

DEPLORABLE HUMAN RIGHTS VIOLATIONS IN CUBA AND VENEZUELA

HEARING BEFORE THE SUBCOMMITTEE ON THE WESTERN HEMISPHERE OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

NOVEMBER 6, 2015

Serial No. 114-123

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/> or
<http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PUBLISHING OFFICE

97-464PDF

WASHINGTON : 2015

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
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FRIDAY, NOVEMBER 6, 2015

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:07 a.m., in the Stephen P. Clark Government Center, 111 NW First Street, Miami, Florida, Hon. Jeff Duncan (chairman of the subcommittee) presiding.

Mr. DUNCAN. Good morning. We will go ahead and get started.

Okay. We were unsure when Congressman Curbelo would make it in, but I am glad he made it. And we will go ahead and get started.

Good morning, and welcome to this congressional field hearing here in Miami, Florida. I would like to thank everyone for attending today, and I appreciate the effort taken on behalf of all those involved to conduct this important hearing. And sincere thanks goes to the county commissioner chairman, and we appreciate his assistance.

This is an official congressional hearing as opposed to a town hall meeting, and as such, we must abide by certain rules of the Committee on Foreign Affairs and the U.S. House of Representatives.

I kindly wish to remind our guests today that demonstrations from the audience, including applause or verbal outburst, as well as the use of signs or placards, are a violation of the Rules of the House of Representatives. Additionally, use of photography and cameras during the hearing is limited to accredited press only.

Today, I am joined by Representative Alan Grayson, who will serve as the ranking Democrat member; Representative Ron DeSantis, who serves with me on the Committee on Foreign Affairs; and Representative Carlos Curbelo, who represents south Florida and is a strong Member and active in the House of Representatives.

We meet today to consider the serious issues of ongoing human rights abuses in Cuba and Venezuela. Winston Churchill once stated, "Courage is rightly esteemed the first of human qualities because it is a quality which guarantees all others." Our witnesses have exhibited great courage in their home countries, and they have shown bravery in choosing to testify and tell their personal stories publicly here today.

Yet these witnesses are really a representation of so many others who could not be with us here today, the Ladies in White; the Patriotic Union of Cuba; bloggers who dare to speak the truth to power; human rights' defenders unjustly victimized for their efforts to pursue justice; religious organizations who want to worship God freely and peaceably; political prisoners who seek to live in a democracy that stands for rule of law and judicial independence; and the unnamed ordinary citizens of Cuba and Venezuela who live in fear and who have been unjustly threatened, beaten, or jailed.

We will begin this hearing with panel I to consider the state of human rights in Cuba, and once we have concluded our time of questions and answers, we will recess and reconvene panel II to examine the situation in Venezuela.

My hope with this hearing is that the American public may better understand the gravity of events in these two countries and that the United States Government may have greater clarity on ways to more effectively promote freedom and human rights in Latin America.

As chairman of House Committee on Foreign Affairs Subcommittee on the Western Hemisphere, I have focused closely on the issues of human rights and freedom of expression in the Americas this year. Since the Obama administration's December 2014 announcement that changed our approach toward Cuba, our subcommittee has held two hearings on Cuba to examine the national security implications of this change and the lack of justice for almost 9,000 American claimants whose property was stolen in the wake of Cuban Revolution.

In addition, our subcommittee has held two hearings on freedom of expression, specifically looking at the challenges to press freedoms and to religious liberties. I am deeply concerned about the trajectory of both Cuba and Venezuela on these matters.

It is striking to me that although the Obama administration has taken great pains to change U.S. policy; delist Cuba from state sponsor of terrorism list; and prioritize meetings with the Cubans on environment, climate change, law enforcement, travel, trade, and commercial airline issues, the administration has made no real effort with the Cubans to prioritize human rights or property claims issues. They haven't even scheduled one single meeting in all their bilateral discussions to raise these issues.

U.S. Department of Homeland Security officials who met in Havana last month focused on trade and travel issues. U.S. State Department officials who met in Havana earlier this week prioritized economic engagement. This very week, the administration made clear that human rights in Cuba are not a priority.

On Tuesday, the U.S. State Department official David Thorne stated, "As in other parts of the world, we are really trying to also say let's find out how we can work together and not always say that human rights are the first thing that we have to fix before anything else." So apparently, working together is the new highest value for the administration under President Obama rather than promoting U.S. interests and principles and achieving results.

Reportedly, the administration is also planning further unilateral action to ease the U.S. embargo on Cuba. In my view, the administration's efforts toward Cuba reflect yet another failure to follow

U.S. law, which clearly requires evidence of a democratically elected government in Cuba, the release of all political prisoners, the allowance of human rights organizations into Cuban prisons, and independent judiciary and free speech and press in order to terminate the U.S. embargo in Cuba.

Do we see evidence today in Cuba that these legal requirements are met? I don't think so. Last year, there was an average of 741 arbitrary detentions every month in Cuba. During the Pope's visit 2 months ago, the number rose to 882. Last month alone, the Havana-based Cuban Commission for Human Rights documented over 1,000 short-term detentions by the Castro regime. Thus, for the first 10 months of this year, the Cuban Government has arrested and detained over 6,000 people with complete impunity.

Unfortunately, Cubans' human rights abuses do not stop at unlawful arrests and detainments. The Committee to Protect Journalists ranks Cuba among the top 10 most censored countries in the world with the regime holding an iron grip on the print and broadcast media. The average Cuban citizen who wants to simply rent a book from the public library must undergo registration processes.

In addition, while Cuba's Constitution recognizes freedom of conscience and religion, churches must register with the government. Jehovah's Witnesses and Mormons are still not allowed to practice in the country, and the government has been seizing church properties, imprisoning pastors, employing brutal measures against churchgoers such as the Ladies in White.

While the Cuban Government released El Sexto last month, Cuba continues to hold 60 political prisoners and prevent 11 individuals released on parole from leaving the country. Three activists arrested during the Pope's visit—and I will try to pronounce these correctly—Zaqueo Baez Guerrero, Boris Reni, and Maria Josefa Acon Sardinias remained imprisoned. It is clear that the basic U.S. statutory requirements for terminating or adjusting the U.S. embargo have not been met, and the U.S. Congress has a constitutional responsibility to provide a check and balance on the administration's action.

Now, let's turn our attention to Venezuela. In Venezuela, the climate for freedom and human rights is also ice-cold. Last year's violence by Venezuelan state security forces against unarmed student protesters and bystanders was appalling. The harsh reaction by the Maduro regime against these protesters resulted in the deaths of more than 43 people, and almost 900 people were injured. The press reports of the severe beatings, live firing of ammunition and teargas into crowds and arrests, beatings, and torture of the student protesters were chilling.

Between 2014 and this past September there have been more than 3,000 detentions for political reasons in Venezuela. The number of political prisoners in Venezuela has surpassed those in Cuba. Attacks and arrests in Venezuela have affected not only political distance. Reportedly, the government has been increasingly targeting human rights defenders and local human rights groups. The government has even detained people who were caught by the intelligence agencies giving food, water, or other types of assistance to the protesters.

In addition, Venezuela has one of the worst media environments in the region. Freedom House ranked Venezuela 176th out of 199 countries listing it as “not free” in its 2015 report.

Similarly, government hostility to religion has led to complaints by Catholic bishops of expropriations, harassment, electronic surveillance, and phone-tapping. Priests have even been disbarred or debarred from hospitals and prisons as well.

It is laughable that in July the Maduro government announced a 4-year human rights plan to promote a culture of human rights when stories of human rights atrocities continue unabated: Individuals such as Marco Coello, a student who was jailed and tortured for 5 months; Alejandro Marquez, who was beaten, tortured, and murdered last year; Marcelo Crovato, a human rights lawyer detained without arrest warrant, imprisoned for 10 months and now living under house arrest without trial; Leopoldo López, who, after a sham trial, was sentenced to almost 14 years in prison, all yet to receive any justice for the government’s actions against them. Recent statements by the leading prosecutor of Leopoldo López, his case, now calls the trial a farce based on false evidence.

So in conclusion, I am deeply concerned about the human rights situation in Cuba and in Venezuela. In my view, we have seen no results from U.S.-Cuba policy shift or the many conversations that Thomas Shannon with the State Department has had with the Venezuelan Government. I believe the U.S. Congress can do more to hold the Obama administration accountable for their actions on these issues and more. And I believe the United States must do a better job communicating a clear message of support to the victims of human rights abuses in Cuba and Venezuela and to both regimes that such repression is utterly deplorable and it must end.

With that, I will turn to the ranking member Mr. Grayson, who is on the Committee on Foreign Affairs and acting as ranking member today for the Subcommittee on the Western Hemisphere for any opening statement he would like to make. I look forward to learning more from our witnesses today.

So I will turn to Mr. Grayson.

Mr. GRAYSON. Thank you, Mr. Chairman, and thank you to our witnesses for joining us today. I had a prepared statement, but I am not going to give it to you because in some sense this is personal, and I want to talk about it personally to all of you.

My grandparents, all four of them, fled from Eastern Europe because of violations of their human rights and for the human rights of Jews all over the area.

We see this same kind of suffering now in various parts of the world, and it is our duty as human beings to fight it, to make sure that we stand with others who are being oppressed. That is our function as leaders and as individuals.

I am pleased to represent central Florida and specifically Orlando in Congress. My district has more people who were born in other countries than people who were born in Florida. In fact, if you look around the State, the number of people in the State who were born in other countries approaches the number who were born here in Florida.

That gives us a unique perspective, and it gives us a unique circumstance that is not met in other parts of the country, specifically

this: When we talk about foreign affairs, we are not talking about necessarily foreign affairs, something removed from us, something foreign to us. Instead, we are talking about, in many cases, our mothers, our fathers, our sisters, our brothers. These are the people who are connected to us in intimate ways even though they happen to live in other countries. And many of them weren't fortunate enough to be born in a place that is a free place.

When I was growing up, there were countries all over Latin America that were not free. In fact, the only country 50 years ago when I was a boy that did not have a military government in Latin America was a country that didn't have a military: Costa Rica. Virtually every other country south of the border had a military government in one form or another when I was a child.

Now, we have seen a tremendous transformation all through Latin America since then. And today, so many people live in freedom. So many people can accomplish whatever it is that they can accomplish in life. And that is what this is really all about. Every one of us is a unique bundle of interests, skills, talents, and limitations. I see it in my five children for sure.

And what we want above all is we want people to be able to reach their potential without being barred from that by discrimination, by hunger, by a lack of education, by poverty, and specifically by a lack of freedom. That is an entirely artificial barrier so easily removed.

Now, in the case of Cuba, I think it is important to understand that the perpetrator of this lack of freedom is the Cuban Government. I think it is wrong in this context to take shots at President Obama for doing his best to try to break the logjam that has been the mark of human relations in Cuba, and relations between the United States and Cuba now for more than half a century.

It is clear to everyone who is going to be objective about this that the previous policies between the United States and Cuba simply didn't work. If the purpose was to bring freedom to Cuba over the course of the past half-century, those policies simply failed. And it is wrong to point the finger at President Obama for trying to come up with a solution to this festering problem.

I went to Cuba a few years ago legally as part of a religious group, and what I saw was a country where the people simply didn't have opportunity. I saw a remarkably hardworking group of people. I saw a country full of people who are remarkably creative. How else could you possibly keep half-century-old cars on the road except through remarkable creativity? And I saw a beautiful land with a great deal of natural resources.

What I saw was a government that was essentially enslaving people, keeping them from achieving anything remotely resembling their potential. And I saw a government that was mired in early 20th century logic and ideas and keeping its people from reaching their potential individually. That is sad.

We need a way to change that. What we are doing now is trying a different policy, which might be referred to as constructive engagement. We have seen some fruit being borne from that—the release of 53 political prisoners—but obviously, it is not enough.

I myself, a Democrat, I call on the administration to adopt a policy that is not all carrot and no stick but rather a policy of account-

ability, a policy with the right amount of carrot and the right amount of stick. And in the course of doing so, I think that we will continue to see progress made toward human rights, and in particular, progress made toward what I think of as the American ideal, which is to allow every single human being, whatever their nationality, wherever they are from, whatever they look like, whatever language they speak, regardless, reach their true potential in life.

With regard to Venezuela, we are seeing a social experiment on its last legs. The social experiment was obviously based upon a high price for oil. With a low price for oil, that social experiment has now failed. And we are seeing a government desperately trying to cling to power by blaming its victims.

One of the more remarkable elements of modern politics is that there are some people who seem to think there is some benefit that when you violate human rights, you blame the people whose rights are being violated and you try to make political hay out of that.

Anybody who has looked at the polls recently understands that the Maduro government is heading for a terrible defeat. Earlier this year, they were down 2 to 1 in the polls. When they did things like what they did to imprison Leopoldo López, give him a 14-year sentence, blame him for the violence perpetrated against his supporters, their polls plunged even worse than they were before. Now, this government is looking at a 3 to 1 defeat in the polls.

So I think it is fair to say that many of us expect that that terrible and unfair and unjust sentence, blaming the victim, will never actually be carried out in full.

Democracy still seems to function fairly well in Venezuela. We do expect an election. I will certainly do my part to make sure, with the committee, with the Members of Congress to see to it that we have the election that can bring real change to Venezuela and the restoration of freedom in Venezuela.

In the meantime, we have to ask what we can do as Members of Congress, as leaders, as leaders of a community that is very diverse, that includes Venezuelans, that includes Cubans, that includes people from everywhere all around the world.

And the answer is, first, we can bear witness. That is what we are doing today. We are simply getting together and listening to people who have been victims and bearing witness. Amnesty International does that every day for people who are similarly situated, and it is a great boon because then people understand that when they are victims, they are not alone and that their situation is not ultimately desperate because we all stand together.

In addition to that, in hearing this testimony today we also bring to bear the great power and authority both moral and in other reforms of the U.S. Government. We are here as representatives of the U.S. Government, we are here as policymakers for the U.S. Government, and we are here to learn about what we can do to improve human rights in these places—in Latin America, in these two countries, and otherwise—and bring the future forward, bring these countries into the 21st century, not mired in 19th or 20th century ideology, bring the future forward and reach a time when everybody, everybody in every nation can be all that he or she can be.

I am Congressman Alan Grayson. Thank you.

Mr. DUNCAN. I want to thank the gentleman from Florida, and now I will recognize the gentleman from middle Florida, Mr. DeSantis, for an opening statement he may have.

Mr. DESANTIS. Well, thank you, Mr. Chairman. Thank you for bringing this important issue down to Florida where I know it has so much resonance. I am really looking forward to hearing from the witnesses so I will be very brief.

The Obama administration's policy toward Cuba has provided an economic lifeline to the Castro dictatorship, but has not fostered greater freedoms for the Cuban people. Indeed, political repression has increased since the move toward normalization with the dictatorship in Havana. We must have a policy that supports the aspirations of the Cuban people, not the needs of the Castro regime.

[Speaking foreign language.]

Mr. DESANTIS. I yield back.

Mr. DUNCAN. I thank the gentleman and now recognize another gentleman from Florida, Mr. Curbelo, for any opening statement he may have.

Mr. CURBELO. Mr. Chairman, first thing I want to do is welcome you to our community on behalf of my colleagues Ileana Ros-Lehtinen and Mario Diaz-Balart, who could not be here. They send their best and they thank you for your commitment to freedom, to democracy, and to human rights.

I also want to welcome two colleagues who are no strangers to south Florida, but welcome Congressman DeSantis and Congressman Grayson. I am also very familiar with your longstanding commitment to these very important issues.

And we hold this hearing today in a most appropriate place. This is the home of so many victims of the Castro regime and of the Venezuelan regime. This is the place where hundreds of thousands if not more have sought freedom, have sought refuge, and this community has embraced all of them with open arms. This country has embraced all of them with open arms. And by the way, they have contributed a lot to this community and to this country.

So today, it is my privilege to welcome you and to join you in exploring the situation in Cuba, the situation in Venezuela, and of course U.S. policy toward both of these countries.

For many years, in the case of Cuba, our Government had a policy of solidarity with the victims of the regime. Many feel that has now changed.

In Venezuela, we are also concerned as we see the administration meeting with people like Diosdado Cabello, someone who is responsible for numerous, numerous, countless human rights abuses in Venezuela. So this is very timely.

And, Mr. Chairman, welcome, and thank you very much.

Mr. DUNCAN. I want to thank the gentleman.

Before I recognize the witness, I would like to enter into the record a letter from my colleague who serves as the chairman of the Western Hemisphere Subcommittee on the Foreign Relations Committee in the United States Senate. Senator Marco Rubio has provided a letter.

And without objection, so ordered.

Before I recognize you for your testimony, let me say thank you for your willingness to be here today. And I will let you know that each of you have 5 minutes. I am not sure if we have the lighting system working today, but you have 5 minutes for your oral statement. If you would try to stay in that length, it would be much appreciated. And then after you testify, the committee members will have 5 minutes to ask you questions, and we will advance.

The biographies are in your notes provided, so I won't go through the biographies, and we will just begin recognizing Mr. Antonio Rodiles. You are now recognized for 5 minutes, and thank you for being here.

STATEMENT OF MR. ANTONIO RODILES, CUBAN DISSIDENT

Mr. RODILES. Thank you——

Mr. DUNCAN. Oh, make sure the microphone is on. I don't know if——

Mr. RODILES. Yes.

Mr. DUNCAN. There are buttons there. Okay.

Mr. RODILES. Yes? Yes, it is working.

Well, first of all, thank you for the opportunity to appear before you today. I am sharing my particular perspective about Cuba and the role in the world.

My name is Antonio Rodiles Gonzalez-Rodiles. I head Estado de SATS, a forum created in 2010 by a group of young artists, intellectuals, and professionals to encourage debate about social, cultural, and political issues in Cuba. I am also a co-coordinator of the forum for the rights and freedom which bring together several opposition groups.

We have witnessed the emergence of a new international bloc of authoritarian and neo-totalitarian states working together closely to stem the tide of liberal democracy that swept the world in the past 200 years. From Europe to Middle East to Latin America, this bloc continues to grow. The military dictatorship in Havana, Putin's Russia, the Iranian theocracy are essential parts of this alliance of the enemies of freedom. This bloc will adapt in order to survive even if that means pretending to be free marketers.

Castro Cubans claim it is updating its model, only seeks economic survival by allowing the other members of this alliance certain market mechanisms to operate, but it preserves the repressive character and continue to subordinate fundamental rights and freedom to the interests of its military dictatorship.

Cubans' intervention in Venezuela has been most alarming. The Maduro government is a puppet regime run by the Cuban advisor. Likewise, Havana emissaries are present in key roles in Bolivia, Ecuador, and Nicaragua, to name just a few countries in the region.

Their electoral process has been twisted. State actors and institutions are used to steadily dismantle democratic mechanisms and institutions, and paramilitary actors are used to repress with no legal consequence.

Furthermore, the formation of regional organizations such as ALBA and CELAC are providing international credibility and pressuring democratic nations to accept these spurious democracies.

Not surprisingly, these policies are contrary to the interests of the United States.

There are many other signs of Cuban pervasive influence in the region. To name just a few, first, a significant increase on human trafficking of Cubans through Mexico and Central America is taking place in coordination with organized crime; second, there is evidence of connection between Cuba and Venezuela in the drug trade; and third, Cuba, long-tied to the Colombian FARC, leads the talk for that terrorist organization to gain impunity and attain power in Colombia.

Furthermore, in south Florida, the abuse of the Cuban Adjustment Act has allowed criminal rings from Cuba to stage systematic insurance, credit card, and Medicare fraud and stealing billions of dollars. The level of sophistication of these illegal enterprises and the fact that hundreds of millions are traced back to Cuba suggests the involvement of the Cuban regime. The future of the region we can see will have much to do with a democratization or not of Cuba.

Meanwhile, on the island the outlook is complex. A transition from totalitarianism to authoritarianism is occurring in the context of a very dire situation in a nation that is completely de-capitalized and impoverished facing growing social unrest and widespread corruption.

Raul Castro's children are by all accounts his presumed political heirs. The plan is to warranty continued authoritarian rule with the support of all regional allies and the international bloc. The hopes are no doubt pinned on President Obama's support to sustain the planned succession of power to the next generation of Castros. The repressive machinery works full blast in order illegal subject to the police state.

Our work is focused principally on seeking a democratic transition and establishment of the rule of law in the midst of a very challenging external and internal environment. On the island, we confront a regime that enjoys total impunity in abusing the population. Internationally, we face the decline of the democratic principles and commitments.

The steps taken by President Obama are in the present context unwise and to date have proved very dangerous. After the policy shift, the Europeans have followed the U.S. lead in appeasing the dictatorship. This is granting legitimacy and additional resources to a criminal regime that has shown ample capacity to adapt at crucial moments. Importantly, allowing the consolidation of neo-Castroism validates authoritarianism as an alternative to democracy in the region.

The majority of Cuban civil society has expressed its disagreement with the lack of transparency and the unconditional character of the normalization process. We also reject the opinion and interests of vital players from the opposition both internal and in exile were ignored during the discussion leading to the President's announcement last December.

China and Vietnam clearly demonstrate the fallacy of the argument that attaining certain economic freedom brings about civil and political liberties. The economic transformation of both countries has been cited by the Obama administration to justify a

change of policy toward Cuba. Notwithstanding even of those two authoritarian countries, foreign companies are allowed to freely recruit and directly pay their employees.

The Castro regime, meanwhile, exerts absolute control over the labor market, retaining or confiscating around 90 percent of the hard currency earnings for all Cubans working in the foreign sectors. It then invests these profits in its repressive machine. This is modern-day slavery that will not lead to the empowerment of the Cuban workers.

