



Republic of Cuba

Joint Submission to the UN Universal Periodic Review

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**Submission by CIVICUS - World Alliance for Citizen Participation,
NGO in General Consultative Status with ECOSOC,
Latin America and Caribbean Network for Democracy (REDLAD)
And
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1. Introduction

- 1.1 CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in over 180 countries throughout the world.
- 1.2 The Latin American and Caribbean Network for Democracy (REDLAD) is a civil society platform with more than 200 members and allies in Latin America and the Caribbean. REDLAD promotes democracy, human rights, sustainable development and integration in the Americas.
- 1.3 Gobierno y Análisis Político AC (GAPAC) is a CSO specialising in analysis, political consultancy, training and citizen advocacy for the defence and promotion of democracy and resistance to authoritarianism in Latin America.
- 1.4 In this document, CIVICUS, REDLAD and GAPAC examine the Government of Cuba's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse the Cuban Government's actions and policies regarding the fulfilment of the rights to freedoms of association, peaceful assembly and expression and the imposition of unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in October 2017. To this end, we assess Cuba's implementation of the recommendations received during the 3rd UPR cycle relating to these issues and provide several specific, action-oriented follow-up recommendations.
- 1.5 During the 3rd UPR cycle, the Government of Cuba received 49 recommendations relating to the space for civil society (civic space). The Government of Cuba accepted two recommendations and noted 47. An evaluation of a range of legal sources and human rights documentation demonstrates that the Government of Cuba has not fully implemented any recommendations to improve the environment for civil society. While it has made modest strides in addressing technical issues related to internet infrastructure and the widening of access to new technologies, the government has persistently failed to address unwarranted restrictions on civic space, both in law and in practice, since its last UPR examination.
- 1.6 CIVICUS, REDLAD and GAPAC are deeply concerned about constitutional and legal obstacles to the exercise of the basic freedoms of association, peaceful assembly and expression in Cuba, insofar as the Cuban Constitution established that "The rights of assembly, demonstration, and association for legal and peaceful purposes are recognized by the State whenever they are exercised with respect to public order and in compliance with the precepts established by the law".¹
- 1.7 CIVICUS, REDLAD and GAPAC are further alarmed by the harassment and persecution faced by CSOs and activists, including arbitrary arrests and searches of their homes and offices, and by persistent censorship.

¹ [Constitution of Cuba](#), article 56.

1.8 As a result of these and other restrictions addressed throughout this submission, the space for civil society in Cuba is currently rated as ‘closed’ by the CIVICUS Monitor, the most serious category.²

- Section 2 of this submission examines Cuba’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
- Section 3 examines Cuba’s implementation of UPR recommendations and compliance with international human rights standards related to the protection of HRDs, civil society activists and journalists.
- Section 4 examines Cuba’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression, independence of the media and access to information.
- Section 5 examines Cuba’s implementation of UPR recommendations and compliance with international human rights standards related to freedom of assembly.
- Section 6 makes recommendations to address the concerns raised.
- Section 7 is an annex on the implementation of 3rd cycle UPR recommendations related to civic space.

2. Freedom of association

2.1 During Cuba’s examination under the 3rd UPR cycle, the government received one recommendation on the right to freedom of association and creating an enabling environment for CSOs, which it supported. The government was urged to ‘continue strengthening the space of national non-profit associations in the country’ (24.189; supported. However, as evidenced below, the government has failed to take adequate measures to realise this recommendation fully or partly.

2.2 Article 22 of the International Covenant on Civil and Political Rights (ICCPR), signed by Cuba in 2008,³ guarantees freedom of association. Article 14 of the Cuban Constitution, reformed in 2019, ‘recognises and encourages mass and social organisations which bring together different sectors of the population, represent their specific interests and incorporate them into the tasks of building, consolidating and defending socialist society’. However, the Cuban Constitution also maintains article 5, which designates the Communist Party of Cuba (PCC) as ‘the superior governing force of society and the state, which organises and guides common efforts towards the high purposes of building socialism and progressing towards a communist society’. Article 6 confers an exclusive status on the Union of Young Communists as the vehicle for the

² CIVICUS Monitor: Cuba, <https://monitor.civicus.org/country/cuba>.

