mentioned. Espérese un momentico, por favor.

Mr. FERRER. Son la mayoría de costumbres a decir que—sí, claro. Sí.

INTERPRETER. Un momento.

Senator MENENDEZ. Yes, I understood that he said that Radio Marti was very important to free information inside of Cuba. I don't know if you heard that?

INTERPRETER. I may have missed that. Sorry.

Senator MENENDEZ. OK. Let the record reflect that in Mr. Jose Daniel Ferrer Garcia's comment, he spoke about Radio Marti as an indispensable tool in the flow of information inside for the Cuban people.

OK.

Mr. FERRER. Sí. Le decía para que por acá las personas mayores acostumbran a mencionar un refrán que dice de que el frío se quita andando. Nosotros creemos que el temor del pueblo cubano, el miedo fruto del terror de muchas décadas, ¿no? De represión, se quita actuando. Por eso, estamos enfrascados, ¿no? En que vamos a hacerle de actividades lo más creativas, lo más variadas posibles se filmen, se tomen imágenes audiovisuales, y luego se pasen de mano en mano, entre toda la población, para que precisamente el pueblo vea que sí se puede luchar por los derechos y libertades que nos vienen—hace más de medio siglo.

INTERPRETER. There is an old saying that people, especially older people like to say, and that is that when you are cold, you get warm by walking. And I would like to say that when you are in fear, you get away with your fear by acting.

And we need to find creative ways to send our message out, like have audiovisual images that can be disseminated to the population to show them that, yes, we can. We can fight for the freedoms and the liberties that have been taken away from us for over half a century.

Mr. FERRER. Para lograr esto y—se requiere, ¿no? De medios materiales. Por ejemplo, los soportes digitales, discos de DVD e . . . están siendo el medio, ¿no? Más utilizado por nosotros. Los resultados los notamos de día en día, de semana en semana. Zonas donde para nada se movía, la población para nada—habían exigencia en cuanto a cambio al respeto de lo Derechos Humanos, en la medida en que ven que en otros sitios vecinos se está haciendo, se está luchando por la libertad y el cambio. Entonces, comienzan a moverse las cosas y comienzan las acciones y comienzan las actividades, las protestas, y esto se va generalizando. Pero, necesitamos ver el apoyo del mundo libre para poder romper con el monopolio informativo del régimen, para que esto llegue de manera masiva a todas partes. Porque, Radio Martí es el medio más efectivo, como dije anteriormente, para llegar al pueblo cubano. Pero, en las grandes ciudades sufre muchísima interferencia. Entonces, reproducir programaciones de TV Martí y Radio Martí, nuestras imágenes, nuestros videos, nuestras informaciones, es vital para que llegue a la población. Con eso se va quitando el temor y la población va reaccionando. El pueblo cubano en su mayoría, desea y quiere cambio. Lo notamos diariamente en las calles de Cuba.

INTERPRETER. We need material support. We need information media, more specifically DVD. We can see the change day by day by using them.

For example, in areas where there was no activity, no thirst for changes or anything, when they see that other areas are changing, are doing things, they start getting motivated and organizing more activities and more protests. And that is why, again, I am saying we need help from the free world to break this informational monopoly. We need our information to get everywhere.

More specifically, DVDs because there is a lot of interference of the actual media. So if we can burn DVDs with our videos, our information, our clips, we can disseminate it to the rest of the population, and their fear will start going away, and they will start reacting because the Cuban people does want to change. We feel that on a daily basis out there on the streets.

Senator MENENDEZ. I want to ask Mr. Daniel Ferrer Garcia to summarize so that we can turn to his colleagues. I don't want to lose our video feed from Havana.

INTERPRETER. Que si, que p . . . Que con—digamos, un . . . una palabra para concluir, para entonces pasar con.

Mr. FERRER. Sí, cómo no. Cómo no. Sí. Nada, que la realidad es que la población cubana, cada vez está más descontenta, cada vez más cubanos desean el cambio. Cada vez más cubanos pierden el miedo, y que en la medida de que la fuerzas democráticas internas, las fuerzas democráticas del exilio, y la—los demócratas del mundo libre trabajemos, aunemos esfuerzos, la re . . . La libertad del cambio en Cuba será una realidad más pronto de lo que muchos creen.

INTERPRETER. Basically, the Cuban people is not happy anymore. They do want change. Their fear is going away. We want help from the people that are in exile in democratic countries, and we need democratic countries as well to join our efforts because Cuba will be a free country before we know it.

Senator MENENDEZ. Thank you very much.

Let me turn to Sara Marta Fonseca Quevedo.

STATEMENT OF SARA MARTA FONSECA QUEVEDO, SPOKESPERSON, NATIONAL CIVIC RESISTANCE FRONT, CUBAN PRO-DEMOCRACY LEADER, HAVANA, CUBA

Ms. FONSECA. Sí, bueno, reitero. Hola, buenas tardes y, y nuestro agradecimiento por este importante contacto que se ha establecido. Muchas gracias por este contacto. Bueno, soy miembro del Partido Pro Derechos Humanos de Cuba, afiliado a la Fundación Andrés Sajaró.

INTERPRETER. Good afternoon, everybody, and thanks again for being in contact with us. We really appreciate it. I am from the human rights group in Cuba.

Ms. FONSECA. Vocera del Frente Nacional de Resistencia Cívica y Desobediencia Civil Orlando Zapata, Dama de Blanco y también del Movimiento Feminista Rosa Park.

INTERPRETER. The interpreter would request repetition. It is the names of all the groups that she belongs with.

Senator MENENDEZ. Yes. Can you ask her to repeat and to go as slowly as possible since we have transmission challenges here?

INTERPRETER. Si puede, despacio que repitas, porque parece que no se.

Ms. FONSECA. Sí, le decía que también soy vocera del Frente Nacional de Resistencia Cívica y Desobediencia Civil Orlando Zapata. Dama de Blanco y del Movimiento Feminista por los Derechos Civiles Rosa Park.

INTERPRETER. I was saying I am a member of the National Front for Civilian Disobedience Group, Orlando Zapata, the Ladies in White, and the Feminist Movement for Civil Rights, Rosa Parks.

