

## **Extrajudicial Killings and Suspicious Deaths in Cuba 2009 - 2012**

**Written Individual Contribution by the Cuban Democratic Directorate to the Universal Periodic Review of Cuba at the 16th Session May/June 2013**



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The Cuban Democratic Directorate (Directorio) is a non-profit organization that works for democracy in Cuba by way of a civic, nonviolent struggle that includes:

1. Humanitarian and material support for pro-democracy organizations in Cuba.
2. Exchange of information with the Cuban people.
3. International solidarity with the pro-democracy movement in Cuba.

The Directorio is committed to a free Cuba where human rights are upheld and respected.

## **Extrajudicial Killings and Suspicious Deaths**

1. Since the February 5, 2009 Universal Periodic Review of the Cuban government there has been a trend in the area of extrajudicial executions both threatened and carried out. Despite accepting recommendations from Brazil, Italy and Switzerland to not apply the death penalty, reduce the number of death penalty offences and adopt measures to abolish it the record over the past four years raises concerns. There have been a disturbing number of death threats, suspicious deaths and actual extrajudicial killings carried out by Cuban government agents.<sup>1</sup>

### ***Orlando Zapata Tamayo: Tortured into Hunger Strike then Denied Water, February 2010***

2. Prisoner of conscience and human rights defender **Orlando Zapata Tamayo** died while on hunger strike on February 23, 2010. Orlando Zapata Tamayo had been beaten and tortured on several occasions by prison guards and state security along with other prisoners. His body was scarred and his health in decline. Amnesty International reported that, on "October 20, 2003 [Orlando Zapata] was dragged along the floor of Combinado del Este Prison by prison officials after requesting medical attention, leaving his back full of lacerations." The case of Ariel Sigler Amaya, another Cuban prisoner of conscience, is instructive. He had to threaten a hunger strike, although already emaciated and crippled, to obtain medical treatment to save his life.
3. Reina Luisa Tamayo, his mother, stated that Cuban prison officials denied Orlando Zapata Tamayo water in an effort to break him. On February 11, 2010, Orlando Zapata Tamayo, held in Amalia Simoni Provincial Hospital in Camaguey Ciry told his mother he has been confined in an isolated cell at Kilo 8 Prison and denied water for 18 days while they applied an intravenous solution via his bladder.<sup>2</sup> Denying water to a man on a water only hunger strike is cruel treatment that contributed to Orlando Zapata Tamayo's untimely death.

### ***Daisy de las Mercedes Talavera López received death threats from State Security then hit by car, January 2011***

4. **Daisy de las Mercedes Talavera López** was a member of the **Democratic Party 30 of November "Frank País"**. She was arrested on January 31, 2008 for placing a poster on the door of her that read: "Freedom without exile for political prisoners and prisoners of conscience." One week later she was transferred to the women's prison in Matanzas. According to Daisy's mother, Verónica López León, the police would not allow her to visit her daughter before the transfer in order to hide physical evidence that officers had beaten Talavera López. On April 16, 2008 she was sentenced to two years in prison after being convicted of "assault" and "disrespect" in proceedings that fell short of international standards of a fair and impartial trial. She served out her sentence at Bellote women's prison in Matanzas province. During her incarceration she was kept in a punishment cell with no sunlight and denied access to medicine for refusing to be interviewed by a state security agent called Tamayo. She was released on February 26, 2010.
5. Daisy de las Mercedes Talavera López died on January 31, 2011 in the early morning hours after being hit by a car in the city of Cardenas, Matanzas. Prior to her death state security agents had threatened her and on several occasions launched cars against her to terrorize her.

### ***Juan Wilfredo Soto García beaten to death by regime agents and denied proper healthcare, May 2011***

6. **Juan Wilfredo Soto García**, 46, belonged to the Central Opposition Coalition (Coalición Central Opositora) and Amnesty International reported that he had served a 12-year prison sentence for his political activities.

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<sup>1</sup> Report of the Working Group on the Universal Periodic Review\*\* Cuba <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/162/73/PDF/G0916273.pdf?OpenElement>

<sup>2</sup> Cuban Democratic Directorate's Audio Recording #9103610, February 12, 2010.

