

CUBA – EUROPE DIALOGUES

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Author: PIN Archives

Return to the land

MESSAGE TO THE EUROPEAN PARLIAMENT

by Oswaldo José Payá Sardiñas

We ask: Will we have to wait until next year for the European Union to address again its relations with Cuba? In the meantime, what will be the European approach? Can we expect that the ratification of the Common Position imply that every member of the European Union will conduct its affairs in a manner that corresponds with that Position?

It is necessary to remind Cubans, the world and also Europeans that that Common Position does not consist of aggression against Cuba, nor isolation

of Cuba, and not even imposing by force conditions on the people of Cuba, but in fact the contrary. The European Common Position is the demand that the Cuban government respect fundamental rights – the human rights of Cubans in their own country.

We will never ask for, nor will we accept, sanctions or policies towards Cuba that cause harm or suffering for Cubans or deny the sovereign right of our people to free self-determination and national independence. That is why we do not, will not, and never

will accept embargos, interventions or interference of any type. But it is the order without rights and without democracy imposed in Cuba – with its intrinsic denial of personal liberty and its denial of human rights both in law and in practice – that is the primary cause that harms people and families, inflicts sustained suffering on the Cuban people, and denies in practice and through law mechanisms the right to sovereignty of the people of Cuba.

For promoting and defending these rights, for proposing peaceful chang-



Author: PIN Archives

Waiting for Change

es and national reconciliation – as we have done through the Varela Project campaign – and for denouncing violations of peoples’ rights, the Prisoners of the Cuban Spring and other Cuban political prisoners are in jail.

The cruel and degrading prison conditions of so many Cuban defenders of human rights, the harassment of the families of prisoners – especially the Ladies in White, and the harassment and persecution of those who struggle for democracy should not be interpreted solely as repression by the Cuban government against those whom it considers to be its political adversaries.

These unjust imprisonments, and the repression against those Cubans, are the visible evidence of the general repression that is felt by all Cuban people. Such acts are a means of intimidation against all citizens, and they are a confirmation that the doors to a future democracy remain closed and have not even begun to open. They confirm the government’s resistance to the popular will and its denial of the people’s desire for a different life. No one should doubt that the different life that Cubans desire is based on liberty. (See the Declaration of Liberty of the Cuban People, at www.oswaldopaya.org).

The European Union should promote and support the proposed resolution to the Human Rights Council of the United Nations. This resolution asks the government of Cuba to release all those who have been unjustly imprisoned for having promoted, defended, and exercised their universally-recognized human rights.

The release of all those who have been imprisoned for promoting, defending, and exercising their human rights would be an act of justice not only for these individuals, but also for the entire

EDITORIAL

When Raul Castro rose to the presidency in February and initially set off a wave of small reforms, he raised people’s hopes on and off the island that major changes were finally on the verge of happening. Six months later, however, Raul seems far more concerned with making sure that he stays in power than truly addressing the endemic problems that the Cuban people are facing on a daily basis. Certainly in the wake of the two major hurricanes that devastated the island, Cuba desperately needs to see living conditions improve considerably. What does the immediate future hold?

This issue tries to explain and demystify some of the ‘reforms’ that Raul has initiated, while also trying to place them within a historical context. Cuba is clearly at a turning point, but is it more like 1968 or 1988? Will his belief in socialism turn out to have a human face and resist using force or driven by the idea that people will choose consumerism over democracy if he can create a Vietnamese style economy in the Caribbean? Perhaps more importantly, will the Cuban people be allowed to have a say in their future for the first time in nearly 50 years? Raul might see himself as an innovator who has learned from the successes and failures of Mikhail Gorbachev and Deng Xiaoping, but in the end he is more like the older Russian leaders who kept dying off in the early 80s – willfully oblivious to the fact that the world had changed tremendously since the end of WWII. One can only maintain support based on past triumphs and promises for a brighter future for so long.

The EU seems unclear on what to do with Cuba. In June, the EU Council decided to drop the suspended diplomatic sanction against Cuba that were imposed after the 2003 crackdown, but it will still review conditions at the end of 2008 to see if the Castro regime has successfully met a series of criteria in the fields of human rights and democratization. Allegedly relations have been normalized, but are they really? If the last six months are any indication, Cuba will fall far short of meeting these criteria, which means that the EU will have to decide what it wants to do.

As long as the Castro regime continues to incarcerate hundreds of political prisoners, maintains strict control over all form of media, denies its citizens the right to travel and refuses to allow free and fair elections, then democratic governments must use the means at their disposal to push for change. This issue has contributions from leaders of the Cuban opposition, such as Oswaldo Paya, Oscar Espinosa Chepe, as well as a timely piece from the most famous blogger on the island, Yoani Sanchez. There is also a piece of former Estonian Prime Minister Mart Laar about what lessons Cuba could learn from the Central and Eastern European countries that have made the transition to democracy and free market capitalism. There is also a survey that was conducted with people in Havana that allows them to express what they would like to see happen

At this point the promises of the reforms and the daily realities on the island simply don’t match up. Raul knew when he took the reigns from his brother that he had a short amount of time to consolidate his power and to convince people that things were improving. Raul has proven at this point that he can take charge, but given that his advice to the people of the island is that “we must get used to not only receiving good news.” Does he think that things have been so great for the last 20 years?

Scott Hudson

Editor of Cuba – Europe Dialogues

Cuban people. This release would be an authentic sign of the beginning of a new age for Cuba as it opens paths toward the respect of the rights of all, toward reconciliation, and toward the peaceful changes desired in all spheres of life.

Only Cubans can bring about these peaceful changes in society through dialogue and through democratic participation supported by the institutionalization of rights. Cubans will know how to preserve and improve upon the successes of the people and how to change that which should be changed for the good of all. We firmly believe that such a transformation is possible. The civic Cuban Forum Campaign (CFC), even in the face of repression, intensifies the peaceful path of the Varela Project among the people as the first step toward these changes.

There has been much speculation and many predictions about the changes taking place in Cuba. There has even been a virtual scenario of supposed changes created, with expectations that cannot even rest on the promises of the Cuban government, as they have not carried out these changes. Regardless, many insist on accepting and even promoting a vote of confidence for some changes undertaken by the government – those which we all desire – but also for those changes that are neither compromises nor signs of things to come but instead are acts of arrogance and intolerance, and forms of repression against even the safety and security of the families of human rights defenders.

We do not seek to cast aspersions on those currently in power as possible catalysts of joint change. It is they themselves who expressly – and with their status quo policy of totalitarianism – cast aspersions on these changes, and stigmatize and persecute those who make proposals or call for change. Changes in Cuba are coming through the peaceful and civic path of this

Campaign that calls for legal reforms to respect the rights of Cubans.

The game of creating this virtual scenario, apart from offending the intelligence and dignity of Cubans, has promoted intransigence and stimulated repression and intolerance. Our call and challenge to those who see change when they see imaginary processes – or modifications to make a closed system more effective and efficient – is this: and why not rights?

These unjust imprisonments, and the repression against those Cubans, are the visible evidence of the general repression that is felt by all Cuban people. Such acts are a means of intimidation against all citizens, and they are a confirmation that the doors to a future democracy remain closed and have not even begun to open.

We must recall once more: “We Cubans are human beings, and we have a right to all rights.”

Last December 18th, we presented the Law of National Reconciliation to the National Assembly of the People’s Power. This bill declares the right of Cubans to leave and enter the island freely and puts an end to the discriminations and humiliations that Cubans suffer in our own land.

Unfortunately, the National Assembly has neither considered this bill nor submitted it to public scrutiny or decision. The National Assembly gave the same treatment to the Varela Project, which we will

continue to pursue because it demands fundamental rights for Cubans.

The latest declaration by the European Council, calling for the release of political prisoners in Cuba and stressing the need to improve the human rights situation on the island, is of much consequence. The European Parliament has constantly stood in solidarity with the Cuban people on these issues. We now hope that the member countries, the institutions, and the citizens of the European Union will be firm in demanding the respect of the rights of Cubans regardless of the relationship they propose regarding Cuba.

These demands should serve as priorities in the dialogue with the Cuban authorities. These demands will always serve as priorities in the dialogue between Europeans and defenders of human rights in Cuba.

Instead of presenting a list of petitions, we will simply call for solidarity with the people of Cuba in these direct and fair terms: the true respect for the sovereignty and self-determination of the Cuban people, and the expression of good will and the contribution to the overall process and to peace for Cubans on behalf of the European Union – from whatever state or group of states, institutions and individuals – should draw from and sustain itself on the support for the legitimate aspirations of the Cuban people to have all of their human rights respected in our own country.

