

INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
ORGANIZATION OF AMERICAN STATES

**FIRST SUPPLEMENT TO PETITION FOR IMMEDIATE
RELIEF AGAINST HUMAN RIGHTS VIOLATIONS
COMMITTED BY REPÚBLICA DE CUBA**

Petition - IACHR - 0000063750

CUBAN AMERICAN BAR ASSOCIATION, INC.
On Behalf of Persons Affected by Human Rights Violations

v.

REPÚBLICA DE CUBA

I. Introduction.

The Cuban American Bar Association (CABA) filed its Petition for Immediate Relief Against Human Rights Violations Committed by República de Cuba (the “Petition”) with the Inter-American Commission on Human Rights (the “Commission”) on November 17, 2021.¹ Pursuant to Article 29 of the Rules of Procedure of the Inter-American Commission on Human Rights (“Rules of Procedure”), the Commission registered the Petition and sent an acknowledgment of receipt to CABA on November 17, 2021.²

CABA filed the Petition on behalf of 42 citizens, victims, dissidents, protestors, demonstrators, and activists, whose human rights under the American Declaration on the Rights and Duties of Man (“American Declaration”), were deliberately and willfully violated by Cuba as the result of their participation in largely peaceful protests in Cuba on July 11, 2021 (collectively “Dissidents”). This First Supplement to the Petition provides updates on the Dissidents named in the Petition and amends the Petition to include another 11 Dissidents. Section II of this First Supplement provides updates on the continued detention, trial, and sentencing of the 42 Dissidents in Cuba. Section III of the First Supplement provides a factual summary of the arrest and prosecution of the 11 additional Dissidents, which were not included in the initial Petition, along with a description of the violation of their human rights under the American Declaration. The Cuban government has detained those that participated in the July 11th protests “longer than the legally mandated period without informing them of the nature of the arrest, without allowing them to contact family members, and without making legal counsel available to them.”³ “Some detainees and prisoners endured physical and sexual abuse by prison officials or other inmates at

¹ The contact information for CABA contained in Section I of the Petition is unchanged and all remaining sections of the Petition are hereby incorporated herein by reference.

² The acknowledgement of receipt indicated the Petition was registered as “Petition – IACHR – 0000063750. “

³ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., Cuba 2021 Human Rights Report, p. 9 (2021).

the instigation of guards.”⁴ As is customary, Cuban officials acted and continue to act with total impunity.⁵ There is no evidence that any Cuban officials were or will be prosecuted for any human rights abuses, including torture and other forms of cruel, inhuman, or degrading treatment of the July 11th protestors.⁶ Moreover, those who have studied the history of the communist dictatorship in Cuba over the last six decades will not be shocked to learn that the undersigned have been unable to find any published reports indicating that any of the Dissidents arrested in connection with the July 11th protests were acquitted at trial. Not one.

On February 16, 2022, the Commission issued a press release wherein it expressed its concern regarding the continuing deprivation of freedom and prosecution of those who took part in the July 11th protests in Cuba.⁷ The Commission noted that the conditions of detention for the July 11th protestors include “high levels of overcrowding, lack of access to drinking water and adequate food, substandard medical care, and use of isolation measures.”⁸

On January 24, 2022, the Cuban Attorney General’s Office acknowledged that over 790 people had been arrested in connection with the July 11th protests, including 55 between the ages of 16 and 18, and that the government was seeking prison sentences of up to 30 years in prison.⁹ However, activists and civil society groups report that over 1,400 people were arrested because of the July 11th protests.¹⁰ The Commission itself has noted that many of the July 11th protestors are being tried for “unspecified crimes and on unfounded and disproportionate criminal charges.”¹¹

⁴ *Id.* at 4.

⁵ *Id.* at 5.

⁶ *Id.*

⁷ Inter-Am. Comm’n H.R., Press Release, February 16, 2022.

⁸ *Id.*

⁹ *Id.*

¹⁰ Nora Gámez Torres, *State Department says Cuba has killed, disappeared and tortured July 11 protestors*, THE MIAMI HERALD, April 15, 2022, at 8A.

¹¹ Inter-Am. Comm’n H.R., Press Release.