³ Cuba signed the ICCPR in 2008 but is not yet a state party; it has not ratified it or indicated consent to be bound by it. Additionally, Cuba has not signed either optional protocol to the ICCPR, Cuba has also not signed the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. See OHCHR, [Status of Ratification Interactive Dashboard](#).

organisation of young Cubans, and article 7 conditions the recognition and encouragement of ‘mass and social organisations’ on their commitment to ‘the tasks of building, consolidating and defending socialist society’.⁴

- 2.3** The Law on Associations of 1985 applies to artistic, cultural, friendship, solidarity, sports, scientific and technical associations, as well as to others claiming to have ‘purposes of social interest’. The Ministry of Justice may refuse to grant permission for the constitution of an association on grounds such as: ‘when the bylaws or internal regulations governing it do not clearly state its objectives and activities’, ‘when its activities might be detrimental to social interest’ and ‘when another organisation with identical or similar objectives or denomination has already been registered’. As a result, it is very difficult for organisations to achieve legal status.⁵
- 2.4** Cuban legislation does not recognise a plurality of political parties. All organising and campaigning for candidates running outside the PCC is illegal. Nevertheless, freedom of association was enshrined in the Labour Code (Law No. 116) passed in 2013, which replaced Law No. 49 of 1984. While the previous legislation institutionalised the monopoly of the Central Union of Cuban Workers (CTC), giving it the exclusive right to represent workers before the state, the new law allows for the creation of independent unions.⁶ Despite this, all the country’s national unions, which account for 90 per cent of Cuban wage earners, continue to be organised under the CTC.
- 2.5** In practice, CSOs have appear in Cuba despite restrictions. Among them are faith-based organisations, which have mushroomed since the 1992 constitutional reform that reconceptualised the official ideology, formerly designated as ‘atheistic’, as ‘secular’, enshrining religious freedom. However, most organisations that are outside the orbit of the socialist state are unable to enter the Ministry of Justice’s Registry of Associations and obtain legal recognition and are therefore deemed illegal. There are no legally recognised autonomous advocacy organisations in the field of women’s or LGBTQI+ rights. Membership in unrecognised organisations is treated as a crime and punished with fines or detention. Organisations operating without authorisation face a range of obstacles, including being unable to open a bank account, secure office space or receive international cooperation funds. They may also experience threats of closure, infiltration, harassment and repression by the state. In addition, they face stigmatising discourse that is constantly and publicly articulated by the highest levels of the state.

3. Harassment, intimidation and attacks against human rights defenders, civil society activists and journalists

- 3.1** Under Cuba’s previous UPR examination, the government received six recommendations on the protection of HRDs, journalists and civil society representatives. The government supported relevant recommendations including to ‘publicly acknowledge the role and work of members of civil society and take the necessary steps to ensure that human rights defenders and members of civil society organisations can exercise their rights to peaceful freedom of expression, assembly and

⁴ Constitution of Cuba, op. cit.

⁵ [Law No. 54/85](#) (Law on Associations).

⁶ [Law No. 49/1984](#) (Labor Code).

association, in conformity with Cuba's international obligations'. One recommendation was supported and five were noted. However, the government has not fully implemented any of the recommendations.

