



# CUBAN AMERICAN BAR ASSOCIATION

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## **An Open Letter Regarding the Repressive Actions Taken by the Cuban Authorities Against Members of Unión Patriótica de Cuba**

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The Cuban American Bar Association (“CABA”) condemns the repressive and ruthless actions taken by the Cuban authorities against the leader and other members of the unofficial political opposition group “Unión Patriótica de Cuba – UNPACU” (“UNPACU”). On October 1, 2019, following a government raid conducted on the UNPACU headquarters in Santiago de Cuba, the Cuban government detained Jose Daniel Ferrer Garcia, leader of UNPACU. Mr. Ferrer Garcia has been held largely incommunicado and remains in detention without knowledge of any formal charges against him or any semblance of due process.

In addition, Fernando Gonzalez Vaillant, Jose Pupo Chaveco, and Roilan Zarraga Ferrer, all members of UNPACU, also appear to have been detained without due process and have not been heard from since October 3, 2019. Cuban authorities have reportedly refused repeated requests from their families for visitation on more than five occasions.

Further, on October 25, 2019, Cuban authorities detained members of Mr. Ferrer Garcia’s family, including his minor children Jose Daniel Ferrer Cantillo (17 years old) and Fatima Victoria Ferrer Cantillo (14 years old), and his partner Nelva Ortega Tamayo, along with his four-month-old infant, Daniel Jose. Cuban authorities descended upon and detained these family members within minutes of their initiation of a protest of their father’s detention.

CABA vehemently denounces the immoral, barbaric, and cruel actions of the Cuban government, which has harassed and intimidated Mr. Ferrer Garcia for more than a decade due to his political activism. CABA joins Amnesty International, the U.S. Department of State, and other organizations in their demands (1) that Jose Daniel Ferrer Garcia, Fernando Gonzalez Vaillant, Jose Pupo Chaveco, and Roilan Zarraga Ferrer be immediately released without condition or otherwise informed of the charges against them; (2) that they be given immediate access to lawyers of their choosing with whom their families can communicate; and (3) that they be given prompt access to a medical examination, if requested, and to medical care on request or as is necessary throughout the period of their detention.

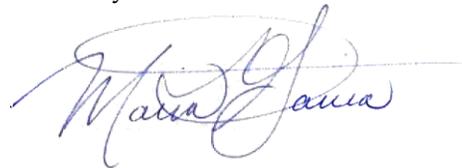
CABA further condemns the false statements issued by Cuba’s President Miguel Diaz-Canel during his recent trip to Ireland where he denied the persecution of political dissidents by Cuban authorities. The blatant

untruthfulness of these statements at a time when Jose Daniel Ferrer Garcia, Fernando Gonzalez Vaillant, Jose Pupo Chaveco, Roilan Zarraga Ferrer and many others remain detained without formal charges or are otherwise incarcerated without due process and access to counsel of their choosing, is as offensive as it is disgraceful.

Additionally, CABA reminds the Cuban State of Report No. 67/06, Case No. 12.476 issued by the Inter-American Commission on Human Rights ("IACHR") in 2006 wherein Jose Daniel Ferrer Garcia and more than 75 other dissidents, members of opposition to the Cuban Regime, and independent journalists were named as victims of arrest and detention in violation of international human rights law. In its Report, the IACHR recommended that the State of Cuba: (i) order the immediate and unconditional release of the victims and overturn their convictions inasmuch as they were based on laws that impose unlawful restrictions on human rights; (ii) adopt the measures necessary to adapt its laws and practices to international human rights, inclusive of repealing Law No. 88 and Article 91 of Cuba's Criminal Code, and that it ensure the independence of the judicial branch of government and the right to participate in government; (iii) that it redress the victims and their next of kin for the pecuniary and non-pecuniary damages suffered as a result of its established violations of the American Declaration; and (vi) that it adopt measures necessary to prevent a recurrence of similar acts. To this day, the IACHR, the Cuban American Bar Association, and each of the victims named in Report No. 67/06, Case No. 12.476 and their families (including Mr. Ferrer Garcia) remain vigilant and await compliance by the Cuban State.

The recent actions of the Cuban authorities are nothing less than flagrant violations of basic human rights and are being carried forth in direct violation of international human rights laws.

Sincerely,

A handwritten signature in blue ink, appearing to read "Maria D. Garcia", with a horizontal line extending to the right.

Maria D. Garcia  
CABA President