

CUBA: SYSTEMATIC STATE VIOLENCE AGAINST THE CHILDREN OF HUMAN RIGHTS DEFENDERS

Coalition of Cuban-American Women

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1. The Cuban government does not recognize human rights monitoring as a legitimate activity. The rights of assembly, free movement and freedom of expression of those citizens who openly criticize the government or struggle on behalf of fundamental freedoms (as is the case of peaceful human rights defenders) continue to be systematically restricted and they, as well as their families, are subject to repeated forms of cruel and degrading treatment such as:

2. being followed and monitored (filmed and recorded); being fired from their jobs; receiving death threats and being subjugated to acts of intimidation and insulted with foul language; being arbitrarily and violently arrested and taken away to whereabouts unknown to their families: they are confined in inhumane cells in solitary confinement at police units; crossed examined during hours; denied access to a lawyer; put through trials without due process guarantees. Are victims of short term detentions, house arrests, beatings, sexual harassment and mob attacks (“acts of repudiation”) to their homes with pepper spray, tear gas, stones, rotten eggs, paint, tar, excrement, urine, and dead animals. They are left displaced, evicted from their homes and are threatened that their children will be taken away from them. The electric power to their houses is cut off and their residences are raided, searched and vandalized by mobs instigated by State Security that burn, destroy and confiscate their belongings. They are kidnapped and abandoned in remote areas far away from their homes. Their phones lines are interrupted, and interfered.

3. The reason for this systematic repression that is **on the rise** in the island is to instill fear and panic and dissuade the activists from continuing their public advocacy of human rights and/or force them to leave Cuba. These acts of terror also discourage civil society from joining or displaying its solidarity with any person who dissents from the Cuban government, such as peaceful human rights defenders.

4. The unjustifiable psychological and physical violence suffered by the families, especially the children, of these human rights defenders at the hands of the Cuban repressive forces, is the subject of this report. The Cuban State has unleashed brutal tactics of repression against Cuban dissenters since 2009, in violation of the Convention of the Rights of the Child, in particular of Articles 2, 4, 6, 12, 14, 15, 16, 28 and 37. A partial list of documented cases of these violations committed against these children in Cuba are hereby presented with the intention of revealing and creating conscience before the Human Rights Council about the brutal nature, extent, and dire consequences of the Cuban State’s violence against these minors whose physical and mental wellbeing are in danger.

5. State Parties in Cuba are not doing all it can to implement the rights contained in the Convention of the Rights of the Child (Art. 4). In violation of Article 2 and 28 of this convention, the children of Cuban human rights defenders are discriminated by authorities for being off-springs of individuals labeled “counterrevolutionaries” in a society where dissent is criminalized. In school, discipline is not consistent with the human dignity of these children, nor is their education directed to the development of respect of human rights and freedom; or for a responsible life in a free society since the teachers and classmates are instigated to mock, accuse, slander and alienate these children.

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6. The Cuban State is not ensuring the survival and development of these minors in violation of Article 6 of the Convention of the Rights of the Child (CRC). The lives of these children are a continuous torment because their ideas and their parent's ideas are different from those of the government. The Cuban State violates Articles 12, 14, and 15 of the CRC since children of peaceful dissenters in the island are systematically punished for trying to exercising their freedom of opinion, conscience, thought, religion and association. When these children are slandered and threatened, and their homes are attacked, raided and vandalized, the Cuban State is subjecting their privacy, family and home to arbitrary and unlawful interference and it is attacking their honor and reputation (Article 16 of the CRC).

7. The members of the *Ladies in White Laura Pollán Movement*, made up of women throughout Cuba who peacefully defend the rights of Cuban political prisoners and Cuban civil society, have been arrested alongside their small children who, in violation of Article 37 of the CRC, they suffer mistreatment at the hands of the police, they witness the cruel treatment of their own family, and are also taken to inhumane prison cells where they remain during the usual short term detentions of their mothers (overnight, etc.). There have been cases of children left behind alone in their homes without the protection and supervision of their parents who have been taken away, under arrest.

8. The following partial list of cases of Cuban peaceful human rights defenders are identified by: **name**, the **organization** that they belong to, their **address** in Cuba, some date(s) and **details of the human rights violation committed** and the **names and ages of the minors involved**. Information was obtained from these activists in Cuba through telephone conversations and email messages.

9. MARINO ANTOMARCHIT (member of the *Unión Patriótica de Cuba* (UNPACU) **Address:** Calle Paquito Borrero #256, entre Remus y 24 de Febrero, Palma Soriano, Cuba. - On August 28, 2011, around 25 human rights activists who were gathered at the home of Marino Antomarchit were brutally beaten by masked armed riot troops that raided this house in Eastern Cuba. Most activists were overcome by teargas, and were violently arrested. Even neighbors who went to the aid of the activists were gassed and arrested. Antomarchit's family, including a **two year old daughter**, was also the victim of this attack. The humble home was searched and all the furniture was totally destroyed. Authorities took a computer, mobile phones and documents. Marino Antomarchit and his family left Cuba and are presently exiled in the U.S. as a direct result of the systematic repression they suffered.

