

Transparencia
Electoral

DEMO
AMLAT



REPORT OF THE REFERENDUM OF THE CUBAN FAMILY CODE 2022

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Introduction

There are elections in which you vote but you do not choose. They are opaque, with authorities loyal to power, without alternatives to the ruling party, in which the independent media are criminalized and dissident citizens are disqualified from competing.

Just as democracies constantly work on their improvement, the same thing happens in autocracies. The authorities continue to innovate to take away from the population their ability to influence public affairs, to exercise their citizen agency.

The Cuban Constitution prohibits multiparty system and other forms of political association. The text establishes that Cuba is "a socialist State", with a single party, represented in the Communist Party of Cuba (PCC), which it calls "the organized vanguard of the Cuban nation (...) guides the common efforts in the construction of socialism and the advance towards the communist society (...)".

On September 25, the referendum on the Family Code was held. With an abstention of 26% of the electoral register and a rejection of the official proposal of 33% of the valid votes, it became the most disputed electoral process in history since the arrival of the revolution.

Transparencia Electoral and DemoAmlat monitored all phases, from the popular consultation held between February and April of this year, to the voting day itself, in which they supported a group of activists deployed in different locations to report on how the election was held.

The follow-up confirmed the lack of guarantees of the process held. In general, the Cuban electoral system is designed so that the Communist Party of Cuba (PCC) controls all levels (national, provincial, municipal), without check and balances, independent audits or national and/or international electoral observation.

The information was scarce, mainly disseminated by the state media and not by the National Electoral Council (CEN). On the website of the electoral body, it was not possible to access the definitive electoral register, the location of the voting centers or the data of the authorities at the national, provincial, municipal or district level.

Until the day of the election it was not known exactly how many people were eligible to vote, and once the number was announced, it was changed twice. The exact number of voting centers was also not reported in advance.

Although the Electoral Law establishes that people have the right to witness the count, this has not been respected in previous electoral processes. People who have been interested in doing so have been intimidated and threatened. Although in the referendum of the Family Code, activists reported greater openness on the part of the polling station authorities so that the vote count could be witnessed, it was by no means sufficient to gather a significant sample that would allow contrasting the announced results.

The government used all the resources of the State to promote the approval of a Family Code that it was not obliged to endorse, since having a monopoly on representation in the National Assembly of People's Power (ANPP), it could approve it as it did with the Penal Code, for example. However, by instrumentalizing this cause to gain legitimacy and fragment the opposition, not only did it subject the rights of minorities to a plebiscite, but it also made invisible the groups that were against the Code, who could not access the state media and who had very little independent media coverage.

The process in general was opaque, arbitrary, without technical solidity and the announced results are unverifiable.

Background

On September 25, the referendum on the Family Code was held in Cuba. It was the third referendum since the Castros came to power. In a closed, autocratic context, with a Magna Carta that outlaws multi-party system and establishes that Cuba is a country with a single party model (Communist Party), and that this "organizes and guides the common efforts in the construction of socialism and progress towards communist society", voters had very little left to choose.

The Constitution endorsed in 2019 established in its eleventh transitory provision that "according to the results of the Popular Consultation carried out, the National Assembly of People's Power will decide, within two years of the Constitution's validity, to initiate the popular consultation process and referendum on the project of the Family Code, in which the form of constituting the marriage must appear."

Although the deadlines were not respected, in December 2021 the ANPP approved version 24 of the Family Code Project, and between February and April 2022 a popular consultation was held that resulted in some proposals with the aim of being incorporated into the final project to be endorsed. As explained in the [ABC of the Popular Consultation of DemoAmlat](#), the electoral law makes it clear that the popular consultation is in no way binding, being rather an instance of controlled debate / discussion without real impact.

The experience of the popular consultation of the Family Code has made it clear that the CEN has not complied with the required principles. The [Report on the monitoring of the Popular Consultation of the Family Code in Cuba](#) documents how the principles of reliability, speed, publicity, authenticity and impartiality have been violated. Among the findings of the monitoring are: "38.5% of the reports indicate that (people) found out about the meeting only hours before it took place and 11.5% that they found out just when the meeting was about to start. On the other hand, the work of political proselytism by the municipal electoral authorities and the duos of jurists who influenced and persuaded the citizens to agree with what was related to the project. It was reported that up to 76% of the electoral officials present at the meetings were in favor of the approval of the Code."

After the popular consultation, in the legislative session of July 22, the ANPP approved the latest version of the Family Code and called the referendum for its approval on September 25. Election day took place between 7:00 a.m. and 6:00 p.m. (although in some localities it lasted until 7:00 p.m. as detailed below), and voters had to respond with a "Yes" or "No" to the question "**Do you agree with the Family Code?**"




REPÚBLICA DE CUBA
Consejo Electoral Nacional

REFERENDO DEL CÓDIGO DE LAS FAMILIAS
25 de septiembre de 2022

INSTRUCCIONES PARA VOTAR

1. Antes de votar lea detenidamente la pregunta que se somete a su consideración.
2. Si el elector desea votar afirmativamente sobre la cuestión que se somete a referendo, hace una equis(X) en el espacio en blanco al lado de la palabra "SI".
3. Si desea votar negativamente, hace igual señal en el espacio en blanco al lado de la palabra "NO".
4. La boleta en que no pueda determinarse la voluntad del elector se declara nula.

PREGUNTA

¿Está usted de acuerdo con el Código de las Familias?

SI ▶

NO ▶

Provincia: _____ Municipio: _____

× 1,024 Circunscripción: _____ No. Colegio: _____

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In the two constitutions promoted by the "Revolution", 1976's and the most recent of 2019, as well as in the one that preceded both (1940), the figure of the referendum was established. In article 80 of the current constitutional text, it is considered as one of the means of participation in the "formation, exercise and control of the power of the State", along with elections, plebiscites, popular consultations and the revocation of mandate.

While in democratic countries these mechanisms seek to empower citizens by providing them with tools to promote them from the bottom up (through the collection of signatures, for example), in Cuba the exercise is the other way around. According to article 108 of the Constitution, it is up to the National Assembly of People's Power "to order the call for referendums or plebiscites in the cases provided for in the Constitution and in others that the Assembly itself considers appropriate." It is clear that it is convened from the top down, with the aim of legitimizing not only the law to be consulted, but the government itself, which will use the participation data as a mitigating factor against internal and external criticism.

The previous experience took place on February 24, 2019, on the approval of the new Constitution. According to official data, almost 85% of voters casted their votes and approval obtained 90% of the votes. On the other hand, 9% voted against, and 2.53% blank votes and 1.62% null votes were registered.

The reader will think that a participation of 85% and a support for the project of 90% of the votes are something extraordinary, at least considering the regional experience, and although in a comparatively it is atypical, in Cuba it is the rule. In fact, it can even be understood that 2019 was a "bad result" for the government when compared to the referendum on the 1976 Constitution, approved according to official data by 97.7% of the votes and with a turnout of 98% of eligible voters.

That is why it was striking that in the 2019 referendum, 9% of voters rejected the new constitutional text, and almost 15% abstained, a figure that is high for a country where plurality and dissidence are punished. Even more so when it is not foreseen in the constitutional and legal regulatory framework that opponents to the referendum proposal of the new Constitution could spread out, as the proponents did, throughout the country to explain their reasons, and make propaganda against it.

