

URGENT ACTION

ALLOW ENVIRONMENTAL ACTIVIST VISITS

Dr Ariel Ruiz Urquiola, an environmental activist, was sentenced in Cuba to one-year imprisonment for contempt. He is a prisoner of conscience and must be released unconditionally and immediately.

Ariel Ruiz Urquiola is a doctor in biological sciences who previously worked as a researcher at the University of Havana. He is currently serving a year's sentence for contempt ("desacato") – a provision of the Cuban criminal law which is inconsistent with international law - for allegedly disrespecting two forest rangers.

According to his family, authorities returned Ariel Ruiz Urquiola to the Provincial Prison of Pinar del Río, from the Correctional Cayo Largo, after he initiated a hunger strike. His sister, Omara Urquiola, informed Amnesty International that while Ariel was in the correctional camp authorities did not permit him to communicate with her.

On 23 June, a group of Ariel's friends are planning to visit him to discuss his health. But it is unclear if authorities will permit the visit.

Ariel Ruiz Urquiola has a history of publically criticizing Cuban authorities in relation to environmental issues. The offence of "desacato" (article 144.1 of Cuba's Criminal Code) is an undue restriction on the right to freedom of expression, as public officials should tolerate more criticism than private individuals. The use of defamation laws with the purpose or effect of inhibiting legitimate criticism of government or public officials violates the right to freedom of expression.

Please write immediately in Spanish or your own language:

- Urging the authorities to immediately and unconditionally release Ariel Ruiz Urquiola as he is a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression;
- Urging them to ensure that Ariel Ruiz Urquiola is allowed regular contact with his family and the outside world, as well as access to lawyers and medical care of his choosing.
- Urging them to provide Ariel Ruiz Urquiola with access to qualified health professionals providing health care in compliance with medical ethics, including the principles of confidentiality, autonomy, and informed consent.

PLEASE SEND APPEALS BEFORE 03 AUGUST TO:

President of the Republic

Miguel Mario Díaz-Canel Bermúdez
 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_onu@cubamission.com (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
 Avenida 1ra, Nº 1801 e/ 18 y 20.
 Reparto Miramar, Municipio Playa
 La Habana, CP 11 300, Cuba
 Email: relaciones@fgr.cu
 Twitter: @FGR_Cuba

Salutation: Dear Attorney General

And solidarity copies to:

Ariel Ruiz Urquiola
 Correccional Cayo Largo
 Municipio Consolación del Sur
 Provincia de Pinar del Río, Cuba
 Email: omaraurquiola509@gmail.com

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 109/18. Further information:

<https://www.amnesty.org/en/documents/amr25/8541/2018/en/>

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ENVIRONMENTAL ACTIVIST IMPRISONED

ADDITIONAL INFORMATION

In 2015, Ariel Ruiz Urquiola bought a house in the Sierra del Infierno area, in Viñales' National Park, a UNESCO World Heritage site in the Pinar del Río province, western Cuba. After acquiring the right to farm the state land surrounding his house, in 2016 he started an environmental project with his family and friends to preserve local species and to develop sustainable agricultural projects.

On the morning of the 3 May 2018, two forest rangers (a national body in charge of the protection of "forest, wildlife and hunting") visited Ariel's land. According to witnesses who spoke with Amnesty International, they asked whether he had the corresponding permits for the construction of a fence around the land, for cutting trees, and for owning a chainsaw. Ariel invited them to come with him to the house to check the permits. On the way, Ariel asked the rangers to show him their identification and after one of them refused to do so, he referred to them as "rural police". That term was interpreted by the officials as "rural guards" which has a negative connotation in Cuba since it refers to officials from the Batista government. The rangers left the area and later in the evening three police officers came with a warrant, arrested and took Ariel to the nearby police Station in Viñales.

Based on the judicial documents that Amnesty International was able to review, Ariel was charged with contempt – or disrespecting the rangers - and sentenced on 8 May to one-year imprisonment (the maximum sentence under article 144.1 of the Criminal Code) by the Municipal Court of Viñales. The decision was confirmed on appeal by the Popular Provincial Court of Pinar del Río on 22 May. According to the family, Ariel's lawyer only had access to the casefile and to Ariel on the same day of the trial. He was first imprisoned at the Provincial Prison of Pinar del Río and on 11 June, the family was informed that he was transferred to the nearby Correctional Cayo Largo.

Ariel Ruiz Urquiola has a long history of environmental activism, but according to his family, does not identify as a political opponent of the government. In 2008, during his participation in an international seminar in Mexico as researcher of the University of Havana, he publicly expressed criticism against the alleged illegal fishing of sea turtles in Cuba. In 2009, the University's authorities suspended his work on sea turtles. Between 2010 and 2013, he continued his work at the University of Havana but switched his research to the study of fauna in the Sierra de los Órganos' area in the Pinar del Río province. After disagreement with management, he was first downgraded in his position and salary, and in 2016, he was dismissed from the University. Following his dismissal, Ariel publically criticized the decision saying his dismissal was "an abuse of power." The dismissal was confirmed by the Municipal Popular Court of Old Havana in a judgement in 2016.

Ariel Ruiz Urquiola's family believe that authorities have deliberately imprisoned him as reprisal for his environmental activism and as a strategy to deprive him of the state-owned land on which he runs his environmental project. Under national legislation, a user of state-owned land loses the right to use it after being absent from the land, meaning if Ariel is imprisoned for a year he stands to lose the right to cultivate the land.

Name: Doctor Ariel Ruiz Urquiola
Gender m/f: male

Further information on UA: 109/18 Index: AMR 25/8660/2018 Issue Date: 22 June 2018