The July 11th protests garnered international attention and highlighted the ongoing violations of human rights by the Cuban government. On March 30, 2022, the European Union also denounced the treatment of those arrested in Cuba in connection with the July 11th protests. The EU noted that the trials of the July 11th protestors “present important concerns in relation to basic principles and international standards of transparency and due process, such as the right for the accused to be represented by independent legal counsel of their own choosing.”¹² “Human Rights Watch and Amnesty International have also condemned the treatment of the July 11th protestors in their own reports, describing several instances of violations of due process in the trials that followed.”¹³

The Commission has received reports of ongoing acts of intimidation, harassment, and violence by Cuban State security forces and government supporters directed against the relatives of the accused, journalists, and activists.¹⁴ Cuban authorities have engaged in reprisals against such individuals as punishment for their demonstrating against the unfair trials and severe sentences handed down to individuals who took part in the July 11th protests.¹⁵

Additionally, Cuba has revised its criminal code in response to the July 11th protests to further restrict and punish any dissident activities in Cuba. While these changes are not retroactive and thus will not impact the prosecutions of those arrested in connection with the July 11th protests, they evidence the Cuban government’s decision to increase its repression of the Cuban people. On May 15, 2022, the Cuban National Assembly approved an updated penal code, which goes into

¹² European Commission Press Release IP/338/22, Cuba: Declaration by the High Representative on behalf of the EU on the trials and sentences related to the demonstrations of 11 and 12 July 2021 (March 30, 2022).

¹³ Nora Gámez Torres, *State Department says Cuba has killed, disappeared and tortured July 11 protestors*, THE MIAMI HERALD, Apr. 2022, at 8A.

¹⁴ Inter-Am. Comm’n H.R., Press Release.

¹⁵ *Id.*

effect ninety days after publication in the official gazette.¹⁶ The updated code imposes the death penalty for twenty-three crimes, including “acts against the independence or territorial integrity of the State.”¹⁷ The updated code is undeniably an attempt by the Cuban government to stifle dissidents and is a targeted response to the protests that occurred on the island on July 11, 2021.

For example, Article 120 criminalizes any attempt “through the arbitrary exercise of constitutional rights” to endanger “constitutional order” and the regular functioning of the country. The penalty for which is 4 to 10 years in prison. Similarly, under Article 202 it is a crime to arbitrarily exercise a right when instead of resorting to the competent authority to address the claim, an individual exercises the right themselves without permission and the individual exerts violence, *intimidation*, or force on others during the exercise of said rights. This provision overrides the Cuban Constitution by placing limits on constitutional rights.¹⁸

Sabotage, a crime the Cuban government has previously used to punish protestors and dissidents, now bears the possibility of a death sentence under Articles 125 and 126.¹⁹ Similarly, Article 185 makes it a crime to slander, defame, insult, enrage, or offend, verbally or in writing, a public official.²⁰ Any offender is faced with 6 months to 1 year in prison, a fine, or both. If the

¹⁶ Dave Sherwood, *Cuban lawmakers pass new penal code critiqued by rights, media groups*, REUTERS (May 15, 2022), <https://www.reuters.com/world/americas/cuban-lawmakers-pass-new-penal-code-critiqued-by-rights-media-groups-2022-05-16/>.

¹⁷ Article 112. See Andrea Rodriguez, *Parlamento cubano aprueba polémico Código Penal*, Los Angeles Times (May 16, 2022), <https://www.latimes.com/espanol/internacional/articulo/2022-05-16/parlamento-cubano-aprueba-polemico-codigo-penal>.

¹⁸ Nora Gamez Torres, *Fearing protests, Cuba clamps down on dissent, independent media with new criminal code*, Miami Herald (May 17, 2022), <https://www.miamiherald.com/news/nation-world/world/americas/cuba/article261537922.html#storylink=cpy>.

¹⁹ El Toque Jurídico, *Nuevo Código Penal Aumenta El Uso De La Pena De Muerte En Cuba* (Feb. 7, 2022), <https://eltoque.com/nuevo-codigo-penal-aumenta-el-uso-de-la-pena-de-muerte-en-cuba> (comparing the previous Cuban Penal Code with the updated code and detailing changes to death penalty and life sentencing penalties).

²⁰ These purported crimes are aimed at preserving the status quo of the socialist regime by avoiding any form of debate, criticism, or questioning that is inherent and necessary in any democratic society. This Commission has previously condemned the restrictions on Freedom of Speech by enactment of criminal penalties for political dissent. IACHR. Special Report on the Situation of Freedom of Expression in Cuba. Pars. 40-61. OEA/Ser.L/V/II. CIDH/RELE/INF. 21/18. December 31, 2018.

slander is towards the President or Vice President, or others delineated in the code, the sentence is increased to 1 to 3 years.