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Elections 2017-2018

Prior to the 2019 constitutional referendum, general elections (nomination assemblies, municipal assemblies, provincial assemblies, and national assembly) were held between 2017 and 2018.

According to the Inter-American Commission on Human Rights (IACHR), the following were documented:

- Impediments to the full political participation of independent candidates
- Harassment, threats and reprisals
- Arbitrary arrests
- Home invasions and property confiscation
- Obstacles to meeting for political purposes
- Undue restrictions on leaving the country and deportations
- Stigmatization and loss of prestige
- Obstacles to holding training workshops on electoral issues, presenting citizen proposals for reforms to electoral legislation, campaigns in favor of holding a binding plebiscite

According to the organization, "such repressive tactics are part of a pattern employed directly by the State, or by persons under its authorization, support or acquiescence, to the detriment of any individual whose work is identified as a threat against the current system of government."

The actions documented by different local citizen organizations, as well as by international organizations and instances, revealed the violation of the following rights:

- Political rights (to elect and be elected)
- Right of Assembly and association
- Right to freedom of expression
- Right to the dissemination of thought
- Right to security and integrity
- Right to protection against arbitrary arrest
- Right to the inviolability of the home
- Right to movement and transit
- Right to minimum judicial guarantees

Among the most vulnerable groups were human rights defenders, social and political leaders, independent journalists, Afro-descendants, women and LGTBI people.

According to Freedom House, “The systematic crackdown on independent civil society groups continued throughout the year (2017), with a number of prominent activists facing prosecution or seeking asylum abroad...Authorities thwarted an unprecedented effort of 175 opposition candidates to run for office in the Cuban Municipal Assembly elections in November, and none of them ultimately appeared at the polls.”

International instruments and normative foundations that regulate electoral processes

Different international and regional instruments guarantee the right of people to participate in the political affairs of their countries. Article 21 of the Universal Declaration of Human Rights establishes that “everyone has the right to participate in the government of his country, directly or through freely chosen representatives”, while the International Covenant on Civil Rights and Politics states that all citizens will enjoy the right to “vote and be elected in periodic, authentic elections, held by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters.”

The Cuban Constitution also guarantees these rights, although in practice they are systematically violated:

Instrumento	Contenido
Universal Declaration of Human Rights of 1948 (SIGNED AND RATIFIED)	“The will of the people is the basis of the authority of public power; This will will be expressed through authentic elections that must be held periodically, by universal and equal suffrage and by secret ballot or other equivalent procedure that guarantees the freedom to vote.”
International Covenant on Civil and Political Rights of 1966 (SIGNED BUT NOT RATIFIED)	“All citizens shall enjoy, without any of the distinctions mentioned in article 2, and without undue restrictions, the following rights and opportunities: a) Participate in the conduct of public affairs, directly or through freely chosen representatives; b) Vote and be elected in regular, authentic elections held by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; c) Have access, under general conditions of equality, to the public functions of their country.”
Declaration of Principles for International Election Observation (2005)	“Genuine democratic elections cannot be achieved if a wide range of other types of human rights and fundamental freedoms cannot be exercised on a daily basis, without discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national origin, national or social status, property, birth or other conditions, including disability, and without arbitrary and unreasonable restrictions. Genuine democratic elections, like other human rights, and more generally democracy, cannot take place without the protection afforded by the rule of law. Those precepts are recognized in international human rights and other international instruments, as well as in the documents of numerous intergovernmental organizations.”
National Constitution of Cuba (Article 42)	“All people are equal before the law, receive the same protection and treatment from the authorities and enjoy the same rights, freedoms and opportunities, without any discrimination for reasons of sex, gender, sexual orientation, gender identity, age, origin ethnicity, skin color, religious belief, disability, national or territorial origin, or any other condition or personal circumstance that implies a distinction harmful to human dignity. They all have the right to enjoy the same public spaces and service establishments. Likewise, they receive equal pay for equal work, without any discrimination. Violation of the principle of equality is prohibited and is punishable by law”
National Constitution of Cuba (Article 54)	“The State recognizes, respects and guarantees people the freedom of thought, conscience and expression. Conscientious objection cannot be invoked for the purpose of evading compliance with the law or impeding another's rights.”
National Constitution of Cuba (Article 56)	“The rights of assembly, demonstration and association, for lawful and peaceful purposes, are recognized by the State provided that they are exercised with respect for public order and compliance with the provisions established by law.”

The rights enshrined in Chapter V of the Constitution come into clear conflict with other passages, such as article 4, which establishes that "*the socialist system endorsed by this Constitution is irrevocable.*"

On the right to diversity and freedom of association, article 5: "*The Communist Party of Cuba, unique, Martian, Fidelist, Marxist and Leninist, organized vanguard of the Cuban nation, based on its democratic character and permanent link with the people, it is the highest leading political force of society and of the State*". That is to say, that the same Constitution that "*recognizes, respects and guarantees people the freedom of thought, conscience and expression*" (article 54), establishes that *the "socialist system that endorses this Constitution is irrevocable."*

Electoral Bodies

National Electoral Council

The new constitutional text established for the first time since the "Revolution" came to power the creation of a permanent electoral body called the National Electoral Council (CEN), which extends to the provincial and municipal levels.

Regarding the formation of the CEN at the national level, the Constitution and the Electoral Law establish a directive made up of a president, a vice president and a secretary, in addition to 18 members, for a total of 21 members.

The new electoral law specifies in its articles 35 and 36, that the first three main positions of the CEN directive must be proposed by the President of the Republic and have the approval of the ANPP or the Council of State; while the members must be proposed by the president of the CEN and submit it to the approval of any of the two highest instances of the national public power mentioned above.

That means that their appointment and election must not only pass through these filters of the power of the Cuban State, but that it is up to them to elect them.

In August 2019, the new directorate of the national structure of the permanent electoral body was constituted. Alina Balseiro Gutiérrez, vice president Tomás Amarán Díaz and secretary María Esther Bacallao were appointed to its board of directors. All of them were at the head of the predecessor body such as the National Electoral Commission (CEN), an electoral structure that was constituted provisionally for the last General Elections 2017-2018, in which all the practices contrary to holding elections with Integrity occurred that were mentioned above.

Provincial electoral councils

According to article 42 of the Electoral Law, the provincial electoral councils are the highest electoral authority in their demarcation, structured with functional independence from any other local body. They report to the National Electoral Council. Its headquarters are located in the head municipality of each province, with the exception of the Provincial Electoral Council of Havana. It is made up of up to seventeen (17) members, of which up to three (3) are professionals.

The Council of State, at the proposal of the president of the National Electoral Council, elects the presidents of the provincial electoral councils through a free, equal, direct and secret vote; the rest of the members are designated by agreement of the National Electoral Council.

Municipal electoral councils

According to article 49 of the Electoral Law, the municipal electoral councils are the highest electoral authority of the municipality, structured with functional independence from any other body. They report to their Provincial Electoral Council. It is made up of up to seventeen (17)

members; Of these, up to two (2) are professionals in correspondence with the characteristics of the territory; Exceptionally, three (3) may be approved.

The president of the Municipal Electoral Council is elected by free, equal, direct and secret vote by the Municipal Assembly of People's Power; the rest of its members are appointed by the Provincial Electoral Council, before which they take office.