- 3.2** Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. The ICCPR further guarantees freedoms of association, peaceful assembly and expression.⁷ However, during the period under review Cuban authorities have adopted several laws and tactics to criminalise independent journalists, HRDs, activists and political opponents.
- 3.3** Cuba's new Penal Code came into force on 1 December 2022. In this, the government can be seen to be trying to criminalise the political opposition, independent journalists and activists.⁸ Provisions such as 'contempt', 'public disorder' and 'resistance', for which activists, people expressing dissent and independent journalists have been prosecuted for years, remain in the Code. The penalties for the crimes mentioned above have been increased. Now these crimes carry penalties of 6 months to one year of imprisonment or/and a fine used to criminalise human rights defenders.
- 3.4** Article 143 of the Penal Code further limits the ability of CSOs, activists and independent journalists to operate by prohibiting the receipt or use of funds when their purpose is deemed to be 'to support activities against the Cuban state and its constitutional order'. Any person found guilty of being in possession of funds deemed to be used for this purpose can be punished with a prison sentence of between four and 10 years.⁹
- 3.5** Cuba's authoritarian one-party regime attempts to close down any genuine, autonomous political participation. Intelligence agencies and other institutions, including educational and cultural bodies, monitor and prosecute any form of dissent and activism. Even independent collectives of community-level and social activism that are not explicitly political are subjected to harassment. Independent journalists and activists continue to face systematic arrest. In many cases the police and intelligence officers stand outside the homes of activists and government critics, forcing them to stay there for days and sometimes weeks. The authorities also use arbitrary detention to harass and intimidate critical voices and activists. CSOs report, in particular Human Rights Watch World Report 2022 denounced that during detentions the authorities do not respect due process and security officers rarely present arrest warrants to justify detentions.¹⁰
- 3.6** The state's repression of activist movements and human rights organisations has recently increased. Large-scale protests were held in 2021 and 2022, and in response the authorities, including intelligence agencies, arrested, harassed and repressed the

⁷ [International Covenant on Civil and Political Rights. Art 12.](#)

⁸ <https://www.wola.org/analysis/5-concerns-about-cuba-penal-code/> . 5 Concerns About Cuba's New Penal Code. WOLA.

⁹ <https://www.amnesty.org/en/latest/news/2022/12/cuba-el-nuevo-codigo-penal-presenta-un-panorama-aterrador-para-2023-y-anos-posteriores/> . Cuba: New criminal code is a chilling prospect for 2023 and beyond. Amnesty International.

¹⁰ <https://www.hrw.org/world-report/2022/country-chapters/cuba> Human Rights Watch, Cuba, World Report 2022 and <https://freedomhouse.org/country/cuba/freedom-world/2023> Freedom House, Freedom in the World Report 2023.

activity of activists and organisations that supported the protests.¹¹ Activist movements such as 27N, Archipiélago, Damas en Blanco (Ladies in White), Movimiento San Isidro and the Patriotic Union of Cuba were targeted in this wave of repression.¹² As well as activists and journalists, their families have been victims of constant attacks, threats and harassment.

- 3.7 CSOs have recorded that around 1,000 people have been arrested, prosecuted and tried for political reasons.¹³ Among them are activists, journalists and others who have expressed criticism. Often people have been arrested without any just reason.

4. Freedom of expression, media freedom and access to information

- 4.1 Under the 3rd UPR cycle, the government received 22 recommendations relating to freedom of expression, media freedom and access to information. For example, the government pledged to ‘review all legal provisions, including article 62 of the previous Constitution (1992) which unduly restricts the rights to freedom of expression, peaceful assembly and association, to bring them in line with international law and standards’ and ‘guarantee freedom of opinion and expression, online and offline, including dissenting political opinions, and safeguard the activity of human rights defenders and journalists’. All 22 recommendations were noted. The government has not fully implemented any of them.
- 4.2 Article 19 of the ICCPR guarantees the right to freedoms of expression and opinion.¹⁴ Articles 53, 54 and 55 of the constitution also guarantee the right of information, expression and media freedom. However, the constitution prohibits privately owned media, creating a state media monopoly. Because of this, independent media outlets have to operate outside the law and their work is considered ‘enemy propaganda’. Independent media and people who express dissent experience systematic attacks restricting their freedom of expression. Independent journalists are harassed, interrogated, defamed in the official press, banned from travel abroad and forced into exile.
- 4.3 The media environment, access to information and freedom of expression are the most restricted in the Americas and one of the most restricted in the world¹⁵. Reporters Without Borders ranks Cuba 173rd out of 180 countries in its 2022 World Press Index.¹⁶
- 4.4 On 4 July 2019, the government approved another tool to restrict freedom of expression: decree law 370 on digitisation.¹⁷ This is the first legal disposition issued at the legislative to regulate information and communication technologies, and it

¹¹ <https://www.state.gov/the-harsh-sentencing-of-human-rights-defenders-in-cuba/> The Harsh Sentencing of Human Rights Defenders in Cuba, US Department of State.