Havana, July 14, 2008, Christian Liberation Movement (Movimiento Cristiano Liberación – MCL)

Oswaldo José Payá Sardiñas is a leader of the MCL, who was awarded the Sakharov Prize by the European Union in 2002 for his work in the Varela Project and calling for democratic reforms in Cuba. He has been nominated for the Nobel Peace Prize for the last several years.

CHANGES FOR DREAMERS

By Yoani Sanchez

It has always been said that there is nothing worse than a blind person who doesn't want to see, likewise it could be asserted that there is nothing worse than an idealist who wants to see that which does not exist. The so-called reforms enacted by the Cuban government, starting when Raul Castro assumed the presidency, are permanently overhyped by a sophisticated promotional campaign that hopes to convince foreigner observers that changes are happening in Cuba. Meanwhile for so many on the island, inside people's homes, inside of their refrigerators and on their shelves, nothing is happening.

Beyond the primarily cosmetic measures, like giving Cubans the legal right to be guests in hotels, to have a cell phone contract, or to purchase a computer; the main economic reforms most talked about are those related to the situation of imported goods, the wage reforms and the turning over of idle farm land in usufruct.

The idea that the country should not buy from abroad what it can produce on its own land deserves to be applauded. The best example of this, are the fruits and vegetables that the country imports to satisfy the

existing demand of the hotel industry. Therefore, the issue is not to cut back to the point where we stop importing a product, but to produce it here with high enough quality and with the guarantee of it arriving at its destination at the right time. The most important and difficult thing to achieve might be keeping the costs for doing this in Cuba lower than buying produce from abroad.

The state can not, for example, claim to provide support for an Italian restaurant if the kitchen can't count on having cheese and pasta of an acceptable quality; nor can the regime expect that the people are enjoying an improved quality of life, if these same people can not afford the consumer goods that they have approved. Most of the products being sold in stores are part of a monopoly of state commerce, in convertible pesos (CUCs), at prices that are four times higher than they cost to manufacture. The correct campaign would be dealing with issues around imported products and not launching a punitive decree against foreign merchandise. The real reform would be making it possible for the state run farms, cooperatives or private businesses to pursue their initiatives so that they would be com-

petitive on the level of prices and quality with those producing comparable things abroad.

In a country where the state controls just about everything, no one wants to speak about the salary reform without a consequent monetary reform and a reform of prices. Let's take for example someone that might have benefited from a higher salary cap applied in Cuba. Supposing that this worker's salary has just gone up by 25%, e.g. before he was making 500 Cuban pesos and now he is making 625, a net gain of 125 pesos, which would allow him to acquire two liters of cooking oil and a kilogram of onions. In the subsidized market he will not be able to buy anything extra, because besides being 'state assistance,' it is rationed and therefore this market will not sell additional items. In addition, he will not benefit from a greater number of trips on local buses, since these are also subsidized by the state. Simply because one's rhythm of going between from work to home and vice versa, does not allow devoting more time for life on public transportation. He will not be able to read more newspapers, buy more electricity, nor buy more medicines. The only place

he can spend the money from his augmented salary is in the market where the 'national' money is worth exactly 25 times less. So therefore, he has earned in reality 5 convertible pesos more. His well publicized high-salary can be reduced to just this.

Very far from making a new Agrarian Reform, which would confiscate unproductive land from state owned plantations and turn the property over to the campesinos that would make it productive, the government has restricted this to offering small parcels of idle land in usufruct for a ten year period that can be renewed.

The new law, which should be approved by December 2008, does not express with clarity if the future owners of the land in usufruct will have the right to contract labor. The text of this new arrangement speaks in a very ambiguous terms about the issue of indemnity, or compensation, that a person would be able to receive when their usufruct contract comes to an

end and might not be renewed. "How could I take with me the well that I opened on this land?" a farmer might ask. "How much are they going to pay me for the trees that I planted, for the infestations that I did away with and for the work that went into improving the land?" The lack of guarantees, which suggests a very short term of usufruct, will be a negative element in the moment of stimulating the people that will have to work the land from dawn to dusk. Only property with inheritance rights could be able to attract interested people in such a matter. Landowners that can decide what they are going to produce and with sufficient autonomy from the state to bring to the marketplace what they produced.

A law from the Marxist dialectic, which was repeated to us over and over again in school, postulated that incremental quantitative changes could only generate qualitative changes up to a certain point. As an old professor of mine used to say

to illustrate this rule, "One does not become bald, just because ten hairs might fall out." For this same reason, the timid reforms applied during Raul Castro's reign, are destined exactly to maintain the current system, not to change it. The greatest proof of this is that nobody has spoken of transforming a single aspect relating to the civil and political rights of the citizens, let alone question the political monopoly of the Communist Party.

„Nothing in here, nothing in there“ proclaims the magician by showing his empty hands, while the innocent spectators expect to see the reforms coming out of his top hat.

Havana, Cuba. August 4, 2008

Yoani Sanchez is a Cuban blogger, who was awarded the prestigious Ortega y Gasset Journalism Prize for her work. She was named one of the 100 most influential people by Time Magazine in 2008. Her writings can be found at <http://desdecuba.com/generacion/>



Author: Jaroslav Jiricka

Dreaming of more

WHAT CAN CUBA LEARN FROM THE EXPERIENCES OF CENTRAL AND EASTERN EUROPE?

By Mart Laar

Today, as the communist system in Cuba is weakening, the natural question being asked is: what will come next? The people of Cuba are constantly being warned by the regime that the fall of communism and a transition to democracy and market economy would destroy Cuba by introducing poverty and inequality. Often the communist rulers' proof that this could happen is based on the transitions that occurred in Central and Eastern European (CEE) countries, where transition was followed by harsh economic conditions and a rise in social problems. However, has the transition to democracy and free markets really brought misery to CEE countries? Has it really been failure or has the life of people in these countries improved?

The current situation in Cuba is similar in many ways to that of Central and Eastern Europe at the end of the 1980s. By that time, forty years of communism had destroyed the economies of the CEE countries and pushed the people into poverty when compared to the Developed World. Perhaps the Cuban people don't understand the full extent of the misery and destruction that communism has caused them. This was largely the case in CEE countries. By 1989, there was an overwhelming hope that by simply removing the communist rulers from power, the liberated

countries would attain a standard of living comparable with Western Europe. However, nobody actually understood how backward and undeveloped the communist economies really were at that point. Once the truth about our economic conditions was revealed, the path to reaching a 'first world' level of development proved to be more painful and difficult than anyone had predicted. In the case of Cuba, it is interesting to note that Cubans had a higher standard of living than Spain in the years before the revolution, but this could hardly be said today. The CEE countries and Cuba provide ample proof that the longer communism lasts, the wider the economic gap will be between their countries and the Developed World.

The transition experience in CEE countries may have been hard, but it has proven to be worth it. When a communist system collapses, the public is suddenly confronted by problems that were hidden from them for years. Infrastructure that has been neglected due to a lack of investment for decades will start to fall apart, inflation rates go up, a currency can quickly lose its value, productivity drops, and social problems deepen as social inequality rapidly rises. Meanwhile, the only people with foreign currencies are the ones who belong to the communist nomenclature that are in position to

become rich. The experience of the CEE countries demonstrates that the drop in the economy will be smaller when the reforms are started more quickly. Therefore, my first suggestion is: finish with communism as soon as possible. Each additional year under communism will add years of misery.

The first democratic government is responsible for coming to terms with the heavy heritage of communism, by making the decisions necessary to lead their country out of crisis. Speed is one of the most important factors in this kind of situation. Countries need to take advantage of the short period of "extraordinary politics" to launch their radical economic program when the transition begins. If a country fails to do after the window of opportunity closes they will still face the challenge of making the transition to a market economy, but will have to do so under more difficult economic conditions. Countries that miss out on this chance are in danger of moving into a period of macroeconomic instability that is usually marked by chaotic state regulations and massive corruption.

Two other important lessons emerge from looking at the experience of CEE countries. One: take care of politics first before moving full stop into economic reforms. The second can be

summed up by the well-known advertising slogan: "Just do it," that is, be decisive when adopting reforms and stick with them in spite of the short-term pain they cause. Politics have to be dealt with first, because there must be a legitimately formed consensus for change to initiate and sustain radical reforms. This is only possible through a democratic system ready to develop public institutions that are accountable and to organize free and fair elections. Countries have to make a clear break with the totalitarian past, including the structures and the people to be successful in the future.