Special Electoral Commissions

According to article 54 of the Electoral Law, the Special Electoral Commissions are constituted at the proposal of the municipal electoral councils. These perform their functions in specific demarcations, have their headquarters in the premises enabled for this purpose and can be constituted at any time during the development of the process. They are made up of a president, a secretary and up to eight (8) members. Once approved, they are constituted and their members take office before a representative of the Municipal Electoral Council. The National Electoral Council approves the special electoral commissions that correspond to its level, which are constituted and their members take office before it.



Constituency Electoral Commissions

As established in article 57 of the Electoral Law, the municipal electoral councils, within the term agreed by the Council of State, appoint the members of the constituency electoral commissions and determine the date on which they meet in their own right. , are constituted and take possession of their positions before the designated member of the Municipal Electoral Council. The constituency electoral commissions exercise their functions in their respective territories, have their headquarters in the premises enabled for this purpose and

are made up of five (5) members, including a president, a secretary and three (3) members.

District Electoral Commissions

According to what is established in article 61 of the Electoral Law, the district electoral commissions are constituted for the election of deputies to the National Assembly of People's Power, they exercise their functions in the territory of their respective districts and have their headquarters in the local enabled for this purpose. Its integration corresponds to what is established for the municipal electoral councils.

Among other functions, they must observe that the provisions of this Law and by the electoral



authorities in their different instances are complied with during the electoral process; organize, direct and supervise the process of electing deputies to the National Assembly of People's Power in its demarcation; participate in the process of updating and verifying the List of Electors; carry out in the Electoral District the calculation of the votes in the elections of deputies to the National Assembly of People's Power, and report their results to the Municipal Electoral Council; and any other attributed to them by the corresponding National, Provincial and Municipal Electoral Council.

Polling stations and voting centers

The electoral colleges function as voting centers and are made up of the voters of their demarcation and the members of the Electoral College Board that directs it. The National Electoral Council determines in each election the maximum number of electors per polling station and in response to this, as many polling stations as necessary are created in an electoral constituency. The Municipal Electoral Council determines the number of schools in its demarcation and its location. On the day of the elections in the Electoral College, the table is constituted by a president, a secretary, a member and two alternates, appointed by the corresponding Electoral Commission of the corresponding District. Those appointed must be in full enjoyment of their civil and political rights, reside in the constituency and meet the other requirements provided by this Law.

The polling stations operate in previously selected locations; exceptionally, private homes are used, provided that they do not constitute the place of residence of any candidate, his or her relatives or related persons and meet the required privacy conditions. For the members of the polling stations to carry out their functions, the presence of three (3) of them is required; if this figure is not reached, the member or members who have attended designate, from among the voters present (Section IV of the III Chapter of the Electoral Law).

According to statements by the vice-president of the National Electoral Council, Tomás Amarán, people can vote at any voting center: "if the voter is not in his place of residence (...) he can vote where he is because polling stations are going to be created so that they can vote wherever they are." He later informs that they will be able to vote not only in special centers, but in any voting center.

Voter registration

The Electors list is the public document that contains the identity and electoral residence data of Cuban citizens with the right to active suffrage to be used in electoral processes, referendums and plebiscites.

Article 77.1 describes the principles on which the Electoral Registry is based: its public, permanent nature and its creation ex officio for all citizens with legal capacity to exercise their right to vote, delimiting that Cuban citizens with the right to vote cannot be excluded from the Electoral Registry or be included in more than one List of Electors.

Its conformation ex officio is expressed in the immediate registration by the registry of all citizens who meet the requirements established to exercise their right to vote (article 78.1). In other words, upon reaching the age of 16, the person's inclusion in the Electoral Registry is automatically updated based on the data contained in the Identity Registry about the person.

The Electoral Registry has the name and surnames, the identity number and the address of each voter.

Verification of the list of voters

Before each electoral process, the procedure for the publication, verification and processing of the List of Electors is established, defining the period in which the lists will be published in the places with the greatest access to the population, so that the voters verify their data. The lists are organized by constituency, Committee for the Defense of the Revolution (CDR) and address of residence.

According to the schedule of the Family Code Referendum, the Electoral Lists began to be delivered on August 10, so that the publication and verification take place between the 15th and the 30th.



#AHORA El vicepresidente del Consejo Electoral Nacional, Tomás Amarán Díaz, imparte una capacitación a los supervisores que participarán en el **#Referendo** que se desarrollará en **#Cuba** el venidero 25 de septiembre.

#CENCuba
#TuVotoCuenta



Other agents of the electoral process

Supervisors

According to article 266 of the Electoral Law, electoral supervisors are citizens of "recognized public opinion", who, without being electoral authorities, are invested with powers to inspect the electoral process. They are appointed by the national, provincial and municipal electoral councils, to which they answer for their management. They exercise their functions during the

convened process and have the authority and powers to:

- a) Attend the meetings of the electoral authorities of the level below the one that designated them;
- b) Examine their documents, minutes and information, as well as warn them of the decisions they consider inappropriate and of the breaches or deficiencies detected, communicating it to the Electoral Council they represent, for the appropriate purposes;
- c) witness the activities carried out in the polling stations and examine their documents.

Collaborators

The collaborators are citizens selected for their “outstanding student or work experience”, who, without being electoral authorities, assist them and the supervisors in complying with what is regulated in this Law, they are selected by the national, provincial electoral councils and municipal, to which they inform of their management; carry out their activities during the convened process.

The number of collaborators corresponds to the complexity of the territory and the total number of commissions and electoral colleges.

Territorial organization



- | | |
|--|---|
| 1. Pinar del Río (11 municipios). | 9. Ciego de Ávila (10 municipios). |
| 2. Artemisa (11 municipios). | 10. Camagüey (13 municipios). |
| 3. La Habana (previamente <i>Ciudad de La Habana</i> ; 16 municipios). | 11. Las Tunas (8 municipios). |
| 4. Mayabeque (11 municipios). | 12. Granma (13 municipios). |
| 5. Matanzas (13 municipios). | 13. Holguín (14 municipios). |
| 6. Cienfuegos (8 municipios). | 14. Santiago de Cuba (9 municipios). |
| 7. Villa Clara (13 municipios). | 15. Guantánamo (10 municipios). |
| 8. Sancti Spiritus (8 municipios). | 16. Municipio Especial Isla de la Juventud (1 municipio). |

Information acces

According to article 19 of the Universal Declaration of Human Rights (signed and ratified by Cuba): “every individual has the right to freedom of opinion and expression; this right includes the right not to be bothered because of his opinions, to investigate and receive information and opinions, and to disseminate them without limitation of borders, by any means of expression”.

The Constitution of Cuba in its article 53 establishes that "all persons have the right to request and receive truthful, objective and timely information from the State, and to access that generated by State bodies and entities, in accordance with established regulations.”

However, citizens do not have basic information about the electoral process. The website of the National Electoral Council (CEN) is limited to reproducing what is established in the Constitution and the Electoral Law with respect to the functions of the electoral bodies, but it does not offer data on the organization chart, the composition of the directive, members, or contacts of the following entities:

- National Electoral Council (only an email and a form on the web)
- Provincial Electoral Councils
- Municipal Electoral Councils
- Special Electoral Commissions
- District Electoral Commissions
- District Electoral Commissions
- Voting centers and polling station

Of all the electoral bodies, the only one that has contact information on the web is the National Electoral Council. In other words, citizens do not have the resources or means to contact the

authorities and members of the electoral bodies at different levels, or to know their composition, operation, responsibilities, among others.