Ms. FONSECA. Por nuestra actividad, por nuestro activismo en, en las calles, hemos sido víctimas de numerosas represiones. La policía política, pues, nos ha reprimido en muchas ocasiones, hasta llegar a, a atacar alto—haciendo ac . . . actos de terrorismo de estado, en nuestras propia vivienda.

INTERPRETER. Because of the activist activities that we carry out on our streets, we have been victims of several repressions, mostly by the political police who have even committed acts of state terrorism in our own homes.

Ms. FONSECA. Todo por alzar nuestras voces reclamando el respeto a los Derechos Humanos, democracia y libertad para el pueblo de Cuba.

INTERPRETER. All of this just because we voiced our wish to have our human rights respected, we want democracy, and we want the freedom of the Cuban people.

Ms. FONSECA. Hemos sido reprimidos, pero, también hemos recibido la aceptación del pueblo cubano.

INTERPRETER. We have been repressed, but we have also received the acceptance of the Cuban people.

Ms. FONSECA. Y, esa satisfacción, nos mueve a continuar nuestra lucha, por instaurar una, una verdadera democracia en Cuba.

INTERPRETER. And that satisfaction motivates us to continue our fight to get a truly democratic Cuba.

Ms. FONSECA. Es muy bueno cuando el pueblo o las personas de, del pueblo se nos acercan, para apoyarnos.

INTERPRETER. It is very good when we see people from other towns and cities come to us to support us.

Ms. FONSECA. Nos hace sentir que nuestra lucha está cumpliendo su objetivo y que los cambios ya son inevitables, que muy pronto nuestra patria volverá a sonreír a la democracia y a, a la libertad.

INTERPRETER. It makes us feel that our fight is finally reaching its objective that change is near and that very soon our Cuba will be a democratic and free country.

Ms. FONSECA. Para nosotros es muy importante cualquier tipo de apoyo, sea con la información difundible. Lo que sucede en, en, en la, en la oposición, difundirlo tanto nacionalmente como internacionalmente.

INTERPRETER. For us, it is very important to have support, mostly in terms of disseminating information both domestically and internationally.

Ms. FONSECA. Son muchos los miembros del Partido Comunista de Cuba que han entregado su carné después de ver cómo opositores somos reprimidos, simplemente por defender la democracia.

INTERPRETER. Several members of the Cuban Communist Party have turned in their ID cards when they have seen how we have been oppressed just by expressing a different opinion.

Ms. FONSECA. Nuestro, nuestro objetivo, lo vemos cada vez más cerca. Ya no es el mismo pueblo que permanecía en el silencio. Cada vez son más las personas que se nos unen, más las personas que nos apoyan.

INTERPRETER. Our objective is drawing near. We are no longer the people that remain silent, and we have more people joining us and supporting us.

Ms. FONSECA. Quisiera, me disculpen cualquier—no, no vinimos preparados. No sé. Ni siquiera sabíamos para qué veníamos. Fue una medida de precaución que no nos avisaran por teléfono.

INTERPRETER. I am sorry I didn't have anything scripted. We were not ready. As a precaution, we were not told over the phone what we would be talking about.

Ms. FONSECA. Nuestro hermano Jorge Luis García Pérez Antunez, ha tenido que caminar kilómetros para poder—y, brincar cercas para poder llegar hasta aquí, burlando la policía política.

INTERPRETER. My colleague here, Jorge Luis Perez Antunez, had to walk kilometers to get here just so the political police wouldn't catch him.

Ms. FONSECA. Y, yo me encuentro convaleciente de unos días que estuve enferma, pero, siempre pendiente a todas las actividades que realizan nuestras organizaciones.

INTERPRETER. And I am getting better. I was sick for a few days, but I am always up to speed on what everybody else is doing.

Senator MENENDEZ. We appreciate your testimony. We will go through it a little bit more when we ask questions. But let me turn to Mr. Antunez.

**STATEMENT OF JORGE LUIS GARCIA PEREZ ANTUNEZ,
POLITICAL DISSIDENT, HAVANA, CUBA**

Mr. PEREZ. ¿Ya? Muy buenas tardes, señora Robertson, secretaria adjunta al Departamento de Estado. Muy buenas tardes a los senadores Marco y al resto de los, de los senadores ahí presentes.

INTERPRETER. Good afternoon, everybody. Good afternoon, Mrs. Jacobson, Assistant Secretary of State, Senator Menendez, and everybody else present there.

Mr. PEREZ. Un abrazo muy especial a mi querido hermano Normando Hernández González, quien se encuentra ahí.

INTERPRETER. Very special greetings to my friend Normando Hernandez Gonzalez, who is there with you.

Mr. PEREZ. Pa mi constituye un, un júbilo y un aliento, y una emoción, que sea precisamente Normando Hernández González, alguien que compartí—con, con el que compartí prisión política, con el sufrimos el efecto de golpes, la celda de castigo, el hambre.

INTERPRETER. It makes me very proud and excited to see Normando Hernandez Gonzalez there today because we shared a political prison. We both suffered beatings, oppression, and hunger.

Mr. PEREZ. Creo que nadie mejor que él, que es el fundador de, de reporteros y periodistas dentro de la propia prisión, es el patriota ineludible.

INTERPRETER. He is like the best example of our homeland because he is a self-taught journalist that used to disseminate information in the prison. Es, ¿qué? Perdón. ¿El patriota?

Mr. PEREZ. Que tanto sufrió con dignidad y con decoro, los embates del presidio político, puede representarnos allí como él.

INTERPRETER. And I am very proud to see him represent us there today because he suffered all the oppression with a lot of dignity and decorum.

Mr. PEREZ. Una de las cosas importantes que decía mi querida hermana Sara Marta Fonseca Quevedo, quien tengo aquí a mi lado, es que precisamente tanto ella como yo, nos enteramos de, de esta—o sea, de este evento, precisamente en este lugar. Y, creo que eso es una prueba fehaciente del nivel de represión en Cuba.