¹² <https://www.ohchr.org/en/press-releases/2021/03/cuba-rights-human-rights-defenders-must-be-upheld-says-un-expert> Cuba: Rights of human rights defenders must be upheld, says UN expert.

¹³ See <https://www.prisonersdefenders.org> and <https://www.justicialj.org>

¹⁴ International Covenant on Civil and Political Rights. Art 19.

¹⁵ <https://freedomhouse.org/country/cuba/freedom-world/2023> Freedom in the World 2023, Cuba. Freedom House

¹⁶ <https://rsf.org/en/country/cuba> Cuba, Reporters Without Borders.

¹⁷ <https://www.hrw.org/news/2021/08/25/cuba-telecommunications-decree-curtails-free-speech> Cuba: Telecommunications Decree Curtails Free Speech. Human Rights Watch.

intensifies the restriction of freedom of expression. The government argues that this decree is intended to combat ‘fake news’, sanctioning those who publish false news or anything that affects public morality or the prestige of Cuba. CSOs have denounced that these legal dispositions blatantly violate international standards on freedom of expression and are so vague and ambiguous that the government can use them at its discretion to censor critical opinions. Over 50 people have reportedly so far been fined for breaching this law.¹⁸

- 4.5** In addition, the new Penal Code imposes a further restriction on the work of journalists by introducing prison sentences for criticism of state officials. The Code’s restriction on the receipt of funds has also been used by state security agents to increase the close monitoring of independent media, threaten reporters and independent media with prison sentences and prosecute dissident voices.¹⁹
- 4.6** During 2022 and 2023, a repressive campaign has been deployed against journalists and independent media under accusations of ‘usurpation of legal capacity’ and ‘dissemination of false news’, which has led to the public resignation and exile of almost 20 journalists.²⁰ Journalists have had their freedom of movement restricted and the authorities have prevented critical foreign journalists from entering Cuba. In 2022, journalists from the Associated Press, EFE and Reuters with accreditation in Cuba reported experiencing limitations on their journalistic work. The repression has also extended to social media users for addressing everyday issues on social media.
- 4.7** Human Rights Watch, the InterAmerican Press Association, CIVICUS Monitor, the Latin American and Caribbean Network for Democracy monitoring have informed that journalists have reported being subjected to house arrest without a court order.²¹ They report that security officers follow them and wait outside their homes, forbidding them to leave to carry out their work or undertake personal activities.

5. Freedom of peaceful assembly

- 5.1** During Cuba’s examination under the 3rd UPR cycle, the government received 20 recommendations on the right to freedom of assembly all of them were noted. Among these, the government was urged to ‘end measures to restrict freedom of expression and assembly including short-term detentions and the use of broad criminal charges such as ‘dangerousness’ and ‘publicly acknowledge the role and work of members of civil society and take the necessary steps to ensure that human rights defenders and members of civil society organisations can exercise their rights to peaceful freedom of expression, assembly and association, in conformity with Cuba’s international obligations’ (Belgium; 24.164; supported). However, as evidenced below, the government has broadly failed to implement these recommendations.²²

¹⁸ <https://articulo19.org/cuba-y-su-decreto-ley-370-aniquilando-la-libertad-de-expresion-en-internet/> Cuba y su Decreto Ley 370: aniquilando la libertad de expresión en internet. See also: <https://www.prisonersdefenders.org> and <https://www.justicial1j.org>

¹⁹ Cuba: New criminal code is a chilling prospect for 2023 and beyond. Amnesty International. Op. cit.

²⁰ <https://www.sipiapa.org/notas/1215431-cuba>. Cuba, Inter American Press Association.

²¹ Cuba, Inter American Press Association. Op. cit.

²² Except for recommendation 24.164, the implementation of which there is not enough evidence to rate, all recommendations pertaining to freedom of peaceful assembly are generic and do not call for specific measures. The only way to rate their implementation is, therefore, to look at the overall state of the enjoyment of this right, which the remainder of this section shows has not improved since the previous UPR.