Information available on the web of the National Electoral Council		
	YES	NO
Information on the composition of the board		✗
Composition and contacts of the regional directorates		✗
Information on the budget and execution of expenses		✗
Specific referendum site		✗
Election schedule	✓	
Voting centers and tables enabled		✗
Registro of polling stations authorities		✗
Vote abroad		✗
Election spending		✗
Relevant Laws		✗
Statistics (electoral results, percentages of participation, open data)		✗
Consultation of electoral data (register)		✗
Procedures related to the change of address		✗
Citizen complaints web		✗

Contáctenos

Contáctenos vía correo para cualquier inquietud o solicitud, será un placer atenderlo.

No audit or accountability

The word “audit” appears only once in the Electoral Law (article 28) and refers to the National Electoral Council's supervision of “subordinate structures”. In other words, it has

to do with the verticality of the organization chart, but in no way with the participation of civil society to monitor the functioning of these instances at any of its three levels (national, provincial and municipal).

Fewer still is "accountability" or any other synonym. There are no mechanisms for citizens to demand from the electoral authorities and officials any report on their work, or for them to audit or at least obtain information on the appointment of the members of the National Electoral Council, the provincial or municipal electoral councils, or the commissions special electoral, constituency or district elections.

Although article 5 of the Electoral Law guarantees the right to “witness the counts in the electoral colleges”, according to the experience of independent citizens, this depends on the will of the authorities of each voting center. That same article establishes that citizens can make “claims that proceed legally”: Article 28 states that the electoral councils must “g) process and respond to queries or claims that arise in electoral matters in the manner provided by this Law”.

Title XIV of the Electoral Law deals with matters relating to claims, both for elections and for electoral registration. According to article 272, "the provisions of the electoral councils that affect the electoral rights of citizens are claimed before the body that issued them," and they are presented "in writing before the electoral council itself that issued the provision, in which express: a) names, surnames and address of the claimant; b) the resolution or agreement against which it is claimed; and c) the facts and grounds on which the claim is based."

In terms of electoral registration, the National Electoral Council must respond “to the claims of voters that are presented to the electoral authority and transferred to the management units of the Electoral Registry” (article 84).

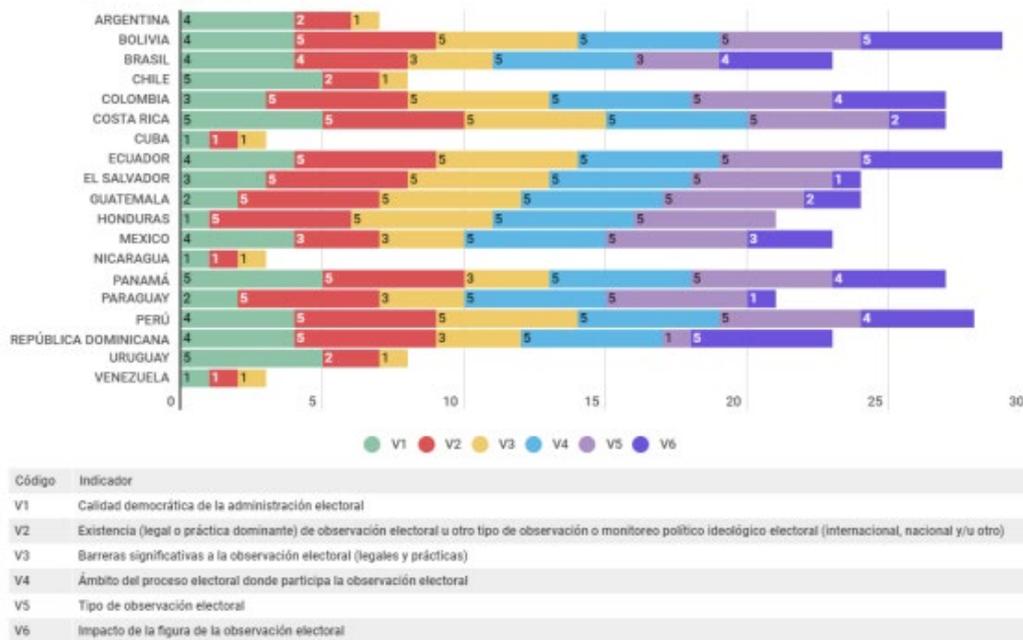
Regarding the electoral act, the president of each electoral college has the power, according to article 68, to "process the claims that are made and report to the members of the Electoral College Board for their decision." These claims must be documented in the polling station's electoral record, which according to article 115 is "a brief exposition of the electoral process in which it specifically records the claims presented and the decisions adopted in each case, as well as any other incident of importance that has arisen during it”.

Background to citizen monitoring exercises

In Cuba, the figure of electoral observation is not foreseen, nor any modality of monitoring, oversight or electoral accompaniment, which places the Island in the last place of the Index of the situation of the electoral observation of Latin America of Electoral Transparency, along with Nicaragua and Venezuela.

We must specify that "the exercise of electoral observation presupposes an ideal of elections that is in accordance with what is established, first of all, by international instruments and, secondly, by national legislation, subsidiaries of those, and that is in accordance with the principles of transparency, integrity, plurality, alternation and respect for human rights, and within these political and civil rights." (Autocracy, democratization and sociopolitical changes: notes for the debate)

Puntaje desagregado por indicador



Therefore, the will of the actors (electoral bodies, parties, civil society organizations, the electorate) is needed for conditions of electoral integrity and competitiveness to exist, which does not occur in Cuba, where political organizations that seek to confront the Communist Party of Cuba, nor is there freedom of association that allows the registration and free operation of independent civil society organizations. Much less is there a commitment to competition and alternation, and proof of this is that the same party has been in power for six decades, under the leadership of only 3 people (Fidel Castro, Raúl Castro and Miguel Díaz Canel).

However, although electoral observation has not been carried out, citizen groups have been organized to collect information on the development of the electoral processes, and have even published reports on the matter.

In the 2017-2018 electoral process, different organizations were formed, including Citizen Observers of Electoral Processes (COPE), or the Network of Electoral Facilitators (REDFE), whose reports can be found in the book "This is how you vote in Cuba."

On that occasion, COPE denounced that the actions to prevent opposition candidates from running "range from expulsion from the workplace to accusing them of common crimes and keeping them under investigation (...) This places them in legal limbo and invalid to stand for election."

Among the main incidents against opposition candidates documented during the process of the nomination assemblies and the elections of municipal delegates, they highlighted:

- Political violence expressed in criminal cases, threats, regulations for leaving the country.
- Confiscation of the Electoral Law itself.
- Impeding, by different means, the participation of independent candidates on the day scheduled for holding the assemblies, including their being able to leave their homes.
- Sudden anticipation of the Nomination Assemblies, upon learning of the temporary absence of some of the independent candidates.
- Harassment and intimidation within the work or study centers, which was extended to their families.

Regarding the limitations that citizens suffer to monitor the electoral process, the 2017 COPE report points out different restrictions. From the impediment to enter the voting precincts, to the detention of observers by the police and interrogations by State Security.