10. JORGE VAZQUEZ (member of the *Coalición Central Opositora; Partido Pro Derechos Humanos afiliado a la Fundación Andrei Sajarov; and Frente Nacional de Resistencia y Desobediencia Civil Orlando Zapata Tamayo*) - **Address:** Rios #28 entre Calzada de Oñas y Quirós, Sagua La Grande, Villa Clara, Cuba – María del Carmen Hernández Martínez, wife of Cuban human rights defender and political prisoner, Jorge Vázquez Chaviano reports how their home has been and is subjected to organized acts of vandalism ordered by Cuban State Security (November 24, 2011, February and September 2012) Violent mobs have stoned, broken windows and doors and have thrown paint as well as excrement and urine against the front of this house and written threatening and offensive language on the outside walls. During ten consecutive days (March 18-28, 2012) the home was surrounded and blocked by State Security agents on the occasion of Pope Benedict XVI's visit to Cuba as it was the case

with hundreds of peaceful activists who tried to attend the Pope's masses in the island. Vázquez Chaviano remains under arrest since March 27, 2012. Since they were small, his two sons: **Alejandro Vázquez Hernandez (15 years old)** and **Jorge Adrian Vázquez Hernández (20 yrs)** have witnessed the insults, violent arrests, beatings of their parents and grandmother and been subjected to humiliation and alienation in their respective schools because their father is a human rights defender and political prisoner who's been publicly accused on Cuban T.V. for being a "counterrevolutionary". The boys' academic performance in school has declined and, Jorge Adrian, has not been able to have access to study the career of his choosing and has been under psychological treatment for years as a result of this repression.

11. KARINA QUINTANA and RAMON BOLAÑOS (Karina Quintana - member of the *Movimiento Damas de Blanco Laura Pollán* and her husband, Ramón Bolaños, belongs to UNPACU) – **Address:** Calle 3ra #10 entre A y Central, Mella, Santiago de Cuba. The three children of this activist couple: **Carmen Bolaños Quintana (13 años)**, **Noris Bolaños Quintana (8 años)** and **Ignacio Bolaños Quintana (6 años)** are witnesses to the violent attacks to their home and repressive actions against their parents by members of the Ministry of the Interior such as the National Revolutionary Police and Rapid Response Brigades: (Jan.11/ Jan.31/ Feb.20/ Feb.28, 2012). Large rocks and pork excrement are thrown at their home, their power is cut off – all these events have traumatized the children who are described as jumpy, very nervous, who cry when they hear noises and become very frightened when they see a policeman. They are scared that something bad will happen to them or to their parents and afraid that they will not see their parents again. Carmen and Noris are being ostracized by their fellow classmates and teachers in school by orders of the principal because her parents are human rights defenders.

12. DAMARIS MOYA – (President of the *Movimiento Femenino por los Derechos Civiles Rosa Parks* and member of the *Coalición Central Opositora*) **Address:** Calle C No. 163 entre Prolongación de Marta Abreu y Callejón de Esperanza, Reparto Virginia, Santa Clara, Cuba. - On May 2, 2012 Damaris Moya Portieles was violently arrested and taken to a police unit alongside numerous activists who were participating in a candlelight vigil in Santa Clara (central Cuba) demanding freedom for all Cuban political prisoners. While in her cell, State Security Agent Eric Francis Aquino Yera ordered two common prisoners to describe out loud the rape of Damaris's 5 year old daughter, **Lazara Contreras Moya**. The following day, when Damaris was released she picked up her daughter in school stating that her child would not return until the education center guaranteed her daughter's safety. On January 22, 2012, the school principal was eventually forced to agree to protect Lazara after Damaris carried out a 19 day hunger strike on behalf of her daughter.

13. JORGE CERVANTES and KENIA LEGUEN (Cervantes is an executive member of UNPACU and his wife Kenia is a member of UMPACU and of the *Movimiento Damas de Blanco Laura Pollán*) **Address:** Dirección: Carretera Central # 26, Reparto Lumumba, Contramaestre, Cuba (evicted). - The family of the political prisoner and human rights defender, Jorge Cervantes has suffered such brutal systematic attacks that his children, **Diana Cervantes Leguen (4 yrs.)** and **Daniel Cervantes Leguen (2 yrs.)** are very traumatized and his wife Kenia fears for their lives since State Security agents have threatened to take away the children if she and her husband continue their human rights activities. Since 2011, Cervantes was arrested and detained without trial for months accused of publicly posting anti government signs. From January 20, 2012 to the present, particularly during 15 days in July 2012, the home of these

human rights defenders was surrounded and attacked every single day by hooded paramilitary forces and mobs throwing stones, tar, excrement, dead animals, etc. Walls and the front railing were torn down; the home was invaded and the family's furniture, mattresses, etc. were burned alongside with many other personal belongings. The situation became so unbearable that the family had to seek refuge in the home of Cervante's mother. Extremely concerned for his family's welfare, Cervantes requested help from Cuban authorities who ended violently arresting him on August 22, 2012 when he was threatened, beaten and taken away before his children. He remains detained alongside common criminals, without trial, at the Prisión de Potosí in Las Tunas in Eastern Cuba. Kenia is prohibited by authorities from returning to her home.