5.2 Article 21 of the ICCPR guarantees freedom of peaceful assembly. In addition, article 54 of the constitution enshrines the right to freedom of assembly. However, according to the text of the constitution, the subjects of this right are not citizens as a whole but ‘workers, both manual and intellectual, peasants, women, students and other sections of the working people’, including ‘mass and social organisations’ recognised by the state.²³ This means the right is only available to those that are deemed defenders of the state’s political orientation. Freedom of peaceful assembly is not guaranteed for opponents and dissidents. In principle, only demonstrations organised by or in support of the state are considered to be ‘in accordance with the law’. Article 143 of the Penal Code criminalizes on those participating in demonstrations that violate the provisions that regulate the exercise of assembly rights.²⁴

5.3 Peaceful protesters are routinely detained, often in advance of potential protests. Over 1,000 people, mostly peaceful protesters or bystanders, were detained during mass protests that broke out in July 2021, Cuban rights groups have reported.²⁵ Officers prevented people from protesting or reporting on the protests, including by arresting critics and journalists as they headed to demonstrations and limiting their ability to leave their homes. Many were held incommunicado for days or weeks, violently arrested or beaten and subjected to ill-treatment during detention.

6. Recommendations to the Government of Cuba

CIVICUS, REDLAD and GAPAC call on the Government of Cuba to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state’s duty to protect. In light of this, the following specific recommendations are made:

6.1 Freedom of association

- Ratify without reservations the ICCPR, including its two Optional Protocols.
- Take measures to foster a safe, respectful and enabling environment for civil society, including through removing legal and policy measures that unwarrantedly limit the right to association.
- Remove all undue restrictions on the ability of CSOs to form, obtain legal recognition and receive domestic and international funding in line with best practices articulated by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.

²³ Constitution of Cuba, op. cit.

²⁴ [Law No. 151/2022](#), Criminal Code.

²⁵ World Report 2022, Human Rights Watch, <https://www.hrw.org/world-report/2022>.

- Remove all legislative and policy provisions that condition the legitimacy of CSOs on ‘defending socialist society’ and being conducive to a broadly defined ‘social interest’, clauses that give the authorities too much discretion to withhold legal recognition.
- Abolish criminal responsibility for organising and participating in the activities of non-registered organisations, lift the ban on the activities of non-registered organisations and reinstate all CSOs that have been arbitrarily and unduly sanctioned for ‘operating illegally’.
- Stop unwarranted raids on civil society groups and unjustifiable disruption of their legitimate activities, including conferences, seminars and other meetings.
- Promote a meaningful political dialogue with civil society that allows and embraces diverging views, including those of HRDs, CSOs, journalists and political activists.
- Guarantee the effective and independent functioning of autonomous trade unions by removing any unwarranted restrictions on their legitimate activities.

6.2 Protection of human rights defenders

- Provide civil society members, HRDs and journalists with a safe and secure environment in which to carry out their work, conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against them and bring the perpetrators of such offences to justice.
- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment.
- Undertake a consolidated process of repeal or amendment of legislation and decrees that unwarrantedly restrict the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders.
- Immediately and unconditionally release all HRDs, including journalists, content creators and dissident voices, detained for exercising their fundamental rights to freedoms of association, peaceful assembly and expression, and review their cases to prevent further harassment.
- Publicly condemn at the highest levels of government instances of harassment and intimidation of CSOs and activists.
- Systematically apply legal provisions that promote and protect human rights and establish mechanisms that protect HRDs, including by adopting a specific law on the protection of HRDs.

6.3 Freedom of expression, media freedom and access to information

- Ensure freedom of expression and media freedom by all bringing national legislation into line with international standards.