During the popular consultation of the Family Code held between February and April 2022, the team of Electoral Rights Observers (ODE), supported by Electoral Transparency and DemoAmlat, documented what happened in dozens of meetings in various locations on the island. .

Family Code Referendum Schedule

July 23 th to 30 th	Appointment and inauguration of the electoral authorities that participate in the Referendum process
July 28 th	Press conference on the organization of the Referendum
August 1 to 15 th	First training of electoral authorities
August 15 th to 30 th	Voter List Verification Process
September 1 to 24 th	Second training for voting day
September 11 th	Dynamic test abroad
September 18 th	Dynamic test in Cuba
September 18 th	Voting day abroad
September 25th	Voting day in Cuba
September 30 th	Result of the final report on the result of the referendum and information to the nation



Elecciones en Cuba
@Elecciones_Cuba

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De cara al Referendo legislativo que se celebrará el próximo 25 de septiembre en toda [#Cuba](#), del 15 al 30 de agosto se realizará la publicación, verificación y procesamiento de las Lista de Electores.

[#CENCuba](#)
[#TuVotoCuenta](#)



9:06 a. m. · 16 ago. 2022 · Twitter Web App

Election campaign

According to article 85 of the Electoral Law, the Cuban electoral system “by its nature and essence (...) excludes all types of individual electoral propaganda and any other action aimed at inclining the decision of the voters in favor or against any candidate. ”.

However, the actions promoted by the government, from the president to the ministers, the National Assembly of People's Power, the National Electoral Council and the mass organizations, violated this provision.

Miguel Díaz Canel referred to the Law of the Family Code as the "code of affections", "code of peace" or "code of love", and even in different speeches and on his Twitter account he invited to vote for the I approve with the hashtag #VotemosSí.



Among other high-ranking officials who campaigned for approval in contravention of the Electoral Law: The president of the National Electoral Council, Alina Balseiro; Foreign Minister Bruno Rodríguez; the governor of Havana, Reinaldo García; the Minister of Justice, Oscar Silvera, among others.

The institutional twitter accounts of the National Electoral Council, the National Assembly of People's Power, the Foreign Ministry, the Statistics Office or the Prosecutor's Office were also used to promote messages aimed at influencing the opinion of voters.

ONEI Artemisa @oneiartemisa
Por un #CodigoDeLasFamilias más inclusivo y por el reconocimiento del amor y los afectos que entraña #YoVotoSí #VotemosSí @GladysArtemisa @RicardoArtemisa @DiarioArtemisa



an@lacampaña y 6 más
9:34 a. m. · 18 ago. 2022 · Twitter Web App

Asamblea Nacional Cuba @AsambleaCuba · 15 ago.
Organización gubernamental de Cuba
Llamamiento de la @CubaCentral y sus sindicatos nacionales a respaldar el Sí en el Referendo al #CodigoDeLasFamilias
¡Decir Sí al Código es dar otro Sí por #Cuba! 🇨🇺
#VotemosSí @UlisesGuilarte @PieterTerry @DrRobertoMOjeda



trabajadores.cu
Llamamiento de la CTC: ¡Decir Sí al Código es dar otro Sí por Cuba! • ...
Para llegar a esta nueva Ley ha sido trascendental la participación de los trabajadores cubanos y su movimiento sindical

Cancillería de Cuba @CubaMINREX · 15 ago.
Organización gubernamental de Cuba
El nuevo #CodigoDeLasFamilias es inclusivo, esperanzador, de amplia visión humanista.
#VotemosSí para que pueda instituirse finalmente como el Código de las Familias cubanas 🇨🇺.



Elecciones en Cuba retwiteó
Oscar Silvera Martínez @OscarCubaMinjus · 22 jul.
#Hoy es un día histórico: la @AsambleaCuba aprobó el #CodigoDeLasFamilias!!!! Es el resultado de mucho trabajo y, en especial, del aporte de nuestro pueblo. Ahora en referendo votemos Sí por un Código inclusivo y protector. #SomosCuba #CubaEsAmor @CubaMinjus



18 149 212

Presidencia Cuba retweeted
 Miguel Díaz-Canel Bermúdez @DiazCanelB · 24 sept.
 Representante gubernamental de Cuba
 Vamos a votar con el corazón, por #Cuba y por cada familia necesitada de ese Código.

¡El domingo, #CódigoSí!



On September 21, 4 days before election day, television broadcast a program in which President Miguel Díaz Canel defended the Family Code project and called on citizens to approve it in the referendum. According to the announcement, "Cubavisión, Cubavisión Internacional, Canal Caribe, Radio Rebelde, Radio Habana Cuba and the channels of the Presidency and the country's public media on YouTube and Facebook" simultaneously broadcast the special program.

In addition, other activities were promoted in support of the approval. The official media reported the caravan "#YoDigoYes" organized by the Union of Young Communists on

Saturday, September 17. A concert "in support of the Family Code" was also held on Friday, September 23, two days before the election.

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During the last three weeks of the campaign, the government made an effort to link the approval of the Family Code with support for the socialist regime. Through messages on different platforms and official channels, high-ranking officials and actors with media impact from the ruling party reinforced the narrative that the triumph of the "yes" was the triumph of the "revolution."

In fact, after the approval of the law, the director of the National Center for Sex Education (CENESEX), Mariela Castro, published a message on her social networks from which we reproduce an excerpt: "Our people are the main protagonist of this victory and with him the revolutionary vanguard of the Communist Party of Cuba. The will of the Cuban people to defend our political system and socialist democracy is ratified."

Those groups that promoted abstention or rejection were made invisible both by the official media and by a large part of the independent digital media.

It is a group of diverse composition, although an attempt was made to simplify this phenomenon by calling them fundamentalists, conservatives or anti-rights.

Part of this group was represented by the Catholic and Evangelical Church, which out of conviction called for a no vote. But it was also possible to identify historical human rights defenders committed to minorities, who called for abstention because they considered that the Cuban government used the Family Code to obtain electoral revenue, although they agreed with the content of the Project.

Obispos cubanos se pronuncian contra varios aspectos del Código de las familias



Danielito Tri
@DanielitoTriana

Respeto a quienes no quieren participar en un proceso legislativo impulsado por la Dictadura. Entiendo que hay mucho dolor y mucha sed de justicia. Lo comparto. Participar y votar NO no ayudará a democratizar Cuba. Yo misma creo que no votaré, pero aún así digo Sí al Código.

2:03 a. m. · 23 jul. 2022 · Twitter for Android

14 Retweets 8 Tweets citados 153 Me gusta

These groups argued that the Cuban government did not need a referendum to approve the Family Code, since other laws that restrict human rights, such as the Penal Code, have not been consulted.

Another argument is that people's rights cannot be submitted to the will of a circumstantial majority (the “rights are not plebiscite” campaign).

Digital conversation monitoring

According to the 2019 Report of the Brookings Institution, in the digital space, authoritarianism is nothing more than the use of digitized information by closed regimes to monitor, repress, and manipulate both their citizens and the foreign population that consume content with respect to the context country in question.

ProBox* analyzed the sociopolitical conversation of the trends positioned on Twitter in Cuba during two periods: between August 1 and 20 and between September 21 and 26, identifying two main subcategories within the tags positioned as a trend on Twitter in Cuba :

- **Governmental:** tendencies promoted directly by Díaz-Canel, government entities, public officials, the PCC, user troops and groups sympathetic to the regime such as “De Zurda Team”.
- **Cuban Protest:** tendencies positioned by civil society, mainly protesting against the regime.