14. JOSE DANIEL FERRER and BELKIS CANTILLO – (José Daniel is an ex-political prisoner of conscience of the “Group of 75”, who was condemned to a 25 year sentence and was conditionally released on March 2011 after 8 years in prison. Coordinator of the *Unión Patriótica de Cuba (UNPACU)* and his wife Belkis is the leader of the *Movimiento Damas de Blanco, Laura Pollán* in Eastern Cuba) **Address:** Calle 7 Final #318, Loma Blanca, Palmarito de Cauto, Santiago de Cuba, Cuba. The three children of **José Daniel and Belkis: Martha Beatriz (14 yrs.), Daniel (9 yrs.) and Fátima (7 yrs.)** have been witnesses and victims during their parents' brutal arrests, beatings and two violent raids to their home. Their father Jose Daniel has been arbitrarily arrested 5 times in 2012: Feb.21 / April 2 / May 9 / July 30 / August 23 since he was released in March 2011. On April 2 their humble home was raided by State Security agents who beat and dragged away both parents, mistreated the grandmother and children (threatened Martha Beatriz that “*anything could happen to her...*”) and carried out a search of the home (3-9: p.m.) without a court order during which they took the family's personal belongings such as money, books, office equipment, documents, etc. Again on August 23, when more than 60 human rights defenders were arrested throughout Cuba, State Security agents detained Ferrer García during a raid to his house at 6 a.m. and forced his family out of bed, carrying out a search and confiscating personal belongings. This time the three children were severely mistreated. Martha Beatriz was beaten and seven police women almost suffocated her.

15. MISAEL VALDES and VIVIAN PEÑA – (Misael Valdés is member of the *Frente Nacional de Resistencia Cívica Orlando Zapata Tamayo* and his wife Vivian is a member of *UNPACU* and the *Movimiento Damas de Blanco Laura Pollán*) **Address:** Suburbio La Ventolera, en las afueras del Reparto 27 de Noviembre. Vivian has been detained numerous times on her way to and from the Basilica of El Cobre in Santiago de Cuba to attend mass. Misael Valdés has been subjected to brutal arrests (whereabouts unknown to the family) on Dec 2, 2011 and in 2012 on January 25/ April 2/ and September 6. The dissident couple had their humble wooden home raided and almost totally destroyed except for parts of the tin roof on September 6, 2012 by a mob using sledge hammers that was organized by the Political Police, State Security Agents and members of the Communist Party. Vivian was beaten and taken to the Police Station in Palma Soriano where she remained during 6 hours with their **3 year old daughter**, who was also mistreated in her mother's arms during the violent arrest, and an older daughter (not a minor), Yudeisy Alonso Peña, who is disabled. Misael remained under arrest at an undisclosed location for several days. With a machete in hand, a State Security officer named “Alain” threatened Misael with killing him if he did not stop his human rights activities. The family is living in a house that was left in uninhabitable conditions: all furniture, dinnerware, clothing, the little girl's belongings, etc. were destroyed or confiscated. Even the older daughter's medication was purposely stepped on.

16. OSVALDO RODRIGUEZ ACOSTA – (President of the *Movimiento Alianza Patriótica*)

Address: Town of Bejucal, south of Havana - On September 23, 2012, paramilitary forces broke down the door of the house of Orlando Rodríguez, brutally beating him and his family due to the activist's refusal to obey a summons that forces his 22 year old son to serve in the Cuban militia. Rodríguez's wife Juana Castillo, their 22 year old son Osvaldo Rodríguez and Osvaldo's brother, Orlando Rodríguez, as well as the activist Leonardo Frómeta were all severely beaten and dragged away. The whereabouts of this family is unknown since Sunday, the 23 of September, 2012 to this day of October 8, 2012. The human rights defender's **12 year old son, Cristian Rodríguez Castillo** was also beaten by State Security agents. This minor remains in a state of shock in his home in Bejucal with Rosa Acosta, his 80 year old grandmother, unaware of his family's wellbeing or whereabouts: he hardly speaks and does not want to eat after the bloody assault against him and his family.

17. The *Coalition of Cuban-American Women* expresses its alarm at the escalating unjustifiable cruel and degrading acts committed against children in Cuba. It is imperative that the defenselessness of these children before a state that systematically continues to criminalize dissent be urgently addressed by the United Nations bodies and agencies and by the international community at large. The tragic consequences of a state violence that places in jeopardy the mental and physical integrity of children must be seriously taken into consideration by State parties to the Convention of the Rights of the Child. The Special Rapporteurs on torture must visit the island to verify these cases hereby presented and dozens of others. Effective measures must be sought in order to strengthen existing United Nations human rights mechanisms to ensure that the violence against children in Cuba ceases immediately.