

PUBLIC

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UA 115/09 Harassment

CUBA Edgard Lopez Moreno (m)

Edgard López Moreno, who was accepted as a refugee by the US government in February 2007, has been repeatedly denied an exit visa by the Cuban authorities. He has been on hunger strike in protest, since 14 April. His wife was accepted as a refugee at the same time as Edgard, and was given an exit visa in 2007; she now lives in the US, as do Edgard's brothers and other relatives.

Although he has fulfilled all the Cuban migration authorities' administrative requirements, Edgard has been arbitrarily denied his right to leave Cuba. He told Amnesty International that the last time he applied for a visa, in January 2009, the migration office where he applied told him that State Security was blocking the issuing of the visa.

Edgard López Moreno believes he is being treated like this because of his work as president of *Coalición Juvenil Martiana* (Marti's Youth Coalition), a pro-democracy organization he co-founded in 2005.

During the two years he has been trying to leave Cuba, Edgard López Moreno has been summoned to State Security offices several times. There he has been told he must stop his political activities and give up the presidency of the *Coalición Juvenil Martiana* if he ever wants to receive an exit visa.

On 18 and 19 April, state security officers posted near Edgard's house stopped all those who tried to visit him, and detained them. On 25 April two state security officers went to his house and told him that if he ended his hunger strike and kept quiet he would receive the exit visa by July, but if he continued with his protests he would never be allowed to leave Cuba. He ignored this warning, and on 27 April filed an appeal against the latest denial of his exit visa; dozens of other Cuban citizens signed his appeal in solidarity.

Edgard's wife, Rufina Velásquez González, was arrested in 2007 with her parents because they had marched the 950 km from Santiago de Cuba to Havana demanding respect for human rights. Rufina and her mother were later released but her father, an independent journalist, is serving a three-year prison sentence for an offence known in Cuba as "social dangerousness" for his participation in this peaceful march.

Denying an exit visa to Edgard López not only violates the universally recognized right to leave one's own country but also constitutes an unnecessary punitive measure for the peaceful exercise of his right to freedom of expression and association.

BACKGROUND INFORMATION

The Cuban government is using the denial of exit visas as a punitive measure against government critics and dissidents, who are regularly denied their right to leave Cuba. Anyone peacefully exercising the right to freedom of expression, association and assembly and challenging the government risks being deprived of the right to freedom of movement.

Cubans wishing to travel abroad must obtain an exit visa called a *tarjeta blanca* (white card). Although Raúl Castro announced in 2008 that his government would ease travel restrictions for its citizens, the situation has

not changed. Independent journalists, human rights defenders and political opponents have been denied their right to leave Cuba. In 2008, blogger Yoani Sánchez was barred from leaving Cuba to receive the 2008 Ortega y Gasset Prize for digital journalism. In 2005, representatives of a group formed by relatives and friends of the 75 people imprisoned in a March 2003 crackdown, the *Damas de Blanco* (Ladies in White), were not allowed to travel to receive the European Parliament's Sakharov Prize for Freedom of Thought. Oswaldo Payá Sardiñas, one of the leaders of the Varela Project, was awarded the Sakharov prize in 2002 and was not allowed to travel to Strasbourg to receive it.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- calling on the authorities to ensure that Edgard López Moreno can exercise his right to freedom of movement, including by issuing him with an exit visa and allowing him to leave Cuba according to his wishes;
- reminding the authorities that the right to freedom of movement is universally recognized under Article 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights to which Cuba is a signatory.
- expressing concern at the restrictions of freedom of movement that are being imposed on government dissidents and independent journalist and urging the authorities to end such restrictions.

APPEALS TO:

Head of State and Government

Raúl Castro Ruz

Presidente

La Habana, Cuba

**Fax: +53 7 8333085 (via Ministry of Foreign Affairs)
+1 2127791697 (via Cuban Mission to UN)**

Email: cuba@un.int (c/o Cuban Mission to UN)

Salutation: Su Excelencia/Your Excellency

Interior Minister

General Abelardo Coloma Ibarra

Ministro del Interior y Prisiones

Ministerio del Interior, Plaza de la Revolución, La Habana, Cuba

**Fax: +53 7 8333085 (via Ministry of Foreign Affairs)
+1 2127791697 (via Cuban Mission to UN)**

Salutation: Señor Ministro / Dear Minister

Head of Department of Migration and Foreign Services

Teniente Coronel Mario Augusto López Expósito

Jefe del Departamento de Migración, Dirección de Inmigración y Extranjería

3 y 22 Miramar, La Habana, Cuba

Salutation: Señor Teniente Coronel

COPIES TO:

Edgard López Moreno

401 No, 17 409 e/174 y 176

Rpto. Nueva Aurora, Stgo de las Vegas

Boyeros, C Habana, Cuba

and to diplomatic representatives of Cuba accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 June 2009.