Between August 1 and 20, trends on different topics were positioned. Those promoted by the government had to do with issues such as the embargo, the changes in the foreign exchange market, the tribute to Fidel Castro, the Matanza fires and the campaign in favor of the approval of the Family Code. For their part, those positioned from civil society were related to the protests, electricity cuts, food shortages and the mismanagement of the Matanzas fires.

Tendencias	Subcategoría
#CubaPaLaCalle	Protesta Cuba
#SOSCuba	Protesta Cuba
#CodigoSí	Gubernamentales
#SOSMatanzas	Protesta Cuba
#AbajoLaDictadura	Protesta Cuba
#CubaEsUnEstadoFallido	Protesta Cuba
#FidelPorSiempre	Gubernamentales
#CodigoDeLasFamilias	Gubernamentales
#YoVotoSí	Gubernamentales
#DigoSí	Gubernamentales

International authoritarian cooperation: The support of the Cuban government was identified in the positioning of the trends of the Ministry of Popular Power for Communication and Information (MIPPCI) of Venezuela, and the cooperation of the Nicaraguan government to position in the country the government labels of

Cuba.

Between August 1 and 20, at least 57 trends were positioned on Twitter in Cuba with approximately 5,553,529 tweets and an average inorganicity of 34.82%:

- The Cuban government positioned the majority of these labels (39), which represent 68.42% of the total trends. These accumulate approximately 1,459,930 tweets (26.29%).
- 4 of the trends promoted by the Cuban government were trends at the same time in Venezuela and Nicaragua.
- 9 Cuban trends were a trend at the same time in Venezuela.
- 5 Cuban trends were a trend at the same time in Nicaragua.
- On average, at least 25.34% of the messages coming from the regime's tendencies were carried out in a coordinated and inauthentic way.

Civil society: Cuban civil society positioned 10 labels (17.54% of registered trends). Together they group around 149,768 tweets, 2.70% of the messages registered between August 1 and 20.

- On average, at least 74.38% of the messages of the citizen protest were made by real users.

Government Trends vs. Civil Society

- If only the labels from Cuban actors (government and protest) were taken into account: 79.59% of the labels and 90.70% of the tweets respond to the government.
- 7 labels between August 1 and 20 came from the Ministry of Popular Power for Communication and Information (MIPPCI) of Venezuela, representing 12.28% of the registered trends. They add up to approximately 3,793,831 tweets, that is, 68.31% of the messages in the total conversation.

Tendencias	Subcategoría
#SiPorCuba	Régimen Cuba
#Nuevitas	Protesta Cuba
#DefendiendoCuba	Régimen Cuba
#códigosí	Régimen Cuba
#CodigoDeLasFamilias	Régimen Cuba
#YoVotoSí	Régimen Cuba
#CubaEstadoFallido	Protesta Cuba
#PorLaFamiliaYo	Régimen Cuba
#VotemosSí	Régimen Cuba
#CodigoDeLaFamilia	Régimen Cuba
#YoVotoXEIAmor	Régimen Cuba
#YoDigoSí	Régimen Cuba
#TuVotoCuenta	Régimen Cuba
#VotemosSí	Régimen Cuba
#CodigoDeLasFamilas	Régimen Cuba
#TuVotoCuenta	Régimen Cuba
#YoVotéSí	Régimen Cuba
#ElAmorYaEsLey	Régimen Cuba
#YoVotéSí	Régimen Cuba
#CubaViveyVence	Régimen Cuba
#CubaDijoSí	Régimen Cuba

Between September 21 and 26, at least 82 trends were positioned on Twitter in Cuba with approximately 10,674,181 tweets and an average inorganicity of 31.93%:

- The Cuban regime positioned the majority of these labels (68), which represent 82.93% of the total trends.
- 3 of the trends of the Cuban regime were trends at the same time in Venezuela.
- On average, at least 22.59% of the messages coming from the Cuban government tendencies were carried out in a coordinated and inauthentic way.
- Cuban civil society positioned 2 labels, which represent 2.44% of the registered trends. Between both trends, they group around 20,198 tweets, 0.19% of the messages registered between August 21 and September 26.

- On average, at least 76.49% of the messages of the citizen protest were made by real users.

***The “monitoring of the digital conversation” section of this report is a collaboration of the ProBox Digital Observatory, a Latin American organization that has been dedicated since 2019 to the monitoring and analysis of the sociopolitical conversation on Twitter, specifically in Venezuela, Cuba and Nicaragua, with the purpose of detecting the operations of influence and disinformation of authoritarian regimes in online spaces, making visible the digital citizen protest to counteract these manipulated narratives.**

Dynamic test and vote of officials abroad

It is estimated that at least 2 million people born in Cuba have left the island. According to data from the United States Census Bureau, almost 1.5 million Cubans resided in that country in 2019. To this number we must add the almost 250 thousand Cuban men and women who entered through the southern border between September 2021 and September 2022.

The new Electoral Law established the requirement of “effective residence” for a period of not less than two years before the election as a condition to exercise the vote. This is fulfilled in two ways: a) with the physical presence of the citizen in the national territory, or b) with acts that demonstrate the will of the person to remain in the national territory as his permanent domicile, even if he is not in Cuba.

Therefore, the only ones who do not lose their right to participate in political affairs are “the families of collaborators and staff who are abroad for official reasons.”



The “dynamic test” of the vote by government officials abroad was scheduled for September 11, a kind of drill to test electoral logistics.

According to different official media, 123 constituencies were constituted abroad in which the dynamic test was carried out. No details or precisions of how this exercise was carried out were disclosed, but on the afternoon of that day, Foreign Minister Bruno Rodríguez reported through his Twitter account that he had concluded “successfully.”

Finally, on September 18, while the dynamic test was being carried out on the Island, the vote of officials abroad was held.

According to CubaDebate, 1,003 schools were opened in 123 constituencies around the world in which more than 22,000 “Cuban citizens who were abroad for official reasons” voted. Foreign Minister Bruno Rodríguez gave an account of how the process was taking place while promoting the hashtag #CodigoSí, like all government officials, violating the electoral law by seeking to influence the citizenry's vote.

No information was provided on what the electoral roll was by constituency, how the polling station authorities were selected, who trained them and what material was used,

how the count was carried out, and what the results were in the 123 constituencies. According to CubaDebate, “the Special Electoral Commission of the Minrex, the entity in charge of

organizing, directing and supervising the development of the referendum of the Family Code abroad, transferred - in accordance with current legal regulations - the results of the voting process to the National Electoral Council.”

On September 26, one day after the referendum in Cuba, the results were announced in which the votes abroad were added to the votes cast on the Island, without any type of discrimination. At the press conference held on October 4 by Alina Balseiro, president of the CEN, it was announced that 22,593 voters were eligible abroad but 24,433 voted, that is, a 108% turnout.

It was also evident that there was not a standar model of ballot box to deposit votes, but that it depended on each center.



Dynamic test of the vote in Cuba

7 days before the referendum, on September 18, the dynamic test was held in Cuba, in which, according to [CubaDebate](#), "the specialists checked the availability of material and human resources, as well as computer systems and data transmission."