INTERPRETER. Something very important that my colleague Sara Marta Fonseca just said was that we found out about this event with very short notice, and I think that shows the degree of oppression that we are under.

Mr. PEREZ. Y, qué más prueba que del nivel de represión, que tener que venir del centro del país, de la provincia central y brincando cercas, golpeando como si fuera un delincuente, para participar en un evento, que en cualquier parte del mundo, en un país democrático, algo tan normal.

INTERPRETER. And that speaks volumes of the repression that we feel. I had to, like she said, walk kilometers, hide behind trees and bushes as if I was some kind of criminal to attend an event that in any other free and democratic country in the world would be an everyday thing.

Mr. PEREZ. Pero, gracias a Dios y gracias a esta sección de interés, que tanto nos ha apoyado, estamos aquí de manera difícil, porque hemos pasado muchas dificultades, pero, estamos aquí, y estamos participando.

INTERPRETER. But thank God and thanks to the Interests Section for all the support given to us, we are here. It has been hard, but we are here, and we are involved.

Mr. PEREZ. Quiero que conozcan que hace apenas unos días, producto a la represión brutal de un descomunal acto de repudio.

INTERPRETER. I wanted you to know that a few days ago, as a result of brutal repression to an act of repudiation—

Mr. PEREZ. Fui testigo de la muerte de Antonia Rodríguez, en la Ciudad de Santa Clara.

INTERPRETER [continuing]. I witnessed the death of Antonio Ruiz in the city of Santa Clara—

Mr. PEREZ. Donde un grupo de pacíficos, activistas pro democráticos nos reuníamos.

INTERPRETER [continuing]. Where a group of pro-democratic, peaceful activists, myself included, were gathered—

Mr. PEREZ. Para hablar de libertad, para hablar de justicia y de Derechos Humanos.

INTERPRETER [continuing]. To talk about liberty, freedom, justice, and human rights.

Mr. PEREZ. Pero, no solo eso, señores senadores. En estos precisos momentos, una joven cubana negra, lleva varios días en huelga de hambre en Santa Clara.

INTERPRETER. But that is not all, Mr. Senator. At this very moment, there is a black Cuban woman that has been on a hunger strike for several days in Santa Clara.

Mr. PEREZ. Y, escúchenos bien, está en huelga de hambre, Damaris Moya Portieles, en protesta, porque altos oficiales de la policía política le amenazaron con violarles sexualmente a su hija de 6 años de edad.

INTERPRETER. And hear me out here, Damaris Moya Portieles is on a hunger strike because the political police threatened to sexually abuse and rape her 6-year-old daughter.

Mr. PEREZ. Y, no estamos hablando de la Cuba del año 50—antes del año 1959, ni estamos hablando de un país de América Latina, ni estamos hablando de la Sudáfrica de pies-bota. Estamos hablando de la Cuba del, del siglo XXI.

INTERPRETER. And we are not talking about the Cuba from before 1959, of any other country in Latin America or any other remote area in Africa. We are talking about the Cuba of the 21st century.

Mr. PEREZ. Y, cuando suceden cosas como esta, como el asesinato de Orlando Zapata Tamayo, de Wilman Villar Mendoza, de Pedro Ruiz Boitel.

INTERPRETER. I am sorry. I can't hear what he was saying.

[Pause.]

Mr. PEREZ. Este, cuando suceden crímenes tan horribles como el de Orlando Zapata Tamayo, como el Wilman Villar Mendoza, como el de Pedro Ruiz Boitel, y como el de la abuelita Antonia.

INTERPRETER. When horrible killings happen, such as the one of Mr. Zapata Tamayo, Wilman Villar Mendoza, Pedro Luis Boitel, and Abuela, which is Grandmother Antonia—

Mr. PEREZ. Antonia. Cuando suceden estas cosas, tenemos que estar conscientes que ni con aumento de remesas, ni con aumento de billares, ni con el aumento de los intercambios culturales de artistas que solo promueven el régimen de Castro.

INTERPRETER. And we will need to bear in mind that no increase in remittances, no increase in the number of trips, no increase in the cultural exchanges—

Mr. PEREZ. De intercambios culturales. Puede acelerarse el proceso de democratización de nuestra patria

INTERPRETER. Por el aumento, ¿de qué? Remesas. Ah, remesas. Sí. Can speed up the democratization process in our country.

Mr. PEREZ. El acercamiento, las políticas de acercamiento con la dictadura, como algunos le llaman al gobierno de la Habana, lo que hacen es fortalecer el aparato represivo y proteger la impunidad a los agresores de esta violación.

INTERPRETER. What this dictatorship regime does is to strengthen the repression and to grant impunity to the people that commit these acts of repression.

Senator MENENDEZ. Let the record reflect that what he said was that those policies, the policies that he just described before, of remittances, of travel, of acceptance only creates an impunity for the regime and allows them to continue their oppressive actions.

Mr. PEREZ. ¿Ya? Uh-huh. Ha quedado demostrado y ahí está un cubano que hace poco salió de la isla, Normando Hernández González, aquí a mi lado tengo a Sara Marta Fonseca Quevedo, de que ha quedado demostrado, que los—el acercamiento, o sea, el aumento de, de viajes de—tanto de norteamericanos, de cubanos a la isla, en nada ha ayudado al proceso democratizador de nuestra patria. Esas personas, lamentablemente vienen a Cuba en cuestiones ajenas a nuestro quehacer.

INTERPRETER. It has been proven that—and for this I have my witnesses here, the Cuban that recently left the island, Mr. Normando Hernandez Gonzalez, and my colleague here, Sara Marta Fonseca Quevedo, that this increase in trips both from North America and Cubans themselves have not helped at all with the democratic process in our country because they come to our country on matters that have nothing to do with what we are doing.

Mr. PEREZ. Aclaro, que respeto el, el gobierno del señor Barack Obama y considero de aunque—de, de que—lo todo lo que hace, lo hace con las mejores de las intenciones. Porque es un gobierno aliado, tanto el Partido Demócrata como el Republicano, son partidos aliados a la causa elemental.

