

URGENT ACTION

HUMAN RIGHTS DEFENDER'S SENTENCE UPHELD

A Provincial Court upheld a three-year prison sentence against human rights defender Eduardo Cardet who continues to be held in the Provincial Prison of Holguín, south-east Cuba. He is a prisoner of conscience and must be released immediately and unconditionally.

On 17 May, the Popular Provincial Court of Holguín (Tribunal Provincial Popular de Holguín) ratified in appeal the judgement handed down on 20 March sentencing **Dr Eduardo Cardet Concepción** to three years in prison. Eduardo Cardet is the leader of the pro-democracy movement Christian Liberation Movement (Movimiento Cristiano Liberación, MCL). He has been held in prison in Holguín since his arrest on 30 November 2016, five days after the death of the former leader of Cuba, Fidel Castro.

Eduardo Cardet was charged with attacking an official of the state (*atentado*) after he publicly criticized Fidel Castro a few days after his death. Prior to his arrest, Eduardo Cardet gave a number of interviews published in international media in which he was 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".

Eduardo Cardet's wife told Amnesty International that she last visited him in prison on 25 May and speaks to him on the phone daily. She stated that her husband is distraught about his sentence being upheld and that he has complained that officials inside the prison are threatening to prevent phone calls or visits from family members. His wife believes these threats are an attempt to silence the family from further publicizing Eduardo Cardet's case. Eduardo Cardet is asthmatic and his wife explained that he has suffered from several respiratory infections. It is crucial that the prison authorities continue to provide him with any medical care he may require while in detention.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Calling on the authorities to release human rights defender Dr Eduardo Cardet immediately and unconditionally, 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 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;
- Calling on them to guarantee the 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.

Contact these two officials by 6 July, 2017:

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)

Twitter: @RaulCastroR

Salutation: Your Excellency

Ambassador Jose Ramon Cabañas Rodriguez, Embassy of Cuba

2630 16th Street NW, Washington, D.C. 20009

Tel: (202) 797 8518 | Fax: (202) 797 0606

Email: recepcion@sicuw.org

Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

[Click here](#) to let us know if you took action on this case! *This is Urgent Action 32.17*

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ADDITIONAL INFORMATION

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 2016 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. Amnesty International was able to review a copy of the sentence at appeal emitted by the provincial court of Holguin. The sentence makes no mention of the original grounds for the arrest, suggesting the arrest was arbitrary.

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. 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.

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.

Name: Dr Eduardo Cardet Concepción
Gender m/f: m

Further information on UA: 32/17 Index: AMR 25/6363/2017 Issue Date: 25 May 2017