

URGENT ACTION

JOURNALIST THREATENED AND ATTACKED

Roberto de Jesús Guerra Pérez, director of the independent news agency Hablemos Press has been receiving threatening telephone calls and was assaulted on the streets of Havana, the capital. He believes these are attempts by the Cuban authorities to dissuade him from continuing his activities as a journalist.

Roberto de Jesús Guerra Pérez, founder and director of the independent news agency Hablemos Press (Let's Talk Press) has been repeatedly receiving threatening telephone calls since 6 June. Different male voices have called his mobile phone and the landline at his home, which also doubles as the office of Hablemos Press, and have threatened that Roberto will be killed.

Just after 11am on 11 June Roberto de Jesús Guerra Pérez was walking in the municipality of Plaza de la Revolución in central Havana on his way to use internet facilities at the Czech Embassy. He was attacked without warning by an unknown individual who started to punch and kick him, leaving him with a broken nose and bruises all over his body. As he was being beaten four men on two motorcycles which are typically used by the Cuban Department of State Security pulled up beside him. Roberto stated that one of the men said "ok, that's enough" (*ya, ya, no le des más*) before they drove off. Roberto recognized one of the four men as someone who had participated in repressing demonstrations by dissidents. Roberto and his wife filed a complaint against the attack at the police station in the Cerro municipality of Havana. Roberto was called back to the police station later that night where he identified his attacker from photographs he was shown.

At around 6pm on 17 June the same man who attacked Roberto shouted threats outside his house, including that he would kill Roberto and set fire to his house. Roberto's wife returned to the same police station to file another complaint but they refused to take it and told her that they had no grounds for complaint ("*la denuncia no procedía*").

Please write immediately in Spanish or your own language:

- Calling on the Cuban authorities to immediately investigate the assault on 11 June against Roberto de Jesús Guerra Pérez as well as telephone threats against him and to bring those found responsible to justice;
- Calling on the authorities to ensure that citizens who seek to peacefully exercise their right to freedom of expression, assembly and association are able to do so without harassment or intimidation

PLEASE SEND APPEALS BEFORE 1 AUGUST 2014 TO:

Head of State and Government

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 <mailto: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

And copies to:

Interior Minister

General Abelardo Colomé Ibarra
 Ministro del Interior y Prisiones
 Ministerio del Interior,
 Plaza de la Revolución,
 La Habana, Cuba

Fax: +1 212 779 1697 (via Cuban Mission to UN)

Email: correominint@mn.mn.co.cu

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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Roberto de Jesús Guerra Pérez has faced constant harassment from the authorities. He has been arrested on several occasions and threatened with prison sentences if he continues his activities as a journalist. On 6 April 2014 Roberto de Jesús Guerra was detained for six hours by police after he arrived at Havana airport following a trip abroad. Material he was carrying was confiscated, including documents from the Inter-American Commission on Human Rights in Washington where he had attended an audience on 25 March in relation to freedom of expression in Cuba. On 11 September 2012 Roberto de Jesús Guerra Pérez was forced into a car and reportedly beaten as he was driven to a police station. Before being released, he was told that he had become the “number one dissident journalist” and would be imprisoned if he continued his activities.

The news agency Hablemos Press (Let’s Talk Press) is an unofficial Cuban news agency founded in February 2009 by independent journalists and human rights activists, “for the purpose of gathering and disseminating news within the country and for the rest of the world” according to their website. Hablemos Press also produces monthly reports on the arbitrary detention of independent journalists, human rights defenders and political activists.

Restrictions on the Cuban media are stringent and pervasive and clearly stop those in the country from enjoying their right to freedom of opinion and expression, including freedom to seek, receive and impart information and ideas through any media and regardless of frontiers. The state maintains a total monopoly on television, radio, the press, internet service providers, and other electronic means of communication.

Article 53 of the Cuban Constitution recognizes freedom of the press but expressly prohibits private ownership of the mass media: “Citizens have freedom of speech and of the press in keeping with the objectives of socialist society. Material conditions for the exercise of that right are provided by the fact that the press, radio, television, cinema, and other mass media are state or social property and can never be private property. This assures their use at exclusive service of the working people and in the interests of society. The law regulates the exercise of those freedoms”.

Although there is no censorship law that explicitly regulates the functioning of the press or establishes what is published, journalists must join the Cuban Journalists Association (Unión de Periodistas Cubanos, UPEC) in order to practice journalism in the state-owned media. UPEC is self-governing; however, in its statutes it recognizes the Cuban Communist Party as “the highest leading force of society and of the state” and agrees to abide by Article 53 of the Constitution (see above). Compulsory membership of a professional association for the practice of journalism is an unlawful restriction on freedom of expression and a violation of the right to freedom of association. Article 20 of the Universal Declaration of Human Rights (UDHR) states that, “no one may be compelled to belong to an association”. In the particular case of UPEC, whose members are employees of the government of Cuba, compulsory membership is a means of exerting political control in the field of communications. Only journalists expressing views in line with official government policies are accredited by UPEC; independent journalists are barred from joining.

Name: Roberto de Jesús Guerra

Gender m/f: m

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