INTERPRETER. I would like to clarify that I fully respect President Barack Obama's administration, and I know that everything that they are doing is with their best intentions. And both the Democratic and the Republican Parties are allied to our cause.

Mr. PEREZ. Pero, señores senadores, en los momentos en que la oposición aumenta, tanto en el orden cualitativo, como el cuantitativo.

INTERPRETER. But, Mr. Senators, when the opposition is increasing both in qualitative as well as in quantitative terms—

Mr. PEREZ. En momentos en que se acrecientan las acciones de protestas públicas, a lo largo y ancho del país.

INTERPRETER [continuing]. When there is an increase in the number of protests all over the country—

Mr. PEREZ. Son estos y no otros, los momentos de apoyar, de sentar el apoyo a las fuerzas de la resistencia.

INTERPRETER [continuing]. This is the time and these are the opportunities to support the resistance forces.

Mr. PEREZ. A las fuerzas de la resistencia, puesto que la fuerza de la resistencia cubana, están en una batalla frontal en las calles, por la libertad, sufriendo golpizas, maltratos, asedios a nuestra— a las viviendas, torturas, y todas las formas de violaciones sistemáticas a los Derechos Humanos.

INTERPRETER. This is because the Cuban resistance forces are embarked on a battle with the state. We suffer beatings. We suffer undue treatment, harassment even in our homes, torture, and all kinds of violation of our human rights.

Mr. PEREZ. E—el apóstol de la independencia de Cuba dijo una frase, antes de concluir, porque yo no quiero extenderme, porque ya creo que la intervención de los hermanos que han hablado antes que mí, ha sido bastante, suficiente, con precio y elemento. Pero, el apóstol de la independencia de Cuba, José Martí dijo una frase— es muy importante—y, es que dijo que la liber . . . La verdad es para decirla, no para andar oculta. Por lo que considero, que el, el, el visado, la presencia de Mariela Castro allí en los Estados Unidos, una funcionaria del régimen represor, que va a allí a promover el, el—la tiranía que oprime, que mata, que hostiga a nuestra patria, constituye para nosotros un insulto y una ofensa. Y, es una—y, un asunto también, teniéndose en cuenta que Mariela Castro va a los Estados Unidos y se pudiera olvidar y con sugerencias, todo eso en su video. Ahí yo preguntaría: ¿Pudieran los opositores de Cuba, pudieran los líderes de organizaciones, pudieran los líderes de la iniciativa importantes, pudieran visitar el país del norte, allí, visitar allí, exponer su criterio sin regresar a la isla con entera libertad? Muchas gracias, señor senador.

INTERPRETER. To conclude, because I have already said a lot and those who spoke before me have done so very eloquently, maybe even so more than me, like Jose Martí said, the truth is to be said, not to be hidden.

And in this regard and in terms of the visas, I find that Mariela Castro's visit to the United States, being an official of this regime that oppresses, that kills, and that harasses the Cuban people, is a complete insult and an utter offense to us. Now Mariela Castro is out there visiting the United States, and I would like to ask, could we, the opposers in Cuba, the leaders of different organizations and different initiatives go to the United States and come to the island freely?

Thank you very much.

Senator MENENDEZ. Well, thank you all for your testimony.

Let me observe for the record that the chair is cognizant of members of the Castro regime who are here from the Cuban Interests Section, taking notes of everything that has been said. The chairman fully intends to monitor the rights of these three individuals who have spoken and to make sure that they are not repressed or face any consequences upon their return to their homes.

And it will be the committee's singular focus, and we will certainly ask the United States Government through its Interests Section in Cuba to ensure that these individuals, to the extent that we have the ability possible, that they do not face a reprisal as a result of their testimony here today.

Now, with that, let me just take a few minutes to take advantage of the opportunity to ask some questions.

Mr. Hernandez, yesterday, before, we had a chance to chat, and I found something very interesting, two things very interesting in what you said. You said that there was a redline, a redline of dissent activity, dissident activity which is implicitly tolerated by the regime. But if you cross that redline, that was not tolerated by the regime.

Could you tell us what activity is permitted up to the redline and then what happens when you cross the redline?

Mr. HERNANDEZ. Sí, señor Boss Meléndez. Todos sabemos que el gobierno cubano, hasta cierto punto permite lo que conocemos como lucha pacífica no violenta, pasiva.

[Dial tone sounds.]

Senator MENENDEZ. Continue.

INTERPRETER. Yes, Mr. Senator Menendez, we all know that the Cuban Government allows what they call up to a peaceful, non-violent, passive fight.

Mr. HERNANDEZ. Entre este tipo de lucha no violenta, pacífica pasiva, se encuentran, por ejemplo, las personas que sacan información den . . . desde Cuba hacia al exterior. Pero, que no hacen nada más que eso.

INTERPRETER. This peaceful, nonviolent, passive type of fight includes the people that send information from Cuba to the world, but don't go beyond that.

Mr. HERNANDEZ. Y, la influencia que tienen para el interior de la isla, es muy pequeña, es prácticamente des—despreciable.

INTERPRETER. And the influence that they have within the island is very small. It is despicable. ¿La influencia que hay dentro de la isla?

Mr. HERNANDEZ. Sí. Es como un acuerdo tácito, que ha existido durante años entre la disidencia, la oposición pacífica y el gobierno de los hermanos Castro, el régimen de los hermanos Castro.

INTERPRETER. This is like an implicit agreement that has existed for years between the dissidents, the peaceful opposition, and the Castro brothers.

Mr. HERNANDEZ. Esto no quiere decir que estas personas no sean reprimidas. Esto no quiere decir que estas personas no sean hostigadas. Esto no quiere decir que estas personas se vean en serios problemas con su estabilidad emocional y psicológica, y con serios problemas de limitaciones de libertad dentro de Cuba.

INTERPRETER. This does not mean that these people are not repressed, harassed, or have serious problems including emotional and psychological stability, and they don't have problems within Cuba.

Senator MENENDEZ. So what happens when you—so those are the people who take the information of repression inside of Cuba and tell the rest of the world. What is crossing the line? What

actions cross the line for which you ultimately find yourself arrested, incarcerated, and what not?