- Refrain from censoring social and conventional media and ensure that the freedom of expression is safeguarded in all arenas, including in the arts.
- Refrain from adopting any further laws providing for censorship or undue control over social and conventional media content.
- Review decree law 370 in order to bring it into line with best practices and international standards in the area of freedom of expression.
- Cease any practices of confiscating and censoring print media.
- Reform defamation legislation in conformity with ICCPR article 19.
- Take steps to lift restrictions on freedom of expression and adopt a framework for the protection of journalists from persecution, intimidation, and harassment.
- Ensure that journalists and writers may work freely and without fear of retribution for expressing critical opinions or covering topics that the government may deem sensitive.
- Guarantee unfettered access for all people in Cuba to domestic and foreign media information, both offline and online, including news websites, social media platforms and CSO websites.
- Develop an action plan to ensure that internet laws guarantee freedom of expression, media freedom and access to information, including by ensuring free access to electronic media, ceasing censorship and surveillance, liberalising electronic media ownership rules and enabling journalists, bloggers and other internet users to play a full and active role in promoting and protecting human rights.
- Implement legislative measures to enable access to information and establish mechanisms to facilitate public access, in line with international best practices.
- Organise inclusive consultations with journalists and the media in order to resolve disputes that exist concerning disinformation laws.

6.4 Freedom of peaceful assembly

- Adopt best practices on freedom of peaceful assembly, as put forward in the call by the then-UN High Commissioner for Human Rights in 2021 for the Cuban government to ‘address the protesters’ grievances through dialogue, and to respect and fully protect the rights of all individuals to peaceful assembly’.²⁶
- Amend all legislation that conditions the exercise of freedom of peaceful assembly on the expression of support for the ruling party, the government and the socialist state. Explicitly guaranteed freedom of peaceful assembly for opponents and dissidents.

²⁶ ‘Cuba: Bachelet urges dialogue, calls for release of detained protesters’, OHCHR, 16 July 2021, <https://www.ohchr.org/en/2021/07/cuba-bachelet-urges-dialogue-calls-release-detained-protesters>.

- Amend the Penal Code to eliminate the provisions that allow for the imposition of fines and prison sentences on participants in unauthorised demonstrations.
- Unconditionally and immediately release all protesters, HRDs and journalists detained for exercising their legitimate right to freedom of peaceful assembly and review their cases to prevent further harassment.
- Publicly condemn the use of excessive force by security forces in the dispersal of protests and the use of infiltration or other illegal tactics to pre-emptively suppress protests, and launch formal investigations into such instances.
- Review, and if necessary, update with the assistance of independent CSOs, existing human rights training for police and security forces to foster a more consistent application of international human rights standards.
- Provide recourse for judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to freedom of assembly by state authorities.

6.5 Access to UN Special Procedures mandate holders

- The Government should extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; 2) Special Rapporteur on the situation of human rights defenders; 3) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; 4) Special Rapporteur on extrajudicial, summary or arbitrary executions; 5) Working Group on Arbitrary Detention; and 6) Special Rapporteur on the right to privacy.

6.6 State engagement with civil society

- Implement transparent and inclusive mechanisms of public consultations with CSOs on all issues mentioned above and enable the more effective involvement of civil society in the preparation of law and policy.
- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

7. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

Recommendation	Position	Assessment/Comments on level of implementation
<p>24.210. Release individuals who were arbitrarily detained and imprisoned for peaceful assembly, investigating and reporting on government activity, or expressing political dissent, and allow them to travel freely both domestically and internationally without limitation (United States of America)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.209. Cease the practice of arbitrarily detaining journalists, opposition members, and human rights defenders, including pre-emptively, and adopt a legal framework that ensures judicial independence (United States of America)</p> <p>Source of position: A/HRC/39/16 - Para.</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.196. Redouble efforts to strengthen the rights to peaceful assembly and association and to guarantee to independent journalists the free exercise of their profession without discrimination on political grounds (Peru)</p> <p>Source of position: A/HRC/39/16 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.194. Develop and implement specific laws, policies and mechanisms that recognize and protect the work of civil society, human rights defenders and journalists (Norway)</p> <p>Source of position: A/HRC/39/16 - Para. 114</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2</p>
<p>24.179. Guarantee freedom of opinion and expression, online and offline, including dissenting political opinions, and safeguard the activity of human rights defenders and journalists (Italy)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2</p>