Importantly, under Article 143, anyone who supports, encourages, finances, provides, receives, or possesses financial resources with the purpose of paying for any activities contrary to the Cuban government. This includes funds from another country and non-governmental organizations. The penalty for noncompliance is 4 to 10 years in prison.

These selected sections offer a glimpse into of the updates to the Cuban Penal Code, but as discussed, the code imposes the possibility of the death penalty for twenty-three offenses – almost exclusively for crimes against “state security.”²¹ Accordingly, the grim reality confronted by those who dare to speak out against the dictatorship in Cuba is actually getting worse.

II. Factual Update on the Continued Detention, Trial, and Sentencing of the 42 Dissidents.

CABA has sought to gather information on the continued detention, trial, and sentencing of the 42 Dissidents included in the Petition. CABA has used information reported by the NGOs Justicia 11J (“11J”), the Cuban American National Foundation (“CANF”), and Cuban Prisoners Defenders (“CPD”).²² Unsurprisingly, the Cuban government does not release information concerning its human rights violations. Instead, it systematically harasses, intimidates, (including through physical violence), and thwarts attempts by civil society groups, NGOs, and journalists to document and report on Cuba’s human rights abuses.²³ In fact, during the July 11th protests, Cuban state security beat Associated Press reporter Ramon Espinosa while he was reporting on the

²¹ *Id.*

²² A comprehensive spreadsheet of information prepared by 11J describing the continued incarceration, trial, and sentencing of July 11th protestors can be found at Justicia 11J, Listado de Detenidos y Desaparecidos Cuba Julio de 2021 (July 2021), <https://bit.ly/Detenidos11J>. A similar spreadsheet prepared by CPD can be found at Prisoner Defenders, Cuba Lista de Presos Politicos Prisoners Defenders PUB (May 2022), <https://www.prisonersdefenders.org/prisioneros-politicos/prisioneros-politicos-2022/>, <https://docs.google.com/spreadsheets/d/1sa03mBluxDxVBHnvO0ArxXpzesfBVlwF/edit#gid=1261172787>.

²³ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., Cuba 2021 Human Rights Report, p. 20-21.

protests in Havana.²⁴ Photographs show the AP journalist bleeding from his face as a result of the attack.²⁵

Although these groups do their best to acquire and report accurate information on Cuba's human rights abuses, there are instances when it is difficult to verify or corroborate the information at issue due to the Cuban government's systemic efforts to suppress such reporting.²⁶ With that said, CABA has taken reasonable measures to corroborate the information reported herein and hereby provides the same to the Commission in good faith understanding the challenges posed by the efforts of the Cuban government to suppress the gathering and dissemination of information documenting its human rights abuses. Because of such limitations, CABA was unable to obtain information regarding the status of all the 42 Dissidents included in the Petition. Accordingly, CABA provides factual updates for those 42 Dissidents with respect to which it was able to obtain additional information and does so in the same order as the Dissidents were listed in the Petition.

Luis Manuel Otero Alcántara. Remains in detention at the Guanajay maximum-security prison and is on a hunger strike. He was tried on May 30th and 31st of this year and the prosecutor requested a 7-year sentence of imprisonment.²⁷ A defense witness at the trial, Julio Llópez-Casal, reported that the trial occurred under heavy police presence and no foreign diplomats, reporters from independent outlets, or foreign media were allowed to attend.²⁸ Instead, the room was filled with members of Cuba's Interior Ministry.²⁹ On June 24, 2022, he was sentenced to five years in prison.³⁰ Amnesty International denounced the prosecution, conviction, and sentencing of Mr.

²⁴ *Id.* at 21.

²⁵ *Id.*

²⁶ *Id.* at 20-21.

²⁷ Nora Gámez Torres, *Cuba reduces sentences for some protesters, but crackdown continues, activists warn*, The Miami Herald, June 3, 2022, at 9A.

²⁸ *Id.*

²⁹ *Id.*

³⁰ Amnesty International Press Release, Cuba: Amnesty International condemns sentences of Luis Manuel Otero Alcántara and Maykel "Osorbo" Castillo (June 24, 2022).

