

# URGENT ACTION

## DEMAND RELEASE OF HUMAN RIGHTS DEFENDER

**Five days after Fidel Castro's death, human rights defender Eduardo Cardet was detained and has since been held in provisional detention in Holguín, south-east Cuba. He is a prisoner of conscience who must be released immediately and unconditionally.**

**Dr. Eduardo Cardet Concepción**, leader of the Christian Liberation Movement (Movimiento Cristiano Liberación, MCL) since 2014 was arrested in Holguín on 30 November 2016, five days after the death of the former leader of Cuba, Fidel Castro. Eduardo Cardet has spent two months in the provisional prison (*prisión provisional*) of Holguín. He has been refused bail on three occasions, according to his wife.

According to five witnesses who spoke to Amnesty International by telephone on the condition of anonymity, Eduardo Cardet was pushed off his bicycle and violently detained in the early evening of 30 November by at least four plain clothed and one uniformed police officer as he returned home after visiting his mother. It is not clear on what grounds Eduardo Cardet was initially detained. According to his wife, who witnessed her husband's detention with their two children, Eduardo Cardet is charged with attacking an official of the state (*atentado*). This offence is covered under Article 142.1 of the Criminal Code. One officer is alleging that Eduardo Cardet pushed him during his arrest. All witnesses who spoke with Amnesty International counter this allegation, and state that Eduardo Cardet was quickly and violently restrained by plain clothed officials, placed in handcuffs, and beaten, and had no opportunity for self-defence. The witnesses believe that Eduardo Cardet was arrested for his beliefs and ideas.

Prior to his arrest, Eduardo Cardet had given interviews published in international media in which he had been critical of the Cuban government. In an interview with Madrid-based radio station *esRadio*, aired two days before his arrest, he described the mourning in Cuba following the death of Fidel Castro as imposed, and said: "Castro was a very controversial man, very much hated and rejected by our people". According to the MCL's website, Eduardo Cardet's lawyer informed the family on 27 January that the Public Prosecutor is seeking three years of prison.

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

- Calling on the authorities to release Dr. Eduardo Cardet immediately and unconditionally, as he is a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression;
- Calling on them to guarantee the peaceful right to freedom of expression, assembly and association including for dissident, opponent or activist voices and to repeal all legislation which unduly limits these rights;
- Urging them to ensure that, pending his release, he is provided with any medical care he may require; that he is not tortured or otherwise ill-treated; and that he is granted regular access to family and lawyers of his choosing.

### PLEASE SEND APPEALS BEFORE 14 MARCH 2017 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)

**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.** 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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INTERNATIONAL**



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### ADDITIONAL INFORMATION

The Christian Liberation Movement (Movimiento Cristiano Liberación, MCL) is a prominent actor in the pro-democracy movement in Cuba. According to its website, it is a movement for peaceful and democratic change and respect for human dignity. It was founded in 1988 by Oswaldo Payá Sardiñas, who became a visible figure of the Cuban political opposition, and four other activists.

In March 2016, according to news reports, the MCL presented 10,000 signatures to the Cuban parliament in support of Project Varela – a long-standing proposal which advocates constitutional reform within Cuba and promotes freedom of association and speech, free elections, freedom of religion, and amnesty for political prisoners, among other things. According to Article 88 of the Cuban Constitution, laws can be proposed by citizens if a proposal is made by at least 10,000 citizens who are eligible to vote. In July, the MCL submitted a proposal to the Cuban parliament entitled “One Cuban, One Vote” (*Un cubano, un voto*) which makes a series of recommendations for reforms to the electoral law.

Amnesty International has documented harassment and intimidation of members of the MCL for decades. In 1991, after Oswaldo Payá Sardiñas presented a petition calling for a national referendum relating to constitutional reform, he had his home destroyed by over 200 people, said to be members of a Rapid Response Brigade. After Oswaldo Payá announced his intention to put himself forward as a candidate for deputy to the National Assembly for the municipality of Cerro, Havana, members of his organization were reportedly subjected to frequent questioning and short-term detention.

Oswaldo Payá died in a car crash in 2012. In October 2012, Cuban blogger Yoani Sánchez was arrested along with her husband Reinaldo Escobar and a third person who was with them in the south-eastern Cuban town of Bayamo. Yoani Sánchez was due to cover the opening of the trial of Spanish politician Ángel Francisco Carrero Barrios who was charged with involuntary manslaughter for the car accident that resulted in the death of Oswaldo Payá and Harold Cepero Escalante.

Provisions of the Cuban Criminal Code, such as contempt of a public official (*desacato*), resistance to public officials carrying out their duties (*resistencia*) and public disorder (*desórdenes públicos*) are frequently used to stifle free speech, assembly and association in Cuba.

The Cuban Commission for Human Rights and National Reconciliation, a Cuban-based human rights NGO not recognized by the state, documented a monthly average of 827 politically motivated detentions in 2016. In an interview published on 16 September 2016 by ABC International, Eduardo Cardet stated: “Political activities are passed off as criminal offences such as inciting public scandal, contempt of or offences against the authorities, and the political police use these classifications to lock up dissidents” (*Se disfraza la actividad política con hechos delictivos comunes, por ejemplo, escándalo público, desacato, atentado, figuras que utiliza la policía política para encarcelar a los disidentes*).

Cuba is closed to Amnesty International and nearly all independent international human rights monitors.

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