

URGENT ACTION

FAIR TRIAL MUST GO AHEAD WITHOUT FURTHER DELAY

Following three postponements, the trial of two government critics and their neighbour is set to take place on 7 November. Amnesty International is concerned for the lack of full guarantees of a fair trial, including the right to call witnesses and challenge the evidence.

Lady in White **Sonia Garro Alfonso**, her husband **Ramón Alejandro Muñoz González** and their neighbour **Eugenio Hernández Hernández** have been in pre-trial detention since 18 March 2012, when a group of government supporters gathered in front of Sonia Garro Alfonso and Ramón Alejandro Muñoz González's house to carry out an "act of repudiation", a demonstration led by government supporters with the participation of state security officials aimed at harassing and intimidating government critics. The purpose of this act was to prevent Sonia Garro Alfonso and Ramón Muñoz González from participating in events to commemorate the anniversary of the crackdown on dissidence which started on 18 March 2003 and led to the imprisonment of 75 peaceful activists.

All three were charged by the public prosecutor in September 2013 with public disorder (*desórdenes públicos*) and attempted murder (*asesinato en grado de tentativa*). Sonia Garro Alfonso faces the additional charge of using violence or intimidation against a state official (*atentado*). Their trial has been postponed on three occasions, in November 2013, June 2014 and October 2014, with no reason ever given for each postponement. The latest date is set for 7 November.

Amnesty International is concerned the trial may lack the essential guarantees of a fair trial, as is usually the case in trials against government critics. The Cuban authorities must ensure the trial goes ahead in accordance with international standards, including the right of the accused to call defence witnesses and to challenge the evidence against them. The authorities must also guarantee the charges brought against them are based on clear evidence. In view of the long period of time they have been detained, the authorities must not postpone the trial once again or else permit their release pending trial.

Please write immediately in Spanish or your own language:

- Urging the Cuban authorities to ensure Sonia Garro Alfonso, Ramón Alejandro Muñoz González and Eugenio Hernández Hernández's right to a fair trial in accordance with international standards, including in particular the right to call defence witnesses and to challenge the evidence brought against them;
- Urging the authorities to guarantee all charges against them are based on clear evidence and ensure full respect for their right to the presumption of innocence;
- Urging the authorities not to once again postpone the trial or else permit their release pending trial.

PLEASE SEND APPEALS BEFORE 18 DECEMBER 2014 TO:

Head of State and Government

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

And copies to:

Interior Minister
 General Abelardo Colomé Ibarra
 Ministro del Interior y Prisiones
 Ministerio del Interior
 Plaza de la Revolución
 La Habana, Cuba
 Fax: +1 212 779 1697 (via Cuban Mission to UN)
 Email: correominint@mn.mn.co.cu

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 215/12. Further information:

www.amnesty.org/en/library/info/AMR25/024/2012/en

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ADDITIONAL INFORMATION

Eugenio Hernández Hernández, Sonia Garro Alfonso and Ramón Alejandro Muñoz González's neighbour, reportedly managed to gain entrance to their house on 18 March 2012 in order to offer his solidarity during the act of repudiation. The public prosecutor alleges that Ramón Alejandro Muñoz González and Eugenio Hernández Hernández threw objects from the roof of the house against members of the special unit of the security forces (Grupo Táctico Especial), and in particular threw a television set, as two officers were trying to gain access to the roof via a ladder. Neither of the officers were hurt. The public prosecutor has not accused Sonia Garro Alfonso of throwing objects. The public prosecutor has cited that there is video evidence of the incident.

The three accused deny throwing objects. Sonia Garro Alfonso was reportedly hit in the foot by a rubber bullet fired by members of the Grupo Táctico Especial just prior to her arrest.

The right to a fair trial is severely limited in Cuba, with the courts and prosecutors under government control. Trials of government critics are almost always of a summary nature. Witnesses for the defence are rarely allowed to testify and courts invariably sentence the accused for the charges requested by the public prosecutor.

Sonia Garro Alfonso has been a member of the Ladies in White (Damas de Blanco) since 2006. Ramón Alejandro Muñoz González is a member of the Independent Afro-Cuban Foundation (Fundación Afrocubana Independiente).

The Ladies in White were formed in 2003 as the group of female relatives of 75 prisoners of conscience calling for their release. After the release of the prisoners in 2011, the Ladies in White continued campaigning for the release of other political prisoners and for the lifting of restrictions on fundamental civil and political freedoms in Cuba. Members of the organization have been repeatedly prevented from meeting for any purpose, including attendance at mass on Sundays.

Name: Sonia Garro Alfonso (f), Ramón Alejandro Muñoz González (m) and Eugenio Hernández Hernández (m)
Gender both

Further information on UA: 215/12 Index: AMR 25/004/2014 Issue Date: 6 November 2014