Otero Alcántara and stated that such actions are “emblematic examples of how Miguel Díaz-Canel’s government uses the judicial system to criminalize critical voices, including through charges of alleged crimes that are incompatible with international law.”³¹

Daniel Joel Cárdenas Diaz. Was tried December 8-10, 2021 and was denied the ability to call witnesses in his defense. He was convicted and prosecution requested a 27-year sentence of imprisonment but was sentenced to 15 years imprisonment. He is imprisoned at the Agüica de Colón prison. Was also fined 445, 151 CUP for purported destruction of public property.

José Daniel Ferrer Garcia. Remains imprisoned serving his 4-year sentence and is being held incommunicado and denied essential medical attention. On July 7, 2022, the United Nations Office of the High Commissioner on Human Rights sent a letter to Cuba calling on the Cuban government to account for the forced disappearance of Mr. Ferrer.³² In particular, the letter asks Cuba to advise Mr. Ferrer’s relatives of his whereabouts and to allow them to visit and communicate with him and to also advise the U.N. of Mr. Ferrer’s ability to communicate with the outside world.³³

Vigilio Mantilla Arango. On December 17, 2021, he was resentenced, and his prior 9-month prison sentence was increased to 3 years and 3 months imprisonment.

Lorenzo Rosales Fajardo. Remains in detention at the Boniato maximum-security prison. Five Special Rapporteurs from the United Nations sent a joint letter to the Cuban government requesting information regarding his treatment and continued detention. Was convicted and sentenced to 7 years imprisonment.

³¹ *Id.*

³² *In Response to PD’s Complaint Over the Enforced Disappearance of Jose Daniel Ferrer: UN Calls on Cuba to Stop the Enforced Disappearance of Jose Daniel Ferrer*, PRISONERS DEFENDERS (7 July 2022).

³³ *Id.*

Jorge Serrano Alfonso. Remains imprisoned without formal charges. Notwithstanding lack of formal charges, prosecution is requesting 9 years imprisonment. His assigned counsel has not been allowed to meet with him in prison. Was convicted and sentenced to 5 years imprisonment.

Lisandra Góngora Espinosa. Was placed in a punishment cell at the women's prison in Guatao. Has been charged by a military prosecutor with public disorder and sabotage. Was convicted and sentenced to 14 years imprisonment.

Maikel Puig Bergolla. Remains imprisoned and was transferred to the Quivicán prison. He was tried and convicted on December 14, 2021. Sentenced to 20 years imprisonment on February 20, 2022.

Samuel Pupo Martínez. Remains detained at the maximum-security prison (Agüica) in Matanzas. Charged with leading the protests on July 11, 2021. The case is assigned to a military prosecutor who requested an 18-year prison sentence. Was convicted and sentenced to 3 years imprisonment.

Danger Acosta Jústiz. Currently imprisoned at the Quivicán prison. Was convicted during a trial held on January 17-19, 2022. Sentenced on February 15, 2022, to 3 years imprisonment.

Yusmeli (Yasmely) Moreno González. Was tried and convicted on January 17-19, 2022. Was sentenced to 3 years imprisonment on February 15, 2022.

Angélica Garrido Rodríguez. Currently imprisoned at the women's prison in Guatao. Was tried and convicted on January 20, 2022, and sentenced to 3 years imprisonment on March 11, 2022.³⁴

³⁴ CPD reports a 10-year prison sentence.

María Cristina Garrido Rodríguez. Currently imprisoned at the women's prison in Guatao. Was tried and convicted on January 20, 2022, and sentenced to 7 years imprisonment on March 11, 2022.

Francisco Navarro Rodriguez (Felix Navarro Rodriguez). Was transported to the Combinado del Sur Prison. Was and tried and convicted on January 24-25, 2022 and sentenced to 9 years imprisonment on February 2, 2022.³⁵

Emmanuel Robles Perez and his wife, **Mailene Noguera Santiesteban.**³⁶ Mr. Robles Perez was held in enforced disappearance by the Cuban government. Was later transported to the Quivican Prison and was tried and convicted on January 17-19, 2022. He was sentenced to 4 years imprisonment on February 15, 2022. Ms. Noguera Santiesteban was also held in enforced disappearance by the Cuban government and was subsequently imprisoned in Guatao. She was tried and convicted January 17-21, 2021 and was sentenced to 4 years and 6 months imprisonment on February 15, 2022.