A change of direction is fundamental. Concrete demands must be made to the regime, and the process must involve the active participation of indispensable opposition leaders. This is also a crucial time to prioritize the respect of fundamental freedom for each nation in the region.

The good news in this grim scenario is that every one of these neo-totalitarian or authoritarian states there are pro-democratic movements tenaciously struggling for freedom. Recently, the Forum for Rights and Freedom was created in Cuba. It has brought together an important assembly of leaders and groups within the island and in exile demanding a roadmap of seven points. Its logic is tied to the implementation of the Covenants on Human Rights of the United Nations.

The forum, together with the vast majority of the Cuban resistance, subscribes to the 10-point Agreement for Democracy, which lays out a consensus of what the standards should be for a transformation to a democracy in Cuba.

In Cuba, for the past 29 Sundays, the forum has carried out the Todos Marchamos—"We All March"—campaign of weekly demonstration led by the courageous Ladies in White, together with the organizations such as Resistance Front, Estado de SATS, UNPACU, and others, demanding the general amnesty for political prisoners and the end of political persecution in Cuba.

The courage of these civil rights demonstrators have been met with the brutality of the Castro regime and its paramilitary groups. All sorts of violence and abuse, including beatings, are taking place as the regime tried to stop the movement that has spread throughout the island.

Until the last December, the people of this great democracy could be counted on to stand with the oppressed people of Cuba. President after President, Democrat and Republicans, has stood with us in the demand for fundamental rights. The Congress fortunately still stands with the people of Cuba. That is essential for our struggle for freedom. We hope that we can continue to count on your support.

Thank you.

[The prepared statement of Mr. Rodiles follows:]

**Testimony by Antonio G. Rodiles Before the Subcommittee on the Western Hemisphere
House Foreign Affairs Committee
Field Hearing - Miami, Florida
Date, 2015**

Cuba-US Relations, Neo-Castroism, and Regional Authoritarianism

Thank you for the opportunity to appear before you today. It is an indeed an honor. Maybe someday soon, in Cuba, a Cuban Congress will be allowed to listen to the people and allow them to come before them, like I do here today before you, to share ideas about the challenges that they face.

My name is Antonio G. Rodiles. I am director of State de SATS, a forum created in 2010 by a group of young artists, intellectuals, and professionals to encourage debate about social, cultural, and political issues in Cuba. I am also one of the coordinators of the **Forum of Rights and Freedoms** in Cuba. I holds a master's degree in Mathematics from Florida State University and was a Ph.D. candidate in Physics at the National Autonomous University of Mexico.

A patent reality of today's world is the emergence of a new international bloc of authoritarian and neo-totalitarian states which are closely working together to stem the tide of liberal democracies which has swept the world for the past 200 years. From Europe to the Middle East to Latin America, this bloc continues to grow and to exercise greater repressive influence in their respective regions.

The Castro Regime in Havana, together with Russia's Putin and the dictatorial theocracy in Iran, are an essential part of this global alliance. The Castro regime is closely aligned with this group, and it is under its aegis and protection that what we term as "Neo-castroism," is emerging, in order to prolong the denial of fundamental rights and freedoms to the Cuban people.

In order to guarantee their economic survival, not only of the regime but of this new alliance, the bloc allows for certain market freedoms, all the while preserving structures that subject fundamental rights and freedoms to the interests of strongmen and populist groups. And this should come as no surprise to those of you who have studied Marxist Leninism, this bloc will adapt in order to survive, even if it means they must pretend to be free marketers.

As the examples of the People's Republic of China and Vietnam clearly demonstrate, the argument that certain economic freedoms always allow for the development of civil and political liberties is false. The use of state institutions to dismantle democratic mechanisms has become a very useful and effective machinery.

Furthermore, China and Vietnam's economic transformations have been cited by the Obama Administration to justify its change of policy towards Cuba. However, foreign

companies are allowed to freely recruit and directly pay to their employees in those Asian countries, while the Castro regime exerts an absolute monopoly retaining the hard currency from the labor of the Cubans, who are effectively enslaved, and get as little as a 5% of their wages. These profits are subsequently invested in the regime's repressive machine. This is modern-day slavery.

In this sense, the situation of Venezuela in our region is most alarming. Proponents of neototalitarianism have learned to twist electoral processes in order to legitimize their power. The use of paramilitaries as a method of repression, permits that the violation of fundamental rights and liberties have no legal consequences for the authorities.

We must emphasize that, given our understanding of how Castroite totalitarianism works, the Maduro regime is nothing less than a puppet regime, directly run by Castroite advisers at the behest of the dictatorship in Havana. And it is not just limited to Caracas. This system includes other countries in South America as well as Central America, including an old ally of Cuba, Nicaragua and Daniel Ortega.

Indeed, the formation of anti-American regional organizations such as ALBA and CELAC provide the necessary international support to said regimes to pressure democratic nations to accept these spurious democracies.

In this global scenario of the crisis of human rights and democracy in today's world, the case of Cuba is very pertinent. The Castroite regime not only survived the downfall of the Soviet bloc, but it has also extended its influence throughout the region. Poor decisions made by the international community and a fragmented society allowed Fidel Castro to manipulate the situation and prevent the end of the dictatorship.

One of these decisions, made by the Clinton administration, facilitated the drainage of all internal pressure through a mass exodus at a moment when Cubans demonstrated a clear sense of being fed up with the regime. The subsequent appearance of Hugo Chávez and his oil guaranteed the survival of the Castro regime for the next fifteen years, amid a regional context more favorable to dictatorship.

Twenty years later, Castroism dies. Neo-Castroism, which for some time now has been pressing for greater legitimacy, has found a path in President Barack Obama's measures. The presumed family and political heirs of Castro begin to find the urgent legitimacy they need.

The outlook on the Island is complex. The transition from totalitarianism to authoritarianism will have to muddle through an already miserable situation, a nation completely de-capitalized, growing social unrest, and widespread corruption. To sustain the transfer of power, they utilize repressive bodies trained in impunity, judicial power subject to State Security, structures that influence peddling, and social groups prostituted to political power.

There are other warning signs, such as the significant increase in the human trafficking of Cubans through Mexico in coordination with organized crime, especially the Zetas

narco trafficking group. There is strong evidence of a possible connection between the Cuban military and intelligence services with a Venezuelan military involved in the growing drug trade. However, suspicions of this link begin to appear, above all, due to the great influence that the former group has over these military institutions. Moreover, the connections among the Castro intelligence, Venezuela and the FARC guerrilla in Colombia could allow this terrorist organization to gain power in that country as a result of the peace talks sponsored by Cuba.

The future of the region will have much to do with the democratization or non-democratization of Cuba. The influence the Castro regime over the region reach not only South and Central America, but it is also reaching South Florida as the abuse of the Cuban Adjustment Act has allowed the flourish of criminal rings staging car accidents for insurance fraud, hijacking trucks, Medicare fraud, and credit card fraud among others. The monies from these illegal enterprises are smuggled back to Cuba and its level of sophistication and impunity suggest at least some involvement of the Cuban regime.

Despite what opponents of US law and policy say, it has worked, even if sanctions have been, at best, anemically imposed. When laws were updated in 1992 and 1996, there was no civil society to speak of in Cuba. That has changed dramatically and it bothers the regime. The opposition on the island and in exile has to prevent that the regime achieves a transfer of power.

Our work is focused on seeking a democratic transition and the establishment of the rule of law in the midst of a very complex external and internal environment. Internally, we confront a regime that enjoys full impunity in abusing its population. Externally, we are in a situation where democratic principles have taken a serious hit.

In the international arena we have made some progress regarding the demand that the regime ratify and implement the United Nations' Covenants on Human Rights, especially those on civil and political rights. Such ratification would oblige a change in key elements of the judicial and legal system prevailing on the island and that violate, even in writing, fundamental freedoms. This demand has already been heard by the European bloc that is presently working on a bilateral agreement with the regime. However, after the US policy shift, the Europeans have followed US lead on appeasing the dictatorship.

In the present context, the steps taken by President Obama are not wise and prove very dangerous. They grant legitimacy and additional resources to a regime that has shown ample capacity to adapt at crucial moments. For this reason the majority of Cuba's civil society has expressed its disagreement with the lack of transparency, the unconditional character, and the ignoring of vital players both in the internal opposition and in exile during these discussions.

Up until December 17, 2014, the American people could be counted on to stand with the people of Cuba because president after president, Democrat and Republican, refused to kowtow to the regime. This Congress still stands with the people of Cuba.

While Europeans and Canadians make it easier for the regime, America does not and the Cuban people will not forget that in a free Cuba. But President Obama has, as you say, muddied the waters.

A change of direction is fundamental in this political process; that concrete demands are made to the regime and that the process involve the active participation of indispensable leaders of the opposition. Recently, the "**Forum for Rights and Freedoms**" was created in Cuba and brought together an important assembly of leaders and groups within the island and in exile, who demanded a Roadmap with seven points that we consider to be of vital importance. The logic of this document lies in the implementation of the United Nations' Covenants on Human Rights. The Forum, together, with the vast majority of the Cuban resistance, has signed on to the **10-point Agreement for Democracy**, which lays out a consensus on what the rational standards should be for a transition to democracy in Cuba.

Raúl Castro expects to survive, and guarantee a political future to neototalitarianism, with the support of all regional allies and the international bloc. His hopes are pinned on that President Barack Obama, provides him with the necessary support for the new authoritarian experiment that has its essential core based around his family and political descendants.

The good news in this grim scenario is that in every one of these neototalitarian or authoritarian states there are pro democratic movements which are tenaciously struggling for freedom. Such is the case in Cuba. For the past 29 Sundays, the **Forum for Rights and Freedoms** has carried out the "**Todos Marchamos**" campaign, which consists of weekly demonstrations led by the courageous Ladies in White, together with organizations like the Resistance Front, Estado de Sats, UNPACU and others, demanding a General Amnesty, an end to political persecution in Cuba.

The courage of these civil rights marchers has been met by the brutality of the Castro Regime and its paramilitaries. All types of beatings and abuses are taking place as the Regime tries to stop this movement that has spread throughout the island, demanding a future of true freedom for all Cubans. These marches have become a gathering place for Cubans from all walks of life, who in spite of repression and persecution, gather to demand their liberty in defiance of callous repression.

We hope that the United States, with its global leadership in the promotion of democracy, will provide great support to those on the island and in exile who ask for real and measurable changes toward a true democracy.

Prioritizing rights and fundamental freedoms, and promoting the idea that these are key elements in the structuring of our nations, is vital at this crucial moment in time. We are debating the next twenty or thirty years as a country and region. Taking steps toward the consolidation of Neo-Castroism implies tacit validation of authoritarianism as an alternative to democracy throughout the region.

Mr. DUNCAN. Thank you, sir.

And now, Ms. Iriondo is recognized for 5 minutes.

**STATEMENT OF MS. SYLVIA IRIONDO, PRESIDENT, MOTHERS
AND WOMEN AGAINST REPRESSION (M.A.R. POR CUBA)**

Ms. IRIONDO. Honorable Chairman Duncan and members of the subcommittee, good morning. Thank you for giving me this opportunity to speak before you about the ongoing systematic violations of human rights in Cuba. I will be summarizing my written statement.

Political scientists today said that the dynastic communist dictatorship that rules Cuba has changed, although the truth is that the island remains a tightly controlled totalitarian state with a single-party system where there is no rule of law, no separation of powers, the executive controls the legislature and the courts, where citizens are denied fundamental human rights and civil liberties, and where workers and labor rights do not exist.

Into that undeniable reality entered President Obama when he began negotiating normalization of relations with dictator Raul Castro more than 2 years ago, a secret negotiation that brought about his new U.S.-Cuba policy announced on December 17 of last year.

Almost a year later, the situation on the ground clearly shows that the Obama administration made many concessions not merited by the facts, such as returning to Cuba several Cuban spies that were serving time in American prisons, one of whom had been sentenced to two consecutive life terms, one for his role in the shoot-down by Cuban MiGs in international airspace of two civilian defenseless Brothers to the Rescue planes conducting a humanitarian search-and-rescue flight to save lives in the Straits of Florida, which resulted in the premeditated murders of three American citizens and one U.S. resident: Carlos Costa, Armando Alejandro, Jr., Mario de la Pena, and Pablo Morales, young men full of dreams that were left unfulfilled as the Castros perpetrated one of the most horrendous crimes in the long list of crimes committed by the regime throughout its 56 years in power with total impunity.

Armando Alejandro, Jr., had voluntarily enlisted in the U.S. Army and served two terms of duty in Vietnam.

The individual who ordered the shoot-down was none other than Cuba's Minister of the Armed Forces at the time, General Raul Castro. I was on board the third and only plane that made it back to base on that fateful day of February 24, 1996.

And pulling Cuba out of the list of governments that support international terrorism while several dozen fugitives wanted by the FBI are welcomed in the island. To this day, an American terrorist who killed a New Jersey State trooper in cold blood was sentenced to life in prison, escaped, and went to live in Cuba, remains among the FBI's 10 Most Wanted. Regrettably, it seems that not all American lives have the same value.

In regards to human rights in Cuba, the results are in. In April 2015 President Obama and Raul Castro met at the Seventh Summit of the Americas in Panama. They shook hands and pronounced a joint statement the next day, while Cuban state security agents demonstrated the true criminal nature of the regime by conducting

violent acts of harassment to undermine events of the summit to which Cuba's and Venezuela's independent civil society representatives had been invited to participate.

I was part of the delegation of the Assembly of the Cuban Resistance in Panama, which was a victim of a brutal violent assault by a group of the regimes so-called diplomats and state security agents who stormed out of the Cuban Embassy located in the vicinity of the Parque Porras while our group placed a wreath at the statue of Cuban Apostle of Independence Jose Marti. One of the repressors was Alexis Frutos Weeden, a top-ranking intelligence agent for the Castro regime, who was subsequently identified as leading repressive activities in Venezuela.

The attack, caught on film and reported by the news media, was of such violent nature that many of the activists needed emergency medical treatment. The pro-democracy delegation was detained by Panamanian police authorities for over 8 hours before being released, threatened with deportation and advised that they would have to go stand trial before a night judge, while Castro's thugs enjoyed total impunity.

Officials from the U.S. Embassy in Panama finally showed up at the detention center many hours later just as we were being released close to midnight.

Two days after, we had the opportunity to meet with a House delegation which included this subcommittee's chairman Jeff Duncan, who expressed his concern and made the following public statement at the time,

"The unrelenting and merciless impression of the Cuban people by a regime hostile to liberty is a direct rejection of the values we as Americans hold sacred. No regime should be rewarded for such appalling acts. There is no cause dearer to Americans than the cause of freedom. The Cuban people have not forgotten the oppression they face daily, and we will not forget about them."

That a well-known agent of the intelligence apparatus of the Castro dictatorship, responsible for directing violent repression against young Venezuelan students, was there directly involved in the Parque Porras assault of our delegation does not bode well for human rights in our hemisphere. That this was allowed to happen in a free country within a summit that purports to uphold democratic values is simply unacceptable.

Prior to and during Pope Francis' recent visit to the island, the Castro regime unleashed a violent wave of repression with over 350 detentions of peaceful activists. Three Cubans who attempted to hand a letter to Pope Francis denouncing the situation in the island were immediately arrested and have been kept incommunicado ever since.

The Ladies in White are beaten by the police, and state security agents dressed as civilians and taken to prison. In spite of this, they have marched, together with other courageous leaders of the pro-democracy movement, for 28 consecutive Sundays as part of the Todos Marchamos, "We All March" campaign. This past Sunday alone, approximately 70 activists and Ladies in White were de-

tained in Havana and around 80 in the Oriental region of the island.

There has been a significant increase in repression and in the number of arbitrary political detentions, beatings, and abuse. More than 880 politically motivated detentions were registered for the month of September. October has been even worse, with 1,093 arbitrary detentions for political motives accounted for.

Prominent members of the civic resistance movement in Cuba have died under highly suspicious extrajudicial and sudden circumstances, such as Laura Pollan Toledo and Oswaldo Paya Sardinias, to name a few of the most recent cases.

In conclusion, the President's Cuba policy has emboldened and enabled the regime, which continues to maintain its oppressive yoke upon the Cuban people, while misleading the international and business community with false expectations in order to generate the resources it desperately needs to stay in power.

Nothing has changed in Cuba under Castro's dictatorship that warrants unilateral concessions on the part of the United States. Human rights continue to be systematically violated. Fundamental freedoms continue to be denied. Thus, it is not U.S. policy that needs to change, but the Castro regime.

In an interview this week in Havana, David Thorne, Special Advisor to the Secretary of State, talked about human rights in Cuba. The interview was carried by Reuters. Mr. Thorne said that the Obama administration will not condition improvements on the human rights situation in Cuba to American-Cuba policy, explaining that the administration is simply applying to Cuba the same policies applied elsewhere. Mr. Thorne also said that the pace of change, including human rights, is to be determined by the Cuban dictatorship and that the administration is satisfied with how things are going.

It is my hope that Congress will continue to insist on human rights as an important part of American foreign policy. Until human rights and fundamental freedoms are restored, all political prisoners are unconditionally released, all laws against fundamental liberties are repealed, political parties are legalized and there are free multiparty elections in Cuba, the United States should stand united in solidarity with the aspirations of the Cuban people. Embracing a dictatorship in Cuba bodes ill for the aspirations for democracy and freedom of peoples throughout the Western Hemisphere and Cuba.

As Chairman Duncan so aptly stated,

"The unrelenting and merciless oppression of the Cuban people by a regime hostile to liberty is a direct rejection of the values we as Americans hold as sacred."

Thank you.

[The prepared statement of Ms. Iriando follows:]



M.A.R. POR CUBA

Sylvia G. Iriando
 President, Mothers & Women against Repression (M.A.R. por Cuba)
 House Committee on Foreign Affairs
 "Deplorable Human Rights Violations in Cuba and Venezuela"
 November 6, 2015

Honorable Chairman Duncan and members of the Subcommittee:

Good morning. Thank you for giving me this opportunity to speak before you about the ongoing systematic violations of human rights in Cuba.

Political scientists today say that the dynastic communist dictatorship that rules Cuba has changed, although the truth is that the island remains a tightly controlled totalitarian state with a single-party system where there is no rule of law, no separation of powers, the Executive controls the legislature and the courts; where citizens are denied fundamental human rights and civil liberties such as freedom of speech, assembly and association; and where workers' and labor right do not exist, there are no independent labor unions, no right to strike, no collective bargaining.

Into that undeniable reality entered President Obama when he began negotiating normalization of relations with Dictator Raúl Castro more than two years ago —a secret negotiation that brought about his new U.S.-Cuba policy announced on December 17th of last year.

Almost a year later, the situation on the ground clearly shows that the Obama Administration made many concessions not merited by the facts, such as:

- Returning to Cuba several Cuban spies that were serving time in American prisons, one of whom had been sentenced to two consecutive life terms; one for his role in the shoot-down by Cuban Migs in international airspace of two civilian defenseless Brothers to the Rescue planes conducting a humanitarian search and rescue flight to save lives in the Straits of Florida, which resulted in the premeditated murders of three American citizens and one U.S. resident: Carlos Costa, Armando Alejandro, Jr., Mario de la Peña and Pablo Morales, young men full of dreams that were left unfulfilled as the Castro's perpetrated one of the most horrendous crimes in the long list of crimes committed by the regime throughout its 56 years in power with total impunity. Armando Alejandro, Jr. had voluntarily enlisted in the U.S. Army and served two terms of duty in Viet Nam. The individual who ordered the shoot-down was none other than Cuba's Minister of the Armed Forces at the time, General Raúl Castro. I was on board the third and only plane that made it back to base on that fateful day of February 24, 1996: and,

- Pulling Cuba out of the list of governments that support international terrorism, while several dozen fugitives wanted by the FBI are welcomed in the island. To this day, an American terrorist who killed a New Jersey State Trooper in cold blood, was sentenced to life in prison, escaped, and went to live in Cuba, remains among the FBI's ten most wanted. The FBI continues to offer a million dollars for information leading to her capture.

Regrettably, it seems that not all American lives have the same value.

In regards to human rights in Cuba, almost a year after the presidential announcement, the results are in:

- In April 2015, President Obama and Raúl Castro met at the VII Summit of the Americas in Panama. They shook hands and pronounced a joint statement the next day, while Cuban officials and state security agents demonstrated the true criminal nature of the regime by conducting violent acts of harassment and repudiation to undermine events of the Summit to which Cuba's and Venezuela's independent civil society representatives had been invited to participate and speak on behalf of its peoples. I was part of the delegation of the Assembly of the Cuban Resistance in Panama which was victim of a brutal violent assault by a group of the regime's 'diplomats' and state security agents, who stormed out of the Cuban Embassy located in the vicinity of the Parque Porras of said city while our group placed a wreath at the statue of Cuban Apostle of Independence, Jose Martí on April 8th. One of the repressors was Alexis Frutos Weeden, a top ranking intelligence agent for the Castro regime who was subsequently identified as leading repressive activities in Venezuela. The attack—caught on film and reported by the news media—was of such violent nature that many of the activists needed emergency medical treatment. The pro-democracy delegation was detained by Panamanian police authorities for over eight hours before being released, threatened with deportation and advised that they would have to go stand trial before a "night judge", while Castro's thugs enjoyed total impunity. Officials from the U.S. Embassy in Panamá finally showed up at the detention center many hours later just as we were being released close to midnight. Two days after, we had the opportunity to meet with a House delegation which included this Sub-Committee's Chairman, Jeff Duncan (R-SC), who expressed his concern, heard our testimonies and made the following statement at the time, and I quote: *"The unrelenting and merciless oppression of the Cuban people by a regime hostile to liberty is a direct rejection of the values we as Americans hold as sacred. No regime should be rewarded for such appalling acts. There is no cause dearer to Americans than the cause of freedom. The Cuban people have not forgotten the oppression they face daily, and we will not forget about them"*, end of quote. That a well known agent of the intelligence apparatus of the Castro dictatorship—responsible for directing violent repression against young Venezuelan students—was there directly involved in the Parque Porras assault of our delegation, does not bode well for human rights in our Hemisphere. That this was allowed to happen in a free country within a Summit that purports to uphold democratic values is simply unacceptable.