Mr. HERNANDEZ. Sí. Y, va y va a este punto en estos momentos.

INTERPRETER. I was getting there.

Mr. HERNANDEZ. Cruzar la línea roja, es lo que hace Sara Marta Fonseca, es lo que hace Jorge Luis García Pérez Antunez, es lo que hace José Daniel Ferrer García. Son lo que hacen las personas en Cuba, que luchan de forma frontal contra el régimen de los hermanos Castros, ganando espacios de libertades públicos.

INTERPRETER. Crossing the line is what Sara Marta Fonseca or Jose Daniel Ferrer Garcia or Jorge Luis Perez Antunez do, which is to engage on a head-on fight with the Castro regime and gain public freedom spaces.

Mr. HERNANDEZ. Es lo que hacen las Damas de Blanco todos los domingos.

INTERPRETER. It is what the Ladies in White do every Sunday.

Mr. HERNANDEZ. Emocionado me encuentro en estos momentos, al ver a Sara Marta Fonseca, una de las víctimas de la represión cubana, que a diario—para decirlo hasta cierto punto—vive de—en un desasosiego.

INTERPRETER. I find it very moving to see here Sara Marta Fonseca, a victim of the Cuban repression who lives in a permanent state of unrest. En un desasosiego.

Mr. HERNANDEZ. Falta de paz, de tranquilidad.

INTERPRETER. OK. OK.

Mr. HERNANDEZ. Los que se interesan por la realidad de Cuba, hemos podido ver los mítines de repudio en su vivienda, como ella decía, que se catalogan como terrorismo de estado.

INTERPRETER. Those of you who are interested in the Cuban current affairs can see the acts of repudiation that took place at her home that could be characterized as state terrorism.

Mr. HERNANDEZ. Líder de una de las manifestaciones más mencionadas en los últimos tiempos en Cuba, que fue la manifestación que realizó en la escalinata del capitolio en Ciudad de La Habana.

INTERPRETER. She led one of the protests that has been most widely mentioned in Cuba in recent years, which took place on the stairs of the capitol building in Havana.

Senator MENENDEZ. So does crossing the redline then mean gaining public space, gaining recognition for your peaceful activities inside of Cuba? That is what the regime does not permit? That is what gets you arrested?

Mr. HERNANDEZ. El régimen cubano, lo que no quiere es perder espacios. El régimen cubano, lo que no desea, es que la disidencia y la oposición se haga representativa de la sociedad. Y, cualquier intento que exista para ganarle espacios públicos, cualquier intento que exista para hacerse representativo de esta sociedad cubana, el régimen cubano lo considera estar del lado allá de la línea roja no permisible.

INTERPRETER. Any attempt to gain any kind of public space, any kind of activity by the dissidents or the opposition to try to get some kind of representation in society, any kind of attempt to do this is what the Castro regime does not allow, and that constitutes crossing the redline.

Senator MENENDEZ. So, to summarize, if you are a dissident and what you are doing is sending information about what is happening inside of Cuba to the rest of the world, you are oppressed, but you are not necessarily arrested. If you are a dissident, political activist, or independent journalist, and seek peaceful movement inside of Cuba internally and promote that internally and create the space in which that is known internally, that is what likely gets you arrested?

Mr. HERNANDEZ. Sí, hasta cierto punto, sí. ¿Por qué digo hasta cierto punto? Porque no todo en Cuba es blanco y negro.

INTERPRETER. Yes, up to a certain point, it is. And why do I say up to a certain point? Because in Cuba, not everything is black or white.

Senator MENENDEZ. Did Laura Pollan, the founder of the Damas de Blanco, cross the redline, and did that result in her death?

Mr. HERNANDEZ. Laura Pollán con su liderazgo, logró ocupar un espacio público que no se había ocupado nunca antes en Cuba.

INTERPRETER. Laura Pollan, with her leadership, was able to gain a public space and occupy it in a way that had never been done before in Cuba.

Mr. HERNANDEZ. Las marchas de las Damas de Blanco todos los domingos por la céntrica Quinta Avenida en Ciudad de La Habana, ha tenido repercusión nacional y repercusión internacional. Se han dado a conocer.

INTERPRETER. The marches that take place and that the Ladies in White take place in every Sunday downtown Fifth Avenue in Havana are being known about nationally and internationally. They got the message out.

Mr. HERNANDEZ. Y, es un ejemplo a imitar, de todas las organizaciones y de la sociedad civil cubana. Hay que tomar los espacios públicos, porque si no, no seríamos representativos de esta sociedad. Hay que buscar la forma de ser representativos de la sociedad, para provocar los necesarios cambios.

INTERPRETER. And this is a message that we need to send out to all of the Cuban people, all of the civil society organizations. We need to gain these public spaces. This is the only way that we can get the recognition that we need to get to the change that we all need.

Mr. HERNANDEZ. Y, hacer este trabajo, es estar del lado de la línea roja que el gobierno no permite.

INTERPRETER. But doing so constitutes being on the other side of the redline, and that is not allowed by the government.

Senator MENENDEZ. Finally, before I turn to Senator Rubio, to our two witnesses from Havana, I want to ask them, one, we have seen a tremendous increase in arrests and detentions in Cuba over the last 6 months. What do you believe is the cause for that crackdown?

And second, how can we help you to communicate and spread your message, your message for human rights and freedom inside of Cuba?

Mr. PEREZ. Sí, ha, ha habido un aumento vertiginoso de represión en los últimos 6 meses.

INTERPRETER. There has been increase in crackdown on repression over the past 6 months.

Mr. PEREZ. Este aumento de represión, se torna con más saña, con más violencia.

INTERPRETER. This violent—this increasing repression has become harsher and more violent.

Mr. PEREZ. Pero, sí es cierto que ha habido un aumento en la represión. Yo creo que más importante es significar el aumento del activismo. Es decir, que paralelo al aumento de la represión, ha habido un aumento importante del activismo y de la protesta en la calle.

