

Catherine Ashton
High Representative of the Union for
Foreign Affairs and Security Policy
Vice President of the European Commission

**AMNESTY
INTERNATIONAL**



European Institutions Office

Brussels, 13 April 2012

Our ref: B1171

Dear Baroness Ashton,

EU MUST RAISE CONCERN ABOUT POLITICAL DETENTIONS IN CUBA

The release of political prisoners in 2011 did not mark the beginning of any changes in Cuba's human rights policy. This spring, government critics had hoped the visit to Cuba by Pope Benedict XVI (28-30 March) might herald greater openness by the authorities. Instead, repression intensified against those expressing their views about the government. Several individuals were arrested, including Andrés Carrión Álvarez, who has been detained without charge since 28 March. On 2 April, 43 government critics, including José Daniel Ferrer García, a former prisoner of conscience, and his wife Belkis Cantillo Ramírez, were arrested. At the time of writing, José Daniel Ferrer García remains in custody without charge (see annex).

Our recent report, *Routine Repression: Political Short-Term Detentions and Harassment in Cuba* (available [here](#)), documents how freedom of expression in Cuba has deteriorated. The Cuban authorities continue to deny those seeking political change their right to express and share their ideas freely, without reprisal or retaliation. Local human rights organisations received reports of thousands of arbitrary and short-term detentions in 2011. Detainees face criminal charges if they do not pledge to cease their "counter-revolutionary" activities. Some had no access to their family or to a lawyer of their own choice. Beatings during detention have also been reported.

In view of the continued repression in Cuba, we have adopted four further prisoners of conscience. Brothers **Antonio Michel and Marcos Máiquel Lima Cruz**, as well as **Yasmín Conyedo Riverón** and her husband **Yusmani Rafael Álvarez Esmori**, have been detained since 2010 and 2012 respectively (see annex). We consider them to be prisoners of conscience, detained solely for peacefully exercising their right to freedom of expression. Although Yasmín Conyedo Riverón and Yusmani Rafael Álvarez Esmori were recently released on bail, they still face trial on trumped up charges and could be condemned to up to eight years' imprisonment.

In line with the EU Guidelines on Human Rights Defenders, the EU must urge Cuba to:

- Immediately and unconditionally release all those detained or imprisoned solely for the peaceful exercise of their rights to freedom of expression, association and assembly. End the practice of *incommunicado* or arbitrary detention, and ensure everyone is informed, at the time of detention, of the specific reasons for their arrest
- Cease harassment and intimidation of those who exercise their rights to freedom of expression, assembly and association, and grant legal status to their organisations
- Ratify without reservations the International Covenant on Civil and Political Rights, including its two optional protocols, and the International Covenant on Economic, Social and Cultural Rights
- Invite relevant UN special rapporteurs and rapporteurs from the Inter-American Commission on Human Rights (freedom of opinion and expression; independence of judges and lawyers; human rights defenders) and allow them unfettered access to all individuals and groups of civil society

We urge the EU to continue supporting individuals and organisations in exercising their rights to freedom of expression, association and assembly. In particular, we urge EU representatives to be present and monitor peaceful demonstrations, such as those organised by the Ladies in White.

We look forward to your response and stand ready to provide any further information you may require.

Yours sincerely,

Dr Nicolas J Beger
Director

Cc:

Tomas Dupla Del Moral, EEAS Head of North America and Caribbean Unit

John Caloghirou, EEAS Head of the Caribbean Division

Irene Horejs, Head of EU Delegation in Cuba

Javier Niño Pérez, Chargé d'Affaires EU Delegation in Cuba

Olof Skoog, Chairperson of the Political and Security Committee

Rafael Gelabert, Chairperson of the Council Working Group on Latin America

Annex – Further information

The Cuban Government wages a permanent campaign of harassment and short-term detentions of political opponents to stop them from demanding respect for civil and political rights. The government particularly targets members of the *Damas de Blanco* (Ladies in White), an organisation formed by a group of female relatives of the 75 prisoners of conscience imprisoned in March 2003 for their peaceful expression of critical opinions of the government. Two organisations monitoring human rights in Cuba reported hundreds of short-term detentions each month during 2011. Most of those detained in these circumstances may be prisoners of conscience even if they are released after a short period of detention, often only a few hours. Of those currently in detention, Amnesty International has recently adopted four prisoners of conscience who have been detained solely for the peaceful exercise of fundamental freedoms. The government has also conducted numerous arrests, mostly in the city of Santiago de Cuba, in connection with the visit of Pope Benedict XVI to Cuba (28-30 March 2012), seeking to crush the emerging peaceful dissident movement in region.