Macroeconomic stability must be achieved immediately. Economic reforms, based on a strict monetary policy and balanced budgets, should be initiated to achieve these goals. These reforms are often the most painful ones, but they are essential. Making it from this first stage of reform to the second is one of the most decisive moments in an economic transition. The 'shock therapy' necessary for economic stabilization is likely to be a rude awakening for the people. However, without a major readjustment of attitudes, the problems of the post-communist period could easily become a trap and the nation would never have moved forward to become a "normal" country with a free government, free markets and rule of law.

Under communism people were not used to thinking for themselves, taking the initiative or assuming risks. Many had to be shaken free of the illusion – common in post-communist countries – that somehow, somebody else would come along and solve their problems for them. It was necessary to energize people, to get them moving, to force them to make decisions and to take responsibility for themselves. In our case, the government declared that it could only help those who were prepared to do something

for themselves. This principle proved to be unpopular, but it helped change attitudes.

Countries have to open themselves up to the rest of the world, including competition and foreign investments to do this. Lots of people are afraid of such openness, so the government must be ready to show the way. Openness provides several advantages for a smooth and rapid transition to a market economy. It establishes a rational

Forty years of communism had destroyed the economies of the Central and Eastern Europe countries and pushed the people into poverty when compared to the Developed World. Perhaps the Cuban people don't understand the full extent of the misery and destruction that communism has caused them.

set of market-determined processes for resource allocation, introduces more competition, and allows countries to specialize according to their comparative advantage so that the market, rather than the government, can determine who wins and who loses. The policy of openness also sets in place an environment of transparency, with clear market-based signals for producers. In the case of Estonia, it was the first of several CEE countries to introduce a simple low flat tax rate system, which helped to create good conditions for entrepreneurs and investments.

Radical economic reforms cannot be implemented without establishing the basic laws that regulate the economic sector. The rule of law is especially important in the fight against one of the worst diseases of transition economies – corruption. Special attention must be given to the bank reform. Banks are the most important part of economy, and if organized crime takes them over, a mafia can quickly take over the whole country. The money laundering, dirty money and all other unclean operations must be removed from banking system as quickly as possible. The special attention must be given to property reform. At the heart of a transition lies a change in ownership relations. Without this change, without change to private ownership, transition will no doubt fail. So Cuba must decide how they will or in which form return or compensate the property to legal owners and how to privatize state-owned enterprises.

Such reforms can look painful, but they bring success. Estonia has been one of most radical reformers among transition countries and thank to this it has achieved one of the fastest growth rates in the World. In 1992, the average GDP per capita in PPP in Estonia was 15 to 20% of the EU average, but by 2007 it had reached 72%. There is no doubt that in Estonia poverty and inequality are decreasing. In addition, Estonia has successfully passed several social reforms that deal with vital issues such as healthcare and pensions. But lastly, Estonia has never been richer throughout its history, which serves perhaps as the best example that radical reforms really are ground for success.

Mart Laar is a historian and statesman, who served twice as the Prime Minister of Estonia, founded the Foundation for the Investigation of Communist Crimes and is an active member of the International Committee for Democracy in Cuba.

SURVEY SAYS... SITUATION “VERY BAD”

By Max Van de Aar, Nicola Sanchez and C. H. Zola

A recent survey indicates that many Cubans view their country’s current condition as “very bad.” Cubans said they are personally affected by the high cost of living and lack of housing. Public services in Cuba are also far below the public’s expectations. However, despite the economic hardships they face, Cubans said they would want to hold free elections as the first priority area for improvement.

The Voice of Havana survey, conducted in late 2007, interviewed 150 Cuban citizens in the capital city of Havana. The survey represents one of the few independent quantitative surveys conducted in Cuba in recent years.¹ The Voice of Havana sought candid views from Habaneros (Havana citizens) on a variety of topics, ranging from the state of infrastructure, human rights, government effectiveness, corruption, health, and education.

Residents from 10 of Havana’s 15 municipalities – from Boyeros to Habana del Este – responded to nearly 100 quantitative questions. Respondents ranged in age from 18 to 80 years old, averaging 42 years of age, with a male-female ratio of 49-51 respectively. Of those interviewed 59 percent were working professionals, while the remaining 41 percent

were students, retirees, unemployed or worked in the informal economy.

Since the sample only included participants from Havana, the results are not representative of the views of the entire Cuban population. Still, the survey reveals important insights into public opinion regarding the current political, economic and social landscape in Cuba. Further research should be conducted in the provinces to better understand citizen opinions throughout the island.

THE SITUATION IN CUBA TODAY

Sixty percent of Cubans interviewed assessed the current situation in their country as “very bad.” Not a single respondent qualified the situation as “very good,” and 76 percent predicted that it would get worse in the next two years. Respondents also said they felt personally affected by a variety of problems, including the high cost of living, the lack of security, corruption, lack of housing and human rights violations. When asked to identify the most important problem in Cuba today, 92 percent identified the high cost of living, the lack of freedom and respect for human rights, and the lack of infrastructure. These issues were

chosen over others, such as crime, lack of medicines, or unemployment.

When asked about the cause of problems in Cuba, more than a third of respondents pointed to the government’s ineffective economic policies. An overwhelming 87 percent gave the government’s economic policies a poor rating, with 70 percent expecting the situation to worsen in the future. Respondents also named high levels of corruption and the government’s lack of transparency as other major sources of the country’s problems. More than 76 percent of respondents felt the administrative burden constituted by the government is very high, and believe that government inefficiencies have caused serious damage to the economy.

PUBLIC SERVICES

When asked for opinions of several government services, respondents expressed sharp dissatisfaction with many public services and institutions. Between 65 and 80 percent of respondents were very dissatisfied with transportation services, the police, and information services (media, television and internet). Infrastructure is generally perceived to be in poor condition with over 70 percent of respondents saying

¹ An independent survey was carried out by Solidaridad Española con Cuba in late 2005 (<http://www.solidaridadconcuba.com/noticias/encuesta.htm>). The Gallup Organization conducted a survey in 2006 (<http://media.gallup.com/WorldPoll/PDF/TFcuba022207.pdf>). In early 2007, the Cuban government released the results of its own survey (<http://www.juventudrebelde.cu/cuba/2006-12-31/dibujo-de-la-cuba-futura/>). The International Republican Institute also conducted two surveys, one in late 2007 (<http://www.iri.org/lac/cuba/pdfs/2007-10-18-cuba.pdf>) and another in early 2008 (<http://www.iri.org/lac/cuba/pdfs/2008%20June%205%20Survey%20of%20Cuban%20Public%20Opinion,%20March%2014-April%2012,%202008.pdf>).

they were very dissatisfied with the state of infrastructure overall in Cuba. Respondents expressed less dissatisfaction with health and education services, with only 25 and 23 percent saying they were dissatisfied, respectively.

THE BLACK MARKET

Respondents estimated that nearly 65 percent of all commercial activities in Cuba are unofficial or go undeclared. Younger respondents placed this number much higher at 72 percent, while those respondents age fifty and older cited 56 percent of activities as unofficial. This

difference in perception between generations may reflect the younger population's heightened awareness of or exposure to unofficial activities as compared with older Cubans. Despite the difference in opinion, only 26 of the 150 total respondents counted less than 50 percent of commercial activities as unofficial, indicating that Cubans are well aware of the scale of activities within the informal economy.

LOOKING TO THE FUTURE

Despite the current economic hardships affect Cubans on a daily basis,

many would still prioritize free elections. If given the chance to improve things, one third of Voice of Havana respondents said they would start with holding free elections on a regular basis. Other priority areas for improvement included privatizing the economy and increasing the average salary for workers. This gives hope that many Cubans believe that free and fair elections can bring positive change to Cuba.

For the full results from the Voice of Havana Survey, visit http://www.cubalog.eu/download/pdf/dialogues_26.pdf

CUBA, BEFORE THE HOPE AND THE FRUSTRATION

By Oscar Espinosa Chepe

When General Raúl Castro assumed power provisionally, due to the illness of its brother at the end of July 2006, some analysts thought he would manage to usher in an epoch of economic changes to fix Cuba's troubled society. This perception was largely based on the personal characteristics of the younger Castro, as well as the calamitous social situation in urgent need of transformation that he was inheriting from his brother.