Yeremín Salcine Janes. He was tried and convicted on November 22, 2021. Was sentenced to 10 years imprisonment on December 27, 2021.

Michael Gerardo Carey Abadin. Remains imprisoned in Guatao without formal charges. In the conclusion section of the investigative file, government authorities make the spectacular

³⁵ CPD reports a 25-year prison sentence.

³⁶ CABA inadvertently omitted Ms. Noguera Santiesteban's age, 35, in the Petition and that she is charged with the same offenses and has been denied the same human rights under the American Declaration as those noted for her husband.

assertion that detectives were able to trace an odor from the rock allegedly thrown by Mr. Carey Abadin to him.

Yoandris (Yoandrys) Gutierrez Vargas. Prosecutor has requested a sentence of 11 years imprisonment.

Julian Manuel Mazola Beltran. Was tried and convicted on December 13, 2021. Was sentenced to 5 years imprisonment on March 22, 2022.

Enrique Mustelier Sosa. He is currently imprisoned within the Salvador Municipality and was sentenced to 4 years and 6 months imprisonment.

Yunior Iglesias Velázquez. Was tried and convicted on December 13-16, 2021. Was sentenced to 4 years imprisonment on March 18, 2022.

Francisco Rangel Manzano. Was tried and convicted on September 21, 2021. Was sentenced to 6 years imprisonment.

Rowland Jesús Castillo Castro. Was sentenced on March 10, 2022, to 18 years imprisonment.³⁷

Pedro Castillo Mauri. Was tried and convicted on December 20-21, 2021. Was sentenced to 7 years imprisonment on February 4, 2022.³⁸

³⁷ CANF reports a 12-year prison sentence.

³⁸ CANF reports a 6-year prison sentence.

Yasmani (Yasmany) Porra Pérez. Sentenced on March 15, 2022, to 17 years imprisonment.

Rolando Yusef Pérez Morera. Was tried and convicted on December 13, 2021. Was sentenced to 8 years imprisonment on March 22, 2022.

Santiago Vázquez León. Sentenced to 10 years imprisonment.

Anibal Yasiel Palau Jacinto. Prosecution is requesting a sentence of 20 years imprisonment.

Jaime Alcides Firdó Rodríguez. Tried and convicted on January 18, 2022. Sentenced to 11 years imprisonment.

Omar Herrera Moré. Tried on December 15, 2021 and sentenced February 9, 2022 to 11 years imprisonment and fined 642 CUP for “patrimonial” damage to “El Central.”

Juviel Jiménez Gómez. Was tried and convicted on December 13-16, 2021. Sentenced to 5 years imprisonment on March 18, 2022.

Rosa Jany Millo Espinosa. Tried and convicted in the Guanajay prison on December 13, 2021. Sentenced to 6 years imprisonment on March 23, 2022.

Ramón Enrique Montero Meriño. Tried and convicted on December 14, 2021. Sentenced to 10 years imprisonment.

Leylandis (Leilandys) Puentes Vargas. Sentenced to 6 years imprisonment.

Joel Díaz Hernández. Tried and convicted on December 13, 2021. Sentenced to 5 years imprisonment on March 22, 2022.

Jose Antonio Gómez León. He is currently imprisoned and awaiting trial.

Manuel de Jesús Guillén Esplugas (Espuglás). Currently imprisoned at Combinado del Este prison.

Lisdani (Lisdany) Rodríguez Isaac and her sister, **Lisdiani (Lisdiany) Rodríguez Isaac.** Lisdani was tried and convicted on December 13-16, 2021 and was sentenced to 8 years imprisonment on March 3, 2022. Lisdiani (Lisdiany) was tried and convicted on December 13-16, 2021 and was sentenced to 8 years imprisonment on March 18, 2022.³⁹

Evert Luis Hidalgo Ladrón de Guevara. Was tried and convicted on December 27, 2021.

III. Additional 11 Dissidents.

Subsequent to the filing of the Petition, 11 additional Dissidents have asked CABA to represent them. Thus, CABA hereby amends the Petition to include the 11 additional Dissidents discussed below. The requests for relief, including the request for precautionary measures, noted in the Petition, apply equally to the 11 additional Dissidents.