INTERPRETER. But even more so important, in addition to this increase in repression, there has been an increase in activism that took place in parallel to this increase in repression, and we see that out on the streets.

Mr. PEREZ. Y, en lo que respecta a cómo ayudar, se puede apoyar y ayudar de muchas, de muchas formas. Se puede intentar promover lo que está ocurriendo en, en Cuba por todas partes del mundo, llevarles la realidad cubana a cada foro internacional, a cada encuentro.

INTERPRETER. In terms of helping, well, there is many ways. One would be to promote what is going on in Cuba and disseminate information all over the world to take it to all of the international fora.

Mr. PEREZ. Y, en términos concretos, en este caso podemos hablar, por ejemplo, creo que la—fortalecer las emisiones de Radio Martí y Radio República, serían algo muy importante y efectivo.

INTERPRETER. And more specifically, to strengthen broadcasting from Radio Martí and Radio Republica would be extremely important and effective.

Mr. PEREZ. Y, a propósito de radio, de Radio República, hay algo que nos ha preocupado—que preocupa, que preocupa mucho, tanto en la resistencia como en las filas de la oposición. Y, es que no, no entendemos cómo en momentos en que la oposición está ganando este espacio, en momentos que está este importante despertar.

INTERPRETER. And there is in terms of Radio Republica, there is a very big concern among the resistance and among the opposition, and that is that we don't understand how at this time when the opposition is gaining all of these spaces—

Mr. PEREZ. No entendemos por—cómo es posible que el gobierno de los Estados Unidos de América, nuestro aliado histórico en la lucha por la libertad, por ejemplo, le haya privado a organizaciones tan importantes, tan cercanas a la causa del, del pueblo, del pueblo cubano, de los presos, de los familiares, a organizaciones—el directorio democrático cubano con sede en Miami y plantado hasta la libertad y la democracia en Cuba, que han tenido tradicionalmente una serie de programas que han contribuido importantemente en el fortalecimiento de la, de la oposición y en el apoyo moral y de todo tipo, a lo que en Cuba lucha mucho.

INTERPRETER. So we don't understand how is it possible for the Government of the United States of America, who has been our historical ally in this fight for freedom, how it has denied private organizations that have such closeness to us that do such important work for the Cuban people, more specifically the Cuban Democratic Board, who has programs that have contributed to the increase in the opposition.

Mr. PEREZ. Creo que en ese tema, creo que he respondido más. ¿Alguna otra pregunta?

Senator MENENDEZ. Could you ask him if he was referring to Directorio's funds for the purposes of helping inside of Cuba, that they have—I understand that they have been ceased?

INTERPRETER. ¿Sara Marta quisiera opinar?

Ms. FONSECA. No, lo mismo que tú.

INTERPRETER. ¿Se está refiriendo a los fondos del directorio destinados al interior de Cuba, que tengo entendido fueron incautados?

Mr. PEREZ. Me estoy refiriendo a los fondos para el Directorio democrático Cubano.

INTERPRETER. I am referring to those funds. The funds for the Cuban Democratic Board.

Senator MENENDEZ. Well—

Mr. PEREZ. A esos mismos fondos.

INTERPRETER. And other organization—

Mr. PEREZ. Y, plantados a nuestra libertad a la democracia. Organización que estaba conformada por ex presos políticos veteranos, presos políticos reconocidos, presos políticos que han tenido un muy serio y conmovedor trabajo con los familiares y con los presos, durante largos años.

INTERPRETER. Y, ¿qué? Plantados. This is an organization made up of ex-veterans and political prisoners, as they call them, who have done some serious work with their peers and their families for years—para la libertad y la democracia.

Senator MENENDEZ. Well, with my thanks to Sara Marta Fonseca, Jorge Luis Perez “Antunez” and Jose Daniel Ferrer Garcia for coming under very difficult circumstances and for once again exhibiting your courage and risking, I understand, the potential consequences from being willing to speak the truth about your reality and challenges in a simple public forum here in the United States via our satellite hookup, with enormous respect for your commitment to peacefully creating civil society and space inside of Cuba, you have the thanks of myself as the chairman, Senator Rubio, and the members of this committee.

INTERPRETER. Quiero expresarles mi más profundo agradecimiento a Sara Marta Fonseca Quevedo, a Jos . . . Jorge Luis Pérez Antunez y a José Daniel Ferrer García, por haberse acercado en circunstancias sumamente difíciles. Y, una vez más, haber mostrado este enorme valor e incluso a . . . arriesgarse a las posibles consecuencias que puedan llegar a sufrir. Y, por estar dispuestos a hablar de la ver . . . De la verdad, de la realidad y los desafíos que viven en Cuba. Mis más profundos respetos por su compromiso, de parte mía y de parte del senador Rubio, y de todos los aquí presentes.

Senator MENENDEZ. With that and with our thanks to the U.S. Interests Section for facilitating our witnesses' visit and for facilitating the ability to communicate here, with our thanks to Mr. Hernandez Gonzalez and to all, I think this has been a tremendous insight into the realities of life inside of Cuba, to the challenges that Cuban citizens face to enjoy the very basic fundamental freedoms that we observe here in the United States and, for that fact, most of the Western world.

It is a reality inside of Cuba that one can face repression, torture, or imprisonment simply for speaking one's mind or simply for coming together in common cause to organize. Our witnesses, who have languished in Castro's jails for years, are living witnesses to that reality. All the romanticism in the world cannot erase the reality that they have spoken of today. And so, they have our thanks.

The record will remain open for 1 week. Any members who wish to ask questions may do so.

Senator MENENDEZ. And with the thanks of the committee, this hearing is adjourned.

[Whereupon, at 1:10 p.m., the hearing was adjourned.]

RESPONSES OF ASSISTANT SECRETARY ROBERTA JACOBSON TO QUESTIONS SUBMITTED
BY SENATOR BENJAMIN L. CARDIN

Question. ALAN GROSS: During your confirmation hearing last year, you pledged to continue to make Alan Gross's release a priority during your tenure as Assistant Secretary. How has this commitment materialized? What concrete actions have you and your staff taken to bring Alan home? Has there been any progress?