The General has not been a supporter of democratic principles. During his life he has not distinguished himself as an ideologue or as someone with disproportionate ambitions of international pre-eminence, but as a pragmatic person, prone towards team work and with a talent for organization. These are the characteristics he demonstrated

as the leader of the armed forces, one of the country's relatively solid institutions. His political stature, certainly lacks the charisma of Fidel Castro, should be inclined towards substantially improving the population's deteriorating standard of living, a goal only attainable by means of a radical removal of a system that has led the country to the brink of disaster.

From the beginning of his provisional ascent to power, in his scarce and relatively brief public interventions, he pronounced the need to carry out economic changes, inaugurated by a period of less political activism, with a bit of a rest for people that for decades have been obliged to mobilize themselves incessantly in endless demonstrations and actions in order to convey an image of the popular support for the regime.

As a result, these indicating factors created cautious hopes about the start of liberalizing economic transformations from the blocked productive forces. Special importance was given to the speech that Raul Castro gave on July 26, 2007. On that occasion, he recognized the deplorable state of the economy – particular in the agricultural sector – the inadequate salaries to cover the cost of living, and announced the need to carry out structural reforms and his concepts. He also demonstrated a more flexible attitude towards future relations with the United States, and the possibility of undertaking conversations on equal terms with the next elected administration in November 2008.

A little before he gave that speech, Fidel Castro had begun to publish articles in the media under the title of Reflections

from his sick bed, which gave him the opportunity to present contrary opinions to those being offered by the General. An example was his opinion denying any arrangement with the United States, clear proof of the conservative sectors' existence in the ranks of the government and the Communist Party, filled with people, like the old strong man, that are fearful about the possibility of economic reforms being a prelude to political changes and could lead to the end of almost 50 years of totalitarian years of rule.

Raul Castro was confirmed as the president of State and the Council of Ministries on February 24, 2008. Upon delivering his speech and assuming his new title, he reiterated the possibility of executing changes, starting with the elimination of prohibitions that he qualified as absurd.

Inside Cuba his words increased the hopes of gradual transformations, although the initial ones would only be economic, with the prediction that they would create the condition for a smooth landing for a democratic society. The current situation for the population is quite difficult, given people earn a monthly salary of 408 Cuban pesos (which at the end of 2007 was equivalent to 13 Euros), the majority of pensions are 200 pesos a month (roughly 6 Euros), and the nature of the dual currency system. Thus, it is impossible for people to use the majority of stores with the national currency in which they receive their salaries and their pensions to acquire basic necessities among the many other wrongs generated by the crisis.

Weeks after he assumed power, Raul Castro authorized the population to buy computers, DVDs, motorcycles, mobile telephones, and some electric appliances and ended the prohibition of Cubans being allowed to stay in high priced hotels only payable in Con-

vertible Pesos (CUCs) that will make it impossible for most people to do it.

These superficial measures created the illusion that even bigger changes were on the verge of starting, like the establishment of flexible mechanisms for the travel outside of the country, the transfer of lands into the hand of people interested in cultivating them and steps to granting Cubans the right to operate their own businesses, initially through the authorization creating small and medium size businesses, among other transformations that would allow for the efficient use of the country's economic potential that has been underutilized up to now.

Sadly, since June everything seems to indicate the almost complete paralysis of the reforms. Even though in July a law was announced to deliver lands for cultivation in usufruct, its characteristics are very limited and they indicate the will of the regime to maintain its strict control over society.

Lastly, it can be affirmed that Raul Castro's speech this last July 26th was neither favorable in regards to economic changes nor to improving relations with the United States, in spite of the fact that one candidate, Barack Obama, during his electoral campaign has expressed his disposition towards initiating conversations with Cuba without conditions.

The General President's speech, as well as the sudden halt in the dynamics of the reforms, has frustrated the population and created many questions about the future of the reforms and the true intentions of Raúl Castro. Many people think that Fidel Castro, with his conservative beliefs, is blocking the changes that are urgently required from his sick bed. It cannot be forgotten that he has been the revolution's historic leader and that his figure still casts a long shadow

over the society that he has controlled with an iron hand down to the smallest details.

In everyway possible, the situation is not an easy one for Raul Castro. He does not have the political stature that his brother once had, and the population's disgust is presently growing due to an endless crisis that is now fertilizing their frustration. The political capital of the government is exhausted and there are only two clear options left: either to do reforms and elevate the standard of living for the people or to drive the country into the chaos and deal with the consequences.

The next few months will be very difficult, the increase in the price of food has eaten up the small purchasing power of a country that presently acquires 84% of its food from abroad, while more than 55% of its own fields lie idle. In addition to these concerns one must add the serious rise in fuel prices and the considerable drop in the price of nickel, which currently accounts more than 50% of Cuba's exports already low capacity.

If there was anything certain that came out of Raul Castro's speech (on July 26, 2008), it was the warning to the people that they should prepare themselves for hearing bad news. In a world threatened by economic crises, the situation in Cuba is even more complicated by the small capacity of its own economy to deal with it, and above all, the government's ineptitude to do something necessary in order to confront the risks.

Oscar Espinosa Chepe an independent Cuban economist and journalist, who was one of the '75' prisoners of conscience arrested in 2003 during the Black Spring. He has been a prominent and outspoken dissident in Cuba for more than a decade after becoming deeply disillusioned with Castro during the Special Period.

A REPORT ON RELIGIOUS FREEDOM IN CUBA

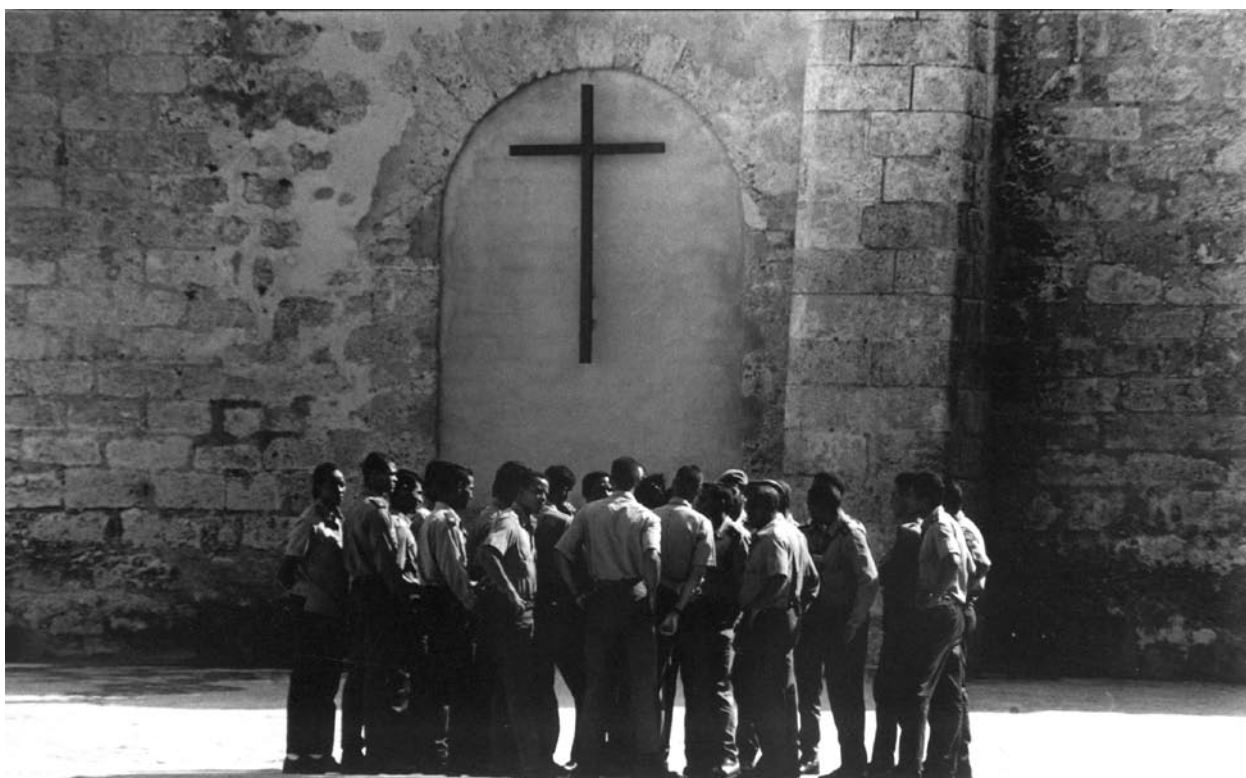
Christian Solidarity Worldwide (CSW)

Over the past year, reports of violations of religious liberty in Cuba have increased dramatically. Because of this increase, CSW is calling for this subject to be examined by the United Nations Human Rights Council during the universal periodic review in the near future. We feel that this is particularly relevant in light of Cuba's signing of the International Covenant on Civil and Political Rights (ICCPR)

and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) in March 2008. While this was a significant move by the Cuban government, the provisions of the two covenants have, unfortunately, not been reflected in legislation or in the behaviour of the authorities. Instead, reported violations of religious freedom, in addition to other rights supposedly guaranteed under

these covenants and the Universal Declaration of Human Rights, have risen substantially.