Enrique Ferrer Hechavarria (Hechevarria), age 29, is a human rights defender and member of La Unión Patriótica de Cuba (UNPACU). He was arrested during the July 11th protests and charged with: “public disorder,” “contempt,” “attack,” “resistance,” “defamation,” and “propagation of an epidemic.” He was imprisoned at Prison Mar Verde until his trial on December

³⁹ CPD reports that both sisters were sentenced on February 2, 2022 and CANF reports that Lisdany (Lisdany) Rodríguez Issac received a 10-year prison sentence.

20, 2021. On March 25, 2022, he was sentenced to 12 years imprisonment. He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Frandi (Frandy) Gonzalez Leon, age 28, was arrested on July 12, 2021, with his brothers noted below, Jose Antonio Gómez León and Santiago Vázquez León, for participating in the peaceful protests taking place in La Güinera. He was accused of “public disorder” and “contempt.” He was imprisoned at Combinado del Este de La Habana and formally charged with sedition. He was sentenced in June 2022. Initially, he was sentenced to 8 years imprisonment, but it was later reduced to 6 years.⁴⁰ He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Eddy Gutiérrez Alonso, age 24, is a worker in the Mártires de Artemisa Cement Factory. On July 11, 2021, he participated in the peaceful protests in Artemisa and then went home. He was arrested on July 15, 2021, and detained at Técnico de Guanajay, and later transferred to Prisión de Guanajay. He was accused of being a leader in the protests and charged with “instigation of delinquency,” “attack,” and “contempt.” Later, he was also charged with “sabotage,” and, along with another group of individuals, accused of generating confusion, chaos, and social unrest in the protests. He was tried on November 22, 2021, and sentenced to 6 years imprisonment on

⁴⁰ CPD continues to report an 8-year prison sentence.

December 27, 2021. He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Yasiel Martínez Carrasco, age 28, is a carpenter who was arrested on July 27, 2021, weeks after participating peacefully in the July 11th protests. He was arrested after allegedly having been caught on camera with a rock in his hand during the protests. He was accused of “public disorder,” “robbery with force,” and “sabotage.” He was imprisoned at the San José Prisión del Sida and held totally incommunicado for 40 days. There, he was brutally beaten every day. His mother continually requested information on his whereabouts but was denied any information. Without notifying any of his family members, he was later transferred to the Prisión Quivicán. To date, his family has not been able to see him, nor have they been given a case or file number. Yasiel’s attorney has also been denied access to his file. He is currently imprisoned and awaiting trial. He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; (vii) right to due process and fair trial; (viii) right to humane treatment; and (ix) right to the preservation of health and to well-being.

Alien Molina Castell, age 39, was arrested for participating in the July 11th protests in Batabanó. He was charged with “public disorder,” “contempt,” and “instigation to commit a crime.” He was also fined 9000 pesos for “attempted illegal exit.” He was arrested in Surgidero

de Batabanó and taken to Prisión de Quivicán on July 11, 2021.⁴¹ He was sentenced on February 15, 2022, to 6 years imprisonment. He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Adrián Rodríguez Morera, age 47, is a member of Movimiento Alianza Cívica Insurreccional and Movement of Opponents for a New Republic. He was arrested during the July 11th protests in Artemisa. Following his arrest, he was immediately taken to Técnico de Guanajay, but on July 28, 2021, he was transferred to Prisión de Taco Taco and later, to Prisión Guanajay. He was tried on December 13, 2021, and sentenced on March 22, 2022, to 7 years imprisonment for the following crimes: “attack,” “contempt,” and “public disorder.” He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Angel Serrano Hernández, age 55, is a human rights defender and member of Movement of Opponents for a New Republic (MONR), MD, and Movimiento por la Libertad de Cuba Coronel Vicente Méndez Hernández. Prior to his arrest, he was employed at a restaurant located in El Vedado. Angel was summoned to the police station on July 24, 2021, and after police informed him that he was caught on camera throwing rocks at a protest in La Güinera, he was arrested. On

⁴¹ CPD reports a July 17, 2021 arrest date.

July 25, 2021, police transferred him to a criminal investigation unit and interrogated him for 11 days. After the interrogations, he was transferred to the Combinado del Este Prison, where he and his brother went on a hunger strike.

