

URGENT ACTION

ENVIRONMENTAL ACTIVIST IMPRISONED

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. In 2015, he 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 dictatorship. 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. His sister, Omara Urquiola, informed Amnesty International that prison officials threatened her to stop speaking with the international press or they would suspend Ariel's visits and communication with his family. Ariel Ruiz Urquiola has a history of publically criticizing Cuban authorities in relation to environmental issues.

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, pending his release, he is not ill-treated, intimidated or threatened; and that he is granted regular access to family and lawyers of his choosing;
- Calling on them to guarantee the right to freedom of expression, assembly and association including for critical voices and to repeal all legislation which unduly limits these rights.

PLEASE SEND APPEALS BEFORE 20 July 2018 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. Her Excellency Teresita Vicente, Embassy of the Republic of Cuba, 167 High Holborn WC1 6PA, 020 7240 2488, Fax 020 7836 2602, secembajador@uk.embacuba.cu, www.cubadiplomacia.cu **Please check with your section office if sending appeals after the above date.**

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ADDITIONAL INFORMATION

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 after alleging repeated absences. 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.

Cuban legislation provides that the state is the owner of most of the land in Cuba. However, usufruct rights on unused state-lands can be acquired by individuals giving them some right to use it for specific reasons provided under the law. In 2016, Ariel Ruiz Urquiola secured such rights over the land in the area surrounding the house that he bought in 2015.

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.

Amnesty International opposes laws prohibiting insult or disrespect of heads of state or public figures, the military or other public institutions or flags or symbols (such as lèse majesté and desacato laws). Amnesty International also opposes laws criminalizing defamation, whether of public figures or private individuals, which should be treated as a matter for civil litigation.

The offence of "desacato" (contempt) (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.

Name: Doctor Ariel Ruiz Urquiola

Gender m/f: male

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