- Prior to and during Pope Francis' recent visit to the island, the Castro's regime unleashed a violent wave of political and social repression with over 350 detentions of peaceful activists in order to impede their participation in the Pope's public events. Three Cubans who attempted to hand a letter to Pope Francis denouncing the situation in the island as his motorcade was heading to the site in which he would celebrate Mass in Havana, were immediately arrested and have been kept incommunicado ever since, without having been brought before a court.
- The Ladies in White, a group of mothers, wives and relatives of political prisoners who go to mass every Sunday dressed in white to carry out a peaceful demonstration calling for the release of all political prisoners, are beaten by the police and state security agents dressed as civilians, dragged on the streets, and taken to prison. In spite of this, they have marched, together with members of the Forum for Human Rights and Liberties, Front of Civic Resistance, Patriotic Union of Cuba and other courageous leaders of the pro-democracy movement for 28 consecutive Sundays as part of the "Todos Marchamos" (We all March) campaign which calls for an unconditional political amnesty for all political prisoners. This past Sunday alone, approximately 70 activists and Ladies in White were detained in Havana and around 80 in the oriental region of the island.
- There has been a significant increase in repression and in the number of arbitrary political detentions, beatings and abuse. According to various sources and human rights' organizations in the island, more than 880 politically motivated detentions were registered for the month of September; violent physical aggressions against peaceful activists by police and state security agents increased as well, with reports of 93 verified cases vs. 21 cases in the preceding month and numerous acts of repression, house arrests and extrajudicial measures to prohibit freedom of movement were reported as well. October was even worse, with 1093 arbitrary detentions for political motives accounted for and significant deterioration of inhuman conditions within the Island's prisons. The first day of November alone registered over 150 arrests of pro-democracy activists.
- Prominent members of the civic resistance movement in Cuba have died under highly "suspicious" extrajudicial and sudden circumstances. International transparent investigations that seek truth and justice have eluded the families of human rights activists and pro-democracy leaders such as Miguel Valdés Tamayo; Orlando Zapata Tamayo; Daisy de las Mercedes Talavera López; Juan Wilfredo Soto García; Laura Pollán Toledo; Wilman Villar Mendoza; Oswaldo Payá Sardinas and Harold Cepero, to name a few of the most recent cases.

In conclusion, the President's Cuba policy—negotiated in secret without the participation of any legitimate representative of the Cuban people—has emboldened and enabled the regime, which remains defiant and continues to maintain its oppressive yoke upon the Cuban people, while misleading the international and business community with false expectations in order to generate the resources it desperately needs to stay in power. Nothing has changed in Cuba under Castro's dictatorship that warrants unilateral concessions on the part of the United States. Human rights continue to be systematically violated. Fundamental freedoms continue to be denied. Thus, it is not U.S. policy that needs to change, but the Castro regime.

Until human rights and fundamental freedoms are restored, all political prisoners are unconditionally released, all laws against fundamental liberties are repealed, political parties are legalized and there are free, multiparty elections in Cuba, the United States should stand united in solidarity with the Cuban people. Embracing a dictatorship in Cuba bodes ill for the aspirations for democracy and freedom of peoples throughout the Western Hemisphere and Cuba.

As Chairman Duncan so aptly stated, "the unrelenting and merciless oppression of the Cuban people by a regime hostile to liberty is a direct rejection of the values we as Americans hold as sacred".

Thank-you.

Mr. DUNCAN. Thank you so much. The video you referenced of the thugs in Panama attacking the protesters or the peaceful—not protesters but the memorial was powerful. Thanks for referencing that.

Ms. IRIONDO. Thank you.

Mr. DUNCAN. Yes, ma'am.

The Chair will now recognize the next gentlemen, which is the reverend. And I can't pronounce your full name, so help me with that. Lleonart Barroso?

Rev. LLEONART BARROSO. Mario Felix Lleonart Barroso.

Mr. DUNCAN. Okay. Gracias.

Rev. LLEONART BARROSO. Sí.

Mr. DUNCAN. You are recognized for 5 minutes.

STATEMENT OF THE REVEREND MARIO FELIX LLEONART BARROSO, PASTOR, EBENEZER BAPTIST CHURCH IN VILLA CLARA, CUBA

[The following statement and answers were delivered through an interpreter.]

Rev. LLEONART BARROSO. Thank you very much, Mr. Duncan. Good morning, Chairman Duncan, Mr. Grayson, Mr. DeSantis, Mr. Curbelo, other members of the subcommittee, especially Rebecca Ulrich. May God bless the United States. May God bless Cuba. I am a pastor, a Baptist pastor there. I have arrived from there yesterday to render this testimony here. Ever since the year 2000, I am applying myself full-time to the Christian ministry.

Ever since the time when the socialists fall in the Europe of the East, and given its need for international support to continue in power, which constitutes the supreme objective of the Havana regime, this attempts to deceive the entire world, trying to make others believe that, in Cuba, they will no longer violate religious liberty and freedom like it was done before. I come here to affirm that some of these violations have evolved, just that, they have become more subtle, some of them. Others continue to be tacky, as always.

In the particular case of the religious freedom, I perfectly know that authoritarianism cannot go against itself. Even though they have numerous licenses given to the state by the United States, given the exchange of religious materials in the island, the internal blockage imposed by the national authorities impedes any of the benefits.

Since the closest case is the one that I myself live in my own flesh and about which I can really talk with all authority, I will now refer to specific cases concerning my church, my family, and cousins. Some of them have been reiterated during the last weeks.

I have been denied any movement to nearby locations to serve as a pastor. For instance, in the city of Bejucal, a few kilometers from the city of Havana, this way my pastorship activity has been restricted to several rural communities where besides being stopped my minister is counteract. I and my wife have been denied the registration for a doctor's degree in a theological school in Cuba. On several occasions I have been detained and moved to police facilities on several occasions against the law.

In other situations I also have faced domestic arrest against my will. That is also against the law. During the recent Papal visit, hundreds of people suffered the same condition, the same situation.

In this room here sits Mr. Leonardo Rodriguez Alonso. He traveled along with me yesterday from Cuba. He is a member of a Masonic lodge in the island. And he also has abundant material that deals with how the fraternal organizations suffer in the island. Mr. Leonardo, he was able to tape, to record, to videotape his detention by the police forces to prevent him from attending the Papal masses in Cuba.

Many members of my church have been subjects of threatening warnings and mistreatment. Also, the case has been with people that live in my community so that they cannot attend church.

Ever since January 2013, when some of us were able to travel away from Cuba, I have been detained at the airport itself when I returned to be interrogated upon my return. Every time that I have returned to the island from a trip, my luggage has always been inspected as if I was a traffic lord or a narco trafficker. But the merchandise seized has not been drugs but literature on many occasions of a religious nature, and even versions of the Universal Declaration of Human Rights.

The most recent of these situations was just 2 weeks ago, Saturday, October 24, wherein 64 versions or copies were confiscated that I wanted to share with members of my church, and those are of the Universal Declaration of Human Rights.

Periodically, meetings take place, which are called upon by leaders of the Communist Party in Cuba to move their colleagues to reinforce, to double-up their forces.

The ceiling where Baptist church is located that had just collapsed and needs to be repaired, but they did not issue the necessary permit. And as the way of blackmailing my church, they have mentioned orally that while I continue to be the pastor, they will not issue it.

The education of the children in Cuba is in the hands of the state monopoly. It imposes a strong doctrine and is manipulated to distribute political material. On many occasions that is violent in nature and the icon is Che Guevara. This has traumatic effects on my two daughters, Rocio and Rachel, especially on the youngest one Rachel who is 7 years old in her second grade at school. Practically every night of September and October she has cried thinking that the following day she has to return to school where she does not feel comfortable, especially because she there is taught principles which are contrary to the ones that we teach them in Sunday school.

On occasions, the boycotts have been attempted to be boycotted as far as our religious services through the use of gangs manipulated by the authorities.

Last night, upon arrival from Cuba, I have posted a video on YouTube of acts of this nature perpetrated just 1½ weeks ago on Sunday, October 25.

Property which are mine or of my wife's have been confiscated by the police force in the case of our personal laptops, but the worst part is not the confiscation, but the grade, the degree of being defenseless in which we have fallen having to appear at the judicial

stages, supposedly in existence to defend us but from which we haven't even had a reply, violating their own rules.

The leaders of the western Cuban Baptist churches, the ones that are the churches that I lead or affiliated with—the leaders of the Baptist convention to which my church is affiliated continuously receives pressure from the office of the Communist Party.

My personal correspondence is violated. My mobile service is totally manipulated.

But setting aside my particular case, because I just pointed out that I am just a little example, even which is worse, at a legally recognized church and registered ever since 1939 in Cuba, if this happens to me, that allegedly had legal representation in Cuba, what can we say about hundreds of groups that are in existence for many years in the island and they are not even recognized legally?

I want to point out more in particular one of the apostolic groups and the Baptist mission Berean, and their leaders and members are continuously oppressed.

With the help of Christian solidarity, ever since September 2013 we have set up 30 questions that in general question the freedom of religion within the island. I will try to mention the 30 questions briefly.

Why do they keep the Office for Attention to Religious Affairs of the Central Committee? And if it is not its competence to define whether who should believe or if it is proper to believe or not?

Why don't they return the majority of the property confiscated during the years of open persecution or they indentify the affected religious groups?

Why do they threaten with confiscation of property, especially of the non-recognized or formed religious groups?

Why they have not asked forgiveness for the imprisonments for those interned in the concentration camps known as UMAPs, or even they have been murdered for holding different ideologies?

Why hasn't anyone been held accountable for the wave of repression which took place during the visit of Pope Benedict XVI that took place in 2012 and whereby many thousands of people were oppressed and threatened? And the same thing occurred recently with the visit of Pope Francis.

Why do they continue to deny access to the mass media to the religious organizations?

It is 30 questions. It is up on the web. I just wanted to point out. You can look for them. Within the 30 questions there is mention also about the two violations that were rendered as part of the previous two testimonies that preceded me, the violent repression during 28 consecutive Sundays already to the Ladies in White and their campaign We All March. The 30 questions are on the Internet. You have it in hand. Time does not suffice for me for so many violations.

That regime does not deserve any support, but demands condemnation and by all the good will men like yourselves. Thank you.

[The prepared statement of Rev. Lleonart Barroso follows:]

Written testimony of Presbyter Mario Félix Leonart Barroso
 For the Subcommittee on the Western Hemisphere hearing on
 "Deplorable Human Rights Violations in Cuba and Venezuela"
 6 November 2015

Following the fall of socialism in Eastern Europe, and given its need for international support to continue in power, which is its supreme objective, the Havana regime attempted to deceive the world by trying to make some believe that, in Cuba, they were no longer violating religious liberty as they had before. The constitutional changes in the beginning of the 1990s, when the State stopped calling itself atheist and instead identified as *laïque* (secular), and the various papal visits were the main arguments that the same government used to try to call favorable attention to itself.

The truth is that the policies of the highest levels of the central government continue to trample on religious freedom on a daily basis. The Office for Attention to Religious Affairs of the Central Committee of the Cuban Communist Party is the entity, at the very highest power, which dictates all guidelines as far as how to treat each religious group or individual who wants to exercise their faith freely, whatever it is. It would be unbelievable, if it wasn't already the case that the political monopoly of the Only Party, which is ideologically communist, would have an office dedicated to pressuring, manipulating and blackmailing historically established religious groups, and dedicated to containing, confronting or eliminating new religious movements when they do not align with their political interests which is to maintain themselves in power, at any cost.

In the specific case of religious freedom, it is perfectly understandable that authoritarianism cannot betray its own violating nature. The internal blockade imposed by the national authorities impedes any of the benefits, regarding the exchange of religious materials with the island, that are part of the numerous opportunities offered to Cuba through licenses granted by the Department of the Treasury of the USA.

To show an example that I have personally experienced and which I have every right to speak about, I will refer to things that my church, my family and I have suffered – some of those things repeated in recent weeks:

- They have blocked my every attempt to travel to urban communities, including for example to the city of Bejucal, a few kilometers outside the capital, Havana City. In this way they restrict my pastoral activities in rural communities where they are also trying to slow down and stop any religious activity.
- They have blocked my wife and me in our attempts to study for a doctorate in Theology inside Cuba. They made our exclusion from the program a condition for its ability to take place at all.
- They have detained and taken us to police stations on numerous occasions; these arrests have been denounced when they took place. These arrests were extra-legal.
- On other occasions my movements have been restricted, a kind of house arrest, but also illegally imposed. During the recent papal visit, hundreds of people suffered this kind of violation. Mr. Leonardo Rodríguez Alonso, present in this very room, is a member of a Masonic lodge in Cuba, and can share abundant information about how the rights of these fraternal institutions are violated. He himself was able to video with his cellular phone, the moment in which political police agents put him under house arrest in order to prevent him from attending the Papal Masses.
- Numerous members of my church have been the targets of threats, coercion, blackmail, and warnings simply because they form part of our congregation. Some of them have had to seek political asylum in order to avoid this kind of persecution. Many of them can now be found living in various cities in the United States.
- People in our communities have been coerced or intimidated in order to stop them from attending our church; this constitutes a real campaign against our work.

- Since January 2013, when Cubans were first able to travel outside the island without having to obtain permission from the system, I have been detained in the airport itself or interrogated various times upon arriving back on the island.
- Every time I have returned from a trip to the island my luggage has been searched as if I was a drug trafficker, but the confiscated materials have never been drugs, but rather literature, in many cases religious literature, and including the Universal Declaration of Human Rights. The most recent of these occasions was just two weeks ago (on Saturday, October 24) when they confiscated from my luggage 64 copies of the Universal Declaration of Human Rights which I had planned to share with members of my congregation in Cuba.
- The local Communist Party leaders hold regular meetings, convened to direct their followers in multiplying their efforts to confront my pastoral ministry
- The roof of the Baptist church, where my church meets, is in urgent need of repair. In order to carry out these repairs a permit is needed – we requested the permit two years ago but while there has been no official response, the political authorities have said verbally that as long as I am pastor they will not issue the permit. This is a shameful attempt to blackmail my church.
- The State has a monopoly on the education of all children in Cuba. They impose a strong indoctrination and this is used to transmit political propaganda, in many cases of a violent nature (the icon is Che Guevara). This has traumatic effects on my two daughters, Rocío and Rachel, and especially on little Rachel who is only seven years old. Now in second grade, and despite having shown excellent development in preschool and in first grade, she has cried almost every night in September and October about the fact that she has to go back the next day to a school where they teach her principles that directly contradict those which we teach in our Sunday school.
- On some occasions they have tried to protest our religious services through the use of mobs manipulated by the authorities. Last night, when I arrived in Miami coming from Cuba I uploaded video onto YouTube of such acts which took place only a week and a half ago, on Sunday, October 25.

- My and my wife's property has been confiscated by the police, for example in the case of our personal laptop computers. The worst thing was not the confiscation but rather the degree of helplessness that we felt when we tried to seek redress from the judicial institutions, which supposedly exist to defend us, but from which we didn't even receive a response, in violation of their own regulations.
- The leaders of the Baptist Convention of Western Cuba, to which our churches are affiliated, are constantly pressured by the Office of Religious Affairs of the Central Committee of the Cuban Communist Party to take action against us.
- My personal correspondence is constantly violated without any respect, even for international and prestigious services like DHL. A recent example which I just experienced was with the package Number 5441892820 which was sent from Argentina last October 9 and although it arrived in Cuba on the 14th I was not able to claim it until October 30, after calling out and denouncing the situation on my twitter account.
- My cellular phone service is also constantly interrupted, the provider is Cubacel, which has a total monopoly over the telephone lines in Cuba but which is completely manipulated by the political police.

The worst of all of this is that I am just one, trivial, example and to cap it all off, I am associated with a church that has been legally recognized and registered since 1939, where violations like those I describe, as well as others, are experienced by many of our pastors and churches. This includes properties like the land which, in the past, belonged to our Baptist high school in Yaguajay, which was illegally expropriated by the very authorities. If this happens to us, who at least have legal recognition in Havana, and are associated with the Baptist Convention of Western Cuba, which has been established since 1905, what happens to the hundreds of groups who for years have existed on the island without legal recognition? Among those, I would like to highlight egregious cases like that of the apostolic groups and that of the Berean Baptist Mission, whose leaders and members are constantly subjected to all kinds of harassment.

Taking into account all of the acts that contradict the claims of the Cuban system, that it is no longer the violator religious freedom that it once was (as if the unquestionable fact that violating religious freedom in the past does not invalidate them from continuing to exercise power today), in September 2013 with the support of Christian Solidarity Worldwide (CSW), we developed at least thirty questions directed at the regime in Havana. The answers continue to accuse them without even touching on the rest of the civic, social and political rights. Of the thirty questions, only question 13, referring to Alan Gross has changed, the others, unfortunately remain unchanged. The following are our questions:

1. *Why is the Office for Attention to Religious Affairs of the Central Committee of the Cuban Communist Party maintained if , if, as a political power, it is not in its power to define who should or should not believe, or how they should believe?*
2. *Why don't they return the majority of properties confiscated during the years of open persecution, or reimburse the affected religious groups for their losses?*
3. *Why do they threaten to confiscate properties which are used for religious services, arguing to that they are not legal churches or house churches, when they themselves are unwilling to legalize them?*
4. *Why haven't they asked forgiveness for the imprisonments, for those interned in the concentration camps known as UMAPs, or even the murders of those who held different ideologies?*
5. *Why hasn't anyone been held to account for the wave of repression which took place during the visit of Pope Benedict XVI when hundreds of people were arbitrarily detained and threatened? (and now we see similar events in relation to the recent visit of Pope Francis)*

6. *Why do they continue to deny access to mass media to the entirety of religious groups?*
7. *Why does there continue to be a monopoly on education in their hands, without allowing religious groups to open campuses, despite their own urgent admission that the Cuban people need a moral and civic education to re-instill the values held by Cubans all over the world and which today are absent?*
8. *Why do they impose an education that is supposedly secular, but is full of atheism and political doctrines which uphold violence, upon the children of believers, for example the symbols and slogans that students are forced to wear and repeat?*
9. *Why are religious groups, which request registration, and which have the same rights as those which are historically recognized, denied access to the Registry of Associations at the Ministry of Justice?*
10. *Why are new religious groups coerced, threatened and repressed, taking advantage and using the same legal limbo to which they have been condemned against them?*
11. *Why does the Office dedicated to religion in the Central Committee of the Cuban Communist Party, assuming pontifical airs, meet regularly with leaders of the historically recognized religious groups to encourage, promote and instigate divisions and hatred towards other religious groups to which they do not extend the same rights that are their due?*
12. *Why haven't religious groups which have been declared to be illegal, for example the notorious case of the Jehovah's Witnesses, been reinstated on the Registry of Associations of the Ministry of Justice?*

13. *Why don't they free the US citizen, Alan Gross, who is a prisoner in Cuba for having supported the Cuban Jewish community with technology, and who now serves as a warning and a lesson to anyone else who would decide to show solidarity with any other existing religious community?*
14. *Why are the members of the pro-human rights women's group, known as the Ladies in White, denied access to churches, for example in recent weeks as they have been violently repressed especially in Eastern Cuba and in the province of Matanzas?*
15. *Why are those religious leaders who insist on opening the doors of their places of worship to any Cuban, regardless of political affiliation, threatened, punished and harassed?*
16. *Why do they attack the group of pastors and churches in the east of Cuba, known as Pastors for Change, who were blocked last year from distributing donations to those affected by Hurricane Sandy in Santiago de Cuba?*
17. *Why do they arbitrarily punish historically established churches when they adopt any position that conflicts with their exclusionary and unjust political positions, denying them the rights that are theirs by law?*
18. *Why do they attempt to isolate specific religious leaders, blocking any access to them; this is exemplified in the detention and unjust deportation of foreigners who attempted to visit the Catholic priest, José Conrado, a living example of this?*
19. *Why do they take advantage of their monopoly on banks, using churches' bank accounts against them as a means of coercion? This is illustrated in the frozen dollar account of La Trinidad Baptist Church in the city of Santa Clara, where they also refuse to legally recognize the Luis Manuel Gonzalez Peña Baptist Theological Seminary.*

20. *Why did they announce that, as of January 2014, each religious association will be limited to only one bank account and that bank accounts of individual religious institutions will be eliminated, like the account of the Baptist church in Santa Clara?*
21. *Why, when the Office of Religious Affairs approves the visit of religious delegates from abroad, do they limit the movement of those who have received visas, forcing them into a rigid and extremely exclusionary and monitored itinerary?*
22. *Why do the content of minutes and agreements taken within religious associations have to be made available to and approved by the Office of Religious Affairs?*
23. *Why do lodges and fraternal societies, whose services are not open to the public, forced, ignoring their right to confidentiality, to turn over lists of their members?*
24. *Why, as they themselves have admitted on their television program "Las Razones de Cuba", do they have religious and fraternal groups under strict surveillance, including infiltrating them with spies at the highest levels, as in the notorious case of the highest leader of the Grand Masonic Lodge of Cuba?*
25. *Why do they refuse to give legal recognition to new churches, submitted by the associations, and in the few cases when they do, why do they impose such strict limitations upon the operation of these recognized house churches?*
26. *Why are they so reticent to give permission to build new churches and make essential repairs on existing ones?*
27. *Why aren't the majority of the biblical and theological seminaries in the country recognized by the Ministry of Superior Education, despite being recognized by*

their religious associations, and why doesn't even one of the universities in the country have a Faculty of Theology?