Answer. This administration views securing the immediate release of Alan Gross as an urgent priority. From the very beginning of his unjust detention, we have been careful to take our cues from, and respect the wishes of Mr. Gross's family, who have been deprived of the presence of their loving husband, father, and son. Since Mr. Gross's arrest, we have used and continue to use every appropriate diplomatic channel to press for his release, both publicly and privately. In addition to pressing the Cuban Government directly for his release, we have also urged governments around the world, prominent figures traveling to Cuba, and religious leaders to speak out on behalf of Mr. Gross. We strongly believe that Mr. Gross deserves to come home and be with his family, and we continue to press the Cuban Government to do the right thing and release him.

Question. HUMANITARIAN GESTURES: I understand that many try to equate Alan Gross's imprisonment with that of the so-called Cuban Five. I defy this. However, I did note that we recently allowed Rene Gonzalez, one of the Cuban Five, to travel from the United States to Cuba to visit an ailing relative. As you know, the Gross family has been calling for a reciprocal humanitarian gesture which would allow Alan to visit his ailing mother and daughter. I firmly believe the Cuban authorities should release Alan Gross and call on them to do so immediately. Have you discussed this "humanitarian gesture" with the Cuban authorities? If so, what was their response?

Answer. The Cuban Government frequently attempts to compare Mr. Gross's situation to the cases of the Cuban Five, five intelligence agents who were arrested in September 1998 and later convicted of a number of crimes in the United States. We do not equate the situations, and we continue to call on the Cuban Government to grant the request of Alan Gross to travel to the United States to visit his 90-year-old mother, Evelyn Gross. She is suffering from inoperable lung cancer and cannot, due to her condition, travel to Cuba.

Regarding Rene Gonzalez's travel to Cuba to visit his seriously ill brother, it was a U.S. district court that granted this travel request. While Mr. Gross's situation is not comparable to those of the Cuban Five in any way, we strongly believe that the Cuban Government missed an opportunity to make a reciprocal humanitarian gesture and allow Mr. Gross to visit his mother.

Unfortunately, despite Mr. Gross's compelling humanitarian circumstances, the Cuban Government has thus far refused to grant or respond to Mr. Gross's request. We continue to press the Cuban Government on this issue.

Question. LEARNING FROM OUR MISTAKES: Obviously, Alan Gross's mission, to expand Internet access to the Jewish community in Cuba, was a noble one. Yet, it went horribly awry and he and his family are suffering the consequences. What types of formal evaluation have occurred in the aftermath of Alan's imprisonment that will prevent future mistakes of this magnitude and keep hardworking U.S. citizens out of harm's way? Have you and your colleagues at USAID analyzed the "lessons learned" from this tragedy and changed standard operating procedures for future programs?

Answer. State and USAID have conducted reviews of all Cuba programs and continue to do so on a regular basis. However, carrying out democracy assistance pro-

grams in authoritarian states such as Cuba always carries some degree of risk. All grantees and contractors are well aware of such risks.

Most organizations that carry out programs in Cuba have experience working in closed societies. Our grantees are aware of the risks of operating in the Cuban environment. We regularly communicate with grantees regarding developments on the island.

During the grant application process, proposals are judged on an organization's ability to achieve an objective and on past performance, among other criteria. For grantees applying for projects in Cuba, proposals that demonstrate a clear understanding of the Cuban context and an ability to operate in a restricted environment are generally viewed more favorably.

To minimize the risks associated with carrying out programs in Cuba, we encourage grantees to limit travel to Cuba by U.S. citizens and permanent residents wherever possible. State and USAID advise grantees to carefully select the consultants and personnel they contract to implement programs in Cuba.

RESPONSES OF ASSISTANT SECRETARY ROBERTA JACOBSON TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. Secretary Clinton has reaffirmed the U.S.'s commitment to global Internet freedom and has made this part of her main platform. In a recent speech, she said that "the defense of a free, open, and interconnected Internet is a U.S. foreign policy priority. The State Department works to advance Internet freedom as an aspect of the universal rights of freedom of expression and the free flow of information."

Considering the importance of freedom of Internet, can you explain what the Department is currently doing to expand Internet freedom in the island? Has the State Department allocated any actual funding to help increase Internet availability in Cuba? What about connectivity within the island?

Today's hearing is on strengthening civil society in Cuba. Do you believe that freedom of the Internet and access to technology should be part of our focus in strengthening Cuba's civil society? What is the State Department doing to promote Internet freedom and access in Cuba?

Answer. The United States works to advance Internet freedom for people around the world, including in Cuba. Our support for strengthening Cuba's civil society includes promoting Internet freedom and access to information and technology.

In April 2009, the President directed the Departments of State, Treasury, and Commerce to take certain steps to increase the flow of information to the Cuban people. In response, the Treasury Department's Office of Foreign Assets Control (OFAC) made certain changes to its licensing policy, as reflected in the Cuban Assets Control Regulations (CACR), 31 CFR. 515. Among other changes, OFAC created a general license, authorizing transactions incident to the establishment of facilities to provide telecommunications services linking the United States and Cuba, including but not limited to fiber optic cable and satellite telecommunications facilities. Access to a freer flow of information will provide the Cuban people, including democracy activists and civil society, with information and tools that better prepare them to freely determine their own future and support communication between Cuba and the outside world.

OFAC also created a general license authorizing contracts with non-Cuban telecommunications providers for telecommunications services provided to particular individuals in Cuba, provided that such individuals in Cuba are not prohibited officials of the Cuban Government or Cuban Communist Party as defined in the CACR. This move allows personal Internet communications service providers to reinstate services that some providers had terminated out of a desire to avoid a violation of U.S. sanctions against Cuba.

