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Cuba urged to revoke repressive laws and release prisoners of conscience

Amnesty International today called on the Cuban authorities to revoke laws that restrict freedom of expression, assembly and association and to release all dissidents unfairly detained by the authorities.

The organization also urged President Raúl Castro to allow independent monitoring of the human rights situation in Cuba by inviting UN experts to visit the country and by facilitating monitoring by other human rights groups.

The call came ahead of the 7th anniversary of the arrest of 75 Cuban dissidents around 18 March 2003. 53 of those arrested continue to be detained. One of those arrested in March 2003, Orlando Zapata Tamayo, died on 22 February 2010, having spent several weeks on hunger strike in protest at prison conditions.

“Cuban laws impose unacceptable limits on the rights to freedom of expression, association and assembly,” said Kerrie Howard, Americas Deputy Director at Amnesty International. “Cuba desperately needs political and legal reform to bring the country in line with basic international human rights standards.”

“The long imprisonment of individuals solely for the peaceful exercise of their rights is not only a tragedy in itself but also constitutes a stumbling block to other reforms, including the beginning of the dialogue needed for the lifting of the US unilateral embargo against Cuba,” said Kerrie Howard.

Several articles of the Cuban Constitution and Criminal Code are so vague that they are currently being interpreted in a way that infringes fundamental freedoms.

Article 91 of Cuba’s Criminal Code provides for sentences of ten to 20 years or death for anyone “who in the interest of a foreign state, commits an act with the objective of damaging the independence or territorial integrity of the Cuban state”.

According to article 72 “any person shall be deemed dangerous if he or she has shown a proclivity to commit crimes demonstrated by conduct that is in manifest contradiction with the norms of socialist morality” and article 75.1 states that any police officer can issue a warning for such “dangerousness”. The declaration of a dangerous pre-criminal state can be decided summarily. A warning may also be issued for associating with a “ dangerous person”.

Law 88 provides for seven to 15 years’ imprisonment for passing information to the United States that could be used to bolster anti-Cuban measures, such as the US economic blockade. The legislation also bans the ownership, distribution or reproduction of “subversive materials” from the US government, and proposes terms of imprisonment of up to five years for collaborating with radio, TV stations or publications deemed to be assisting US policy.

Local non-governmental organizations have great difficulty in reporting on human rights violations due to restrictions on their rights to freedom of expression, association and movement. International independent human rights organizations, including Amnesty International, are not allowed to visit the island.