

# URGENT ACTION

## PEACEFUL PROTESTORS AT RISK IN CUBA

**In November 2015 there were over 1,400 politically motivated detentions in Cuba, the highest number in years. Many detainees were held between one and 30 hours, and some reported excessive use of force by political police during detention. On 10 December groups of political dissidents and human rights activists plan to peacefully protest for Human Rights Day. They are at risk of arbitrary arrests, detentions, and ill-treatment.**

In November 2015, there were at least 1,477 politically motivated detentions in Cuba, the highest number in many years, according to the Cuban Commission for Human Rights and National Reconciliation (Comisión Cubana de Derechos Humanos y Reconciliación Nacional, CCDHRN). Several human rights activists in Cuba told Amnesty International that 2015 has seen not only a high number of arrests, but also increased violence from authorities towards political dissidents and activists exercising their right to free expression, association and assembly.

Numerous groups plan to march on 10 December to commemorate International Human Rights Day. This same day in 2014, the CCDHRN reported hundreds of arbitrary arrests of peaceful protestors. The Ladies in White (Damas de Blanco) have convened diverse activists to assemble on 10 December 2015 at 1pm at the corner of Avenue 23 and L Street in Havana, the capital. On 9 December, Berta Solar, leader of the Ladies in White, told Amnesty International that several *damas* (ladies) had been detained that morning ahead of the Human Rights Day march. Antonio Rodiles, coordinator of civil society group Estado de Sats, also informed Amnesty International that musician Gorki Águila was intercepted upon entering his home, after visiting Antonio Rodiles earlier that day.

The Ladies in White and those who accompany them on their regular Sunday marches, which call for the release of political prisoners, face acute repression. These marches have taken place for over 30 consecutive weeks. Activists are frequently driven to remote areas where they are left to walk home, and/or are detained between one and 30 hours to prevent their peaceful association. The pro-democracy group Patriotic Union of Cuba (Unión Patriótica de Cuba, UNPACU) has also reported mass detentions of its members over the past months across the country. Hundreds of human rights activists, including members of the Ladies in White, UNPACU, Estado de Sats, and others who plan to peacefully protest for Human Rights Day are at risk of arbitrary detentions and excessive use of force.

### **Please write immediately in Spanish or your own language:**

- Calling on the Cuban authorities to refrain from dispersing, arresting or detaining peaceful protestors participating in Human Rights Day 2015;
- Calling on them to ensure that protestors' rights to freedom of assembly is fully respected, protected and fulfilled;
- Urging them to amend provisions of the Penal Code that are so vague they lend themselves to abuse by state officials, such as the police and the judiciary, to restrict freedom of expression.

### **PLEASE SEND APPEALS BEFORE AND ON 16 DECEMBER 2015 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)

Twitter: @RaulCastroR

**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.

**AMNESTY  
 INTERNATIONAL**



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### ADDITIONAL INFORMATION

Amnesty International has documented severe restrictions on freedom of expression and peaceful assembly and association in Cuba for over 50 years.

In the mid 1990's Amnesty International began to document a shift away from high numbers of long-term political detentions to increased use of short-term arbitrary arrests, harassment of activists, political dissidents, human rights activists and independent journalists.

The number of politically motivated detentions has progressively increased in recent years, according to the Cuban Commission for Human Rights and National Reconciliation (Comisión Cubana de Derechos Humanos y Reconciliación Nacional, CCDHRN).

Arbitrary arrests and detentions typically peak during official visits or summits. In September 2015, the month of Pope Francis' high-profile visit to Cuba, the CCDHRN registered 882 such arrests, compared with an average of 700 arbitrary detentions per month in 2014. Many of those detained are held between one and 30 hours. Some activists report excessive use of force by the police.

Cuban political activists and human rights activists are often accused, but not formally charged, under articles of the Cuban Penal Code as a way to curb legitimate exercise of the right to freedom of expression and peaceful protest. Provisions often invoked include "*desacato*," insult or contempt of a public official, "*resistencia*," resistance to public officials carrying out their duties, and "*desordenes publicos*," which criminalizes any large meeting or act in public spaces which aims to provoke panic or disturbance.

Contempt (*desacato*) is often used to shield public officials from legitimate criticism and according to the Inter-American Commission on Human Rights constitutes an illegitimate restriction on freedom of expression. The provision dealing with resistance (*resistencia*) is broad enough to encompass non-violent forms of resistance and is often used in ways that unlawfully restrict freedom of expression. The UN Human Rights Committee has consistently condemned violations of the right to freedom of expression committed by states by arresting or detaining individuals for alleged threats to public order without providing adequate evidence that such measures were necessary.

Name: Members of the Ladies in White (f), UNPACU, Estado de Sats, and other activists who plan to peacefully protest for Human Rights Day 2015  
Gender m/f: both

UA: 283/15 Index: AMR 25/3046/2015 Issue Date: 9 December 2015