28. Why, if they claim that the strange deaths of believers like Juan Wilfredo Soto García, Laura Pollán and Oswaldo Payá Sardiñas, were not extrajudicial executions, do they refuse to permit any impartial investigations, as have been requested and which would only confirm their innocence?

29. Why is there such a notable absence of any Law of Worship, which is necessary for a nation as profoundly religious as Cuba?

30. Why do some prisoners, especially political prisoners, continue to be denied the right to religious attention and why does the government continue to reserve the right to approve or block specific religious leaders from carrying out prison ministry, including those who have been approved by their denomination to do so?

There are many more questions that could expose the falsehood of the regime's claims of religious freedom in Cuba. Those who, today, attempt to deceive the world into believing that there is religious freedom in Cuba are the very same people who years ago tried to destroy religion. The pastoral letter, "Hope Does **Not** Disappoint", by the Cuban Conference of Catholic Bishops states that political changes are necessary. In our view the fundamental political change necessary, to obtain real religious freedom, is that those who have gripped power for almost sixty years and who have an ample, scandalous and systematic history of violating religious freedom must give up their power to others who can allow for a democracy and who will respect those rights. We pray that this will take place in a peaceful but immediate manner because too much time without freedom has now gone by. We hope for a new Cuba, where all of us hope there will also be religious freedom and that not even one of these thirty questions which we formulated two years ago will need to be asked.

Mr. DUNCAN. Gracias.

Thank you all for your testimony. The courage this exhibited by folks that are oppressed is amazing, and so I thank you for your courage.

And so we are going to enter into the questioning phase. I will recognize myself for 5 minutes and then each member will have 5 minutes as well.

Mr. Rodiles, you said in your statement, you talked about market freedoms about "the bloc allows for certain market freedoms, all the while preserving structures that are subject to fundamental rights and freedoms to the interest of strongmen and populists." And you also reference the example of China and Vietnam, which is held out by certain proponents that want to open up Cuba as examples to where the citizens benefit.

I would like you to go into that a little bit more. Your comparison of China and Vietnam but also what we see Castro Maduro doing with allowing some market freedoms but ultimately oppressing the populous, if you could just delve into that a little bit more for me.

Mr. RODILES. Well, reality, they are pretending that they are going to open a little bit economy, but in real terms, we see that they are trying to open for foreign companies to come to Cuba to invest, but they want the rest of Cubans to keep out of these kind of businesses and enterprises, not only the Cubans that are inside of the island, also the Cubans that are outside.

They don't want the Cuban-American capital there. They don't want it really free for economics issues. They want to keep the same control in that way.

For example, if you see right now the taxation, the corruption, the political loyalty that they are demanding for the people that get involved in business, you realize that the idea is not to start to open the economy little by little in the way to create a middle class or a class of businessmen. They don't want that in mind. What they want is to create a monopoly from a group of people especially in the army that they are controlling right now all the important businesses, and they want people to go to Cuba to invest, but the kind of people that don't care about what is happening with Cubans.

For example, last day we were listening about the Sprint company, the telephone company that went to Cuba to make businesses with ETECSA. And what is happening with ETECSA every Sunday, for example, they cut our telephone lines. Sometimes even they send a fake message to create this information about what is happening with us. Then, what kind of enterprise they are going—you need to go to Cuba to make business with enterprises that are responding all the time to the interests of the political state.

Mr. DUNCAN. Thank you for that.

We in America take our access to information for granted I think in a lot of ways. Just at my fingertips on a phone I can find out pretty much the answer to any question that I may have. I can read news stories from around the globe, and I can also get on social media and push out a message.

Explain to me and the American people—and either witness—how the lack of having access to an open press and access to information, access to the internet to be able to understand—talk about

the censorship you are seeing in Cuba and Venezuela a little bit for us. And I will start with Mr. Rodiles, and then we will go to Ms. Iriondo.

Mr. RODILES. Well, I think that one important point here to understand how it is working, the totalitarian system, we need to understand that in general they are working hard to break the society, to automate the society. And for that they need this information of the people. They need to put the propaganda in the mind of people, the rest of the citizens, and to send a message that they cannot do anything against the totalitarian regime. And this is something crucial.

If you see the TV in Cuba, you are going to realize that they always—the propaganda is sending the message that everybody that is against the system is a mercenary person, is a delinquent, you know, all the adjectives, pejorative adjectives in order to diminish the moral quality of that person. Then, in all these totalitarian systems, the propaganda is a key issue for them.

In the case of Cuba there is not any kind of independent media. All the media are controlled by the government, and all the time they are sending that kind of message and they are controlling all the information that is surrounding inside of the country.

Mr. DUNCAN. Excuse me for interrupting, but I understand in Cuba folks on one side of the island don't know what folks on the other side of the island know. There is no continuity of communication or information-sharing.

This deal with Sprint communications for cellular service, how do you think that is going to assist the Cubans being able to communicate and also to share information?

Mr. RODILES. You mean about the Sprint company or—

Mr. DUNCAN. Sprint, the cellular service just signed an agreement this week—

Mr. RODILES. Yes.

Mr. DUNCAN [continuing]. Last week with Cuba. Do you think that will help facilitate the flow of information?

Mr. RODILES. You know, the point here is that we need to understand that every contract, or everything that you go to Cuba, that you do with the Cuban Government is going to pass through the Cuban regime and is going to pass through the state police. This is the main point here. When you go to Cuba, you are not making business with a company. You are making business with the Cuban regime. And they have a huge control apparatus to take everything and put in the same path. And the same path is to fight for the power, to keep the power. And this is something crucial that we need to understand.

When the Obama administration say that they are going to implement some policies to empower the Cuban people, I don't know why they don't mention that in order to reach that point, they need to convince the Cuban regime to do the steps, because what we see now is that they don't have that movement in mind. What they want is to—what they have is a key point is to keep the power. And they are not doing anything, absolutely anything that can challenge that possibility.

Mr. DUNCAN. Right. Ms. Iriondo?

Ms. IRIONDO. I would like to reiterate something that Antonio said, and also my good friend Dr. Jose Acel in multiple conferences have stated over and over again we have to understand that it is not doing business in Cuba. It is doing business with Cuba. And Cuba is controlled by Castro's regime.

So the business you are doing it with the regime, with the military, with the regime that controls all businesses. Being able to clean choose is not private enterprise.

The categories of cuentapropistas, what they are trying to project that have been so monumental changes, those are meager jobs. And Cubans have to pay taxes and Cubans cannot be employed directly by the foreign companies. They have to go through a state agency that, for example, if a worker is paid by a foreign company \$1,000 for his salary, the government pockets around 91 percent and gives the worker the balance, which is almost like forced labor. And those practices are the practices that are going on in Cuba.

As to the Sprint that Rodiles was talking about, what they don't say is that roaming charges cost \$3 a minute. I wonder how many Cubans, how much of the independent civil society in Cuba can access roaming at \$3 a minute when their monthly salaries amount to the equivalent of 20 U.S. dollars.

Mr. DUNCAN. Wow. That is powerful. Thank you. I am out of time.

I think the most profound statement that you made was when you are doing business with Cuba, you are not doing business in Cuba, you are doing business with Cuba. And Cuba equals Castro.

Ms. IRIONDO. Exactly.

Mr. DUNCAN. No doubt. So I will turn to the ranking member for questioning for 5 minutes.

Mr. GRAYSON. Thank you, Mr. Chair. I am going to see whether we can all agree that the previous policy of the U.S. Government that was sustained for 50 years did not bring freedom or democracy to Cuba. Is that a fair statement, Mr. Rodiles?

Mr. RODILES. Well, but then you need to analyze also that the policy that was followed by Canada and Spain and France and Mexico didn't work also.

Mr. GRAYSON. Okay. But ours didn't work and that is what I was asking.

What about you, Ms. Iriondo? Is it a fair statement, do we all agree that the previous policy did not bring freedom or democracy to Cuba?

Ms. IRIONDO. If I may say U.S. policy for Cuba was not intended to bring down the regime but to support the Cuban people, to stand in solidarity with the Cuban people. And that policy has impeded Castro's regime from obtaining international credits, which he doesn't pay afterwards, and receiving more resources to stay in power.

I don't think that U.S. policy failed. I don't think that when you stand by a policy of solidarity with freedom, which is, you know, something that we as Americans hold sacred, I don't think that is a failed policy.

What has failed is a regime——

Mr. GRAYSON. Ms. Iriondo, how would you answer my question?

Ms. IRIONDO. What has failed is the regime. That is the——

Mr. GRAYSON. Ms. Iriondo, how would you answer——

Ms. IRIONDO [continuing]. Failed policy——

Mr. GRAYSON [continuing]. My question?

Ms. IRIONDO. I don't agree with your statement that U.S. policy has failed.

Mr. GRAYSON. No, that wasn't my statement. My question was would you agree with me that it failed to bring freedom and democracy to Cuba?

Ms. IRIONDO. Well, but it has helped the Cuban people within their possibilities. The opposition movement is growing. The opposition movement is going forward. And I think that, you know, you have to analyze that. I don't think it is the time to eliminate the sanctions, to normalize relations without conditioning that, without conditioning that——

Mr. GRAYSON. Ms. Iriondo, why won't you answer my question?

Ms. IRIONDO. Let me answer your question.

Mr. GRAYSON. Please do.

Ms. IRIONDO. If——

Mr. GRAYSON. Time is limited.

Ms. IRIONDO [continuing]. Condition your rapprochement with the regime to respect for human rights and fundamental liberties, the policy fails because it has given unilateral concessions without asking or receiving anything in return.

Mr. GRAYSON. Ms. Iriondo, I am going to ask you one more time, and I am hoping that you will answer my question. Is it fair to say that the previous policy failed to bring democracy and freedom to Cuba? Yes or no? Is that fair to say?

Ms. IRIONDO. I don't think it is fair to say that. It has——

Mr. GRAYSON. So you think that the previous policy did bring democracy and freedom——

Ms. IRIONDO. No.

Mr. GRAYSON [continuing]. To Cuba, we just haven't——

Ms. IRIONDO. No. No.

Mr. GRAYSON [continuing]. Noticed it?

Ms. IRIONDO. But the previous policy was a policy of solidarity with the Cuban people. The Cuban people, the——

Mr. GRAYSON. All right.

Ms. IRIONDO [continuing]. Pro-democracy movement at this time feels abandoned——

Mr. GRAYSON. I really wish you——

Ms. IRIONDO [continuing]. Abandoned by the——

Mr. GRAYSON [continuing]. Would answer my question but I am going to give——

Ms. IRIONDO [continuing]. Obama administration——

Mr. GRAYSON [continuing]. The reverend a chance to answer the question.

Ms. IRIONDO. No, you want me to answer——

Mr. GRAYSON. Is it——

Ms. IRIONDO [continuing]. Your question——

Mr. GRAYSON. No. No, I am going to have to move on. I begged you to answer my question and you refused to do so.

Ms. IRIONDO. No.

Mr. GRAYSON. Reverend, let me ask you, and please feel free to translate this, is it fair to say that the previous policy failed to bring democracy and freedom to Cuba? Go ahead.

Rev. LLEONART BARROSO. It is true that it did not bring it about, but I coincide in the sense that it was taking side with suffering people. On the other side, many other nations that through a life term have negotiated with Cuba, that in other words were applying the current U.S. policy, they did not give the Cuban people—for the most part, I do believe that it is our duty, not any other country, to recover democracy.

By applying one or the other method, you are not the ones who have to bring about democracy for us. But the least that we expect and hope for within Cuba is freedom, liberty. For human rights to be taken into consideration, and that this always conditions any treatment, a treaty or conversation with such a regime which is versatile and that they do not want to talk to their own people.

Mr. GRAYSON. All right. Reverend, thank you very much. I would like to ask a question based upon Mr. Rodiles' testimony. You point out and the chairman also pointed out that there are different paths out of communism. One path is the path that we saw in the Czech Republic and Hungary, countries like that where a country adopts not only capitalism but also democracy and freedom and basic U.S. and Western principles. Another path, which was also alluded to, is the Chinese path or the Vietnamese path in which only capitalism is adopted and there is no genuine freedom for individuals in these societies or a functioning democracy where they choose their own leaders.

Which path do you think, Mr. Rodiles, Cuba is likely to follow? And what will determine which path Cuba follows?

Mr. RODILES. Well, I need to define when you say Cuba, the Cuban regime, and the Cuban people. For sure, the Cuban people want democracy and rule of law. And you can see that with the Cubans that arrived here to Miami, to Florida, to the United States. Immediately, they are integrated in the society. They are working. They are producing.

What the Cuban regime wants is a dynasty. They want to control the whole country, but the really critical point here is not only with Cuba because, as you can see, that kind of philosophy, that kind of point of view is spreading in Latin America. And you see what is happening in Venezuela. You see what is happening in other countries.

My point here is that it could be really dangerous to accept the kind of authoritarian regimes with free market measures as a legitimate system. And this is going to bring a really bad consequence not only for Cubans, not only for Miami and south Florida, but also for the whole region because you are accepting something that is not moral.

You are accepting that the regime that has been killing people, violating their human rights is a legitimate system. I think this is a really bad signal for all the region and also for the rest of the world.

Mr. GRAYSON. All right. And, Reverend, I understand that the focus of your testimony was religious and this is not exactly a religious question, but I would like to hear your answer as well.

If in fact countries that leave communism can evolve in different directions, one direction toward a complete rejection of that kind of system and adoption not just of capitalism but also freedom, democracy, and so on, and human rights versus other countries that leave communism and adopt only capitalism, which one of those two models do you think Cuba is likely to evolve toward, and what will determine which one it evolves toward if you may answer that question.

Rev. LEONART BARROSO. Yes, absolutely. I am quite concerned with the intimate relationship with the regime of Putin. And I even have come to think that the U.S. policy—I mean the change in policy is trying to move ahead to the presence of Putin in the Western Hemisphere. But I must say that they are not going to impede it.

They have copied and they will copy Putin's model. They will try to keep power by violating the rights of the Cuban people. It is a kind of a Putinism more valuable than even somewhere else. They continue to be the same. They have violated the rights for decades, and I even—on occasions I compare it to North Korea in the sense that North Korea might do whatever they do without hiding things. They just decree just to shoot, and they just shoot.

Currently, there is a moratorium in Cuba to the death penalty ever since 2003. Even though I am convinced on occasions they have made the judicial executions, I am quite convinced that they executed Mr. Oswaldo Paya Sardinias and Laura Pollan Toledo, the leader of the Ladies in White.

And I have also been witness to people near my community. I am a witness in a particular case of a gentleman, Mr. Soto Garcia, that I affirm that he was assassinated because of a beating that he received in May 2012. Several editorials from the government try to clean the image saying that they had nothing to do with that. I spoke with him before he passed away. He told me what they did to him and has accused that regime of doing so.

In concrete, I do not believe that they will democratize the country. They are intimate friends with North Korea, friends with China, Putin. And I am even believing that they are present in Syria at this point, more dangerous than what we can imagine not only for the people itself but for the Western Hemisphere and the U.S.

If Obama thought that on December 17 giving a change in policy it was going to defeat Putin and take Cuba after the wrestling is wrong. And Raul Castro are laughing at the U.S. at this point. I am truly sorry to say that.

Mr. GRAYSON. Thank you, Reverend. Thank you, Mr. Translator. And thank you, Mr. Chair.

Mr. DUNCAN. I thank the ranking member and then I will turn to Mr. DeSantis. And I am going to need to step away. When you finish, I am going to give you the power to recognize Mr. Curbelo.

Mr. DESANTIS [presiding]. Thank you, Mr. Chairman.

Ms. Iriondo, bravo. I agreed with everything you said. I think you are right on. And, you know, this new policy is really a boon to the regime because it is a failed regime. They are insolvent. They need credit. They need money. This really is going to allow them to solidify themselves in power. So the question we have to ask is what is America getting in return for this? You mentioned

the Brothers to the Rescue. Has there been any restitution or apology from the Cuban regime for those murders?

Ms. IRIONDO. Not from the Cuban regime, no.

Mr. DESANTIS. No, of course not.

Ms. IRIONDO. And the perpetrators have not been incited either.

Mr. DESANTIS. Right. Joanne Chesimard, you mentioned her. She is on the FBI's 10 Most Wanted Terrorists list, killed a cop in New Jersey, flees justice, and she is given safe haven in Cuba. Has there been any commitment to extradite her to the United States so she can face justice?

Ms. IRIONDO. No. Although the FBI offers \$1 million for her return—

Mr. DESANTIS. And so—

Ms. IRIONDO [continuing]. Even though she is in Cuba.

Mr. DESANTIS. And so if you are harboring a terrorist, what is the evidence to then remove the regime from the list of terrorist-sponsoring country? Has there been any change in behavior that would warrant their removal from the list?

Ms. IRIONDO. Nothing at all. I think it was a convenient accommodation because of the fact that the Obama administration is set on this new Cuba policy. That, in my opinion, is not helping the Cuban people, but it is empowering the regime to stay in power and providing the necessary mechanisms to get the regime the sufficient resources they need at the time when the Venezuela monies are not coming as they used to come. So it is a crucial time in Cuba's history, and this crucial time that we are lending the life-saving line to the Castro regime.

The change in the policy was announced almost a year ago. You know how many Cubans have escaped to the United States in the last year? Forty-three thousand Cubans.

Mr. DESANTIS. Wow.

Ms. IRIONDO. Does that tell you that things are better in Cuba?

Mr. DESANTIS. No. And I think you are right. I mean this was a critical time where this regime really did need a lifeline. And the question is people always say, oh, this policy didn't work, you guys were doing all this stuff. So the question is, when you are changing a policy, are you making it easier for the Cuban people to leverage a democratic transition, or are you solidifying the Castro brothers in power and allowing the dictatorship to continue even after they perish? And I would say this policy is setting up the Castro brothers so that their regime continues far into the future. Do you agree with that?

Ms. IRIONDO. I agree with that. And do you abandon a just policy for the sake of empowering a regime at a crucial moment when, you know, the regime and the internal opposition are struggling and increasing in numbers. You don't do that. And that is exactly what has happened and that is why we believe that the new Cuba policy is wrong, and it doesn't do anything for the Cuban people.

Mr. DESANTIS. You know, people will say, oh, this embargo, it hasn't overthrown the Castro regime. The problem is that was not the intent of the embargo. The embargo was instituted in response to all the property seizures that the regime had done.

And so Chairman Duncan has done good work in this Congress of actually bringing people in to testify to Congress, both Cuban ex-

iles and people who were American citizens in Cuba at the time who had their property seized. And has there been any commitment to pay any of the certified claims, or any restitution or apology for seizing that private property?

Ms. IRIONDO. Not only that, when you see General Raul Castro, dictator Raul Castro, he is defiant as ever. He is defiant as ever. And his regime has been an enemy of the United States, responsible for anti-Americanism in the Western Hemisphere. And he continues to do so. He demands and Obama gives. That is the way it is.

Mr. DESANTIS. And it is frustrating because, you know, we really are dedicated to the idea of the rule of law, and so we are saying, oh, you know, let's throw an economic lifeline. You are going to have commerce so you may actually be having goods pulling up to a port that was seized from somebody. You will have people staying in Cuba who will be sitting in a hotel that was seized from somebody else. How is that advancing the rule of law if we are legitimizing a government simply taking somebody else's property outside the constraints of a legal and democratic system?

So I am really frustrated when I hear some businesspeople say, oh, we just go to do this. Now, how would you feel if somebody seized your property and then started making money off of it?

And you brought up a good point. There has been trade with Cuba for—I mean Europeans will go. They will vacation there. And as I understand it, the regime, the intelligence services, the military, they will get, you know, Euros and then they pay the Cuban people worthless Cuban pesos. So it is all going to help this elite ruling class and really keep the rest of the population in an enslaved state.

So we will hear a lot of times, well, look, we just got to try something new. We have got to try something new. Anything will be better than what we have done. What is your response to that when people will say that to you?

Ms. IRIONDO. Well, I remember when Batista was in power and in Cuba everybody said anything is better than Batista. And look what we got. So anything is not better. Only the best is better. And that is an example of all this.

I wanted also to say something that illustrates the problem of the concessions we are seeing that are not warranted or merited. If I may because I was going to say it in my testimony but I had not enough time to do so, there is no better example of this problem than the upgrading of the rating in the human Trafficking in Persons report published by the Department of State a few weeks ago. The report deals with human trafficking, slave labor, prostitution, and child sexual abuse, and sex tourism with minors. Ironically, while more tourists are going to Cuba, the U.S. Government reports that there is less sexual tourism, including child sexual abuse by foreigners.

This is a crime that Congressman Christopher Smith, member of this subcommittee, has fought against for many years. According to a Reuters article, administration sources that wish not to be identified complained that Cuba, Malaysia, Russia, and others got a better ranking than they deserved and that the final ranking came

about as a result of improper pressure on the office that prepared the report by higher State Department officials.