The violations of religious liberty committed over the past year range in severity, from threats and the intimidating presence of state security agents at religious gatherings to the confiscation of church buildings and/or homes, the eviction of



Author: P. Kowalski

The cross

pastors and their families, and in a few cases the physical destruction of the church building. The victims of these violations have included both unregistered "house churches"¹ and registered churches and both members of the Cuban Council of Churches (CCC), as well as those outside of the CCC church grouping, which has traditionally benefited from some preferential treatment on the part of the government. The sheer number of these actions point to a general policy seeking to clamp down on religious freedom, rather than a random spike of repression against particular groups. Furthermore, since the majority of these violations have occurred in rural areas or in more remote urban areas where communication within Cuba and with the outside world is extremely difficult and at times impossible, it could indicate a much wider problem.

Another major area of concern is the widespread use of government informants in churches, study and prayer groups and seminaries. There have been numerous reports by pastors and other church leaders of severe harassment, including death threats and imprisonment, against religious leaders who have publicly called for increased religious liberty and against those who have refused to work on behalf of the authorities as informers or by lending public support to government initiatives. In one case, a pastor's seriously ill children were refused medical treatment following their eviction from their home and church by Communist Party officials. Church leaders from all denominations have complained that they continued to encounter difficulties in applying for exit visas or permits for church vehicles. Many believe that the denial of these permissions is usually linked to a perception that the church leader in question has been or is "uncooperative" in some way. Furthermore, they

say that the arbitrary denial of these permissions have been difficult, if not, at times, impossible to appeal.

While most of the violations of religious liberty have been perpetrated by local and regional government and Communist Party officials, the scope of these violations suggest a policy that could only emanate from the central government. We have received reports from across the island that would seem to indicate a degree of national coordination, rather than

While most of the violations of religious liberty have been perpetrated by local and regional government and Communist Party officials, the scope of these violations suggest a policy that could only emanate from the central government.

isolated cases where local or regional government officials have simply overstepped their authority. Two types of frequent violations should be looked at to support this claim. The first is the repeated number of cases where victims and witnesses have reported that state security agents and participants in "actos de repudiación" (supposedly spontaneous mobs made up of average Cubans) have been bussed in from outside the communities where the violations have occurred. Second, the numerous converts to Christianity, in particular adult members of the Communist Party, that have reported

being discriminated against at work by being threatened with losing their job, as well as receiving moderate to severe harassment from local authorities. The nature of these violations and the fact that they have occurred repeatedly over a widespread suggest that these activities are being orchestrated at higher levels.

Another issue has been the Cuban government's harsh restrictions regarding the importation of Bibles and other religious materials, which has directly caused severe shortages of these books and materials. The restrictions, for example, stipulate that all religious literature, including Bibles, for use within the Protestant denominations must be imported into the country under the auspices of the CCC, despite the fact that the CCC only represents a minority of Protestant Christians. Catholics have also commented on the shortages of Bibles and the difficulties involved in importing religious materials, which at one point they apparently were obliged to work with the CCC to bring Bibles into the country, even though the Roman Catholic Church does not belong to the CCC. The government's continued use of these restrictions on imported religious materials goes against the spirit of the two international UN covenants that they signed onto earlier this year.

In a separate but related issue, family members of political prisoners have continued to report that prison officials arbitrarily denying political prisoners their rights to exercise basic religious freedoms that are protected under the UN Standard Minimum Rules for the Treatment of Prisoners. Prisoners have also reported that Bibles and other religious materials have been randomly confiscated from them and sometimes returned only to be confiscated again in an effort to exert pressure over the prisoners. Likewise, many of these prisoners have

been regularly denied access to a clergy member of their faith, while others have only been granted this right on a sporadic and inconsistent basis. Furthermore, reports indicate that no political prisoners are allowed to meet with other prisoners for the purposes of fellowship, worship, or prayer and that attempts to do so have been met with violence and other forms of punishment including isolation.

In short, despite the hopes of a positive movement from the Cuban authorities following the signing of the ICCPR and the ICESCR, respect for religious freedom has substantially worsened over the past year. The fact that this has been happening against the backdrop of political transition, albeit one with minimal reform and highly controlled, is no coincidence. It is essential to recognise that churches and other religious gatherings comprise one of the very few areas where independent civil society groups can exercise freedom of assembly in Cuba and that it is vital to protect and uphold this small space for independent civil society to exist. Religious leaders (who, with some exceptions, are generally not members of the Communist Party, particularly pastors, priests, and church lay-leaders) are virtually the only non Communist Party members allowed to exercise the right to freedom of speech by publicly addressing groups of people. CSW believes that even if this space where freedom of speech is at least tolerated with certain limitations is small, it must be protected and not subject to further restrictions.

To this end we conclude with a list of recommendations for the Cuban government:

» To respect and uphold Article 18 of the Universal Declaration of Human Rights of the UN, and to fully implement all provisions of the Interna-

tional Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Cultural and Social Rights (ICESCR), which Cuba signed in early 2008;

» To ensure that local and regional authorities, including Communist Party leaders, are aware of the provisions included in the ICCPR and the ICESCR, and that they are fully implemented at all levels;

» As a member of the Human Rights Council, to comply fully with international human rights standards including those relating to religious freedom;

» To grant access to human rights rapporteurs from international and non-governmental organisations to visit the country in order to examine and report on human rights within the country;

» To safeguard the freedom of all Cubans to assemble and worship according to their professed religion;

» To allow churches, religious denominations, and denominational groupings to operate autonomously without pressure or interference from government officials;

» To loosen state controls and to streamline procedures concerning the registration of churches, and the building and renovation of church buildings;

» To withdraw Directive 43 and Resolution 46, to legalise and provide legal protection for all house churches in Cuba, re-open those churches which have been closed under the legislation and to guarantee freedom for Cuban religious leaders to carry out their work without harassment, threats or government pressure;

» To return all recently confiscated church properties to their denomination for continued use as a place of religious activity and to make reparations for church buildings which have been destroyed;

» To end discrimination based on denomination in reference to government benefits including permission for renovations and building projects, exit and entry visas, vehicle licences, and to legacies and the right of individuals to leave their property to the church or denomination of their choice;

» To guarantee protection from discrimination on the basis of one's religion in the workplace, school and all other social and political spheres;

» To bring to an end government support of one religious group (Afro-Cuban religions) over other religious groups, and ensure equal access for all groups to the media;

» To remove restrictions on the import of Bibles and other religious materials and books;

» To fully implement the UN Standard Minimum Rules for the Treatment of Prisoners and to guarantee all prisoners, whether criminal or political, their basic human rights including religious rights;

» To end the use of government informants in churches and seminaries;

Christian Solidarity Worldwide is a human rights organization which specializes in religious freedom, works on behalf of those persecuted for their Christian beliefs and promotes religious liberty for all. Christian Solidarity Worldwide is based in the United Kingdom and is an active member of the Europe Cuba NGO Network.

ODE OR REQUIEM FOR THE CHANGES?

By José Gabriel Ramón Castillo

Is it really possible to talk about Raul's changes when there are still more than 200 Cuban political prisoners? Why does the Cuban Regime deny liberating these condemned individuals even after it has signed off on the International Covenant on Civil, Political, Social, Economic and Cultural Rights? Reform or change in the moment? These and other related unanswered questions regarding Cuban perspectives in the short and long term seem to worry not only the Cubans involved in an institutional crises for five decades, but with many people around the world worried about the destinies of these condemned individuals and the future of the Cuba.

Raul's reforms seem to have ended and our own Cuban leader helped us to understand this recently on July 26th when he said: "People can't become accustomed to only receiving good news..."

Evidently Raul is not willing to delve into structural changes within the Castrista system and instead is continuing with the same political policies as his brother. In no way does he indicate a political willingness to release Cuba's political prisoners or prisoners of conscience, as much as they have neither practices nor instigated violence, and in that sense the number of detentions and arbitrary arrests so far

this year. By this date in 2007, there were some 325 cases but at this point in 2008 there are 640 and it is set to grow in the next few months in comparison to the same period last year.

