

Jan Kouhout,
Deputy Minister for Foreign Affairs, Czech Republic
Presidency of the European Union

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Dear Mr Kouhout,

EU-Cuba Ministerial Troika

The EU-Cuba Troika on 11 May 2009 will take place almost a year after the political dialogue which recommenced between the EU and Cuba, following the lifting of EU measures against Cuba in June 2008. It is important that this meeting sends a strong signal that the EU remains committed about putting human rights at the centre of this dialogue.

The human rights situation in Cuba is of great concern to Amnesty International, with a number of basic actions urgently needed, including:

- Lifting restrictions on freedom of expression, including reviewing laws which lead to criminal prosecutions of persons exercising their freedom of expression, assembly and association;
- Releasing 56 prisoners of conscience;
- Ratifying the ICCPR and ICESCR; and
- Reform the legal system to ensure compliance with international standards of human rights and international standards for fair trials;

On 5 February Cuba appeared before the Human Rights Council's Universal Periodic Review (UPR) during which Council members made a number of recommendations in relation to the human rights situation in the country. Of the 60 recommendations accepted by Cuba, AI particularly welcomed a number which, if implemented, could contribute to the improvement of the human rights situation in Cuba. These included co-operation with the human rights mechanisms of the United Nations; producing a study on the legislative and administrative adjustments needed for domestic implementation of human rights; human rights training for government, police and judicial officials; developing good practices regarding prisoner treatment, and maintaining efforts towards non-application of the death penalty.

However, Cuba also put down a reserve to further explore 17 recommendations ahead of the June meeting of the Human Rights Council, and rejected a number of recommendations which Amnesty International regards as crucial for the protection of civil and political rights in Cuba, such as:

- reforming laws which restrict fundamental freedoms;
- increasing freedom of expression and association;
- releasing prisoners of conscience and political prisoners; and
- protecting human rights defenders.

Amnesty International urges the EU Presidency to use the EU-Cuba ministerial troika to demonstrate the importance the EU places on the UPR process being effective, by calling the Cuban government to concretely follow up on its review in February 2009. The EU should press for immediate action for implementation of the recommendations that Cuba did accept, and for serious consideration of the outstanding recommendations. Peer review can only be effective if it does not shy away from critical issues.

Please do not hesitate to contact Amnesty International if you would like further information on any of these matters. We would very much appreciate feedback on the human rights content of the discussion at the ministerial troika.

Yours sincerely,



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Director
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Dáša van der Horst
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Cc: Javier Solana, High Representative for CFSP
Louis Michel, Commissioner for Development and ACP countries
Karel Schwarzenberg, Minister for Foreign Affairs, Czech Republic