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Cuba: 71 prisoners of conscience continue to be imprisoned for expressing their ideas

The limitation of freedom of expression, association and assembly are serious human rights violations. They must stop immediately, said Amnesty International today as it published a report on prisoners of conscience in Cuba on the 2nd anniversary of the 2003 crackdown.

Amnesty International currently recognizes 71 prisoners of conscience imprisoned across the island for peacefully expressing their beliefs and opinions and calls on the Cuban government to immediately and unconditionally release all of them.

In Cuba, exercising freedom of expression is criminalized. This includes carrying out work with human rights organizations, publishing articles, giving interviews in media said to be critical to the Cuban government or contacting US officials in Cuba or members of the Cuban exile community in the USA is criminalized.

"All you have to do in Cuba to be imprisoned for months or even years is to disagree with the authorities," said Amnesty International.

The organization has received reports of at least 4 cases of ill-treatment of prisoners of conscience by prison guards, sometimes in reprisal against prisoners when complaining about their conditions of detention, inadequate access to medical assistance and restrictions on communications to the outside world.

Juan Carlos Herrera Acosta, serving a sentence of 20 years in Kilo 8 Prison, Camagüey Province, was reportedly beaten on 13 October 2004 by a group of guards while handcuffed. The guards reportedly stamped on his neck which caused him to pass out. He went on hunger strike in protest.

Amnesty International is not aware of any investigation having been carried out on this or other similar incidents and the organization calls on the Cuban government to undertake an impartial and independent investigation on all allegations of ill-treatment by prison guards.

During 2004, at least nine prisoners were reported to have been held continuously in walled-in punishment cells for periods between two and four months. Such cells are said to be very small (2 x 1 m) with no natural light and no furniture; they lack sanitary provisions including drinking water. The prisoners

are not allowed out, to receive visitors or to exercise and sometimes are not permitted to wear any clothing nor given any bedding. The conditions under which the nine Cuban prisoners are reported to have been held, amount to cruel, inhuman and degrading treatment.

Normando Hernández González was held in a punishment cell for four months as a punitive measure after ending a 17-day hunger strike to protest against his transfer to Kilo 5 ½ Prison, where he was held with common criminals.

Some prisoners of conscience and their relatives have also suffered the suspension of visits, correspondence and telephone communications for an undetermined period of time when prisoners' relatives have made statements in the local or international press or to human rights organizations regarding the treatment of their relative in detention.

During 2004 and early 2005 a total of 19 prisoners of conscience were released, 14 of whom were granted "licencia extrapenal", "conditional release" permitting them to carry out the rest of their sentences outside prison for health reasons, in the knowledge they could be detained again.

Amnesty International reiterates its calls on the Cuban government to:

- order the immediate and unconditional release of all prisoners of conscience;
- ensure that an independent and impartial inquiry is held into allegations of ill-treatment by prison guards and, that the officials implicated in these allegations are immediately suspended from duty and those responsible brought to justice;
- suspend Law 88 and other similar legislation that facilitates the imprisonment of Cuban citizens by unlawfully restricting the exercise of their fundamental freedoms;
- comply with international human rights standards for the treatment of prisoners;
- ratify both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Amnesty International believes that the unilateral US embargo against Cuba contributes to the undermining of key civil and political rights in the country. On these grounds, Amnesty International calls for its immediate lifting. The organization also calls on the Cuban government to stop using the embargo as a pretext to violate the human rights of the Cuban people.

Background information

Most of the dissidents arrested during the 2003 crackdown were charged with offences carrying higher penalties under Article 91 of the Penal Code or Law 88. Article 91 provides sentences of 10 to 20 years or death for anyone who "in the interest of a foreign state, carries out an act which has the objective of harming the independence of the Cuban state or its territorial integrity". Law 88, provides lengthy prison terms for those found guilty of supporting United States policy on Cuba aimed at "disrupting internal order, destabilizing the country and destroying the Socialist State and the independence of Cuba".

For a copy of the report: "Cuba: Prisoners of conscience; 71 longing for freedom", please see:
<http://web.amnesty.org/library/index/ENGAMR250022005>

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