By this date in 2007, there were some 325 cases but at this point in 2008 there are 640 and it is set to grow in the next few months in comparison to the same period last year. Low intensity repression seems to be the new repressive tactic suggesting a possibility of change in the not so distant future, if the international political and economic context changes.

The repression affects every social sector and the regime employs it publicly with every means at its disposal. Low intensity repression seems to be the new repressive tactic suggesting a possibility of change in the not so distant

future, if the international political and economic context changes.

The crisis of the Castro system, and consequently the prison system, is solely the responsibility of the regime and has nothing to do with the difficulties caused by the hostile US political policies and its financial and commercial embargo as the Cuban State would lead people to believe. The lack of resources, overcrowding, and unsafe conditions that characterize the Cuban prison system do not seem to have a solution in the immediate future. The Cuban jails continue being reformatories, very bad reformatories, where it places those condemned to re-education in the hands of the worst convicts. It is impossible to re-educate when the entire penal system needs to be reformed in accordance with the recognized universal international norms.

In Latin America, the Cuban prison population is only surpassed by the overcrowded prison population in Honduras, El Salvador and Bolivia. The prisons of the Castros are cemeteries for the living and Cuba has become one huge gulag.

Political prisoners in Cuba live in sub-human conditions, eating food that has spoiled, together with common prisoners and not a day goes by in which

they are not confronted by the prison guards, who are really political police.

I was confronted face to face on several different occasions by the Castro regime's jailers and endured their mistreatment. The actual boss of the Boniato prison, the older Osbani Batista Betancourt, antagonized me personally several times and if I didn't end up losing an arm or crippled it was because I always had remained steadfast in my position.

I remember that I stood my ground by demanding medical attention, religious assistance, and not having restrictions placed on the produce and weight of my rations. I also had the right to receive the benefits of the Cuban prison system by not having them paint a "P" on my clothes, for the wardens to return my confiscated books and letters to me and to stop their abuses and violations. When I published "The Boniateño," the newspaper I edited in Boniato prison, they denied my medical attention and they stopped giving

me the medicines that my family had brought to fight against the communicable diseases there.

The Cuban political prisoners, and those of conscience, as much as they have neither applied nor induced violence, live in subhuman conditions. These prisoners constantly suffer systematic violations of their human rights and the possibility of their escape with their lives diminishes with each day that they are in jail. Recently four prisoners, three of whom were part of the '75' [arrested in 2003], spent several days on hunger strike demanding better conditions and an end to the abuses that the jailers inflict on the prison population. As their demands have yet to be resolved, they have announced that they will resume their hunger strike in the near future regardless of the consequences.

Meanwhile, the Cuban regime continues with the policy of denying Cuban citizens the exercise of fundamental rights and the systematic practice of

police threats, surveillance, temporary detention, house arrest, travel restrictions, judicial persecution and layoff people for political reasons, the possibility for change in Cuba has been reduced to zero.

The changes in Cuba appear to be something for the future, of the distant future, from there the call to change oneself for the necessary changes. Using the winning slogan, "I am the change and the change is me," the changes will come. It will be a process marked by the efforts of the Cuban community and everyone that unites behind the cause of freedom.

José Gabriel Ramón Castillo, also known as "Pepin," is an independent Cuban journalist, who currently resides in Spain. He was one of the original '75' prisoners of conscience arrested in March 2003. He was released with three other political prisoners into forced exile in February 2008 and continues to be an active member of the Cuban opposition calling for the release of all political prisoners in Cuba and for democratic reforms.



Author: Iva Zimová

The fading of Fidel

THE RETURN TO THE LAND

By Miguel Iturria Savón

In the last session of the Cuban Parliament, General Raul Castro spoke about distributing 'idle' land from state owned estates and warning that the production of food stuffs is a subject of maximum security. The President of the State Council of Ministers called for "a return to the land."

The phrase from the insular head of state seemed to be more than just a motto, after the official newspaper referred to the July 10th session dealing with the issue. A recent decree stipulated the turning over of 13.42 hectares in usufruct to those who do not have land and want to dedicate themselves to agriculture, while those already working the land they will be able to increase their area under cultivation to 40.26 hectares. The document claims that the beneficiaries will pay a [property] tax and that use of the land will be granted for 10 years to individual farmers and for 25 years to the state owned cooperative farms, [though] "it is not transferable and cannot be given or sold to third persons."

The terms of this proposal are not very attractive under such conditions to the 'possessor' in the service of the state who has several obligations: to deliver their products at low prices; without receiving credits to fence in their land, buy machinery and fertilizer or to pay labor

costs, while dealing with the whims of nature, transporting crops, theft and the ups-and-downs of the market for farm goods, controlled by an army of officials that demand that you run your own business into the ground.

When travelling through the grounds of the old farmer, I asked him what had caused there to be so much uncultivated land.

"Why should I produce more corn when the State Collectors will buy it from me for 200 pesos a wagon load and then resell it for 4,000 pesos? The same thing happens with other products."

The governments want to produce more food, reduce imports and reverse the trend of declining area of land under cultivation. The logic is good, but the problem is greater than the intentions and measures being taken

to solve it. Reality can not be changed by decree. The lack of stimuli to create goods for consumption remains.

In Cuba, the attachment to the land has been lost and the children of the campesinos are migrating to the cities. What will they gain by returning home and inheriting the farm, if they have to turn over their products at ridiculously low prices to the state collectors? How can they "return to the land" and produce more food stuffs if the state control every head of cattle and sets the price for each piece of fruit?

The paradox that Cuban agriculture is facing requires measures that include everyone's interests. Administering the state owned farms without taking into consideration those who are creating valuable goods is equivalent to maintaining the unproductive ways and the inflationary prices.

These things remind me of the plantation of Rigoberto Corcho, a peasant from Ciego de Ávila that possesses a team of oxen, two bulls, 15 to 20 milk cows and some pigs on two caballerías [1 caballería = 13.42 hectares/33.2 acres] of fertile land, where he grows rice, beans, and various crops for his household and for his son, a forty-something old man that sells sweets

in the city in spite being trained as an agronomist and an expert of cattle herding.

When travelling through the grounds of the old farmer, I asked him what had caused there to be so much uncultivated land. "Why should I produce more corn when the State Collectors will buy it from me for 200 pesos a wagon load and then resell it for 4,000 pesos? The same thing happens with other products. They set the price of the crops, they require and make promises, but then they don't bring the seeds, nor will they sell you a trac-

tor. If they notice something, they can turn you into a slave of the State."

There are campesinos that produce nothing for their families and others that make money based on their positions in the state run farm system. It isn't even worth discussing the cooperative and state run farms. In order to balance out the offer with the demands being made, the State must redesign the agricultural system and reduce excessive amount of regulations.

The official press has already admitted that the amount of land under culti-

vation has already dropped by 33%. They are also speaking about ending the subsidies, increasing taxes and the end of egalitarianism, which has institutionalized for a half a century by the government now under the leadership of General Raul Castro. However, the demands for greater productivity don't change the root causes of the Cuban people's despair and social indifference.

Miguel Iturria Savón is an independent Cuban journalist whose articles regularly appear on Cubanet and other independent websites for Cuban news.

THE NEW LAW FOR TURNING OVER LAND: RAUL CASTRO'S FIRST ECONOMIC REFORM – A REAL SOLUTION OR A NEW MESS?

By Lic. Pedro Anibal Riera Escalante

The newly announced law for turning over idle land in usufruct could come to represent, depending on whether or not this initiative proves to be successful, an important structural change in the Cuban economy. It could be President Raul Castro's government's first important economic reform.

Cuba faces a serious problem with the rising prices of food that it acquires in the international market, and the Government should take urgent measures to avoid having the limited current amount of provisions for the population turning into a plague of hunger on a national level.

A third of the arable lands in Cuba are idle, in the hands of the Department of Agriculture and Sugar. The next regula-

tion that the Council of Ministers has to outline how the law will be applied, which will give us greater clarity about what the real implications, possibilities and effectiveness of the proposed decree could mean if it succeeds.

Over the last 30 years, the Cuban people on various occasions have been encouraged and frustrated in succession by economic openings, like the free farmers markets for campesinos, crafts markets and self-employed professions which have been set up and only to subsequently be unapologetically and systematically limited, repressed, and eliminated. At this point many people are very suspicious that this new law won't work, because once the State recovers, the rules will be changed and the regime will take away the land given in usufruct from those

whose personal sacrifice was involved in making it productive.

