

# AMNESTY INTERNATIONAL

## Media Briefing

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## Cuba: Amnesty International's human rights concerns

For the past 40 years, Amnesty International (AI) has campaigned against human rights violations committed by the Cuban government, in particular, the imprisonment of political dissidents and journalists as a result of severe restrictions on the freedom of expression, freedom of association and assembly.

AI has also expressed serious concern about the negative impact of the US economic embargo on the ability of Cubans to fully enjoy their human rights.

### **Freedom of expression and association**

Severe restrictions on freedom of expression and association affect thousands of people across Cuba.

In Cuba, all print and broadcast media are under state control. Also, access to the internet is severely limited outside governmental offices and educational institutions.

Dissidents and critics of the regime, including journalists are frequently arrested and detained, some of them on charges of "pre-criminal dangerousness".

During 2006, there was a rise in the harassment and intimidation of independent journalists and librarians.

From January to August 2006, Journalist Guillermo Fariñas staged an intermittent hunger strike to obtain access to the internet, without success.

Armando Betancourt Reina, a freelance journalist was arrested on 23 May 2006 as he took notes and photographs of evictions from a house in the city of Camagüey. He was charged with public disorder. Armando Betancourt was reportedly held incommunicado for a week at the police station before being transferred to Cerámica Roja prison in Camagüey on 6 June 2006.

### **Prisoners of conscience**

At least 67 prisoners of conscience – people such as teachers, journalists and human rights defenders detained for their peaceful activities -- are currently held in prisons across Cuba, following unfair trials that failed to uphold international standards.

AI is currently reviewing the cases of dozens of other prisoners who could also be considered prisoners of conscience.

13 men and women are serving their sentences outside prison because of health concerns.

1 prisoner of conscience was released during 2006.

Orlando Zapata Tamayo, a bricklayer and plumber, was arrested on 20 March 2003 whilst taking part in a hunger strike at the Fundación Jesús Yáñez Pelletier in Havana to demand the release of Oscar Biscet and other political prisoners.

He was sentenced to three years' imprisonment in 2003 on charges of showing "contempt to the figure of Fidel Castro", "public disorder" and "resistance". In November 2005 he was sentenced to an additional 15 years for "contempt" and "resistance" in prison. In May 2006, he was again tried on the same charges and sentenced to an additional seven-year term. He is now serving a prison sentence of 25 years and six months.

### **Arbitrary arrests**

Amnesty International receives almost daily reports of political dissidents, independent journalists and critics being arrested for carrying out dissident activities or reporting on the human rights situation in Cuba and sent to prison where they await trial. In some cases they wait for months or even years while in others they are tried and sentenced within a few days.

Prisoner of conscience, Julio César López Rodríguez, Vice President of the Frente Línea Dura and Director of an independent library, was arrested on 22 July 2005, whilst he tried to participate in a peaceful demonstration in front of the French Embassy. He has been campaigning for many years for political reform and the defence of human rights, and kept anti-totalitarian books in his library. He has been held without charge or trial.

### **Detention without charge or trial**

Scores of people across Cuba are held without charge, and in some cases without trial, on suspicion of counter-revolutionary activities or on unclear charges.

Prisoner of conscience Emilio Leyva Pérez, President of Hard Front Line, Frente Línea Dura and delegate of the Assembly to Promote Civil Society, Asamblea para promover la Sociedad Civil, was arrested on 13 July 2005 whilst participating in a peaceful event in Havana. He has been held without charge or trial. He was declared a prisoner of conscience in the past after he was detained in February 2002. On that occasion, he was held without being tried until he was released in June 2004.

### **Unfair sentences**

Political dissidents and critics are often sentenced for a crime known as "social dangerousness". This is a pre-emptive measure that is defined as the "proclivity to commit a crime" and targets any behaviour contrary to the "socialist morale" like "drunkenness", "drug addiction" and "anti-social behaviour" but it is applied to political dissidents, independent journalists and critics. People tried for "dangerousness" are sentenced for up to 4 years of prison while the law provides for "therapeutic treatment", "re-education" or "surveillance by the Revolutionary National Police."

Alexander Santos Hernández, national coordinator for the Eastern Democratic Alliance (Alianza Democrática Oriental, ADO) was arrested on 5 June 2006 and sentenced in a summary trial to 4 years for "social dangerousness".

In November 2004, he previously served a six-month prison term on a conviction of "disobedience" for collecting signatures for the Varela Project which aimed at requesting a national referendum on democratic reforms.

### **Harassment and intimidation of dissidents and critics**

During 2006, there was an increase in the public harassment and intimidation of critics and political dissidents by quasi-official groups in so-called acts of repudiation.

Acts of repudiation or demonstrations staged by government supporters targeting political dissidents and

critics are on the increase. According to them, the act of repudiation and demonstrations are organized with the collusion of the authorities. AI believes that acts of repudiation could amount to psychological torture given the strain they can cause on the victims and their relatives. Physical aggression has also been reported during some acts of repudiation.

Juan Carlos González Leiva, President of the Cuban Foundation for Human Rights, was the target of several acts of repudiation at his home in the city of Ciego de Avila. He and his family were repeatedly threatened by demonstrators. He was arrested in March 2002 for “disrespect”, “public disorder”, “resistance” and “disobedience” and spent two years in prison without trial. In April 2004, he was sentenced to four years’ imprisonment to be served at his home.

### **Death penalty**

Cuba retains the death penalty for serious crimes, such as acts of terrorism. However, in recent years it has only rarely been applied.

The last known execution took place in April 2003 when three young men were sentenced to death for hijacking a boat in order to flee the island.

To AI’s knowledge, there are currently around 40 people on death row across Cuba but the exact number is difficult to determine given the restricted access to court and official documents.

Amnesty International considers that the death penalty is the ultimate form of cruel, inhuman or degrading treatment or punishment and opposes its use in all circumstances.

### **Impact of the US embargo**

Amnesty International has called for the US embargo against Cuba to be lifted, as it is highly detrimental to Cubans’ enjoyment of a range of economic, social and cultural rights, such as the right to food, health and sanitation – particularly affecting the weakest and most vulnerable members of the population.

According to UNICEF, the availability of medicines and basic medical materials has decreased in Cuba as a consequence of the US embargo against the island (1).

AI also believes that the US embargo has undermined freedom of movement between Cuba and the US and restricted family reunifications.

(1) Report of the UN Secretary General to the UN General Assembly on Item 27 of the provisional agenda "NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA", 20 September 1995. <http://www.un.org/documents/ga/docs/50/plenary/a50-401.htm>

### **Public Document**

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