According to [Granma](#), the dynamic test had two stages: "the first part from seven to nine in the morning for the open school, which made it possible to review the attendance of the authorities in the place and the conditions created. A practical vote counting test was then carried out to check the communication and transportation plan, as well as the preparation and training of the electoral authorities."

According to [Alina Balseiro](#), president of the CEN, the experience had "very satisfactory" results, although "it was not exempt from difficulties like any other dynamic test."

It was a week before the election that the number of voting centers was detailed. Balseiro clarified that there were problems with the lighting of some of the 24,860 schools available and that the absence of some authorities, messengers and problems with transportation were identified. She reported that of all the schools, 224 were special and 1,823 were located in private homes.

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No official part of the results of the dynamic test was offered, nor was information given on what materials were used to train electoral officials and collaborators, as well as what the selection criteria were. General data was only offered through a press conference and some notes in official media.

Election day

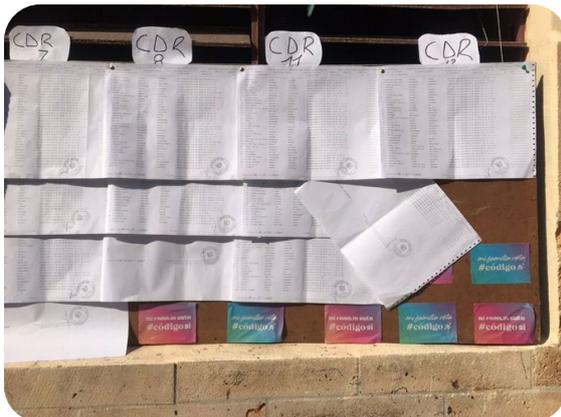


On September 25, 24,480 schools were enabled so that voters could approve or reject the Family Code.

It was not until that day that the electoral register was reported through the second part of the CEN via Twitter. By 9:00 a.m. in Cuba, it was made clear that 8,425,147 voters were qualified, of whom 16.31%

(1,400,065) had already cast their vote. The number of registered voters in Cuba would change twice, in the delivery of preliminary results (September 26) and in the final results (October 4), increasing by more than 30 thousand (8,457,978).

According to the CEN, by 11:00 a.m. 3,267,799 people had voted (37.03% of the roll), by 2:00 p.m. 4,961,775 people (54.82% of the roll) and by 5:00 p.m. 5,806,078 voters (68.9% of the register).



Although the tables were supposed to close at 6:00 p.m., activists reported that in some localities the centers were still open. At 6:28 p.m. in Cuba, the CEN announced through Twitter that the event would last until 7:00 p.m. in part of the country. However, as an example of the lack of coordination of the CEN, it was reported that some localities in which the centers were supposed to remain open until 7:00 p.m., the authorities had closed them.

In general, during the entire election day, posters in favor of the approval of the Family Code were documented in the voting centers and their surroundings.



Regarding the count, according to the people who monitored the day, there was a greater openness on the part of the electoral authorities so that citizens could witness it. Although it is a right enshrined in article 5 of the electoral law that citizens can "witness the counts in the electoral colleges", the

reality is that in previous electoral processes people who were not linked to the Communist Party were prevented from doing so.

Anuncio de resultados

On the morning of Monday, September 26, Alina Balseiro gave a press conference to report the preliminary results. One day after the referendum, the electoral register (basic part) went from 8,425,147 to 8,447,467 voters, that is, more than 22,000 new voters were added from one day to the next.

According to preliminary data:

- 74.01% of the voter registered (6,251,786) voted
- The valid votes were 5,892,705
- The votes for Yes reached 3,936,790 (66.87% of the valid votes)
- The votes for No were 1,950,090 (33.13% of the valid votes)

Elecciones en Cuba @Elecciones_Cuba · 26 sept. ...
Resultados Preliminares que incluyen Cuba y el exterior
Parte Básico: 8 447 467
Ejercieron el derecho al voto: 6 251 786
Porcentaje de votación: 74.01%
Boletas validas: 5 892 705
Votos por el Sí: 3 936 790 (66.87%)
Votos por el No: 1 950 090 (33.13%)



If the valid votes (Yes/No) announced by the CEN are added, we obtain 5,886,880 votes. However, in the same CEN statement it is reported that the number of valid votes was 5,892,705. That is, a discrepancy of 5,825 votes.

On Tuesday, October 4, nine days after the referendum, the final results were announced through [Granma](#).

Among other clarifications, the CEN reported that after the voting closed, the cases of

voters who voted in centers other than those registered were "verified" "because they were carrying out tasks related to production, services, teaching or other justified reasons that made it impossible for them to go to these". Although 224 special schools were created "located in air, railway and bus terminals; in hospitals, hotels, student residences and other places with a high agglomeration of voters", the electoral authorities had previously announced that voters could go to vote at any voting center, whether or not it was special.

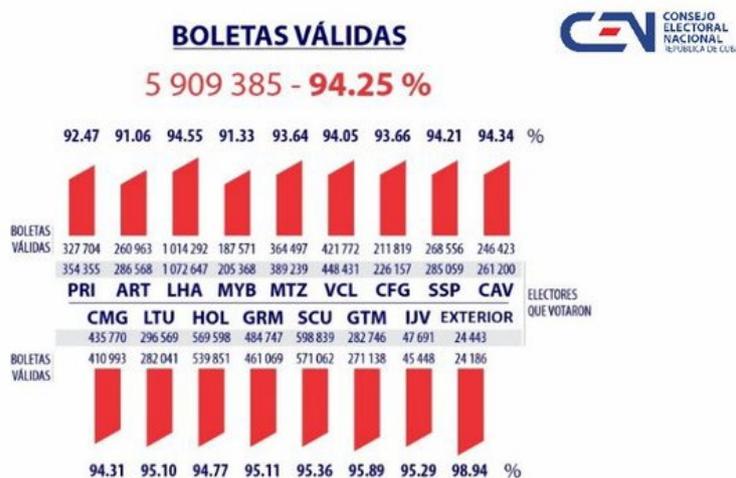
Beyond the fact that the CEN has reported that they "verified" the cases of voters who voted in centers other than those that were registered, it did not clarify what was the system used to make this crossing between the special and ordinary lists.

After these precisions, the CEN updated the number of eligible voters and the percentages of votes cast, valid, in favor of approval and rejection. Finally they were like this:

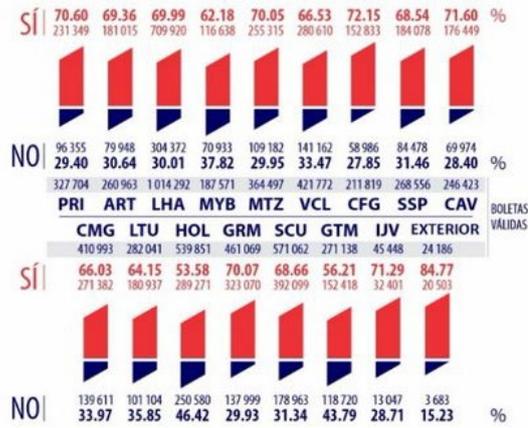
- Updated Register: 8,457,978 voters (almost 10,000 more voters than the last update and 30,000 more than the first announced register)
- Voted: 6,269,427 (74.12%)
- Blank votes: 3.22%
- Null votes: 2.51%
- Valid votes: 5,909,385 (94.25% of the votes cast)

- Votes for Yes: 3,950,288 (66.85%)
- Votes for No: 1,959,097 (33.15%)

The CEN offered the information by district, drawing attention to the fact that 22,593 voters abroad were authorized but 24,433 voted, that is, a participation of 108%.