The Cuban people have also suffered the consequences of the economic concepts that have been aimed advancing and improving the economy, only to watch their basic elements removed over time. For example, the Economic Planning System (SDE) [adopted in 1975], which was poorly applied or deliberately hindered so that it would fail, because in the end the country's maximum leader was against its application and had only agreed to because it was a foreign policy concession in the alliance with the Soviet Union. Furthermore, it had become necessary because of the failure of the stubborn policies that drove the 10 million ton sugar harvest and the 1968 revolutionary offensive for simultane-

ously building socialism and communism, in order to create the 'new man', who would be free of material stimuli and remove the monetary commercial relations within socialism.

The Government initiated the last set of limited economic reforms at the beginning of the 1990s, which included some land redistribution and the creation of the Basic Units of Farming Productions (UBPC), which in the end have been such a disaster. At this time, the State enacted Law/Decree 125 that set forth the rules on the possession, ownership, and inheritance of land and goods used for agriculture in January 1991.

The new law – Law/Decree 259 – promises to be a new Agrarian Reform, which would involve an important redistribution of lands, in particular the Government will turn over the 33% of the cultivatable lands that are currently lying idle. It remains to be seen what conditions and requirements will be established in the details of this Law/Decree, as well as which cooperatives and individual people will feel motivated to obtain these lands.

The government has released statistics indicating that the small farmers have been the ones responsible for a larger volume of agricultural production contributing to the country's economy. Thus, there is greater potential for increasing agricultural production to be had by enlarging the small farmer sector, since it has demonstrated better efficiency and results from exploiting the land. Until recently, the regime's policies have been directed at limiting the benefits that the small farmers can obtain, by applying the political principal that avoiding personal enrichment must always come first.

President Raul Castro has launched a new set of policies directed at dismissing the idea of egalitarianism that has reigned up to now regarding the labor force's salaries and substituting it with the idea of

equality of opportunity, without putting limits on the redistribution of outcomes from work. What rights the new usufruct landowners will have in this regard remains to be seen and they will not be the aiming to create *macetas*¹ and other similar things that were offered during the 80s and 90s.

The logical application of the socialist principle of redistributing the wealth should be able to successfully increase production and productivity. Nevertheless, the Cuban economy has been racking up bad habits over the years,

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well established vices on the part of the workers on the margins in order to get consumer goods and obtain additional income within what has been legally established.

It is common that anyone who is looking for work is guided not only by the salary and the benefits that it could provide,

¹ a dismissive Cuban term, literally „flower pots,” used for people who accumulate wealth

but also for what else it could “resolve”, a term that is used [in Cuba] to refer to the income or resources that might be obtained on the margins. In order for the workers really feel like owners of the means of work, it is essential that they are might really be allowed to become proprietors. This would be the application of self-management formulas, privatization and forming cooperatives of land or companies.

If they are not proprietors or possibly have a different amount of decision making capacity and benefits, it is impossible for them to feel like owners. Instead they might try to take control of additional goods, that is to say “resolve,” by starting to see producing as a means for obtaining income in line with their input. This is a situation being confronted by any farming or industrial state owned company regardless of their services or whatever type of business they are. All of this, without speaking at the same time of the great mechanisms of corruption and the parallel institutionalized businesses on the margin of the State.

The basic limitations of the new law can be seen in the following aspects: The first and more important of the law's limitation is that it continues to maintain the fundamental structure regarding property ownership and the means of production by maintaining the State's monopoly. Furthermore, it doesn't acknowledge the realities of the socialist economies' failure and the positive experiences of market socialism in Vietnam and China.

The law being considered turns over land in usufruct and limits how these lands can be exploited, without entertaining the possibility that the land could be rightfully transferred by its 'owner' and not subject to the State's approval to someone else, such as a legally recognized heir, in cases of death. This creates a situation of inse-

curity that turns out to be counterproductive and restrictive for those undertaking the long-lasting and important work of improving these lands.

In this author's opinion, it would be more effective to sell the lands for cash to cooperatives and farmers who could paid it off over a reasonable amount of time, in accordance with the obtained results, and that these lands should be able to be sold, transferred, donated and inherited, though with clear limits that prevent the formation of large plantations (latifundias), as well as fixed conditions that obligate the owners to rationally exploitation of the land in order to avoid lingering amounts of idle land. In other words, the usufruct concessions should be held under conditions practically identical to those of other types of ownership.

Article 11 section (e) of the new law stipulates and establishes that: legally recognized Cuban citizens, who are found to be physically able to do agricultural work, fulfill the recognized requirements, and who have solicited land, are free to find available plots to be turned over.

People have asked themselves, how the fact that the State is using physical fitness for work as a condition should be perceived. Does it mean that the people receiving the land in usufruct have to work the land directly? This is how the condition is stated in principle, but perhaps it is more important that the person getting the land in usufruct has the organizational capacity, the knowledge, and the economic resources to invest in the land or that they can effectively organize and manage others working their land. Or is it an attempt to develop a rudimentary group of small landholders, using the labor force necessary to plow and plant these lands under brutal conditions, without having to resolve adequate housing close to the lands they are working and the low yields.

On the other hand, it remains unclear what other requirements that they might establish. If the new Law continues to politicize farming sector work by making the turning over of land conditional to becoming part of ANAP [Cuba's National Association of Small Farmers] and within the outdat-

ed framework in use that led to the failure of Cuba's farming sector, then Cuba will not advance very much with the passage of this new decree.

Another decisive factor will be how people are allowed to act commercially with the results of their farming production. Will there be something that makes contracts obligatory with the State enterprises and that will set the prices and terms on how things can be sold in the rural farmers markets? If the factors and conditions do not change that led to the failure of Cuban farm productivity, then they things will not magically change as a result of this new law. Furthermore, will the exportation of certain specialized products eventually be permitted? Will goods for the national market be sold in convertible currency (CUC)?

Article 11 of the Law seems to establish those who have the possibility of acquiring lands in usufruct: State farms, Basic Units of Farming Productions (UBPC), and Agricultural Production Cooperatives (CPA); Cooperatives of Credit and Services (CCS); and



Author: Jaroslav Jiricka

Crumbing Havana

non-farming State Organizations and Institutions that are devoted to the self-sufficiency of the workers.

According to the law, there are other legally recognized individuals that the law will authorize as exceptions – naturalized Cuban citizens, who are physically apt for agricultural work, that fulfill the set requirements and lands that are asked for are available to be turned over.

Law/Decree 259 implies that in the future all companies, cooperatives, or individuals that own lands that are sitting idle, will have their lands taken from them by the Government for the purpose of redistribution. In Article 9 of the Law, the idle lands of dispersed small farmers are not expressly taken into consideration, although it could be interpreted in section (c) that they will simply fall into one of the other categories of additional abandoned lands.

It is still unclear what the stimulus mechanisms will be for the state farms, UBPCs, and cooperative and individuals that do not currently have any land or wanting to increase the lands they have by acquiring more now.

The primary stimulus mechanism for agricultural production is, without a doubt, the ability to sell crops in the farmers markets at free market rates, that is to say, using the invisible hand of the market. Also, the State has stimulated the production of certain goods by subsidizing their prices through ACOPIO [Cuba's State Procurement and Distribution Agency], such as milk.

Reasonable prices and set bonuses for the state companies could also be an important mechanism.

The new law will permit the companies and individuals that have been successful or that have proven that they are capable in producing crops,

will be able to grow at the expense of those that have been inefficient, i.e., the ones that maintain idle lands.

It is impossible to make an objective evaluation about what the impact that law will have, until the regulations regarding its application are outlines and the real policies around it are actually executed. On several occasion, good ideas and economic plans have been ruined by their implementation. Once the law was established by the Council of Ministers, they have 30 days to announce the rules for its implementation regarding the turning over of lands.

The land will be given to the people working the land for a ten year period that can be successively extended for another 10 years. This represents a serious limitation for those looking to invest [time and themselves] on bringing to fruition improvements, which Article 8 of the Law consider to be: the instillations and works necessary for the adequate maintenance of the turned over lands and plantations, conservation and improvement of the soil and living quarters on the land given in usufruct.

The ten year lease could limit the carrying out of housing construction, essential for those that have the intention of dedicating themselves to a long term commitment to productive activity, since it is impossible to make these lands more productive if the people working them don't live close to them. Above all if the State does not clearly establish property rights for those who build houses in a special way and not only within the framework of the actual Law that is quite restrictive in this regard, as well as to the paying for improvements, situations that are only contemplated in Article 15 of the Law when the period of usufruct has been terminated.