These are the kind of unilateral concessions, list of terrorist states, this, the human trafficking that are not warranted, totally unwarranted. You were talking about other countries doing business in Cuba for many years. Has anything changed? A lot of tourists from many countries for many years. Have visitors brought about freedom and democracy in Cuba? Why do we think it is wrong? Why do we think that Cuba policy was one of solidarity with the Cuban people? Very simple. Because it is the right thing to do. Is it the just thing to do. Cubans deserve no more, but certainly, they deserve no less.

Mr. DESANTIS. Well, thank you. And I think that, you know, as you look to—I am open to always reevaluating any policies we have, but here is the deal. With policy toward Cuba, it has got to be focused, to me, on two things: standing with the Cuban people against the Castro regime and then what is in the best interest of the United States. And to me they are one in the same in this example because the regime in Cuba, not only have they brutalized their own people, they represent a significant security threat to our country.

Now, you know, we say the cold war is over, all this. You know, we hear reports of more Russian influence, we hear other—the fact of the matter is this is a regime that associates with some of the worst regimes throughout the world. And why would we want a regime like that, you know, 90 miles from our shore.

So my hope is that this policy has been in place now for almost a year. I think the results have really spoken for themselves. And this idea that if you just make concessions to the Castro brothers, we are going to be able to turn the page has been proven wrong, and I think that our policy needs to be one of solidarity with the Cuban people who are fighting for freedom. And so I thank all the witnesses.

I am going to now yield to my good friend from south Florida and obviously a great defender of human rights around the world, Mr. Curbelo.

Mr. CURBELO. Thank you very much, Congressman DeSantis.

Mr. Rodiles, thank you for your heroic opposition to the Castro government, and thank you for being here today.

For decades, almost every country in the world has had full diplomatic and commercial relationships with the Castro regime. You have been in Cuba. How has that policy of full engagement, unconditional engagement, how has that policy benefitted the Cuban people?

Mr. RODILES. Well—

Mr. CURBELO. Or has it?

Mr. RODILES. Yes, I want to mention something related with this change of policy. Before this day last December, the European Union that now is involved in a kind of agreement with the Cuban Government was pushing to the regime to ratify the U.N. Covenants, the U.N. Covenants related with human rights. And also they were pushing for the implementation of the international worker organization to implement those norms. But what happened after December that those points disappear from the agenda. And

then what happened was this new policy is sending a really wrong message.

Mr. CURBELO. Yes. I agree. But my question to you is for many decades, many countries, almost all of them have had full diplomatic and commercial relations with the Cuban regime, with the Castro regime. Did that policy of engagement make the Cuban people more free? Did it improve the human rights situation——

Mr. RODILES. For sure, no.

Mr. CURBELO [continuing]. In Cuba?

Mr. RODILES. Is it clear that no.

Mr. CURBELO. Okay. Thank you.

Mr. RODILES. Let me say something quickly.

Mr. CURBELO. Briefly, please.

Mr. RODILES. Yes. Sometimes people, the argument is that we need to change the policy, and that is true. We can change the policy but we cannot make the policy worse. We need to improve what we are doing.

Mr. CURBELO. I agree with that. Ms. Iriondo, thank you for being here today. The Cuban regime during the Soviet subsidies was cash-rich. It had many resources. What was it doing with these resources? What was the Cuban military doing? What does the Cuban Government do when it has a lot of access to cash?

Ms. IRIONDO. Strengthen its repressive apparatus and unleash a wave of repression against everyone that dares or intends to speak out or to do something against the state.

Mr. CURBELO. And what was it doing around the world during those times when they had so much access to cash——

Ms. IRIONDO. They were——

Mr. CURBELO [continuing]. And when they could invest heavily in their military? What were they doing?

Ms. IRIONDO. They were exporting the revolution, undermining democratic governments, assisting guerillas——

Mr. CURBELO. Were they fighting Americans——

Ms. IRIONDO. They were fighting, yes.

Mr. CURBELO [continuing]. In different theaters?

Ms. IRIONDO. They were fighting and they were providing also intelligence security and security agents to a lot of places, including Venezuela where there are more than 35,000 agents of the state security apparatus.

Mr. CURBELO. Do you think that after the fall of the Soviet Union our sanctions policy helped debilitate the Cuban military and limit their ability export revolution to train guerilla forces to fight American soldiers in different theaters of war?

Ms. IRIONDO. Yes, it did. Yes, it did.

Mr. CURBELO. And do you expect that the Cuban Government, if they have access again to plentiful resources, that they will try to become international players once again and confront the United States throughout the world?

Ms. IRIONDO. Undoubtedly. They have done it directly. They have——

Mr. CURBELO. As a matter of fact——

Ms. IRIONDO [continuing]. Done it directly.

Mr. CURBELO [continuing]. The Cuban Government, even despite the fact that it doesn't have access to resources the way it used to, has destroyed Venezuela in our own hemisphere?

Ms. IRIONDO. Yes. When you hear dictator Raul Castro in his statements or you hear Bruno Rodriguez, they are already doing it. They are going and you see President Obama on one side granting this unilateral concessions and speaking, you know, about the rapprochement and the normalization of relations, and you see the regime demanding things, demanding things more and more and more everywhere they talk. So they are doing it. And the more resources they have, the more they are going to try to undermine because that is the nature of the beast. And the regime is not reformable.

Mr. CURBELO. Mr. Rodiles, you live in Cuba. Ms. Iriondo mentioned earlier that since the announcement of the new policy, 43,000 Cubans at least have escaped the island. Now, without question, on December 17, beyond changing United States policy toward Cuba, the Obama administration, together with the Castro dictatorship, shared a new vision for Cuba, a new vision for the relationship between the United States and Cuba. Do you interpret that these at least 43,000 Cubans, many who have risked their lives to leave the island since then, is that their reaction to the policy change?

Mr. RODILES. No, I think this is the real pool about what Cuban people are thinking about the new scenario because who is going to take that risk if they think that the future is going to be better, if they feel optimistic? It is clear that people don't believe that the regime is going to change anything. Every people in Cuba is completely convinced that during the—if these people keep in power, the reality is not going to change. This is something that people always say in the street. If they keep there, anything is going to change. And I think that this situation, this exodus that we are watching right now, this is a clear message about the criteria that people have about this new policy.

Mr. CURBELO. I am glad you used that word exodus because in 1994 about 40,000 Cubans fled on rafts. Now, that was very dramatic because they all fled at the same time. However, what we are seeing now is a repeat of that 1994 phenomenon. Ms. Iriondo. Do you believe that this is—because the Obama administration says that their new policy is wildly popular in Cuba and that the Cuban people are now full of hope for the future. Now, if that is true, why would so many seek to flee risking their lives in many cases, others taking a very difficult journey through Mexico where they are the victims of these human traffickers, these coyotes? Why would they be doing this if there is this renewed sense of hope and optimism in Cuba?

Ms. IRIONDO. Because the answer is clear. There is no hope in Cuba as long as the regime is in power. The regime has not changed and the Cuban people do not expect the regime to change. That is why they risk their lives. That is why we have 43,000 so far since December 17, 2014.

Mr. CURBELO. Thank you very much.
Thank you, Mr. Chairman.

Mr. DESANTIS. I thank the gentleman. And I would like to thank the witnesses of our first panel for your courage and the courage that you have shown here today. I want to invite you to stay for the remainder of the hearing, but we will recess now and we will consider the events in Venezuela through panel II. And the subcommittee will recess for a couple minutes while we set back up.

Ms. IRIONDO. Mr. Chairman, can I leave with you the photos of the Panama assault?

Mr. DESANTIS. Yes, you can. Yes, ma'am.

Ms. IRIONDO. Thank you.

Mr. DESANTIS. Thank you. And we will stand in recess.

[Recess.]

Mr. DUNCAN. The subcommittee will come to order. As I mentioned, the panel I witnesses—before I recognize you on panel II to provide your testimony, know that each of you will have 5 minutes to present your oral statement. And please try to keep within 5 minutes. We are on a tight time crunch.

Before we get started, I am going to recognize Mr. DeSantis for an opening statement. He has an airplane to catch.

Mr. DESANTIS. Yes, I apologize. I will read your statements. I was not able to get a later flight so I am going to have to scooch out to the airport. But I just wanted to say that I, as well as the chairman of this committee, stands forthrightly behind the people of Venezuela who are being oppressed by the Maduro government, a thuggish socialist dictatorship. And we need change in Venezuela, and we need a policy that recognizes the interests of the Venezuelan people to live in a country that recognizes their God-given human rights. And we are committed on this committee to going in that direction, and I wish everybody the best.

Thank you, Mr. Chairman.

Mr. DUNCAN. And I want to thank the gentleman for taking time to be here today and for his great questioning.

So the witnesses will testify. We do have copies of your bios in our material that is provided to all the members, so I will not read those. We are going to move directly into your testimony. And other members of the committee, after press events, will make it back to the dias.

But, Ms. Adriana López Vermut, you are recognized for 5 minutes. Pull that microphone close. Thanks.

STATEMENT OF MS. ADRIANA LÓPEZ VERMUT, SISTER OF LEOPOLDO LÓPEZ

Ms. LÓPEZ VERMUT. Thank you. Honorable Chairman Jeff Duncan and members of the Subcommittee on the Western Hemisphere, thank you for inviting me to testify today and taking the time to hear my family's story.

My name is Adriana López Vermut, and I am the younger sister of Leopoldo López, leader of the opposition party Voluntad Popular and former mayor of the Chacao municipality of Caracas.

Since February 19, 2014, Leopoldo has been wrongly imprisoned in a military prison in Venezuela. His arrest has been declared arbitrary by the United Nations Working Group on Arbitrary Detention, which has called on Venezuela to immediately free him.

The United Nations High Commissioner for Human Rights, United Nations Committee Against Torture, the Secretary General of the Organization of American States, President Barack Obama, Colombian President Juan Manuel Santos, and more than 40 other current and past Latin American heads of states have echoed this call for his release. Amnesty International has labeled Leopoldo a prisoner of conscience.

Leopoldo is in jail because of his ideas. At a series of peaceful protests in February 2014, he gave speeches calling for nonviolent, democratic change in Venezuela in accordance with its Constitution. Despite the repeated emphasis on urging a transition through nonviolence and adherence to the Constitution, the government issued a warrant for his arrest that day claiming for his goal to overthrow the government through violent means.

After more than 1½ years in jail, on September 10, 2015, Leopoldo was convicted of all charges and sentenced to 13 years and 9 months in prison. On that terrible day, Leopoldo responded to this terrible conviction by saying, “Today, they condemn me. But it is the regime that is condemned, for the people of Venezuela will set me free.”

While Leopoldo is obviously innocent, his conviction was not a surprise. From the moment that a warrant for his arrest was issued, we knew that the latest target of a ruthless authoritarian regime that seeks to silence dissent.

Leopoldo’s trial was a farce. Six hundred hours of prosecution presenting their case and over 100 witnesses with no witnesses or evidence allowed from the defense.

While it was not a surprise, it was gratifying to see the defection of the lead prosecutor in the case against Leopoldo, Franklin Nieves, who came to the United States last week and openly admitted that he was pressured by the Venezuelan Government to bring false accusations against Leopoldo.

Leopoldo’s imprisonment has not been easy. He has spent half of his time in solitary confinement and at the whim of the prison guards. He has been subject to countless violent searches of his cell and is routinely denied visitors as punishment for his actions and those of his wife, Lilian Tintori, who has undertaken intense advocacy for his release. At one low point, prison guards threw urine and feces into Leopoldo’s cell and then cut off the water to clean it.

Currently, Leopoldo is the only prisoner in a building that consists of 30 cells. He has a 7-by-10-foot cell that has nothing more than a bed, a toilet, and a shelf for a change of clothes. He is not allowed writing materials and is only permitted to read the Bible. And there is no electricity or light when it is dark outside. Each month, he is moved to a different dirty cell to maximize his discomfort.

The government’s persecution of Leopoldo has affected my entire family. Government officials regularly attack our family on national TV. President Maduro has accused Lilian of treason, which carries a 30-year prison sentence in Venezuela. My father was forced to go into exile after a newspaper on whose board he sits was accused of criminal libel against speaker of the National Assembly Diosdado Cabello. Last month, government-sponsored thugs

tried kidnapping our older sister, Diana. Fortunately, they failed. We routinely fear for Leopoldo's life, and we fear for our own life as well.

No one in the world should doubt why Leopoldo is in prison. Maduro is afraid of him. Even as Leopoldo sits in prison, the independent polling firm Datanalisis showed that in a Presidential matchup between Maduro and Leopoldo is up by 32 percentage points.

Furthermore, Maduro has not delivered on his promises. His actions have delivered difficulties that Venezuelans are experiencing today. We have the second-highest murder rate in the world, 25,000 deaths in 2014 in a country where 97 percent of our crimes go unpunished.

The desperate plight of our country, which has included an annual inflation rate of 159 percent and our GDP is expected to shrink by 10 percent in 2015 alone, has led to drastic shortages of food and medical supplies.

My country is on the edge of a humanitarian crisis that could have devastating effects on the regional stability. The repressive regime has created a beleaguered nation that is struggling. Thus far, the United States has taken a strong stand advocating for the rights of the Venezuelan people, but there is more that the government can do. We need Latin American leaders to move from rhetoric to action. The U.S. can help push the situation of Venezuela to be discussed in multilateral fora, such as the OAS, the U.N. Human Rights Council, and the U.N. General Assembly.

Additionally, on December 6, Venezuela will have parliamentary elections, and in order for these to be significant, the people of Venezuela must have faith in the process. Currently, the Venezuelan Government has rejected offers of international electoral observation from the OAS and the United Nations. The United States must continue to pressure the government to accept observation from qualified observers.

I am proud that Leopoldo's case has become a rallying cry around the world and the lens through which countless of millions of people can see the authoritarian regime in Venezuela. Through Leopoldo's case, the world has come to know the suffering of the Venezuelan people. We must have hope that Venezuelans will persevere against this severe repression and that the world will rally with us.

Fuerza y fe. Thank you.

[The prepared statement of Ms. López Vermut follows:]

Testimony of Adriana López Vermut

Before the House Foreign Affairs Committee
Subcommittee on the Western Hemisphere

Deplorable Human Rights Violations in Cuba and Venezuela

November 6, 2015

Honorable Chairman Jeff Duncan and Members of the Subcommittee on Western Hemisphere Affairs, thank you for inviting me to testify today and taking the time to hear my family's story.

Who is my brother Leopoldo López?

My name is Adriana López Vermut and I am the younger sister of Leopoldo López, who is the leader of the Venezuelan opposition party, Voluntad Popular, and the former mayor of the Chacao municipality of Caracas. Since February 19, 2014, Leopoldo has been wrongly imprisoned in a military prison in Venezuela. The United Nations Working Group on Arbitrary Detention has found his arrest to be arbitrary and has called on Venezuela to free him. In its opinion, the Working Group wrote:

“The Working Group is of the opinion that the detention of Mr. Leopoldo López is an arbitrary detention . . . Accordingly, it recommends to the Government of . . . Venezuela that [it] immediately frees [him], and grants comprehensive reparation, including the compensation of his moral and compensatory character, as well as measures of satisfaction, which could be a public statement of apology in his favor.¹

The United Nations High Commissioner for Human Rights, the Secretary General of the Organization of American States, President Barack Obama, Spanish Prime Minister Mariano Rajoy, French Prime Minister Manuel Valls, Colombian President Juan Manuel Santos, among more than 40 other current and past Latin American heads of states have all echoed this call for his release. Amnesty International has labeled Leopoldo a prisoner of conscience² and the United Nations Committee Against Torture has also publicly issued a statement calling for Leopoldo's release:

"The State party should adopt without delay effective measures to restrict the use of detention [and]...release immediately Leopoldo López and Daniel Ceballos,

¹ *Leopoldo López v. Venezuela*, Opinion No. 26/2014, UN WORKING GROUP ON ARBITRARY DETENTION, A/HRC/WGAD/2014/26, Adopted Aug. 26, 2014, at ¶ 60.

² *Venezuela: Sentence Against Opposition Leader Shows Utter Lack of Judicial Independence*, AMNESTY INTERNATIONAL, Sep. 10, 2015, available at <https://www.amnesty.org/en/latest/news/2015/09/venezuela-sentence-against-opposition-leader-shows-utter-lack-of-judicial-independence/>

and all those who have been arbitrarily detained for exercising their right to speak out and protest peacefully.”³

Leopoldo is just one of 75 political prisoners in the country.

Why is Leopoldo López in Jail?

Leopoldo is in jail because of his ideas, because he exercised his rights to freedom of opinion, expressing, and peaceful assembly. In February 2014, he, along with other opposition leaders and students, called for an end to repressive policies of the current ruling government regime. At a series of peaceful protests during that time, he gave speeches calling for non-violent, democratic change in Venezuela, in accordance with its Constitution. Despite his repeated emphasis on urging a transition through non-violence and adherence to the Constitution, on February 12, 2014, the Government issued a warrant for his arrest claiming that his goal was to overthrow the Government through violent means.⁴

The charges against López were for conspiracy, incitement to commit crimes, public intimidation, arson, and damage to public property. After more than a year and a half in jail, on September 10, 2015, Leopoldo was convicted of all charges and sentenced to 13 years and 9 months in prison. On that terrible day, Leopoldo responded to his conviction by saying: “Today they condemn me. But it is the regime that is condemned. For the people of Venezuela will set me free.” While Leopoldo is obviously innocent, his conviction was not a surprise. From the moment that a warrant for his arrest was issued, we knew he was the latest target of a ruthless authoritarian regime that seeks to silence all dissent through a corrupted judiciary. Our own President, Nicolás Maduro, routinely refers to Leopoldo as a monster and a murderer, despite him not even being accused of murder.⁵ His trial was a farce: 600 hours of the prosecution presenting their case and over 100 witnesses with no witnesses or evidence allowed from the defense.⁶

The government’s main argument was that Leopoldo used “subliminal messaging” in his speeches on non-violence to incite the Venezuelan people to violence. Such threatening quotes included, “he, who tires, loses” and “we must rescue our democracy.” This argument, which was the single alleged and attenuated connection between López and the violence in question was recanted on February 27, 2015 when the expert of semantic analysis, Dr. Rosa Amelia Asuaje León, withdrew her previous arguments during the trial proceedings. Under cross-examination

³ *Observaciones finales sobre el tercer y cuarto informe periódico de la República Bolivariana de Venezuela*, CAT/C/VEN/3-4, UN COMMITTEE AGAINST TORTURE, Issued Nov. 13, 2014, at ¶ 9.

⁴ Mariano Castillo, Catherine F. Shoichet, *Cheered by Supporters, Venezuelan Opposition Leader López Surrenders*, CNN, Feb. 19, 2014, available at <http://www.cnn.com/2014/02/18/world/americas/venezuela-protests/index.html>; Jeffrey Tayler, *Venezuela’s Last Hope*, FOREIGN POLICY, June 10, 2015, available at <http://foreignpolicy.com/2015/06/10/venezuelas-last-hope-leopoldo-lopez-maduro/>

⁵ *Van a Salir Mal Parados*, TALCUAJI.DIGITAL, Dec. 09, 2014, available at <http://www.talcualdigital.com/Nota/visor.aspx?id=111345>; *Maduro Ataca a Leopoldo López y Lo Llama “El Asesino de Ramo Verde”*, EL PROPIO, Nov. 17, 2014, available at http://www.elpropio.com/actualidad/Maduro-Leopoldo-Lopez-Ramo-Verde_0_630536988.html

⁶ Jeffrey Tayler, *Kafka in Caracas*, FOREIGN POLICY, Sep. 3, 2015, available at <http://foreignpolicy.com/2015/09/03/kafka-in-caracas-leopoldo-lopez-trial-sentencing-maduro-venezuela/>

from López's domestic counsel, Juan Carlos Gutiérrez, Dr. Asuaje revised her testimony and admitted that López had never called for violence. She stated, "López's messages are not subliminal; they are clear, direct, and specific. They call for non-violence. There was never a call to violence by López."⁷

While it was not a surprise, it was gratifying to see the defection of the lead prosecutor in the case against Leopoldo, Franklin Nieves, who came to the United States last week and openly admitted that he was pressured by the Venezuelan government to bring "false" accusations against Leopoldo. In a video released after his defection, Nieves said, "I decided to leave Venezuela with my family because of the pressure applied by the executive branch and my hierarchical superiors to make me continue defending the false evidence used to convict Leopoldo Lopez."⁸

How Are Leopoldo and His Family Currently?

Leopoldo's imprisonment has not been easy. He has spent almost half of his imprisonment in solitary confinement and is at the whim of the prison guards. He has been subject to countless violent searches of his cell and is routinely denied visitors as punishment for his actions and the actions of his wife, Lilian Tintori, who has undertaken an international advocacy campaign to free him. At one low point, prison guards threw urine and feces into Leopoldo's cell and cut off his access to water. It is this cruel and inhuman treatment that led the Inter-American Commission on Human Rights to issue precautionary measures that call on the Venezuelan State to take further action to protect Leopoldo's "life and physical integrity."⁹ Currently, Leopoldo is in the only used cell in a prison building that consists of 13 cells. He has a 7-by-10-foot cell that has nothing more than a single bed, toilet, and a small shelf for a few changes of clothes. He can read and write during the day, but at night, the only book permitted in his cell is the Bible. He does not get a light or candle when it is dark outside.¹⁰ And each month, they move him to a new dirty cell to maximize his discomfort.