<p>24.178. Ensure that civil society members, human rights defenders and journalists can operate free from hindrance and insecurity, including by repealing legislation relating to so-called “pre-criminal social dangerousness” (Ireland)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.175. Implement legal safeguards protecting civil society and media workers against abuse of provisions for criminal prosecution, including by repealing articles 72, 73 and 74 of the Criminal Code as well as the Law No. 88 (Czechia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.2</p>
<p>24.170. Adopt legislation providing legal status for non-governmental organisations and independent journalists (Canada)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2</p>
<p>24.132. End measures to restrict freedom of expression and assembly including short-term detentions and the use of broad criminal charges such as “dangerousness” (United Kingdom of Great Britain and Northern Ireland)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.125. Release all those who have been arrested on politically motivated charges (Slovakia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.2</p>
<p>24.117. End arbitrary detention and harassment of human rights defenders as well as media workers (Lithuania)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.112 Stop arbitrarily arresting people, before, during and after peaceful demonstrations and release those who have been arbitrarily arrested (Iceland); End arbitrary detention of political activists (Australia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.2</p>

<p>24.37. Extend invitations to the United Nations Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, on the rights to freedom of peaceful assembly and of association, and on the situation of human rights defenders (Finland)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2; 6.4</p>
<p>24.171. Immediately eliminate harassment and intimidation of activists, including arbitrary short-term and pretrial detentions as well as house arrest (Canada)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.2; 6.4</p>
<p>24.158. Recognize human rights monitoring as a legitimate activity, provide legal status to local human rights groups, cease using tactics that intimidate them, and allow human rights defenders and civil society to engage with the United Nations and its mechanisms (Australia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.2</p>
<p>24.206. Eliminate all restrictions on the right to freedom of opinion and expression and the right to free access to information (Ukraine)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.201. Review legal provisions that restrict the rights of freedom of expression, peaceful assembly and association, and bring them in line with Cuba's international human rights obligations (Sweden)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2; 6.4</p>
<p>24.200. Continue to expand the space and create mechanisms for the population to express its opinion on the main issues of national and international interest (Russian Federation)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>

<p>24.199. Ensure low-priced access to Internet facilities and complete freedom of expression online (Romania)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.198. Take effective measures to ensure freedom of expression, of the press and of association, as well as affordable and unrestricted access to the Internet for all (Poland)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.3</p>
<p>24.197. Strengthen measures to achieve public and political participation while respecting plurality (Peru)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.193. Continue to remove unlawful limitations on the right to access information and on the freedom of opinion and expression under international human rights law (New Zealand)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.192. Review all legal provisions which restrict the rights to freedom of expression, peaceful assembly, and association, to ensure compliance with international human rights law and standards (New Zealand)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.3; 6.4</p>
<p>24.190. Continue to strengthen the right of access to information for citizens in the areas of management of government and public institutions (Ethiopia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.188. Promote the effective use of mass media, mobile technologies and the Internet to increase awareness about disaster reduction (Malaysia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>

<p>24.184 End measures restricting the rights to freedom of expression and to peaceful assembly and association, including short-term detentions of political opponents, human rights activists and members of civil society organizations, as well as intimidation and arrests of journalists (Latvia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.3; 6.4</p>
<p>24.183. Decriminalize defamation and include it in the Civil Code in accordance with international standards (Estonia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.182. Adopt a freedom of information law in accordance with international standards (Estonia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.181. Ensure everyone's rights to freedom of expression, peaceful assembly and association and to freedom of movement, including for civil society representatives, journalists and human rights defenders (Estonia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.3; 6.4</p>
<p>24.172. Take the necessary measures to ensure the right of all people to freedom of expression, freedom of assembly and peaceful association (Chile); Respect everyone's rights to freedom of expression, peaceful assembly and association (Iceland); Respect everyone's rights to freedom of expression and to peaceful assembly and association (Slovakia); Establish measures that guarantee freedom of association, freedom of expression and freedom of the press (Spain); Review all legal provisions, including article 62 of the Constitution which unduly restricts the rights to freedom of expression, peaceful assembly and association, to bring them in line with international law and standards (Germany)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.3; 6.4</p>
<p>24.168. Facilitate creation of a more pluralistic media environment in conformity with international standards (Bulgaria)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p>

