

POSITION PAPER: REPUBLIC OF CUBA

United Nations Human Rights Council

Agenda: Human Rights Implications of Mass Digital Surveillance During Civil Unrest

1. INTRODUCTION

Surveillance systems are no longer just tools to keep people safe. Governments now use them to control and punish their own people. Cuba brings this problem to the Council because it is a real issue affecting millions of people around the world today. This paper shows Cuba's commitment to protecting the basic rights of every citizen. We believe that digital rights are human rights.

2. THE GLOBAL CRISIS: A DOCUMENTED PATTERN

Since Myanmar's military coup in 2021, we have seen a clear example of surveillance being used as a weapon. The military government set up AI-powered facial recognition cameras in major cities, utilizing technology supplied by outside companies. The government has used it to find and arrest activists, journalists, and ordinary people who protested peacefully. Thousands of people have been arrested without good reason. These systems combine data from national databases, phone networks, and bank records to build a full digital profile of each person.

Myanmar is not the only example. Studies show that facial recognition technology treats people differently based on race. This leads to unfair arrests and makes existing inequality worse. Companies collect personal data without asking permission. Governments watch their citizens without answering to anyone. Because there are no clear international rules, authoritarian governments are free to misuse this technology.

3. CUBA'S COMMITMENT: CONSTITUTIONAL PROTECTION AND LEGAL ACTION

Cuba understood a long time ago that privacy and data protection are not extra benefits — they are rights. Our 2019 Constitution makes this clear:

- **Article 40** says human dignity is a basic value.
- **Article 48** protects personal and family privacy, including a person's image, voice, and identity.
- **Article 97** gives citizens the right to see their own data and to stop it from being shared.

Our Law 149 of 2022, on Personal Data Protection, took effect in February 2023. This law is thorough. It controls how the government and private companies collect, use, and store personal information. It sets real rules: data collection must be necessary, fair, clear, and accountable. For Cuba, controlling our own data is part of controlling our own country. We will not let our citizens' information be sold or traded in a global surveillance market.

4. THE CORE ISSUES

- **No International Rules Exist:** Surveillance technology is sold across the world with no human rights checks. A facial recognition system that is illegal in one country can be used freely in another.

- **Citizens Cannot Truly Say No:** Data is collected without people knowing about it, without their permission, and without any way to refuse. This goes against basic rights to freedom and dignity.
- **Technology Treats People Unfairly Based on Race:** Studies show these systems lead to Black citizens being arrested at higher rates than white citizens. Groups that already face discrimination are hurt even more by systems people wrongly assume are fair and neutral.
- **No One Is Held Responsible:** When surveillance is used to punish people for their political views, victims have nowhere to turn. There is no international system to hold governments or companies responsible.

5. CUBA'S PROPOSALS FOR INTERNATIONAL ACTION

Cuba asks this Council to create a system that protects people, not governments. We propose the following:

- **Binding International Rules on Surveillance Technology:** Countries must regulate facial recognition, biometric data collection, and mass surveillance before using them. Every surveillance system must go through a human rights review first. Selling this technology to high-risk governments must be banned.
- **Required Consent and Transparency:** Citizens have the right to know when their data is being collected and why. Governments must get clear permission before using surveillance that affects free speech, gathering, or association. People must be able to see, question, and delete the information held about them.
- **Independent International Oversight:** The UN should create a group to monitor surveillance practices and hold both governments and companies accountable. All surveillance must follow the International Covenant on Civil and Political Rights. Breaking these rules must have real consequences.
- **Control Over Data Crossing Borders:** National governments must keep control over their citizens' data. Selling surveillance technology to authoritarian governments must be limited. Data protection laws need real punishments for breaking them.

6. CONCLUSION: DIGITAL RIGHTS ARE HUMAN RIGHTS

We live at a moment when technology can either help set people free or trap them. Surveillance systems with no legal limits do not protect societies — they enable abuse of power. Cuba will not stay silent while vulnerable people are tracked down through databases and facial recognition cameras. This Council exists to protect human rights. We must act now to protect digital rights the same way we protect people from torture, unfair arrest, and discrimination. Cuba urges every country here to join us in demanding that surveillance serve people, not tyrants.

**Respectfully submitted,
Republic of Cuba Delegation**