The purpose of U.S. democracy programs in Cuba is to increase the free flow of information to, from, and within Cuba. Our U.S. Interests Section in Havana offers free high-speed, uncensored Internet access stations to the public, a popular service that generates more than 28,800 user hours per year. USINT also offers distance learning and other training to the Cuban public on information technology, Internet usage, social media, and online journalism to enable and support the free flow of information. The FY 2011 Congressional Notification for the Cuba Economic Support Funds outlines proposals to encourage the application of innovative technology to increase interconnectivity among civil society actors, to facilitate the flow of uncensored information, and to study ways to expand Internet access and connectivity within the island. These proposals also support using information communications

technology to tackle pressing issues in Cuba, such as documenting and publicizing human rights abuses, cyber security, impunity, and corruption.

The United States supports Internet freedom for Cubans, as the free flow of information empowers individuals and strengthens civil society. We will continue to explore new technologies that hold the prospect of making uncensored Internet access a reality for the Cuban public in general.

Question. The State Department gave a visa to Raul Castro's daughter, Mariela, to speak at conferences in San Francisco and New York. Any nonseasoned Cuba observer knows that Mariela is currently the highest-profile spokesperson for her family dictatorship. She's been traveling the world defending her family's rule, insulting dissidents (calling them "despicable parasites") and justifying the arbitrary taking of an American hostage.

Why would the State Department, despite the current visa ban on senior level Communist Party officials, grant an exception to Mariela Castro for this visit, where she predictably insulted my constituents and sought to discredit Cuba's courageous dissidents?

Shouldn't the United States have been denying visas to these spokespersons of the regime until democracy activists are allowed equal time, and until American hostage, Alan Gross, is given an exit visa to come home to his family?

Answer. As Director of the Cuban National Center for Sex Education, Mariela Castro Espin was invited to attend the 30th International Congress of the Latin American Studies Association (LASA) in San Francisco and to speak on Lesbian, Gay, Bisexual, and Transgender rights in California and New York. She last visited the United States in 2002, during the Bush administration.

We cannot discuss specific details about Mariela Castro's individual case because visa records are confidential under Federal law. However, the State Department places the highest priority on security and compliance with U.S. law and regulations when adjudicating visas applications.

Presidential Proclamation 5377 of October 4, 1985, and other applicable policies and requirements are duly considered in the adjudication of visa applications submitted by Cuban nationals. Presidential Proclamation 5377 suspends entry into the United States of certain employees and officers of the Government of Cuba and the Communist Party. However, the Proclamation does not contain a blanket prohibition on issuing visas to Government and Party officials and employees. For example, the Proclamation allows entry of Cuban officials to conduct official business at the Cuban Interests Section and the Cuban U.N. mission. Moreover, under section 2(c) of the Proclamation, the Secretary of State may designate certain cases or categories of cases to which the suspension does not apply. Secretaries have from time to time made such designations, including a 1999 designation that had the effect of focusing the Proclamation's application mainly on high-level government and Party officials, including the Cuban President and Vice President, the National Assembly President and Vice President; Politburo members; certain high-level Communist Party officials; and senior military, intelligence, and police officials. In light of the 1999 designation, Mariela Castro's visa request did not fall into any of the categories to which the Proclamation still effectively applies.

We condemn her comments concerning brave dissidents in Cuba and her statements defending the indefensible imprisonment of Alan Gross. The administration is strongly committed to supporting the promotion of human rights and respect for fundamental freedoms in Cuba, as well as free flow of information to, from, and within Cuba. Unlike the Cuban Government, we respect the freedom of speech and are not threatened by viewpoints with which we disagree.

In regard to Alan Gross, we have used, and continue to use, every appropriate diplomatic channel to press for Mr. Gross' release, both publicly and privately. We have urged governments around the world, prominent figures traveling to Cuba, and religious leaders to press for Gross' immediate release. We have made clear that he was, as the Cuban Government appears to admit, simply assisting Cuban citizens to secure Internet access. We have made clear that we will not accept any effort to equate him or his efforts with those of Cuban intelligence officers who were duly convicted of espionage, conspiracy to commit murder, and other crimes. We continue to work to free Mr. Gross so that he may be reunited with his family.

Question. There's a long history of physical and psychological intimidation and harassment by Castro regime officials toward U.S. diplomats stationed at the U.S. Interests Section in Havana. Recently, The Miami Herald reported that the Cuban regime has heightened its harassment of our diplomats and tightened travel restrictions, so they cannot leave Havana. Thus, obviously, the Castro regime is not reciprocating the goodwill of the State Department in granting numerous visas to Castro regime officials and letting them roam freely throughout the United States.

Can you share with me what the State Department position is with regard to this? Are we implementing security measures to avoid the harassment of our diplomats?

Answer. We have been concerned for some time and strongly condemn the ongoing Cuban Government harassment of our personnel in Havana, who are often publicly criticized in Cuban state-run media for conducting their normal activities. The U.S. Interests Section regularly, as a matter of policy, engages with the broadest group of Cubans—including democracy activists and human rights defenders—to learn from their perspectives and to promote further cultural understanding, especially on the topics of democracy, fundamental freedoms, and human rights. USINT has encouraged and will continue to encourage other countries' missions and diplomats and the media to focus on human rights conditions in Cuba. U.S. personnel perform their professional duties and carry out their challenging assignments in this restrictive environment despite the risks and harassment. We regularly encourage all members of USINT staff to report any acts of harassment so that we can promptly register our objections directly with Cuban authorities.

In 2002, the Cuban Government imposed travel restrictions on USINT officials limiting their travel within Havana province. Current restrictions on travel outside Havana hamper our ability to fully carry out our obligations under the Migration Accords and other core activities, including protection of U.S. citizens in Cuba. The restrictions also severely limit contact by USINT personnel with all but a small number of Cubans outside of Havana. The State Department has implemented reciprocal travel restrictions on CUBUN officials to within a 25-mile perimeter of New York City, and CUBINT officials within the Capital Beltway perimeter of Washington, DC, absent specific permission by the Department on a case-by-case basis to travel outside these perimeters, for example, to conduct consular visits to Cubans incarcerated in the United States.

Our Diplomatic Security (DS) staff is dedicated to providing a secure living and working environment for our personnel in Havana, 24 hours a day, 7 days a week. They are responsible for developing and implementing security policies and programs that provide for the protection of all U.S. Government personnel on official duty within Havana and their accompanying dependents.