1) New prisoners of conscience adopted by Amnesty International

Brothers **Antonio Michel Lima Cruz and Marcos Máiqueel Lima Cruz** are both independent journalists, members of the Cuban Council of Human Rights Rapporteurs. They were arrested in December 2010 as they were holding a Christmas celebration and played songs by a Cuban hip-hop group whose lyrics criticise the lack of freedom of expression in Cuba. Shortly after midnight, police officers and officials from the Department of State Security arrived, accompanied by approximately 40 government supporters. The police entered by force and arrested the brothers. Later the same day, police returned and arrested their father and mother as well as several other friends who were at the family house at the time. The parents and friends of the brothers were detained for several days before being released without charge.

Following a summary trial in May 2011, the two brothers were sentenced to two and three years' imprisonment respectively for "insulting symbols of the homeland" and "public disorder." Antonio Michel Lima Cruz and Marcos Máiqueel Lima Cruz are both being held at La Ladrillera prison in Holguín Province. Antonio Michel Lima Cruz is suffering from prostate problems and is reportedly not receiving adequate medical treatment. He would be eligible for conditional release having served over half his sentence, but the authorities have refused to respond to petitions from his family and lawyer.

Lady in White **Yasmín Conyedo Riverón** and her husband, **Yusmani Rafael Álvarez Esmori** have been detained since 8 January on charges of using "violence or intimidation" against a state official. The charge carries a prison sentence of up to five years. They were apparently arrested to prevent Yasmín Conyedo Riverón from attending mass with members of the Ladies in White, a peaceful protest group of which she is a member, which campaigns for the release of political prisoners in Cuba.

The couple was released later the same day, and as they returned to their home, a neighbour who is a local official from the Cuban Communist Party (PCC) insulted and slapped Yasmín Conyedo Riverón. Yasmín Conyedo Riverón's aunt, who was at the house, retaliated by slapping the PCC official in the face. Two police officers then arrested Yasmín Conyedo Riverón and Yusmani Rafael Álvarez Esmori again despite Yasmín Conyedo Riverón's aunt informing local authorities twice that it had been she who had slapped the PCC official. Yasmín Conyedo Riverón has a six-year-old daughter.

On 5 April, Yasmín Conyedo Riverón and Yusmani Rafael Álvarez Esmori were released on bail after nearly three months in prison. No date has been set for their trial. If convicted, they could face up to eight years in prison. Amnesty International has called on the Cuban authorities to drop any charges against Yasmín Conyedo Riverón and Yusmani Rafael Álvarez Esmori relating to their peaceful exercise of their right to freedom of expression.

2) Arrests in connection with Pope Benedict XVI's visit

Andrés Carrión Álvarez was arrested in the city of Santiago de Cuba on 28 March where he was attending an open air mass celebrated by Pope Benedict XVI. Five minutes before the mass began in Antonio Maceo Square, he apparently shouted "freedom" (*libertad*) and "down with communism" (*abajo el comunismo*). He was removed by security personnel and was apparently arrested by officials from the Department of State Security. Local human rights organisations have been unable to confirm his whereabouts or whether he has been charged.

Cuban security forces detained 43 critics of the government in three locations in the eastern province of Santiago de Cuba, in the afternoon of 2 April. Most of the 43 are members of the Patriotic Union of Cuba (Union Patriótica de Cuba, UNPACU). Among them are UNPACU coordinator José Daniel Ferrer García, a former prisoner of conscience, and his wife Belkis Cantillo Ramírez, who is a member of the protest group Ladies in White. About 100 officials from the Department of State Security and police officers arrived at their house in Palmarito de Cauto at 2.00 pm. According to local sources, the officers reportedly entered by force and arrested Jose Daniel, Belkis and four others. The same occurred at the house of UNPACU member Raquel Vinajera Estive in Palma de Soriano, where he and about 15 others were arrested. Others were arrested in El Caney, close to the city of Santiago de Cuba. The ten women arrested are all members of the Ladies in White. While the other government critics arrested on 2 April have been released, José Daniel Ferrer García remains in custody without charge.

Since shortly before the Pope's arrival in Cuba on 28 March, the telephone connections of government critics appear to have been blocked by the authorities, making it difficult to identify where the detainees are being held. Some of them are known to be held at the 'Micro 9' police station in the city of Santiago de Cuba, but the whereabouts of the majority are still unknown. Amnesty International believes those detained may be prisoners of conscience. These detentions are a clear attempt by the authorities to crush the emerging peaceful dissident movement in Santiago de Cuba and neighbouring eastern provinces.