At the same time, the establishment of an effective system of credits and loans

on the part of the State Bank is precise, in order to be able to support the maximum number of farmers and cooperatives undertaking this new productive activity. The State needs to invigorate the sales of raw materials and necessary equipment with reasonable prices, getting rid of the high customs taxes that those who import equipment and raw materials have to pay. The existing network of stores that supply small farmers lack basic provisions and availability that makes it difficult for farmers to acquire what they need, for example, such is the issue with those who have agreements with state companies for young pigs.

Nevertheless, the qualifying people will have their land given to them for 10 years. The law does not contemplate the possibility of creating new legal categories for eligible people at the moment different from those have been actually working directly with the land, which is different from the cooperatives which will be under the control of ANAP. However, Article 11 section (d) relates to additional legal persons that have the possibility of acquiring land based on being authorized as exceptions to the law. As the character is itself exceptional, what it specifies is limited and uncertain enough about the make up of other legal persons, as they could be other types of companies or cooperatives.

It would be important for the regulations to possibly consider other types of legal people, like companies, and to include possibilities for Cuban residents in exile and certain foreigners to participate as partners, this way the entrance of fresh capital and investment into the country could be guaranteed.

The details of the law should outline the hiring of workers, which should be freed from current restrictions and not limit those who can participate in farming beyond the families of small farmers; but that the person who receives the land in usufruct can contract works

freely, under limited supervision, so long as they protect the rights of workers, provide fair and adequate pay, and make sure that these workers are guaranteed the protection of the Social Security system in case of disease, accident, maternity, retirement or any other situation.

As far as how much land can be turned over to farmers, the law establishes a limit of 13.42 hectares, which is equivalent to 1 caballeria. In the case of those that currently working on the land, they will be able to increase their holdings up to 40.26 hectares, or the

equivalence of 3 caballerias. It would be far better if all farmers were entitled to receiving up to 40.26 hectares turned over to them legally and no one was limited to only 13.42 hectares.

In conclusion, the new law suffers from some serious limitations that could lead to its complete failure, especially if the details of the law do not establish solutions for the highlighted negative aspects. Even with the best regulations in the world and with the other transformations that might happen, the present law has serious flaws. This anal-

ysis has tried to point out that if these flaws can't be modified during the laws implementation, then it will neither solve the essential problem of the feeding the people nor the other problems that have been mentioned.

Lic. Pedro Anibal Riera Escalante is an analyst and retired Cuban intelligence officer, who worked for over 25 years with the Cuban General Intelligence Directorate (DGI). In April 2008 he submitted a petition to the National Assembly calling for the elimination of exit and entry permits for Cuban citizens. He currently resides in Havana, Cuba.

REMARKS ON THE EU COUNCIL'S CONCLUSIONS ON CUBA

By the Europe Cuba NGO Network

The EU Council's vote in June of this year, to lift the suspended diplomatic measures against Cuba, measures originally initiated in 2003 in response to the Castro regime's brutal crackdown against dissidents, members of the political opposition and independent journalists, was unsurprising, but it left several important questions unanswered. For example, in its review of the Common Position, the Council made note of "changes" undertaken by the Cuban Government earlier this year, but failed to spell out how much has really changed, in practical terms, over the past eight months. The decision to lift the suspended measures was made despite the fact that no new political prisoners have been released since February 2008, and the regime continues to detain, harass and repress those who challenge its authority. Neither the International Committee of the Red Cross (ICRC) nor any other international humanitarian organization

has been given access to Cuba's prisons. And, even though Cuba's government has signed the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) it has made no genuine effort to implement either one in law or in practice. If these human rights violations are truly a key priority for the EU Council, than any further opening between Cuba and the EU must be contingent on these conditions changing categorically.

While the overwhelming majority of the Europe Cuba NGO Network members were opposed to the decision to lift the suspended diplomatic measures, we do not believe that this represents an end to Europe's commitment to the people of Cuba, its desire to see genuine democratic reforms take place and a greater respect for civil liberties. Both the Europe Cuba NGO Network and the EU Council want to see a series of changes

in Cuba that will allow its people to be free after nearly five decades of authoritarian rule.

In our opinion, the EU must hold Cuban government accountable by requiring the Castro regime to meet certain benchmarks in the months ahead to prove its true commitment to substantive change, and to demonstrate that it is not simply buying time by making vague promises supposedly indicating a renewed willingness to engage in political dialogue.

These benchmarks are set out in three groups, each dependent upon the previous set being implemented and fulfilled.

The first set of benchmarks the Europe Cuba NGO Network would like to see met are as follows:

» The Cuban government must set out a timetable for the release of all political prisoners;

- » The Cuban government must set a fixed date indicating when the ICRC will be allowed to visit and evaluate conditions in Cuba's prisons and the health of its prison population;
- » Cuba's National Assembly must pass legislation that brings Cuban law into accordance with the ICCPR and ICESCR, such as ending restrictions on freedom of speech and association.

The second set of benchmarks deals with steps being taken that allow for the preliminary steps of plurality democracy to be peacefully established in Cuba.

- » The Cuban government and the EU must establish a timetable for political negotiations that includes representatives from members of the Cuban opposition.
- » The Cuban authorities must take steps to allow the legal establishment and recognition of political parties and other civil society organizations.

Our third set of benchmarks would include the following:

- » Cuban government must ensure that the rights outlined in the ICCPR and the ICESCR are implemented in practice by putting an end to arbitrary arrests, detentions and actos de repudio
- » The Cuban authorities must allow human rights groups to monitor conditions on the island freely. This would include initiating a process that would allow the legal establishment and recognition of Cuban human rights groups, such as the Lawton Foundation, the Council of Human Rights Rapporteurs in Cuba and the Cuban Human Rights and National Reconciliation Commission.
- » In addition, the Cuban government must establish a transparent process by which any and all citizens with the means to acquire a passport and to travel would be allowed to do so regardless of their political affiliations.

In addition to pushing the Cuban government to meet certain standards on respect for human rights and the promotion of democracy, the European Union must also hold itself accountable regarding its own commitments to the Cuban people.

» The EU Council's conclusions publicly reaffirmed the EU's commitment to the Common Position of 1996 and to the use of all instruments possible to facilitate a greater political dialogue. If this means that members of Cuba's opposition will be met on equal terms as the Cuban government, this will be a positive change. In addition, encouraging "a process of transition to pluralist democracy" in 1996 meant that the EU would intensify the dialogue with "all sectors of Cuban society," under these guidelines, there should be no more high level diplomatic trips, such as those taken by Spain's Foreign Minister Moratinos in April 2007 and by Louis Michel in March 2008, that only meet with one side.

- » Considering that it has been 12 years since the EU said that it would "more actively... remind the Cuban authorities, both publicly and privately, of fundamental responsibilities regarding human rights, in particular freedom of speech and association", the EU must vigorously and consistently push Cuba to honor the international human rights conventions enshrined in the Universal Declaration of Human Rights, the ICCPR and ICESCR. This would mean the elimination of arbitrary arrests, detentions and state sanctioned harassment, and allowing Cubans to freely practice their religious beliefs without fear of persecution.
- » Furthermore, the EU should call for the elimination of the tarjeta blanca or exit visa, so that all of Cuba's citizens, including those who are members of the opposition, are allowed to travel freely. All of these are rights that are clearly part of established

international human rights norms to which Cuba must be held.

In conclusion, following its review of the Common Position and its decision to drop the diplomatic measures in June of this year, the EU has taken the first step towards normalising relations with Cuba and intensifying political dialogue with the current Cuban regime. It is now up to Raul Castro to make the next move; thus far he has done far too little in practical terms to improve Cuba's respect for human rights and to expand political freedoms on the island. In the opinion of the Europe Cuba NGO Network, the EU must set out defined benchmarks in order to effectively measure the steps that the Cuban government is taking towards meeting the criteria for maintaining sanction-free relations.

The Castro regime will be celebrating its 50th year in power in January. Change is imminent, but the EU Council's conclusions make it unclear what role the EU will play in helping these to take place sooner rather than later.

Signed by:

Asociación de Ibero-Americanos por La Libertad (Spain)

Asociación Española Cuba en Transición (Spain)

Association for Democracy (Romania)

Christian Solidarity Worldwide (CSW)

Christian Democratic International Center (Sweden)

Foundation for the Investigation of Communist Crimes (Estonia)

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International Society for Human Rights (Germany)

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