<p>24.163. Improve the climate for freedom of expression by taking steps to develop independent and pluralist media (Belgium); Consider promoting a more pluralist and independent mass media environment (Chile)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.161. Take effective measures to guarantee that Internet access corresponds to international regulations that protect the right to seek, receive and disseminate information and ideas (Austria)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.160. Bring the framework on freedom of association and assembly into line with international law and standards (Austria); Adopt concrete measures aimed at eliminating restrictions to the right of association and to freedom of expression that are inconsistent with international human rights law (Brazil)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.2</p>
<p>24.159. Remove Internet access restrictions and relax control of the broader media environment (Australia)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.3</p>
<p>24.155. Redouble efforts to perfect people's power at the local level, as a genuine expression of its democratic model (Bolivarian Republic of Venezuela)</p> <p>Source of position: A/HRC/39/16 - Para. 24</p>	Supported	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2; 6.3; 6.4</p>
<p>24.4. Ratify the International Covenant on Civil and Political Rights and establish a legal and institutional framework that guarantee the free exercise of the rights enshrined in it, including the rights to freedom of expression, assembly and peaceful association, and sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Costa Rica)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 8</p>	Supported	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2; 6.3; 6.4</p>

<p>24.15. Act in accordance with and ratify the already signed International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, without restrictions to freedom of expression, freedom of the press or freedom of assembly, and incorporate them into its national legislation (Netherlands)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 8</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.2; 6.3; 6.4</p>
<p>24.56. Continue its efforts to encourage the participation of domestic legal institutions in international organizations with the aim to promote cooperation in the area of human rights protection (Myanmar)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 7</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 6.1</p>
<p>24.120. Take measures to put an end to arbitrary detentions by ensuring that persons under arrest have immediate access to a defence counsel and are promptly brought before an independent judge for a hearing (Netherlands)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.4</p>
<p>24.121. Immediately and unconditionally release all prisoners of conscience who have been imprisoned solely for the peaceful exercise of their rights to freedom of expression, association or peaceful assembly (New Zealand)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.1</p>
<p>24.160. Bring the framework on freedom of association and assembly into line with international law and standards (Austria); Adopt concrete measures aimed at eliminating restrictions to the right of association and to freedom of expression that are inconsistent with international human rights law (Brazil)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.4</p>

<p>24.164. Publicly acknowledge the role and work of members of civil society and take the necessary steps to ensure that human rights defenders and members of civil society organizations can exercise their rights to peaceful freedom of expression, assembly and association, in conformity with Cuba's international obligations (Belgium)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 7</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 6.1</p>
<p>24.167. Abstain from all forms of harassment, intimidation and repression against social activists, human rights defenders and journalists (Brazil); Guarantee freedom of expression, assembly and association and put an end to the harassment, intimidation, persecution and arbitrary detention of human rights activists, journalists and members of the opposition (France); Immediately stop arbitrary detention, imprisonment and harassment of activists who peacefully exercise their rights to freedom of expression, association or peaceful assembly (Germany)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.4</p>
<p>24.174. Remove legislative and practical obstacles for the functioning of civil society (Croatia)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.1</p>
<p>24.186. Enable and promote the work of civil society by discontinuing restrictive laws and practices (Lithuania)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 10</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.1</p>
<p>24.187. Guarantee freedom of peaceful assembly and association for all citizens in accordance with international standards (Lithuania)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 8</p>	Noted	<p>Status: Not implemented</p> <p>Source: Sections 6.1; 6.4</p>

<p>24.189. Continue strengthening the space of national non-profit associations in the country (Maldives)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 7</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 6.1</p>
<p>24.203. Take the necessary measures in order to guarantee the rights to freedom of peaceful assembly and association, in conformity with international law, particularly human rights (Switzerland)</p> <p>Source of position: A/HRC/39/16/Add.1 - Para. 8</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 6.1; 6.4</p>