7. In addition to the May 5, 2011 attack that ended Juan Wilfredo's life three days later other violent attacks by government agents were well documented. Months earlier on September 10, 2010 Juan Wilfredo was attacked in the Arnaldo Milián Castro provincial hospital which was reported by Idania Yanes Contreras of the Central Opposition Coalition along with the medical report outlining injuries.
8. On January 17, 2011 Juan Wilfredo Soto García went to a hospital in Santa Clara to request a drug for a heart condition he suffered from, but the doctor on duty told him that the medicine was only to be sold in convertible currency or given to true revolutionaries. Juan Wilfredo responded by initiating a hunger strike in protest of what he considered political blackmail in the neighborhood *América Latina* of the above-mentioned city. With regards to the events surrounding Juan Wilfredo's death on May 8, 2011 Idania Yánes Contreras states in a May 10, 2011 interview<sup>3</sup>:
  - a. On Thursday 5 May 2011, two national police officers rapproached Soto García in Leoncio Vidal Park asked him for his identification and then told him to leave the park. After verbally protesting the expulsion, he was handcuffed with his hands behind his back then beaten with batons.
  - b. Soto García was arrested and detained at police station #3 in Santa Clara, then hospitalized later that day at the Arnaldo Milián Castro provincial hospital suffering from pain in the lumbar region. He was released from hospital the same afternoon only to return brought by his family in the early morning hours, complaining of severe back pain from the beating only to be sent home again. In the mid afternoon he was then admitted to the Intensive Care Unit bed #15 and died either in the later hours of Saturday night or in the early morning hours of Sunday, May 8 according to family members. It was between 12:30am and 1:00am on May 8 that they were formally told and the hospital militarized
  - c. Doctors at the hospital say he died from acute pancreatitis, a condition, which can be triggered by trauma to the abdomen.

***Laura Pollan Toledo, founder of the Ladies in White, death by medical neglect under suspicious circumstances, October 2011***

9. **Laura Inés Pollán Toledo** died on October 14, 2011 at 7:50pm from heart failure at the age of 63, one week after she had fallen suddenly ill from a respiratory infection. Laura Pollan was subject of harassment that causes her a very high and continuous stress. A week prior to her sudden illness she was attacked physically by State Security mobs in front of her home in Havana City. This was not the only time that she was attacked or threatened by governmental mobs and State Security agents. Dr. Oscar Elías Biscet made a medical analysis of what he describes as the painful, tragic and unnecessary death of Laura Pollán on November 2, 2011 pointing out how medical neglect and not appropriate treatment could easily lead to her death:
  - a. However, in the course followed by the disease in Laura Pollán there existed things that caught my attention as a physician and that led me to an early diagnosis. Vomiting, chills, joint pains, severe weakness, fever and shortness of breath are **associated with an epidemic of dengue**. Incredibly, the patient's skin was not reviewed to discover scarlatiniform or maculopapular, or the presence of petechiae that are unmistakable signs of this process, nor indicated the loop or tourniquet test that is done at the foot of the bed. Nor were immunological investigations performed for the diagnosis of dengue in the health center where she was treated. [...] So, the patient is in a serious state, I would say in an irreversible vascular shock, which went from a moderate awareness to stupor and finally coma. This alteration of consciousness was not communicated to the family. The proof is that while they had their eyes occluded with moist gauzes, method utilized in comatose cases, in medical reports limited themselves to saying that they had her

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<sup>3</sup> Cuban Democratic Directorate's Audio Recording #163747, May 10, 2011.

sedated. Hemoglobin dropped from 12 to 6 g/l why? For post-hemorrhagic anemia due to hemolytic anemia. This last factor explains the final diagnosis that they gave the patient of an acute respiratory failure because of the respiratory syncytial virus (RSV). But there was no jaundice of skin or mucosa, or other hemolytic sign. But when I saw the skin of the corpse during the course of the funeral it was translucent and white. As could be described as pale alabaster skin that is caused by acute hemorrhage and contrasts with hemolytic anemia where the skin takes on a yellowish color [...] However, the patient Laura Pollán's was misdiagnosed with the illness of respiratory distress or acute respiratory failure because of the respiratory syncytial virus.

***Wilman Villar Mendoza: Human Rights Defender dies protesting unjust trial and imprisonment, January 2012***

10. **Wilman Villar Mendoza** was detained on November 2, 2011, after participating in a nonviolent demonstration in Contramaestre, Cuba calling for greater political freedom and respect for human rights, his wife told Human Rights Watch. He was a member of the Union Patriótica de Cuba (UNPACU). He was later released and detained again on November 14, 2011 along with eight other members of the UNPACU group in Contramaestre in Eastern Cuba while engaged in a protest against the Cuban government. Released three days later he was then summoned on November 24, 2011 where he underwent a closed summary trial for the November 2<sup>nd</sup> protest. He was immediately sentenced to four years in prison charged with "contempt" (*desacato*) and transferred to Aguadores prison in Santiago, Cuba. On that same day he began a hunger strike to protest the unjust ruling and imprisonment. He was confined to a cold punishment cell stripped naked and denied water to break his will to remain on hunger strike. Near death he was transferred from prison on January 13 to Juan Bruno Zayas Hospital in the city of Santiago where he died on January 19, 2012.

***Sergio Díaz Larrastegui, human right defender member of Consejo de Relatores de Derechos Humanos, dies under suspicious circumstances, April 2012***

11. **Sergio Díaz Larrastegui** had suffered harassment and threats from State Security agents since his home became the headquarters of the Information Center of the Council of Human Rights Rapourteurs that was established since 2007. This human rights organization inside Cuba reports on human rights violations throughout the Island. The Council had denounced on its First Semester Report of 2009 that on December 2008, State Security agents threatened Diaz Larrastegui that if he did not remove the information center from his home he would suffer the consequences. Diaz Larrastegui was a 54 year old blind, black man and was otherwise a healthy person, said a report published on July 2012 by the Council. No illness was known before he was admitted to Julio Trigo Hospital in Havana under State Security's control. Ten days later his friends were informed of his death. "The supposed doctor that informed us about his death was so nervous that he could not hide his it. When we asked him the causes of Diaz Larrastegui's death, he answered he did not know, but that they were going to write hepatic failure", said Juan Carlos González Leiva, leader of the Council and Diaz Larrastegui's friend.