VOTOS OBTENIDOS



Platform for expression of opinion of the diaspora

The screenshot shows the voting interface for the 'REFERENDO DEL CÓDIGO DE LAS FAMILIAS' held on September 25, 2022. It includes instructions for voters, a question in Spanish: '¿Está usted de acuerdo con el Código de las Familias?', and two options: 'SI' and 'NO', each with a corresponding empty box for a vote. A 'CERRAR EL VOTO' button is at the bottom.

The Cuban diaspora, estimated at least 2 million people, suffers from a double exclusion: they forcibly left their country due to the systematic violation of their rights, and once abroad they lost their right to vote.

As we said before, the only Cubans who are authorized to vote abroad are those who are part of diplomatic, medical and/or sports missions, as well as their families. This means that only those people who are linked to or depend on the government can vote outside its borders.

Faced with the deliberate exclusion of this group, Electoral Transparency and DemoAmlat, with the support of the company Evoting, designed an

electronic platform so that they could express their opinion on the Family Code through a symbolic vote on Sunday the 25th, during the same time that the referendum was held in Cuba.

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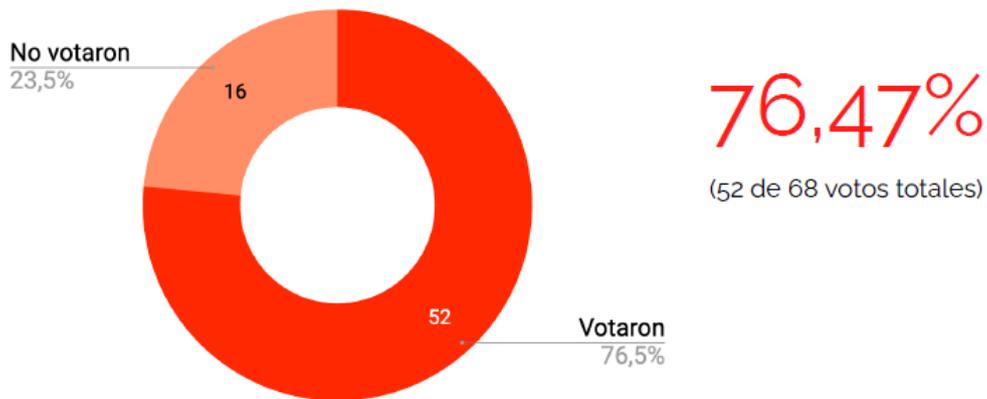
Entering the web, people registered and if they met all the requirements, they received a username and password to express their opinion. To participate, they had to be Cuban, over 16 years old, and complete the following fields:

- Full name
- Cuban passport number and photo (current or expired)
- Country and city of residence
- Email
- Telephone

The initiative sought to make visible the violations of the political rights of Cubans abroad, and provide an opportunity for them to become familiar with an exercise in citizen participation.

68 people registered on the platform and 52 voted from Germany, Argentina, Armenia, Bolivia, Chile, Colombia, Spain, United States, France, Holland, Italy, Mexico, Puerto Rico, Dominican Republic, Sweden, Uruguay. 57.69% expressed themselves in favor of the approval of the Code, while 42.3% rejected the law.

Porcentaje de participación respecto del total empadronado



Resultados

¿Está usted de acuerdo con el Código de las Familias?						
Opción	[Original]	[A↑]	[A↓]	Votos		% (Emitidos)
				[↑]	[↓]	
SI				30		57.69
NO				22		42.31
Blancos				0		0.00
Nulos				0		0.00
Total				52		100

Independent election monitoring

Transparencia Electoral and DemoAmlat provided technical support to the organization Electoral Rights Observers (ODE), which deployed 45 volunteers in Havana, Matanzas, Holguín and Granma to record the most important incidents on election day.

The activists who participated in the monitoring during the Election Day filled out a form. Among the most outstanding data are:

- 4% of the observed polling stations did not open at the indicated time (7:00 a.m.)
- In 31% of the polling stations observed, not all the authorities were present
- 72% of the polling stations observed were made up of people of different genders
- More than 75% of the polling stations authorities observed were over 40 years old
- In 47% of the polling stations observed, the voter registry was not visible
- 62% of the polling stations visited did not have facilities to guarantee accessibility for people with reduced mobility
- Assisted voting was practiced in 86% of the polling stations visited
- In 93% of the polling stations observed, posters were detected in favor of the approval of the Family Code and proselytizing in its adjacencies
- In 76% of the polling stations observed, people who were NOT registered in that voting center voted
- 30% of the observed polling stations closed after 6:00 p.m.
- In 15% of the polling stations, the count was not public
- In 60% of the polling stations, problems were reported in the organization and development of the count, and problems with the classification of votes

The group also highlighted the lack of information from voters about the voting centers in which they were registered, the proselytism in favor of the approval of the Family Code within the centers and their surroundings, the lack of accessibility in the centers for people with reduced mobility, the impediments to observe the opening and the counting of the votes and in general the low participation of the electorate.

Final comments

No electoral process held under the Cuban Constitution can be considered democratic, since it establishes a single-party regime represented by the Communist Party of Cuba (PCC), which it defines as “single, Martian, Fidelist, Marxist and Leninist, the organized vanguard of the Cuban nation, based on its democratic nature and permanent links with the people, is the highest leading political force of society and the State. It organizes and guides the common efforts in the construction of socialism and the advance towards the communist society”.

Democracy implies plurality, tolerance, alternation and the freedom for people with similar ideas to organize themselves into political parties and compete in elections in conditions of relative equality. This is the right that has been taken from the Cuban people for more than 60 years, and under current conditions, the results of any electoral process cannot be classified as democratic.

Regarding the referendum on the Family Code specifically, from its very origin it emerged as a government pinkwashing strategy by exploiting people's rights. Paradoxically, with a discourse of expanding rights, it submitted the rights of minorities to a circumstantial majority, when it could simply approve a minority law from a National Assembly of People's Power (ANPP) in which only the PCC has representation.

The text of the Family Code was drafted by a commission that did not arise from broad sectors of Cuba, but was appointed from power, without considering the activism that has spent decades fighting for their rights.

Subsequently, it was submitted to a "popular consultation" which, as established by the Electoral Law, is not binding. In other words, citizens are consulted about the project, but there are no guarantees that the opinions collected will be considered. In fact, this already happened in the consultation that took place in the run-up to the referendum on the Constitution (2019), in which a large percentage of participants proposed that direct voting be implemented for the election of the President of the Republic. In this way, it is clear that the opinions collected in the consultation processes are processed according to the interests of the PCC.

The ruling elite indiscriminately used all the resources of the State to campaign in favor of the approval, making invisible the groups that were against it, and that according to the official results, it was not less (33% of the valid votes).

Independent civil society was not able to audit the electoral process in any of its phases, and national and/or international professional electoral observation is not contemplated.

The CEN even published official data with basic discrepancies in the preliminary report and publicly accepted that it received votes abroad from people who were not registered.

Given all the aforementioned irregularities, there is no way to contrast the results issued by the CEN.



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www.demoamlat.com