The government's persecution of Leopoldo has affected my entire family. Prominent government officials regularly attack our family on national television. President Maduro has even accused Lilian of treason, which carries a 30-year prison sentence in Venezuela.¹¹ And my father was forced to go into exile after a newspaper on whose board he sits was accused of criminal libel against Speaker of the National Assembly Diosdado Cabello. Last month, government-sponsored thugs tried kidnapping our older sister, Diana, fortunately, they failed, but they did succeed in temporarily capturing and torturing her bodyguard. We routinely fear for

⁷ *Experta Reconoce que Leopoldo López No Instó a La Violencia*, EL NACIONAL, Feb. 27, 2015, available at http://www.el-nacional.com/politica/Experta-reconoce-Lcopoldo-Lopez-violencia_0_581942045.html

⁸ William Neuman and Patricia Torres, *Venezuelan Prosecutor Opposition Leader's Trial Was a Farce*, NEW YORK TIMES, Oct. 25, 2015, available at <http://www.nytimes.com/2015/10/26/world/americas/venezuela-human-rights-opposition-leopoldo-lopez.html>

⁹ Comisión Interamericana de Derechos Humanos, Resolución 12/2015, Apr. 20, 2015, pg. 1, available at <http://www.oas.org/es/cidh/decisiones/pdf/2015/MC335-14-ES.pdf>

¹⁰ Leopoldo López, *Even in Jail, I Will Fight for a Free Venezuela*, NEW YORK TIMES, Sep. 25, 2015, available at <http://www.nytimes.com/2015/09/25/opinion/even-in-jail-i-will-fight-for-a-free-venezuela.html>

¹¹ *Maduro: A veces provoca romper todas las relaciones con Estados Unidos*, APORREA, Dec. 14, 2014, available at <http://www.aporrea.org/tiburon/n262254.html>.

Leopoldo's life and we fear for our own as well. Last month, the Inter-American Commission on Human Rights issued precautionary measures for Leopoldo's wife and their children.¹²

What Can the US Government Do?

No one in the world should doubt why Leo is in prison. President Maduro is afraid of him. Even as Leopoldo sits in prison, the independent polling firm Datanalisis showed that in a potential presidential matchup between Maduro and my husband, Leo is up by 32 percentage points. Furthermore, Hugo Chávez and Nicolas Maduro have also not delivered on their promises to our people and they have taken away our fundamental freedoms – our rights of free speech, freedom of association, freedom of the press, and freedom to vote for candidates of our choosing. Their actions have directly resulted in the hardships experienced by so many Venezuelans. We have the second-highest murder rate in the world, 25,000 in 2014, and are a country where 97 percent of crimes go unpunished.¹³ The desperate plight of our economy, which has included an annual inflation rate of 159 percent and our GDP expected to shrink by 10 percent in 2015 alone, has led to drastic shortages of food and medical supplies. A year ago, on the black market, one U.S. dollar bought 100 bolivars. Today, it buys over 700 bolivars. According to the Venezuelan Federation of Teachers, a month's worth of food for a family of five cost 50,625 bolivars, more than six times the minimum monthly wage, and three times what it cost the same month a year earlier.¹⁴

Venezuela is on the edge of a humanitarian crisis that could have devastating effects on regional stability. The repressive regime has created a beleaguered nation that is struggling. Thus far, the United States has taken a strong stand advocating for the rights of the Venezuelan people, but there is more that the government can do. We need Latin American leaders to move from rhetoric to action. The US can help push for the situation of Venezuela to be discussed in multilateral fora, such as the OAS, UN Human Rights Council, and the UN General Assembly. Additionally, on December 6, Venezuela will have parliamentary elections and in order for these elections to mean something, the people must have faith in the process. Currently, the Venezuelan government has rejected offers of international electoral observation from the OAS and EU. The US government must continue to pressure the government to accept observation from qualified observers.

I am proud that my brother's case has become a rallying cry around the world and the lens through which countless millions see the operation of the authoritarian regime in Venezuela. Through Leopoldo's case, the world has come to know the suffering of the Venezuelan people.

¹² CIDH extiende medidas cautelares a familia del opositor Leopoldo López, EL TIEMPO, Oct. 27, 2015, available at <http://www.eltiempo.com/mundo/latinoamerica/cidh-extiende-medidas-cautelares-a-familia-de-opositor-venezolano-leopoldo-lopez/16414511>.

¹³ Venezuela termina el año 2014 como el Segundo país con más homicidios en el mundo, Observatorio Venezolano de Violencia 2014, Feb. 2015, available at <http://observatoriodeviolencia.org.ve/ws/wp-content/uploads/2015/02/OVV-INFORME-DPI.-2014.pdf>; Guanipa: Para acabar con la inseguridad se debe combatir la impunidad, EL UNIVERSAL, Jan. 20, 2014, available at <http://www.eluniversal.com/nacional-y-politica/140120/guanipa-para-acabar-con-la-inseguridad-se-debe-combatir-la-impunidad-imp>.

¹⁴ William Neuman and Patricia Torres, *Few in Venezuela Want Bolivars, but No One Can Spare a Dime*, NEW YORK TIMES, Oct. 18, 2015, available at <http://www.nytimes.com/2015/10/19/world/americas/few-in-venezuela-want-bolivars-but-no-one-can-spare-a-dime.html>.

We must have hope that the Venezuelan people will persevere against this severe repression and that the world will rally to our people's side.

Fuerza y Fe! Strength and Faith!

Thank you.¹⁵

¹⁵ For more information, please see: *White Paper on the Case of Leopoldo López Mendoza*, PERSEUS STRATEGIES, July 21, 2014, (Updated October 23, 2015), available at <http://perseus-strategies.com/wp-content/uploads/2015/10/L%C3%B3pez-White-Paper-10.23.2015-English.pdf>.

Mr. DUNCAN. Thank you. Thank you for your testimony. And your brother is in our thoughts and prayers. And I am too glad he has become a rallying cry. So thank you for being here today.

I now recognize the next panelist, Mr. Vecchio Demari.

**STATEMENT OF MR. CARLOS VECCHIO DEMARI, LAWYER,
NATIONAL POLITICAL COORDINATOR, VOLUNTAD POPULAR**

Mr. VECCHIO DEMARI. Good afternoon, Mr. Chairman Duncan and the other members of this committee. I want to thank you for this opportunity to give us our testimony regarding the violation of human rights in Venezuela. I am particularly—the election that we are going to have this December.

This is the first time that I have the opportunity to testify before a formal and independent institution so this gives you an example of how difficult the situation is in Venezuela and the lack of separation of power.

I want to divide my testimony in three parts. The one, it will be related to the protest in 2014; the second one will be related to the election day with the election process; and the last one, sound recommendation that I want to give you for your consideration.

So let me talk about the 2014 protest. I remember that I had that discussion with Leopoldo López and the students who are related to the student movement. At that time we decided that we needed to urge the Venezuelan people to protest peacefully, to defend our rights according to our Constitution and against the Maduro regime due to the economic, social, and political problems that we are facing right now and we face at that time. They do not clearly reflect the crisis that we are facing. This year is even worse than last year, and it will be critical next year.

So Maduro regime reacted against us because we were exercising constitutional rights. We had been persecuted because of our ideas, our democratic speeches. This has been our crime according to the government, according to Maduro. That is why Maduro decided to put in jail Leopoldo. Five days later they issue an order of arrest against me for the same reason, for the same crimes, and again, without evidence because we were exercising our constitutional rights.

I remember that in February 17 in 2014 I had to receive three violent attempts of arrest for the military force from the government. They couldn't capture at that time. Then I decided to spend 108 days in hiding in Venezuela in order to continue our, you know, political activities in a very difficult situation receiving many type of threats during those days.

After those days, after an internal discussion with my political party, we decided that I needed to play an international role, that I had to leave Venezuela to be a voice in the international arena. Let me tell you this. This has been the most difficult decision that I have ever taken. I had to leave my country because of political reasons for the way that I am thinking political.

That is not the Venezuela that we deserve. That is not the system that we deserve for the region. And that moment when I was leaving my country, it left a mark in my soul saying this moment had to give more faith, more strength in order to continue our struggle. And that is what I have been doing outside of Venezuela.

Recently, as Adriana said, two of the lead prosecutors left Venezuela and said that he received order directly from Maduro to put Leopoldo in jail and also against me. That was a clear testimony, which confirmed what we have been saying national and international, that there is a generalized and a systematic state policy from the government to intimidate and to persecute the Venezuelan people who are thinking different from the government. And that persecution, that intimidation is still ongoing in Venezuela. So the judicial system is used by the government to persecute the opposition that this is in Venezuela.

So this is the aspect regarding our participation in the protest and how I have been affected, how they are violating my human rights during those days.

The second part of my testimony is regarding the upcoming election in December 6. To illustrate to you what we are facing for this process, let's do a short exercise of imagination. Let's start with this. Imagine that Obama abusing of his power prohibit 10 of the most popular Republican candidate to participate in the primary process they are going right now in process. So imagine that he can prohibit 10 of the 15 candidates in the primary process of the Republican Party. Imagine that Obama also can prohibit those candidates to do campaign in those swing States but not to the other candidates. Imagine that Obama prohibits CNN and Fox to broadcast the Republican debates.

So this exercise of imagination is a reality in Venezuela. Maduro has done all what I just said. They have prohibited 10 opposition leaders to participate as a candidate in this election. I am one of them. They have controlled the media so it is quite difficult for the opposition to communicate our message to the rest of the people. They have declared a state of emergency in certain border states so it is quite difficult to campaign freely. They have militarized those states so it is quite complicated to do campaign in that condition.

So let me tell you a little bit more about my case. I presented my candidacy before the electoral branch and that candidacy was eliminated. I was competing against Diosdado Cabello, who is the current president of the Congress in Venezuela. Fifteen days later I read in the news that somebody challenged my candidacy. They did not defy me and they didn't the opportunity to me to express my arguments and they decided to cancel my candidacy under the absurd and unconstitutional argument that my candidacy was an affront of law because my intention was not to represent my estate but rather to gain parliamentary immunity in order to avoid my order of arrest.

That is something that we couldn't understand. And as I said, that is a violation of my human rights because in order to restrict a political right in Venezuela, you have to issue a final and enforceable sentence.

Finally—

Mr. DUNCAN. I am going to need you to wrap up.

Mr. VECCHIO DEMARI. Yes. Finally, my recommendation to you, I want to highlight three points. One, you need to work in our view the U.S. Government with the government—with the Congress in Latin America in order to protect and to support human rights in

Venezuela and to defend the principle of democracy. That is one recommendation that we think it could work to help us in order to defend democracy in Venezuela.

Second one, we need qualified observers for the next coming election. You need to discuss with the region as well how can we have this independent observer for our election.

And finally, finally, I think you can promote legislation in order to facilitate political asylum or the immigration process for Venezuelans.

Thank you very much.

[Mr. Vecchio Demari did not submit a prepared statement until after the start of the hearing. It appears in the appendix.]

Mr. DUNCAN. Thank you.

Ms. Pacheco for 5 minutes, please.

**STATEMENT OF MS. IBÉYISE PACHECO, VENEZUELAN
JOURNALIST AND WRITER**

[The following statement and answers were delivered through an interpreter.]

Ms. PACHECO. Good afternoon.

Kluivert Roa supplicated onto the police officer, please do not kill me. Don't kill me. The official shot him at a short distance in the head with a 12 caliber gunshot with plastic bullets. This caused a deadly injury in his cranium. Kluivert was 14 years old. According to witnesses, Kluivert was just coming out of class and he just came across a rally of youngsters. It was in San Cristóbal, a city at the southwestern part of Venezuela.

Kluivert, as a good Samaritan, he stopped to assist another student who had been injured. He was taken by surprise by one representative of the police forces of the Bolivarian regime of Maduro who kill him while being on his knees. It took place on February 24, 2015.

Last year, 24,980 citizens were killed as victims of the violence. We are the second country with homicide in the world. Besides that, in Venezuela there are 74 political prisoners. More than 2,000 people have outstanding judicial proceedings. And there are 3,775 detentions had been carried out only on account of rallies during last year.

With violations to the right of defense, to the due process, with torture and cruel treatment, with electrical shocks and sex violations or rape, threats of violations and rapes, suffocation with plastic bags, multiple fractures and other injuries.

Last June 17, Beatriz Lara, a reporter with the Aragueno newspaper, she was placed in handcuffs to an electricity pole for a couple of hours in the middle of news coverage. This bothered police officials in the middle of the country. The female reporter, along with a cameraman, they were subjected in the street to beating and insults, along with kickings. Not being enough in such a situation and mistreatment, the female reporter was ripped off of her clothing arguing that she had a weapon in her intimate parts. To prove that that was not the case, she had to jump and down while squatting as if she was a kangaroo.

These facts, along with many other facts that I know, the representative could have heard are unknown by the Venezuelan peo-

ple, and they are unknown, they are not aware of those because of the force, control exerted by the Maduro regime. This regime, which is in charge of silencing the truth and create terror and misrepresent the facts in their best interest. The justice or judicial system in Venezuela, if you can call it like that, utilized a sensor to chastise the exercise of journalism to threaten——

Mr. DUNCAN. Ms. Pacheco, I am going to ask you to start wrapping up. Hit some of the highlights and wrap up just in the sense of time. Thank you.

Ms. PACHECO. Yes. I am summarizing it because I just heard the Cuban attendees to take 10 up until 12 minutes. Mine is not going to go beyond 7 minutes. That is for certain.

The judicial Venezuelan system said journalists and owners of media, local, domestic and foreigners are persecuted by the tribunals and that are managed by the monarchy of the regime exposing us to the public damage by bands of criminals.

In other cases, the media has been put to their knees by other criminals or they have been acquired by branches of the government to create them into a mechanism—apparatuses of their propaganda. The little window, even though it is vital that entails the social media, it is weakened by detentions of traitors for detentions for months without any help. It is very simple. The plan is to isolate the country.

But also the information sources are persecuted. The doctor that files a complaint goes to jail. Same destiny for his or her own area, his own educator, a union member or a business person, any user that complains about discourtesy, and even about a politician that you already listened to his testimony.

Great danger risks them who protects the one in need or who protects the human rights. But even two attempts of suicide by Marcelo Crovato and months of prison move his killers to piety.

This is not a new situation. I personally have been persecuted by the regime ever since the year 2001. I have suffered 20 trials, grave and serious investigations and public accusations. I was incarcerated in 2005. I have gone to international organizations and not even now when I live in the U.S. have the attacks ceased.

I want to call on the attention of the particular case of Diosdado Cabello who has been investigated upon here by the authorities of this country on the alleged basis of narco trafficking.

Mr. DUNCAN. I really need you to wrap up.

Ms. PACHECO. Okay. Okay. I am going to wrap up.

Cabello uses the Venezuelan official media to submit all the Venezuelans to the public criticism and all of the mechanisms of the state.

Fear cannot stop us if we are all united and raise our voices against the regime.

Finally, I ask myself, how would Venezuela be today if democratic governments had listened to the alarms that have been beeping since more than a decade ago. The Maduro regime fails to comply with the laws and human rights. Is it not the case that any institution or international institution or government is an accomplice who knowingly in the face of this case keeps silent or does not care about acting? Is it not the case that international agreements

are executed to accomplished and fulfilled and to make them be fulfilled?

Just a few days ago, posting of a picture of a candidate for the police force of the Maduro regime started to go around in the social media. Face of an 18-year-old girl laughing with the grenade in her hands, the same as is done by the criminal groups that assassinate people in my country.

With all due respect, I tell you I refuse for that to become our future. I did not want that either to extend on to this continent because I confess to you we feel helpless. Anyway, thank you for listening to me today. Thank you.

[The prepared statement of Ms. Pacheco follows:]

Ibéyise Pacheco

Periodista y escritora venezolana

Comité de Asuntos Exteriores

Noviembre 6, 2015

“Las deplorables violaciones de los Derechos Humanos en Cuba
y Venezuela”

Traducido por Olga Santiago

Kluivert Roa begged the police: “please, don’t kill me, don’t kill me.” The officer shot him in the head at a very short distance with a 12 –gauge shotgun which had plastic pellets and which caused a deadly injury to the brain. Kluivert was 14 years old. According to the witnesses, Kluivert was coming back from his classes and came across a youth demonstration, which was taking place in San Cristóbal, a city in the Southwest of Venezuela.

As a good Samaritan, Kluivert stopped to help another student who was injured while was taken by surprise by the Bolivarian National Police forces that forced him to get on his knees and place his hands on his head. It happened on February 24th of 2015.

This case, like many others, was known only by a few Venezuelan people. The fierce control that Nicolas Maduro’s regime has over the media, silences the truth and distorts the facts for his benefit.

Today, I come before this highly respected audience, and I, with all the power and responsibility, would like to make two statements which I do not have a slightest doubt about.

1. Human rights have been violated in Venezuela.

2. As a consequence, there is no freedom of speech in Venezuela.

I can add another statement to those two: this has been happening for at least 14 years and is getting worse every day. Venezuelan people do not have a right to be informed, as for example, the fact that 24,980 citizens died as a result of being victims of violence. We are the second country in the world with the highest rate of homicides with a ratio of 82 violent deaths per each 100 thousand residents. The government denies and blocks the information about illegal detentions.

Only briefly, though the networks and those few radio programs, which are surviving, one can make a reference to the fact that there are 74 political prisoners in Venezuela, that more than 2000 people are facing pending trials initiated against them just for the demonstrations in the last year, and that 3775 have been detained for demonstrations since 2014. During these trials, the right to defense and due legal process have been violated by means of tortures and other cruelties.

A report, highlighted by a non-government organization Foro Penal Venezolano (The Venezuelan Penal Forum), records the use of electrical shocks, sexual assaults, lascivious acts, treats of violence, suffocation using plastic bags, multiple injuries, multiple trauma victims among other harm.

Because of the absence of freedom of speech, to inform and to stay informed have become difficult and dangerous in Venezuela.

The records and reports of local and international reporters whom the Venezuelan authorities go against, prosecute and block the completion of their work have increased and generated dozens of actions of international organizations, all mocked by the government.

The outrage towards journalists became routine. Their access to the sources is blocked, they are threatened, they are robbed of their equipment, they are humiliated, put to prison and then they are put through malicious physical abuse.

One example is Beatriz Lara, a reporter for El Aragüeño daily. On June 17 of 2015, she was handcuffed to a street light for a couple of hours in the middle of media coverage that upset the officials of the Centro de Investigaciones Penales y Criminalísticas (Penal of Forensic Investigation Corps) in the State of Aragua in the middle of the country. The journalist, together with a cameraman, was exposed in the street to harsh beatings accompanied by insults and kicking. As if such harassment was not enough, the journalist was taken to a private office where she was undressed saying that she allegedly had weapons in her

underwear. In order to prove that it was not the fact, they had her to crouch.

The judicial system of Venezuela is used to limit the freedom of speech. At the present moment, the executives of the three important means of communication, the newspapers “El Nacional”, Miguel Henrique Otero, “Tal cual”, Teodoro Petkoff, and the website “La Patilla”, Alberto Federico Ravell, are personally accused by the president of the National Assembly who, in addition to a criminal charge, also initiated a civil action that no media would be able to stand against relying on its own resources.

Previously, Carlos Genatios, columnist from the “Tal cual” daily, which after became a weekly due to the newspaper’s crisis, was sued for expressing his opinion, which also forced him to leave the country.

Attacks against journalists have no end. A sergeant from the National Bolivarian Guard with the last name García said: “All they are looking for is for the people to burn them,” encouraging attacks against journalists who report about the discomfort for hundreds of Venezuelans who formed an infinite line in front of zero products. It is very simple for the government: there is no record of any problem, outcome, and consequence of its awful administration.

In this regard, Maduro was very clear when he touched on the topic in a national broadcast that will prove that his government violates the human rights. He prohibited to use the name “La Tumba” for one of the torture centers and turned it into the Headquarters of the Bolivarian Intelligence Services, Sebin. It happened on March 10th of 2015.

Journalists are accused, pointed out by the officials for different crimes, let go off their jobs and face direct threats while carrying out any coverage of information which is inconvenient for the government.

The State Agency Conatel, which controls the telecommunications, puts together information to charge Twitter users and recently became responsible for pressuring and assaulting César Miguel Rondón, one of the few broadcasters on Venezuelan radio who remains on air with credibility of the listeners.

Neither could foreign journalists avoid being harmed by the harassment. On January 16th of 2015, the correspondent of Al Jazeera, Mónica Villamizar Villegas, was forced to leave Venezuela against her will. After this, the president of the National Assembly, Diosdado Cabello, accused her of being a US spy.

More recently, the correspondent for Univision, Francisco Urreiztieta, was detained for 4 hours together with his work team in a military checkpoint in the State of Zulia on the boarder with Colombia.

I have to remind that Venezuelan legislation does not extend the accreditation to foreign journalists to work. But not only reporters' teams have been attacked. The international media often becomes the subject to threats by the hierarchy of the regime just as it happened to CNN. Others have worse luck, just as in case of Colombian TV channel NTN24 which was taken off air "cable TV schedule" since February 12th of 2014, which is to disappear from Venezuelan spectrum.

However, this channel endured blockages of 400 URLs of its property, forcing it to change the server almost every day. The Venezuelan journalist Idania Chirinos, the host for the TV program "La Tarde" in one of her visits to Venezuela, was followed right to the plane for the flight Maiquetía- Bogotá two years ago; it was clearly a threat from the security services. She could not go back to the country.

Even here in Miami, the head of the daily newspaper El Venezolano, Oswaldo Muñoz, is a victim of continuous threats from the followers of the regime.

Websites, which are inconvenient for the government, are blocked and even comedians have difficulty to perform their presentations before the extreme sensibility of the government. Journalist Nelson Bocaranda, the iconic symbol of Venezuelan journalism covering the news about Chavez's illness for the first time and his website "runrunes.es", sabotaged on the permanent basis, he also became a victim of shameless threats.