Angel was charged with public disorder and contempt and stood trial along with 17 other defendants in December 2021. According to those present, the trial was extremely unfair with practically no evidence presented against the defendants, including Angel.⁴² The only evidence presented were recordings taken by protestors during the July 11th protests, as well as testimony from some protestors, which was procured under pressure and in violation of Cuban law.⁴³ During trial, the judge repeatedly asked attorneys representing the defendants to stop talking without justification.⁴⁴ On May 25, 2022, Angel was sentenced to 14 years imprisonment.⁴⁵

He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Carlos Manuel Pupo Rodriguez, age 68, is a human rights defender, national coordinator for Partido Unión por Cuba Libre (PUNCLI), supporter of Proyecto Emilia (11J), and member of UPICO de Artemisa. He was arrested the afternoon of July 11th during the peaceful protests in San Antonio De Los Baños and accused of public disorder. While in prison, he became infected with COVID-19. He was sentenced on March 15, 2022, to 6 years in prison. Due to a dangerous deterioration in his health, he was admitted to the Abel Santamaría Hospital in Pinar del Río on May 3, 2022. He has been denied the following human rights under the American Declaration: (i)

⁴² <https://www.cubanet.org/noticias/condenas-de-entre-15-y-25-anos-para-otros-17-manifestantes-del-11j/>.

⁴³ *Id.* (“the law stipulates that no defendant can be forced to self-incriminate”).

⁴⁴ *Id.*

⁴⁵ CPD reports a 23-year prison sentence.

right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Jose Rodriguez Herrada, age 51, was arrested for expressing his beliefs at the protests taking place in Caibarien on July 17, 2021 and charged with public disorder. He stood trial on November 24, 2021, along with five other peaceful protestors. He was sentenced to 3 years and 6 months imprisonment. He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

Juan Luis Sanchez Gonzalez, age 38, was walking by a peaceful protest when he noticed that police were beating up the peaceful protestors on July 11th. When he intervened and attempted to stop the attack, the police attacked him, beat him, and threw him on the ground and started to mercilessly kick him. He was subsequently arrested and held incommunicado until his trial on December 24, 2021, where he was sentenced to 3 years imprisonment for “attack.” He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; (vii) right to due process and fair trial; (viii) right to humane treatment; and (ix) right to the preservation of health and to well-being.

Elicer (Elieser) Gordin Rojas, age 44, was arrested in connection with the peaceful protests in La Guinera on July 17, 2021. He was sentenced on January 17, 2022, to 18 years imprisonment for “having carried out violent actions or inciting violence with the purpose of

subverting the socialist social order established in Cuba.” He has been denied the following human rights under the American Declaration: (i) right to liberty; (ii) right to be free from arbitrary arrest; (iii) right to freedom of thought, expression and dissemination of ideas; (iv) right to assembly; (v) right to freedom of association; (vi) right to participate in government; and (vii) right to due process and fair trial.

IV. Relief Requested.

In the Petition, CABA invoked Article 29 of the Rules of Procedure and requested that the Commission expedite its review of the Petition, including the request for precautionary measures filed under Article 25, due to the urgency of the situation confronting all the Dissidents. To date, however, the Commission has not notified CABA that it has admitted the Petition as provided under Article 30 of the Rules of Procedure or granted the request for precautionary measures. Accordingly, CABA once again respectfully requests the Commission to expedite its review of the Petition under Article 29 and notify CABA that it has admitted the Petition under Article 30. CABA further requests that the Commission grant its request for precautionary measures under Article 25 and the remaining requests for relief contained in the Petition, including a request for a hearing under Article 61, as to all the Dissidents.

Respectfully submitted this 11th day of July, 2022, by CABA, through the undersigned

legal representatives:



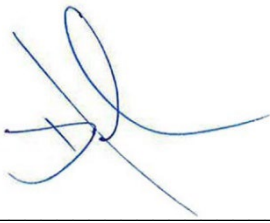
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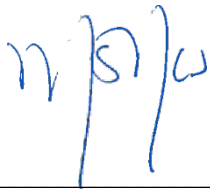


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**Additional Documents Submitted**

 **The IACHR confirms that your document has been successfully uploaded in the system on the date indicated below.**

The information has been received, and will be placed before the Commission for the relevant purposes.

<i>File</i>	CABA First Supplement to Petition IACHR FINAL- July.11.2022.pdf
<i>Date</i>	11/07/2022 07:09 AM
<i>Description</i>	First Supplement to Petition
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