***Human Rights Defenders Oswaldo Paya Sardiñas (Sakharov Prize Laureate 2002) and Harold Cepero Escalante die in a car accident, July 2012***

12. Christian Liberation Movement founder, **Oswaldo Paya Sardiñas** received numerous death threats over the years and state security warned him in 2006 that he would not live to see the end of the Castro regime. On June 2, 2012 Oswaldo and his wife **Ofelia Acevedo** were traveling in their car (a 1964 VW station wagon) towards his wife's mother's home in La Lisa. Driving through La Calzada del Cerro and having just driven across the intersection with Rancho Boyeros Avenue, they were hit by an old American car in the right rear wheel of their vehicle with such a force that it made the car rock and flip into the opposite lane. They were trapped inside and covered in broken glass. Oswaldo Paya Sardiñas hurt his left elbow and his wife was unhurt in the incident. On the afternoon of July 22, 2012 Oswaldo Payá Sardiñas, founder and leader of the Christian Liberation Movement and **Harold Cepero Escalante**, member of the cited movement, died on the Las Tunas-Bayamo highway, in Cuba. News of the incident reached Ofelia Acevedo via Madrid at 3:18pm that the car carrying her husband was hit and

knocked off the road. In the wrecked car traveled together with them, Ángel Francisco Carromero and Jens Aron Modig, Spanish and Swedish citizens respectively. Carromero was driving. Oswaldo Paya's family is demanding an independent investigation of the facts.

## Death Threats

13. Death threats are a common practice during arbitrary detentions in Cuba. Numerous human rights defenders have denounced state security agents and officials for death threats and beatings as a way to prevent the activists from continuing their pro human rights campaigns and advocacy. As the numbers of arbitrary arrests have grown in Cuba over the past four years, death threats have also increased. Below we highlight some cases.
14. **Berta Guerrero Segura**, human rights defender in Holguin City denounced on **October 5, 2012** that mobs organized by State Security forces began a "repudiation act" and during the course of verbal attacks one of the agents threatened her, her family and other human rights defenders present at her home that they will use gasoline to light the house on fire and burn all those inside, including their underage children. This family has suffered previous physical attacks against their home and children.
15. Former political prisoner and Democratic Freedom Movement founder **Angel Moya Acosta** on **October 2, 2012** denounced death threats his family and local activists have been receiving in Pedro Betancourt, Matanzas, at the hands of individuals sent by State Security. One of the individuals being used by the political police is Luis Alberto Rodriguez aka "The Well Fed" (who invaded the home of Moya Acosta's sister with a *machete* in his hand, threatening to kill her if he remained in town conducting opposition activities). Rodriguez tried to kill Angel Moya in a park and hit a freelance journalist days later. According to activists, local police ignored the complaints of those threatened.
16. State Security Lt. Colonel Carmentate at Pedernales Detention Center in Holguin threatened former political prisoner and pro democracy activist **Jorge Luis García Pérez Antúnez** with death on **August 26, 2012** during an arbitrary detention. He was in a cell and Carmentate entered and told him: "When you are returned to Holguin you are not going to get out alive, and make no mistake, we kill and we do not pay", report Antúnez on August 28, 2012.
17. **Gertrudis Ojeda Suárez**, an activist based in Banes, Holguín Cuba on **January 9, 2012** described how State Security agents from the Ministry of the Interior (MININT) threatened her and her family. She recalled how one agent named Freddy Agüero threatened her and "two or three days later they poisoned my dogs, placing poison around my home without taking into account that I have small children and if they had seen the fried sausage and had eaten it" they could've died.
18. In an open letter to Mr. José Juan Ortiz Brú, the UNICEF representative in Cuba dated **May 25, 2012** from Santa Cruz del Sur-Camagüey the author of the letter **Yoan David González Milanés** states: On multiple occasions we have been threatened with being assassinated if we continue to express our disagreement with the political system, both by political police and unknown persons. Many of the death threats have been carried out by telephone calls.
19. On April 8, 2011 **Damaris Moya Portieles** was threatened with death by State Security official Williams in Santa Clara and in the presence of other members of the Ministry of the Interior (MININT), on that day she also received a brutal beating. On **February 1, 2012**, two state security agents beat up Damaris Moya Portieles in the patrol car as they drove from the place of her arrest to police headquarters. Following her transfer to police headquarters in the other city; they spit on her food and again threatened to kill her if there was a change of government in Cuba.<sup>4</sup>

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<sup>4</sup> SOLICITUD DE MEDIDAS CAUTELARES DAMARIS MOYA PORTIELES.