A good part of all that has been said, that it was recorded by non-government organizations such as Foro Penal, civil associations such as Espacio Público, Inter-American Press Association and many others.

All these situations happen every day in Venezuela.

They happen in silence in my country because the mass media is knocked down to their knees by various ways of pressure brought by their own government in order to turn them into propaganda devices.

Hardly ever social media manages to create a small yet vital path of escape so that a segment of population could follow what is happening in the country. That is why social media and its users constitute danger for the government. As such, the government has apprehended Twitter users. At least 20 of them have been detained.

For example, Inés González, who has obtained a Doctorate in Chemistry from Akron University, US, was unlawfully deprived of her freedom with a rapid decline of her health.

After repeatedly filing requests to be admitted for a medical check, she was taken to the hospital. Before being transferred, she was beaten by six officials.

Doctors advised of an urgent need of total hysterectomy-removal surgery before endometriosis became severe. The court did not respond. Still imprisoned, with no trial nor treatment while her life is in danger.

In addition, the government finances teams to hack Twitter accounts whose users have credibility or an great number of followers (my account has been hacked two times with stealing my identity. The most recent happened on August 12th of 2015). In her declarations in March 2015, Luisa Ortega Díaz, Attorney General of Republic of Venezuela, requested the regulation of social media, something that may soon be a governmental decision, henceforth obtaining the isolation and lack of communication of the Venezuelan society.

In many of these cases, much too many to count, based in the annual report of the Reporters without Borders from 2014 which concludes that Venezuela is the country with the most

journalists who have been threatened (134) just below Ukraine (215) for that year.

But, sources of information are also pursued. On September 11 of 2014, Angel Sarmiento, the president of Medical Association in the State of Aragua (central Venezuela) was unlawfully deprived of his freedom for his warnings regarding the sanitary conditions in the region.

Another doctor, Carlos Rosales, president of the Association of Clinics and Hospitals, was detained on February 5th, 2015, one day after of giving an interview in which he spoke about the lack of medical supplies.

Businessmen have also been arrested. On February 2nd, 2015, in one of the daily shortage crisis, the government ordered the arrest of Manuel Morales, executive of the only private food and products distribution chain in popular zones "Día a día".

The implementation of these provisions remains illegal and Morales remains detained without any hope for justice. The entire procedure was illegal.

I would like to remember Lorenzo Mendoza, owner of the company Polar, the most important food manufacturer in Venezuela, has been constantly threatened of losing his freedom and of having his business confiscated. The regime, using all its power, maintains a fierce campaign against him.

This approach by Maduro's government against journalists, mass media, and businesses extends to the members of human rights organizations, professionals who help the underprivileged, and in general against all those who dare to dissent from a government that has been destroying the country and its morals before the eyes of the world while, under applause, simultaneously gaining reelection as a member of the United Nations Security Council, just as it happened on October 28th of this year.

Almost 60 human rights advocates have been harassed and pursued. On April 28th, 2015, Horacio Giusti, media director of the Foro Penal organization was intercepted by two individuals riding a motorcycle.

One of them got off, pressed him against the wall and upon learning of his profession he brutally beat him, causing serious injuries in his eye and jaw. A little over four months later, on October 1st, 2015, Marino Alvarado, a well-know activist who defends human rights was kidnaped and assaulted next to his 9 year-old son.

I would like to put forth the case of Marcelo Crovato, the human rights advocate who was detained on April 22nd, 2014, while providing legal assistance for neighbors in the city of Caracas whose residence was illegally raided.

As of today, his trial has not even started and Marcelo is unaware of what the charges are against him. He was confined in the prison Yare III next to highly dangerous criminals and where he twice tried to commit suicide. Finally, on February 25th, 2015 they placed him under the house arrest. As a consequence of unhealthy and inhumane prison conditions, his health has deteriorated. He is married and is the father of two children. His arbitrary detention has inflicted much harm to his family.

The violations of human rights in Venezuela have an element which cannot be overlooked: such unlawfulness is supported by Nicolás Maduro's high government officials and is executed by official armed groups and for the officials who act with complete impunity; such is the case that the unlawfulness continues being rewarded and welcomed by the regime leaders.

I would like to draw attention to one aspect that is fundamental for me and inevitably brings me despair and concern. This awful situation that we, Venezuelans, endure has been happening for more than 14 years, commencing after the deceased Hugo Chavez's third year in power.

I would like to talk briefly about my personal experience.

This October 27th marked 10 months since I entered the United States of America. I am one of more than hundred thousands of

Venezuelans who flee in terror every day without being able to understand how a government in Western civilization can violate human rights in second decade of XXI century with complicit passiveness of civilized world.

Legal prosecutions against me were announced by spokesmen of Chavez's government in 2001 after publication of media reports, results of my research which demonstrated acts of corruption from the members of armed forces which afterwards president Chavez named "Plan Bolívar 2000."

The first accusation which was filed against me in the court was of military nature. But it was not the only demand. It followed by a true reprimand of accusations in court or requests for investigation before the public prosecutor performed by either officials or military from the official party.

At that time, I was subject to attacks including placement of an explosive device in the premises of the daily newspaper "Así es la Noticia" (January 31st, 2002) which brought damages in the newspaper's headquarter where I worked as a director. It has never been established who was responsible for this, even when violent groups finances by the government took ownership and settled in front of my office every day throwing flying threats as an evident sign of harassment. This situation has been reported to international organizations. It was March 22nd, 2002, when

the Inter-American Commission on Human Right issued precautionary measures to help me and my colleagues. But, I was far from feeling of being protected neither being sure that the government will respect these measures. The situation intensified even further. On December 12th, 2002, once again the Inter-American Commission on Human Rights issued protective measure in my favor. But demands, accusations, aggression and public remarks continued. I was accused of immense number of crimes.

Starting with violation of the right of honor of a military man (National Guard Deputy General Francisco Belisario Landis, April 10th, 2002), and finishing with being considered as “narco-journalist” through out the official news agencies.

The present president Nicolas Maduro also did his share with the president of the National Assembly by including me, together with representatives of other mass media and the church, in a verbal accusation of creating a plan to overthrow Chavez and wanting to assassinate working-class-inspired politicians.

They have also accused me of “treason against my country” for releasing a video, with another colleague of mine, which showed Venezuelan military troops socializing with the members of Colombian guerilla troops.

My lawyers were unable to respond to so many accusations. They knew that a new inquiry would suspend the benefit of my conditional release which was granted to me as the first sentence for defamation. And in fact, the 11th enforcement judge issued me a prison sentence on May 20th, 2005.

The refusal to accept me by the penitentiary directives appointed for my incarceration, claiming that my life was in danger, made the judge order that my residence would serve as my prison. I remained there until president Hugo Chavez declared on national broadcast that in that moment it was not convenient to have so many demands and actions against journalists.

My freedom was given back to me within a matter of minutes making it obvious that there is no division of authority in Venezuela and that the courts have been used in a special manner as an instrument of the executive power.

These occurrences started in 2001. And today, before you all, I cannot stop asking myself: "Would not Venezuela be better off if democratic governments, at least in this part of the world, would hear the alarming signs that come from Venezuela for at least 14 years, that the response to such danger to take measures to implement international agreements signed by you and our country?"

The main issue that I would like to get across to this highly respected House of Representatives is that this severe situation regarding violation of human rights has been continued and even worse, it has deepened and spread to the point that it has become a common thing in Venezuela together with the deterioration of the quality of life of its citizens facing disastrous management of public properties.

In Venezuela, there are systematic and generalized attacks against people dare to express ideas and thoughts of disagreement or critics towards the government. These are people who believe in democracy and seek to defend it and they become victims of ferocious attacks that affect their property, their reputation, their families, and their lives. Because everything is in danger when the voices are raised to speak against the regime.

The present government of Nicolas Maduro has promoted the creation of violent organized-crime groups that received training and weapons by means of which Maduro hopes to support his remaining in power together with the military sector, the object for privileges and benefits. He publically threatens the civilians to the point when he is ready to announce his refusal to surrender the power if he is defeated the electoral process.

Search for truth is prohibited in Venezuela. To exercise journalism is one true mission. Up until the point when I came here last December, my right to work has been under watch. I wrote regularly in a newspaper, directed a popular daily newspaper, I had a radio show and another one on television. All this was taken away from me. The means of pressure varied. Some of them were directly addressed to media owners, and in other cases, they were made against the marketers who sponsored my program.

And living here in the United States, the president of the National Assembly, Diosdado Cabello, a military man who carries himself as the head of the government and against whom serious allegations have been presented in regards to a possible connection to a drug cartel (investigated in the US), he accused me of conspiracy declaring it two months ago and ordering to break into my home where I lived in Caracas. Because of my decision to come here and protect myself, I have rented it out to one decent elderly woman.

I would like to specify that Diosdado Cabello since the state channel (that supposedly belongs to all Venezuelans) participates every week in the program "Con el mazo dando" (Those who help themselves), to destroy the reputation of many Venezuelans, including myself among many others.

It is a sure thing that this intervention here will unleash his rage that will be revealed in that program, and who know in what capacity. But fear cannot stop me. Diosdado Cabello's program has become a courtyard where everything is acceptable. There, Cabello has turned private illegal conversations into public, almost always modified and manipulated, he has invented crimes, showed intimate pictures of those whom he considers to be enemies of the regime making direct attacks using language that suits more a leader of criminal gang. Government, which each time becomes more radical no longer pays attention to the norms of sensor. It does not only tries to silence the media and journalists. At a present moment, it demands to lie. One cannot be informed about the real state of economy (the government hides the facts about inflation and supply shortage), no claims that figures are really changed and it is his responsibility which he shifts on others. An alleged "economic war" will be led by those to whom it is convenient the most, including the United States.

Everything is bad in Venezuela: health, education; instability causes havoc, corruption is shameless, and one cannot be informed about all this. Neither journalists can do their job, nor citizens have the ability to know the truth.

Everything happens under the prosecution against those who protest and especially against the oppositional leaders. You have already had a chance to know the horrors of suffering of political prisoners and their families.

Under these terrible consequences, Venezuela is approaching its elections to elect a new parliament on December 6. And, without any embarrassment, the regime leaders are refusing for the elections to be observed by the international community.

Maduro has claimed that a defeat will require a working-class action that will block the end of his “revolution.” In other words, Maduro, without a slightest shade of shame, is encouraging violence before the eyes of the entire world.

It has been less than a week when a photo of an 18 year-old student who aims to become a member of Bolivarian National Police, has become viral in the social media. This young girl, like any others, who should have dreams of a bright future, took a smiling selfie holding a grenade in one of her hands. She posted this picture on Facebook. This is the symbol of the regime. This is also how leaders of criminal gangs who kill people in my country tend to present themselves in social media.

With so many elements, so many signs, I ask: “How is it possible that Maduro’s regime can still be allowed to violate the law, the norms, and international agreements?”

Maduro supports his criminal gangs to commit crimes with impunity, other government and international entities are doing the same thing in the same manner. Due to the lack of action, we allow Maduro's regime to break the law and violate human rights.

Thank you very much.

Mr. DUNCAN. Thank you for that. We lost our other Members of Congress just because of their schedules, so I will recognize myself for as much time as I need to ask all the questions that I want to ask.

Do you think—and this is to all the panelists. Do you think the elections will be truly free and fair?

Ms. LÓPEZ VERMUT. I am not a politician but I have a brother who is a politician who should have the right to run in fair elections, and he is in prison, alongside other politicians who are being banned to run. So, no, there cannot be fair elections if the opponents are not allowed to run.

Mr. VECCHIO DEMARI. No. Absolutely no. As I said, the government of Maduro has taken several actions in order precisely to avoid to have a fair and a transparent election. That is why we are asking for an international independent observer in order to watch the electoral process. We don't trust institutions in Venezuela. We trust in the people and we need a massive participation. We need an organization which is capable to overcome those obstacles that the government is putting in place in order to avoid defeat.

All polls show that the opposition will win by a large margin. That is why Maduro regime is taking this type of actions, to avoid that, and that is why we are coming to the international community to support what we see right now in our society, a change—

Mr. DUNCAN. Right.

Mr. VECCHIO DEMARI [continuing]. Which is a reversible change.

Mr. DUNCAN. Ms. Pacheco?

Ms. PACHECO. A fundamental aspect during these elections and this is going to happen is the darkest moment of the exercise of journalism in the country. There is no communication or media that can communicate the truth.

Mr. VECCHIO DEMARI. Usually, where aggressions are committed in the educational center—

Mr. DUNCAN. Senor Vecchio—what role does the U.S. and international community play in this? With regard to the elections, how can we assure that they are free and fair? I mean what more can we do?

Mr. VECCHIO DEMARI. Well, I would say you should get in contact with Latin American countries in order to work in the multilateral organizations such as OAS and even UNASUR in order to build independent and a technical observer to play a role in the Venezuelan election. We are a month for that election. I think it is going to be quite difficult but I think what you need to do an effort, working especially with Latin American countries because this will affect not only the Venezuelans but also it could bring an instability to the region if we do not have a fair and a transparent election in which the Venezuelans could trust. So it is a very critical moment. So I would say that you should work with the rest of the Latin American countries and with the multilateral organizations.

Mr. DUNCAN. December 6 is coming awfully quickly. I want to ask about Leopoldo. What impact has his arrest and his detention and this recent sentencing had on your family and his wife and children?

Ms. LÓPEZ VERMUT. You must imagine it is a very hard situation. We have always been supporters of Leopoldo's career path. He

has been a politician for over 10 years. This has affected my nieces, my nephew. They are growing up and they know what it is to visit a jail, what it is to have somebody that drives you to school be kidnapped and beaten on your behalf. They have seen people killed protecting their father. Psychologically, I think that will have a lasting impact on them.

My father is an exile. He cannot go back to Venezuela. There is a warrant for his arrest. My sister was almost kidnapped. My sister-in-law and my mother are in Venezuela. They continue to support Leopoldo and they bravely do so.

We are being persecuted. We have been persecuted for multiple years, but it has affected the family dynamic. We don't know for how long. Hopefully, it will not be for 14 years.

Mr. DUNCAN. Is there any chance that his sentence would be shortened?

Ms. LÓPEZ VERMUT. We definitely hope so. I—

Mr. DUNCAN. I mean is there precedence for that in the past?

Ms. LÓPEZ VERMUT. I don't think so.

Mr. DUNCAN. Yes.

Ms. LÓPEZ VERMUT. I don't think so.

Mr. DUNCAN. That is—

Ms. LÓPEZ VERMUT. Unless he is given house arrest, which is a possibility. One of the things that we really would like for the United States is to do is to allow for the International Red Cross to be accepted in Venezuela to visit the prisons. Leopoldo's mental health is of great concern in that we want to make sure that he gets access to books, that he gets access to regular light, that he gets access to exercise, to written material, to visitors. He is not a terrorist. He should be allowed his human and prisoner rights to be observed, and they are not.

And the government does not allow any observers of the conditions of prisoners in Venezuela to be assessed. That is another point of support that we can get from the United States.

Mr. DUNCAN. Wow. I am going to ask all panelists, we talked in the first panel about access to freedom of speech, access to a free and open press, the dissemination of information, access to the Internet, and so how do people stay informed in Venezuela? Is online media restricted? Is there social media available? Help educate us about how people stay informed in Venezuela. And that is to everyone, but I will start with Ms. Pacheco.

Ms. PACHECO. Yes, the system is very marginal, very limited and usually very distorted because the government has purchased the majority of the media. So they have made it into apparatuses for their propaganda. And social network, which is the small network, which is not as important, is important. Their users are subject of persecution. They have also been persecuted. They have been detained. They have been hacked.

Mr. DUNCAN. Mr. Vecchio, you are in exile so to speak. Are you able to communicate back into your country?

Mr. VECCHIO DEMARI. You know, I use the social media in order to get information from Venezuela. I don't trust in the media. In the media in Venezuela it is quite difficult to get information from them, and if I want to communicate with them through, for example, Skype or even call them, I have to be aware that the govern-

ment is going to record that conversation. So it is quite difficult to keep that communication clear and transparent. So it is not that easy. It is not that easy.

Mr. DUNCAN. Does the government block some of the emails or social media, tweets—

Mr. VECCHIO DEMARI. They capture that and they will use it against you.

Mr. DUNCAN. They capture it and use it against them but—

Mr. VECCHIO DEMARI. Yes, illegally.

Mr. DUNCAN [continuing]. They don't block it?

Mr. VECCHIO DEMARI. Illegally.

Mr. DUNCAN. Yes.

Mr. VECCHIO DEMARI. Yes. So the point is that I get information from the media, for example, Twitter or certain web pages.

Mr. DUNCAN. Yes.

Ms. PACHECO. I want to point out that a state channel Diosdado Cabello, the person of the National Assembly, publishes personal information, altered, manipulated information that discloses certain limited communication between militants and opposition.

Mr. DUNCAN. I think is important for the American people to hear. We take this for granted. I said it earlier, our access.

Leopoldo, will he have any chance to have access to the press or to the Internet or any way to further his understanding of what is going on in the outside world?

Ms. LÓPEZ VERMUT. No, he has limited access, arbitrary that is, to the TV. But again, the TV channels available are government-run so it is partial.

One thing that I think for the American people to understand that information is known, I think that there is a lot of controversy as to how much governments listen in to citizens. That is a big topic of conversation. What I explain to people is most of the time, while you know that you might be listened to, you don't fear for your life. What is going on in a place like Venezuela is that not only are you being listened to but that information is going to be used against you or your family for persecution all the way up to death. It is very different, that sense of fear for your life than just knowing that, you know, we are being listened to. We live in a different communication world.

Mr. DUNCAN. Wow. Mr. Vecchio.

Mr. VECCHIO DEMARI. Another piece of this equation is that you have problem to get information from the media in Venezuela, but also you have problem to express your ideas. You don't have channel to express your ideas. For example, Diosdado Cabello, he has a weekly TV program. In every program he attacks me, any time, any time so I don't have the opportunity to respond to those attacks. So the Venezuelan people only get the information that Diosdado gives to the people of Venezuela. So I don't have the opportunity to express my ideas and my opinion. So those windows are totally closed in Venezuela, you know. And when you put this in the context of an election, that is critical—

Mr. DUNCAN. Right.

Mr. VECCHIO DEMARI [continuing]. You know what I am saying, because I mean the electoral—the voters only will get one information—

Mr. DUNCAN. Yes, one side of the story.

Mr. VECCHIO DEMARI. One side of the story.

Mr. DUNCAN. Right. Right. Let me ask you this. You mentioned in your testimony about your constitutional rights and——

Mr. VECCHIO DEMARI. Yes.

Mr. DUNCAN [continuing]. You know, when Americans hear that, we think about our constitutional rights. But from what I understand about Venezuela, what good is the Constitution if the Maduro government is not following that, if you still don't have a free judiciary? So talk a little bit more about what that Constitution may or may not mean today, November 2015. What is the Constitution?

Mr. VECCHIO DEMARI. The Constitution, I mean, is very well-written. The problem is the Maduro doesn't comply with the Constitution. That is the deal. We have the separation of power in the Constitution, but in the practical point of view, they control all the powers in Venezuela. For example, in my case the only way to limit my political rights to run for office is through a final and enforceable criminal sentence. So that doesn't occur in my case, and they disregard my candidacy. They cancel my candidacy and I didn't have the opportunity even to defend my rights, to hear—I didn't have the opportunity to give them my arguments. So the Constitution is there, but when you see it from the theoretical point of view, when you see the practice, they don't comply with the letter of the Constitution. So that is the big problem.

Mr. DUNCAN. So how do you change the judiciary with a strong authoritarian government like Maduro's who ignores the Constitution? I mean truly the judiciary is your avenue of recourse. But if the judiciary is controlled and they ignore the Constitution—so I guess my question is how do you see a pathway to change?

Mr. VECCHIO DEMARI. That is why this election is quite important. The Supreme Court magistrates or judges are appointed by the National Assembly. So that will be a key element in order to have an impartial judicial branch. So that is quite important. And then also the electoral branch is appointed so the National Assembly——

Mr. DUNCAN. How many assemblymen are up for reelection?

Mr. VECCHIO DEMARI. What?

Mr. DUNCAN. In the Congress, how many assemblymen——

Mr. VECCHIO DEMARI. Five years and you can be reelected.

Mr. DUNCAN. Are some of them up for reelection this year?

Mr. VECCHIO DEMARI. Yes. For example, Diosdado Cabello, I was competing against Diosdado, and I don't have any doubt that he gave an order to the electoral branch to cancel my candidacy. He didn't want to run against me. So he controlled that, that piece of the equation.

Mr. DUNCAN. Wow. Wow. I mean rule of law is so important.

Mr. VECCHIO DEMARI. Yes. And I also want to point out that the sentence against Leopoldo is not only against Leopoldo. We have to be very careful on that. It is against any Venezuelan who thinks different from the government.

Ms. LÓPEZ VERMUT. Well, it is important if you read Leopoldo's sentence, the language that is used explains—sorry, describes that Leopoldo had a machinery, Leopoldo is the intellectual actor who

was using his messaging to make—he was the determiner using a criminal organization. So by putting in a sentence that the political party that he runs is actually a criminal organization, effectively, the state is criminalizing political parties and difference of opinion.

Mr. DUNCAN. Ms. Pacheco, in your written statement and in your verbal statement you said in Venezuela there are systematic and generalized attacks against people who dare express ideas and thoughts of disagreement or critics toward the government. What impact do you think the December 6 elections will have on this culture of fear?

Ms. PACHECO. The thing is that the regime is betting to violence. And this is a scary scenario because this is a political circumstance in which they internally—and when I say internally, they, the government—they are against each other. They are not against each other on an ethical basis or problem but it is so because they dispute the power. They are playing against the power. This sentence can sound very terrible.

