

URGENT ACTION

INDEPENDENT JOURNALIST DETAINED IN CUBA

Independent journalist Calixto Ramón Martínez Arias has been detained since September 2012 in Cuba in relation to his work. Amnesty International believes he is a prisoner of conscience solely detained for peacefully exercising his freedom of expression.

On 16 September 2012 **Calixto Ramón Martínez Arias**, a journalist working for the unofficial news agency Hablemos Press, was arrested by the Cuban Revolutionary Police (Policía Revolucionaria de Cuba) at José Martí International Airport in Havana. He had been investigating allegations that medicine provided by the World Health Organization to fight the cholera outbreak (which began in mid-2012) was being kept at the airport instead of being distributed, as the Cuban government was allegedly trying to downplay the seriousness of the outbreak. Upon his arrest, Calixto Ramón Martínez Arias was taken to the Santiago de las Vegas police station, located near the airport.

According to Calixto Ramón Martínez Arias' relatives, when complaining in his cell at the Santiago de las Vegas police station about his detention, he was beaten and pepper-sprayed in his eyes, and then called out "down with Raúl", "down with Fidel" ("*abajo Raúl*", "*abajo Fidel*"). Although neither he nor his lawyer – who has not been allowed access to his casefile – have been informed of any official charges against him, Calixto Ramón Martínez Arias is reportedly being accused of "disrespect" ("*desacato*") towards President Raúl Castro and Fidel Castro. The Cuban criminal code provides sentences of up to three years' imprisonment in this case.

After being held for 10 days at the Santiago de las Vegas police station, Calixto Ramón Martínez Arias was transferred to Valle Grande prison until 10 November. Since then he has been detained at Combinado del Este prison on the outskirts of Havana. On arrival at Combinado del Este prison he went on hunger strike, apparently to protest against being forced to wear a prison uniform and having his personal belongings confiscated. The hunger strike reportedly lasted 33 days.

Amnesty International believes Calixto Ramón Martínez Arias' detention is politically motivated and related to his peaceful exercise of freedom of expression.

Please write immediately in Spanish or your own language:

- Calling on the Cuban authorities to release Calixto Ramón Martínez Arias immediately and unconditionally, as he is prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression;
- Urging them to remove unlawful restrictions on freedom of expression, association and assembly in Cuba.

PLEASE SEND APPEALS BEFORE 13 MARCH 2013 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 (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 Coloma 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

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

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.

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 journalists are regular victims of short-term arrests and harassment related to their work. Prior to his September arrest, Calixto Ramón Martínez Arias had been detained without charge on a number of occasions in 2012. On 11 September 2012 the director of Hablemos Press, 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 face imprisonment if he continued his activities.

Name: Calixto Ramón Martínez Arias

Gender m/f: m

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