

URGENT ACTION

DEFENDER SENTENCED AFTER CRITICIZING CASTRO

Cuban authorities sentenced human rights defender Eduardo Cardet to three years in prison after holding him in provisional prison in Holguín, south-east Cuba, since November 2016. He is a prisoner of conscience who must be released immediately and unconditionally.

Dr. Eduardo Cardet Concepción, leader of the Christian Liberation Movement (Movimiento Cristiano Liberación, MCL) since 2014 was sentenced to three years in prison on 20 March. He was arrested in Holguín on 30 November 2016, five days after the death of the former leader of Cuba, Fidel Castro. He has since been held in the provisional prison (*prisión provisional*) of Holguín and will remain there while he carries out the appeals.

Eduardo Cardet was charged with attacking an official of the state (*atentado*) after he publicly criticized Fidel Castro a few days after his death. Prior to his arrest, Eduardo Cardet had given interviews published in international media in which he had been critical of the Cuban government. In an interview with Madrid-based radio station *esRadio*, aired two days before his arrest, he described the mourning in Cuba following the death of Fidel Castro as imposed, and said: "Castro was a very controversial man, very much hated and rejected by our people". His lawyer has until 31 March to file an appeal.

Please write immediately in Spanish or your own language:

- Calling on the authorities to release Dr. Eduardo Cardet immediately and unconditionally, as he is a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression;
- Calling on them to guarantee the peaceful right to freedom of expression, assembly and association including for dissident, opponent or activist voices and to repeal all legislation which unduly limits these rights;
- Urging them to ensure that, pending his release, he is provided with any medical care he may require; that he is not tortured or otherwise ill-treated; and that he is granted regular access to family and lawyers of his choosing.

PLEASE SEND APPEALS BEFORE 8 MAY 2017 TO:

President of the Republic

Raúl Castro Ruz

Presidente de la República de Cuba

La Habana, Cuba

Fax: +41 22 758 9431 (Cuba Office in

Geneva); +1 212 779 1697 (via Cuban

Mission to UN)

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

to UN)

Salutation: Your Excellency

Attorney General

Dr. Darío Delgado Cura

Fiscal General de la República

Fiscalía General de la República

Amistad 552, e/Monte y Estrella

Centro Habana, La Habana, Cuba

Salutation: Dear Attorney General/

Señor Fiscal General

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 32/17. Further information:

www.amnesty.org/en/documents/amr25/5601/2017/en/

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ADDITIONAL INFORMATION

According to five witnesses who spoke to Amnesty International by telephone on the condition of anonymity, Eduardo Cardet was pushed off his bicycle and violently detained in the early evening of 30 November 2016 by at least four plain clothed and one uniformed police officer as he returned home after visiting his mother. It is not clear on what grounds Eduardo Cardet was initially detained. According to his wife, who witnessed her husband's detention with their two children, Eduardo Cardet is charged with attacking an official of the state (*atentado*). This offence is covered under Article 142.1 of the Criminal Code. One officer is alleging that Eduardo Cardet pushed him during his arrest. All witnesses who spoke with Amnesty International counter this allegation, and state that Eduardo Cardet was quickly and violently restrained by plain clothed officials, placed in handcuffs, and beaten, and had no opportunity for self-defence. The witnesses believe that Eduardo Cardet was arrested for his beliefs and ideas.

The Christian Liberation Movement (Movimiento Cristiano Liberación, MCL) is a prominent actor in the pro-democracy movement in Cuba. According to its website, it is a movement for peaceful and democratic change and respect for human dignity. It was founded in 1988 by Oswaldo Payá Sardiñas, who became a visible figure of the Cuban political opposition, and four other activists. Amnesty International has documented harassment and intimidation of members of the MCL for decades. In 1991, after Oswaldo Payá Sardiñas presented a petition calling for a national referendum relating to constitutional reform, he had his home destroyed by over 200 people, said to be members of a Rapid Response Brigade. After Oswaldo Payá announced his intention to put himself forward as a candidate for deputy to the National Assembly for the municipality of Cerro, Havana, members of his organization were reportedly subjected to frequent questioning and short-term detention.

The Cuban Commission for Human Rights and National Reconciliation, a Cuban-based human rights NGO not recognized by the state, documented a monthly average of 827 politically motivated detentions in 2016. In an interview published on 16 September 2016 by ABC International, Eduardo Cardet stated: "Political activities are passed off as criminal offences such as inciting public scandal, contempt of or offences against the authorities, and the political police use these classifications to lock up dissidents" (*Se disfraza la actividad política con hechos delictivos comunes, por ejemplo, escándalo público, desacato, atentado, figuras que utiliza la policía política para encarcelar a los disidentes*).

Cuba is closed to Amnesty International and nearly all independent international human rights monitors.

Name: Dr Eduardo Cardet Concepción

Gender m/f: m

Further information on UA: 32/17 Index: AMR 25/5979/2017 Issue Date: 27 March 2017