And the image is that of a country by which the criminal groups want to remain in power, and of course, then they appeal to any necessary—whatever is necessary of course out of the law, without forgetting that the power currently has been inherited from the government of Chavez. They are the military. And the military are, at least it has been demonstrated by way of the investigations, well advanced and they are compromised. They are involved with the cartel of the narco trafficking. And since they are going to defend their business, seeing their power diminished, as a danger they can recourse to repression and power that they did so already in 2014, and of which we have Leopoldo López, the symbol of injustice because of a peaceful rally and protest.

Mr. DUNCAN. Wow. Okay. Last question, how are the sanctions working that the U.S. has imposed on Venezuela? And that is to all the panelists. Are the sanctions working? Can the U.S. do more? What is the effect it is having in Venezuela? I will start with Mr. Vecchio.

Mr. VECCHIO DEMARI. Yes. I would say yes, they have been working well, but you cannot take this action isolated. It is not a silver bullet. I think you have to combine with a holistic strategy in order to approach the Venezuelan problem. For example, as I said, working with government in Latin America to support, for example, a hearing like this to show what is really happening in Venezuela, working with those governments in multilateral organizations such as U.N. in order to ask for the compliance of the resolution who have asked for the release of political prisoners. So it is not alone. One measure will not help you to support our struggle to restore democracy in Venezuela. So if you are only taking consideration of that action, it won't be enough. You know what I am saying? So I think it should be part of a holistic strategy with different governments and at the same time multilateral—

Mr. DUNCAN. Sanctions—

Mr. VECCHIO DEMARI [continuing]. Organizations—

Mr. DUNCAN [continuing]. Alone won't work?

Mr. VECCHIO DEMARI. What?

Mr. DUNCAN. Sanctions alone won't work is what you are saying?

Mr. VECCHIO DEMARI. I think they have to be combined with other measures, yes.

Mr. DUNCAN. Yes.

Mr. VECCHIO DEMARI. And let me add this. Probably you won't see an immediate result, but that is causing a concern on the media officers in Venezuela saying I don't want to follow the top officers in Venezuela putting us in a problem around the world and especially with the violation of human rights. So now I need to be aware of this. You know, that is also a message that the media officers and the administration is taking in consideration in order to take decisions. Okay?

Ms. LÓPEZ VERMUT. I think the message was very clear, and I think it was successful to an extent. I agree with Carlos in what he said. I think that when you see people leaving the country and coming to the United States willing to give information in exchange for something, it means that they are afraid.

To me as an American citizen, the most valuable lesson of the sanctions is understanding that it is not right to use American soil, American systems, financial organizations to wash your hands when you have blood on your hands in another country. I think that is a really powerful message, and I do think strongly that people within the regime think about that.

Mr. DUNCAN. Right. Right.

Mr. VECCHIO DEMARI. Just let me add just a short sentence which is very important, something that you could do. We understand there is an ongoing investigation from the U.S. authorities against top Venezuelan officers, for example, Diosdado Cabello and others regarding drug trafficking and money laundering. We need to know who they are. We need to know the status of that investigation. That is quite important. And also, we need to see, although I understand that you have a legal procedure to follow, but we need to see the evidence that supports those investigations. That will help us to show to the Venezuelans who really are in power right now.

Mr. DUNCAN. That is interesting. So, Ms. Pacheco?

Ms. PACHECO. If you ask me about honesty, and I will do so, that the idea initially is a good basis, and the initiative, that probably the idea of having it work on some Venezuelan officers are used by the government of Maduro, Maduro's regime for their own benefit in Venezuela, within Venezuela. And the polarization between the nationalism and if we do not move from words into action to the next step, nothing concrete will be obtained.

Personally, I believe that there is sufficient evidence that there is evidence of high top officers of the regime, the government, the Venezuelan regime involved in the violation of human rights, in narco trafficking and money laundering, and in a whole bunch of crimes that they even carry out here. And that at the end of the day we have not seen serious decisions with that regard.

Mr. DUNCAN. Thank you. I hate to do it, but we are going to have to wrap up. I want to thank the witnesses on panel II for your bravery and your courage that you have shown here just by testifying today. The courage that you have shown is not forgotten.

Pursuant to the committee rule 7, the members of our subcommittee be permitted to submit written statements be included

in the official hearing record. And without objection, the hearing record will remain open for 5 business days to allow statements, questions, extraneous materials for the record subject to the length limitation to the rules.

And there being no further business, this committee will stand adjourned.

[Whereupon, at 12:56 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on the Western Hemisphere
Jeff Duncan (R-SC), Chairman**

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN field hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on the Western Hemisphere at the Stephen P. Clark Government Center (111 NW First Street, Miami, Florida 33128), and available live on the Committee website at <http://www.ForeignAffairs.house.gov>:

DATE: Friday, November 6, 2015

TIME: 10:00 a.m.

SUBJECT: Deplorable Human Rights Violations in Cuba and Venezuela

WITNESSES: Panel I
Mr. Antonio Rodiles
Cuban Dissident

Ms. Sylvia Iriondo
President
Mothers and Women Against Repression (M.A.R. por Cuba)

The Reverend Mario Felix Leonart Barroso
Pastor
Ebenezer Baptist Church in Villa Clara, Cuba

Panel II
Ms. Adriana López Vermut
Sister of Leopoldo López

Ms. Ibéyise Pacheco
Venezuelan Journalist and Writer

Mr. Carlos Vecchio Demari
Lawyer
National Political Coordinator
Voluntad Popular

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5121 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON the Western Hemisphere HEARINGDay Friday Date November 6, 2015 Room Miami Dade Gov CtrStarting Time 10:07 AM Ending Time 12:56 PMRecesses 1 (11:50 to 11:58) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman Jeff Duncan

Check all of the following that apply:

Open Session ☒Executive (closed) Session ☐Televised ☒Electronically Recorded (taped) ☒Stenographic Record ☒

TITLE OF HEARING:

Deplorable Human Rights Violations in Cuba and Venezuela

SUBCOMMITTEE MEMBERS PRESENT:

Chairman Jeff Duncan, Rep. Ron DeSantis, Rep. Alan Grayson

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

*Rep. Carlos Curbelo*HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 12:56 PM


Subcommittee Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE JEFF DUNCAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

United States Senate

WASHINGTON, DC 20516

November 6, 2015

TRANSPORTATION
FOREIGN RELATIONS
OFFICE OF THE COMMITTEE ON INTELLIGENCE
HUMAN RIGHTS BOARD
ENTREPRENEURSHIP

Dear Chairman Jeff Duncan and Ranking Member Albio Sires,

It is with great respect that I submit this letter to the House Committee on Foreign Affairs Subcommittee on the Western Hemisphere in support of the hearing entitled "Deplorable Human Rights Violations in Cuba and Venezuela." I appreciate the Chairman and Ranking Member for taking the time to address such important topics that impact South Florida, the United States, and the entire Western Hemisphere.

In October, the Castro regime demonstrated its commitment to the continued repression of the Cuban people by conducting more arbitrary arrests and short term detentions than any other month this year. In that month, the Cuban police have reportedly held at least 1,093 political activists in detention centers. These actions, done with the specific goal of suppressing any attempt to peacefully gather and voice grievance against the deplorable acts of the Cuban government, should not be whitewashed.

What is even more concerning is the Obama Administration's response toward this continued oppression by the Castro regime and the signals that this silence sends to human rights abusers around the world. During President Obama's speech to the nation on December 17th 2014, he said "Proudly, the United States has supported democracy and human rights in Cuba through these five decades" and that Cuba's decision to "increasing engagement with international institutions like the United Nations and the International Committee of the Red Cross that promote universal values" would be welcomed.

Almost a year later, the International Committee of the Red Cross has not been permitted to meet with political prisoners, and universal values like freedom of expression, association, press, and religion continued to be ignored by the Cuban government. Perhaps the most heart wrenching of all was the recent report that an Administration official visiting Cuba stated that "Washington would not first demand human rights progress from Havana" prior to easing the embargo. The fact that this Administration would prioritize economic and diplomatic engagement over the improvement of human rights in Cuba is mind boggling.

In Venezuela, the Maduro regime continues to do everything it can to distract the Venezuelan people from its deteriorating economic conditions. Arresting and imprisoning political opposition leaders such as Leopoldo Lopez and running sham trials with trumped up charges have become a hallmark of the Venezuelan judicial system. To maintain power, the Venezuelan government has disqualified opposition candidates from running for office and gone as far as authorizing the use of deadly force against student rallies.

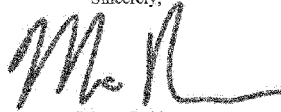
In an effort to help the Venezuelan people, I helped author the Venezuela Defense of Human Rights and Civil Society Act of 2014. The law was designed to give the Administration the tools necessary to sanction individual human right abusers in the Venezuelan Government so that no abuser could benefit by using U.S. banks, send their children to U.S. schools, or live in properties they had purchased here. I even went so far as to collect the names of 23 public officials who I believed had committed human rights abuses in Venezuela and forwarded their names to the Administration to be sanctioned.

While President Obama did eventually sanction seven individuals this spring, the Administration has since failed to issue any additional sanctions on any other human rights violators. This is a shame, as we now know that the sanctions have a real effect with the most recent asylum request by Franklin Nieves, the prosecutor who led the sham trial of Leopoldo Lopez, who feared being sanctioned himself.

I believe that we have approached a moment of opportunity with regards to freedom and democracy in Cuba and Venezuela. If the Maduro regime allows opposition leaders out of prison and international observers to ensure that they are free and fair, the upcoming elections scheduled on December 6th in Venezuela could provide an opportunity for the Venezuelan people to speak with one voice that oppression, imprisonment, and torture will no longer be tolerated. It is my sincerest hope that they have a real opportunity to choose a legislature that is responsive to their needs.

I applaud your commitment to human rights and democracy in Cuba and Venezuela and thank you for highlighting such important issues for the communities I represent in South Florida.

Sincerely,

A handwritten signature in black ink, appearing to read 'MR' followed by a stylized flourish.

Marco Rubio
United States Senator

STATEMENT SUBMITTED FOR THE RECORD BY MR. CARLOS VECCHIO DEMARI, LAWYER,
NATIONAL POLITICAL COORDINATOR, VOLUNTAD POPULAR

Caracas, November 6 2015

Rep.
Jeff Duncan
Subcommittee Chairman
Subcommittee on the Western Hemisphere
Committee Foreign Affairs
US Congress

Dear Chairman Duncan, please allow us to extend you a warm greeting and also express our gratitude for giving us the opportunity to present our views about the violations of human rights in Venezuela.

Our written testimony has been divided in three sections. First, it is related to the 2014 protests in Venezuela, also on how ended in a massive violations of human rights.

Secondly, we will discuss our concerns about the recent actions taken by the Venezuelan government, which clearly does not contribute to an appropriate environment for a fair development of an electoral campaign in the upcoming elections December 6, 2015. These actions steer away from any democratic "model". And finally, we will address our recommendations on how to support human rights in Venezuela.

1) 2014 Protests. Our participation and the clear violations of human rights by the Maduro's regime

Together with Leopoldo Lopez and the student's movement, I decided to take part actively during the 2014 protest in Venezuela. We urged the Venezuelan people to protest peacefully for their fundamental rights and against Maduro's Regime given to the economic and social difficulties such:

High inflation (the highest in the world)
shortages of basic goods
violence (Closed to 25 thousand homicides every year)
freedoms restrictions

Since the beginning of the protests, Maduro's regime not only ordered the arrest against Leopoldo Lopez, he also ordered an arrest against me, though no evidence was ever produced associating us to these crimes. We were accused of arson, public incitement, damage and association to commit crimes.

Maduro considered that the exercise of a constitutional right of peacefully protest against his regime was a crime. We were persecuted because our ideas and democratic speeches.

On February 17, I had to struggle with three violent arrest attempts at Voluntad Popular Headquarters, my political party, shortly after that, I decided to go on hiding 108 days in order to continue delivering our message and managing our political activities.

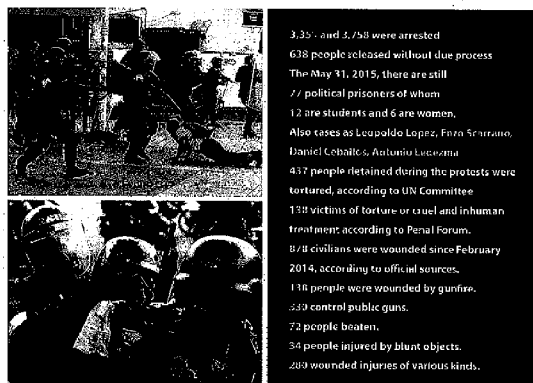
As you understand, during this complicated situation and after an internal discussion with my political party, we decided that I should play a more active international role; this situation forced me to leave my country.

Since then, I have been acting as an international advocate for the Venezuelan people. Taking an active role in order to condemn what is happening in Venezuela, specially the violations of human rights and repression against anybody who thinks different.

Few days ago, one of two lead prosecutors in Leopoldo Lopez case, Franklin Nieves, left Venezuela.

Mr. Nieves, has openly called the Leopoldo's trial a "farce" a trial arranged by Nicolas Maduro and Diosdado Cabello. Mr. Nieves clearly spoke on numerous interviews that the trial was based on false evidence, which has unjustly violated the fundamental rights of Leopoldo Lopez and me.

Below we described a summary of the massive violation of human rights, according to HHDD NGO Foro Penal



2) 2015 Congressional election: An antidemocratic Election

Since the date of the parliamentary election was announced and scheduled for December 6th 2015, the government has been carrying out a series of actions against the constitution and the most fundamental democratic principles through the abuse of power exercised over the other governmental branches. Among these actions we have:

Prevent 10 opposition leaders (Leopoldo Lopez; former presidential candidate and former governor of Zulia, Manuel Rosales; former house representative Maria Corina Machado; former mayor of San Cristobal, Daniel Ceballos; former governor of Zulia, Pablo Perez; Former Mayor of San Diego, Enzo Escarano; house representative Abelardo Diaz; Students, Alexander Tirado and Raul Baduel and myself) from participating in the elections via unconstitutional instruments used by the Office of the Comptroller General such as administrative disqualifications, or non-final sentences. These have been recognized by the Inter-American Court of Human Rights as a violation of the political rights as indicated in the American Convention on Human Rights (Case Leopoldo Lopez vs. Venezuelan State, 2011).

Use of the Supreme Court to interfere into two opposition political parties (COPEI and MIN Unit) which are part of the opposition democratic coalition, to disrupt the nomination of our candidates within the alliance and generate confusion as to the use of electoral ballots.

Declare a State of Emergency: The declaration of a State of Emergency is the reflection of an electoral strategy that aims to reduce the citizen and voter intention, interfering not only with the process of the electoral campaign in those states and municipalities, but also intended to affect the conformation of the elected officials. With the declaration of a State of Emergency in the municipalities and states of Táchira and Zulia, the government puts at stake 22 possible candidates. If the government continues to extend this State of Emergency to the rest of the border states (Bolívar, Apure and Amazonas) as it has already announced, it could then affect up to 38 house representatives (23% of candidates to be elected) with the peculiarity that in the last election in those states, the opposition was favored by more than 55% of the votes and with the current political, economic and social crisis, that number is expected to rise exponentially as predicted by polls.

Sentence opposition leader Leopoldo Lopez to 14 years in prison and attack his supporters; attacks carried out by government backed hoodlums with sticks, stones and bottles as they awaited the Court decision.

Maintain in prison not only Leopoldo Lopez, but the Mayor of Caracas, Antonio Ledezma and scores of other political prisoners.

Deny Electoral International Observation of the OAS and the European Union.

In some statements Maduro has implied that he will **not** recognize the electoral result if the opposition wins.

The electoral authority has forbidden me to participate as a candidate for the State of Monagas to prevent me from running against the President of the National Assembly, Diosdado Cabello.

After my nomination had been accepted on August 11, 2015, mysteriously, on September 2nd, it was announced to the press that there was a legal challenge (although the date for challenging a nomination had expired on August 17). We were never informed nor notified of this challenge and it supposedly "officially" had been introduced on August 15th. Despite having requested a meeting with the National Electoral Council (CNE) to discuss this issue, the council rejected my candidacy without even hearing my arguments, denying me the basic right of defense.

The CNE decides to reject my candidacy by applying an absurd and unconstitutional criteria by stating that this would constitute a "Fraud to the law" because if it happened to be elected I would enjoy immunity and therefore elude the arrest warrant against me for events of 2014. Thus, the CNE decided to apply a principle not provided in the Constitution. Indeed, in the case of nominations for house representatives, the requirements are specified in Article 188 of the Constitution of the Bolivarian Republic of Venezuela, which describes those conditions as follows:

Article 188: The conditions to be elected as house representative of the National Assembly are:

Be Venezuelan by birth or by naturalization with fifteen years of residence in Venezuelan territory.

Be twenty years of age or older.

Have resided for four consecutive years in the state before the date of the election.

In this regard, there are only three requirements relating to nationality, age and place of residence, all three of which were fully met by my candidacy. So much so that this candidacy was previously accepted by the CNE on August 11th and it's now being rejected.

Furthermore, the argument of "fraud to the law" is irrational. It would mean that anyone with an open investigation would not be able to be a candidate for parliament because once elected they would circumvent any act of justice. With this concept of "fraud to the law" they would be creating a condition of eligibility not stipulated in the Constitution. We insist that the only grounds that the CNE can consider for the ineligibility of a candidate are clearly stated in the Constitution under application requirements. The concept of "fraud to the law" is not expressed anywhere in the electoral or constitutional regulations. Restricting my political rights can only occur through a final and enforceable criminal sentence, according to our Constitution on its article 42.

In addition, as the basis for their argument, they are using Judgment No. 175 of the Electoral Chamber of the Supreme Court dated November 3, 2008, in the ruling José Gregorio Muñoz Parra versus the National Electoral Council. Being criteria for the Electoral Chamber makes it neither binding nor required to be used by public entities in similar cases and does not create a precedent; in addition the factual circumstances are different and have not been recurrent criteria.

Furthermore, the ultimate decision to be a house representative is not up to the candidate, but up to the voters. Representatives are elected through the manifestation of the will of the people; if the candidate was not elected he/she would never have immunity. Therefore, one cannot speak of evasion of justice, because although parliamentary immunity is a privilege, it is not absolute and can be lifted if necessary. If elected, he/she would always be subject to justice, because it would just require the lifting of the immunity.

Parliamentary immunity is a guarantee of freedom of operation of the Legislative branch, dedicated to ensure the independence, autonomy and functioning of the National Assembly. This is only a procedural requirement that protects the house representative, so that he/she cannot be prosecuted, detained, sequestered or searched, without completing prior constitutional formalities, such as a preliminary hearing before the Plenary Chamber of the Supreme Tribunal of Justice ("TSJ") and, if impeached requires the authorization of the National Assembly.

In this regard, Article 25 of the Internal and Debate Regulations of the National Assembly provide that after receiving the request for authorization by the TSJ to lift the immunity of a representative, a special commission is appointed to study the matter and report to the plenary within 30 days. The commission must respect the right of defense and due process of the representative in question. In no moment does this procedure contemplate an evasion of justice; if a parliamentary majority recognizes the need to continue the procedure against the official, it could lift it.

Hence, no representative could evade or avoid any act of justice. Moreover, there are cases such as those of house representatives Mazuco and Biagio Pilieri who were able to run as candidates in spite of having arrest warrants.

No doubt that all this should call us to reflect on the conflictive atmosphere that the Venezuelan government is generating before the elections and call on the international community to follow the process closely so they can contribute to develop conditions that will allow Venezuelans to have a truly democratic elections on December 6, 2015. This can help the Venezuelan people overcome the serious political, social and economic crisis in the country. Today more than ever it is justified and necessary to have an International observation both technical and impartial in these upcoming legislative elections.

All polls show that the opposition would win by a large margin on democratic free elections; nonetheless the Maduro regime is hard at work to ensure that the upcoming elections are anything but democratic. If the regime's disrupting the elections continues unrestrained, the situation in Venezuela will only deteriorate. To prevent a major crisis to our country and move forward as a democracy, we need firm and decisive international support for fair elections – and we need it now.

3) Recommendations

The US Congress can build alliances/partnerships with Latin American Congresses in order to support the respect of Human Right and principles of Democracy in Venezuela.

The US Congress can also work closely with Human Right NGOs such as International Amnesty and Human Right Watch to condemn violations of Human Rights and generate concerns on the different governments around the world.

The US Congress can work together with the executive branch in a campaign within the multilateral organizations such as United Nations and the Organization of American States, in order to require the compliance of Venezuela with all resolutions in favor of release of all political prisoners.

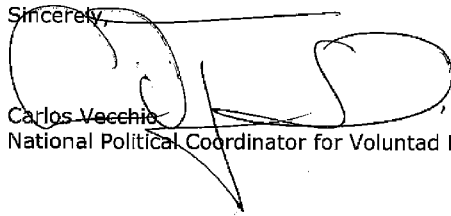
The US should promote with the Latin American Countries a discussion about lack of qualified electoral observers for the upcoming Congressional Election. A red flag should be raised and an urgent discussion must be conducted.

The US Congress should promote a special legislation in order to facilitate the political asylum or immigration process for Venezuelans.

The US Congress should follow the current investigation against top government officers involved on drug trafficking and money laundry. Venezuelans need to know who these officers are and the evidences that support these investigations should be publically released.

I would like to thank you all for your attention and consideration of these statements herein expressed.

Sincerely,



Carlos Vecchio
National Political Coordinator for Voluntad Popular