



# General Assembly

Distr.: General  
1 March 2011

English only

---

## Human Rights Council

Sixteenth session

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the Centrist Democratic International, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Role of Cuban prison practices in death of human rights defender**

Centrist Democratic International (CDI) during the 13th session of the Human Rights Council expressed in a written statement on Agenda item 4 deep concerns about reports it had received from the Council of Human Rights Rapporteurs of Cuba with regards to the human rights situation in Cuba in general; the situation in the prisons and plight of prisoners of conscience in particular.

The first prisoner of conscience that the CDI described as at risk Orlando Zapata Tamayo died days later on February 23, 2010 at 3:00pm while still in the custody of Cuban officials. There is evidence that the death was the end result of torture.

Both Abel Lopez Perez and Reina Luisa Tamayo charge that Cuban prison officials denied Orlando Zapata Tamayo water in an effort to break his spirit. Reina Luisa Tamayo interviewed by Yoani Sanchez, hours after her son's death said officials had denied him water. Political prisoner Abel Lopez corroborated the charge stating: "Before Zapata was checked into the hospital, he was regularly taking some vitamins. He was in a weak state of health. A military chief known as 'Gordo', who was the one responsible for ordering all of Zapata's things to be taken out of the cell and to stop giving him water, also took his bottle of vitamins and poured all the pills down a drain. He told him, 'Those who are in protest here don't drink vitamins. I think those are pills sent to you by the Yankees so you can continue your hunger strike.' Those were the exact words said to him, I verified them. His vitamins were taken away, as were any other medications. And they stopped giving him water for a while." This type of practice was also documented in the 1966 death of another Cuban hunger striker, Roberto López Chávez and on March 15, 2010 with political prisoner Ricardo Galbán Casals at the Guantánamo Provincial Prison. Haydée Galbán Casals, mother of Ricardo, was able to visit her son on March 15, 2010 and declared: "They denied my son water for five days," and holds the Chief of Security at the Prison Rubén Fernández as responsible.

Orlando Zapata Tamayo had been beaten and mistreated on more than one occasion by prison guards and state security along with other prisoners. His body was scarred and his health in decline because of this inhuman treatment. For example 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."

Orlando Zapata Tamayo was visited on February 2, 2009 by his mother Reina Luisa Tamayo Danger who in a February 6, 2009 recording described how she found him "in bad shape. Zapata has not increased even an ounce in weight, with a kidney infection, very weak, very cloudy vision, he says, he prefers to remain lying down. Zapata had not been taken out to get sun over the previous 4 months and is sleeping on the floor. [...] The blow they gave to the bottom of the brain on July 26 at 10 pm when he shouted "Down with Fidel, long live human rights, freedom for the people of Cuba!" [This time] they threw two common prisoners on him to beat him up. The hematoma is kept bloody below the brain, like a bloody rash below the neck and around the hematoma." An even more troubling report emerges months later.

In a December 7, 2009 recording Reina Luisa Tamayo Danger described how, Orlando Zapata Tamayo, detained at the Holguín Provincial Prison "was recently the victim of three horrific beatings: one on 29 August [2009], another 24 September [2009], and another the largest one on the 26th of November [2009] to end his life." [...] Since the beatings they had not allowed me to see him. Finally when I saw him I could see the bruises on his back

and other places on his body. For you to understand my son is black and I could see the scars on his back. My son is extremely low in weight and showed me a wound on his head where they could've placed 4 stitches. There was not one place on his back that did not have scars from the rubber club (tonfaso)."

Cuban political prisoner Abel Lopez Perez transferred to the same prison in Camaguey as Orlando Zapata Tamayo on December 3, 2009 briefly saw him and heard from other prisoners "that a few days before being taken away, Zapata stood up and shouted, 'People, don't let yourselves be lied to. Don't believe anything that they tell you. I'm not demanding a kitchen or any of the things they took away from me. I'm demanding an improvement of treatment for all prisoners.'" Ariel Sigler Amaya, another Cuban prisoner of conscience, had to threaten a hunger strike, although already emaciated and crippled, to obtain medical treatment to save his life. The hunger strike was not an act of suicide but rather a last desperate act of self defense.

Important to recall that Orlando Zapata Tamayo was recognized as an Amnesty International (AI) prisoner of conscience on January 29, 2004 a designation given only to nonviolent activists after careful examination. On January 29, 2004 Amnesty International outlined Orlando Zapata Tamayo's past arrests and activism:

"He has been arrested several times in the past. For example he was temporarily detained on 3 July 2002 and 28 October 2002. In November 2002 after taking part in a workshop on human rights in the central Havana park, José Martí, he and eight other government opponents were reportedly arrested and later released. He was also arrested on 6 December 2002 along with Oscar Elías Biscet, but was released on 8 March 2003. Most recently, he was arrested on the morning of 20 March 2003 whilst taking part in a hunger strike at the Fundación Jesús Yáñez Pelletier, Jesús Yáñez Pelletier Foundation, in Havana, to demand the release of Oscar Biscet and other political prisoners."<sup>25</sup>

The aftermath of Orlando Zapata Tamayo's death combined with negative press attention garnered by the Cuban government organizing acts of repudiation to assault female relatives of these prisoners of conscience [who had organized themselves in 2003 in an effort to obtain their family members freedom into the civic movement the Ladies in White] drew international scrutiny.

On July 7, 2010 the Cuban government announced that all prisoners arrested during the March 18, 2003 Black Cuban Spring crackdown would be released in the span of three or four months.

A number of prisoners identified previously as in poor health are now exiled: Ariel Sigler Amaya, Juan Carlos Herrera Acosta, Jorge Luis González Tanquero, José Luis García Paneque, Ricardo Gonzalez Alfonso and Normando Hernández González although still suffering numerous ailments acquired while in prison are now free and for the most part recovering.

Four month span passed on November 7, 2010 and as of February 14, 2011 seven Cuban prisoners of conscience from the group imprisoned in March of 2003 remain imprisoned apparently because they have refused exile. Among them are a number of prisoners in poor health.

Librado Linares García, mentioned in 2010, continues to suffer from bilateral epitheliopathy which has led to blindness in his left eye and he is beginning to lose sight in the right. He suffers from alkaline reflux erythematous gastritis which he developed following surgery for a stomach ulcer that collapsed more than half of this organ. They removed more than 40% of his intestines along with a portion of the duodenum and dysplastic cells were found present. Librado also suffers from arthritis, pulmonary emphysema, fatty liver, and synovitis in one knee. He is suffering from seborrheic

dermatitis on his head, and pharyngitis. His family has requested a medical parole but has not received a response from the authorities.

In addition to Orlando Zapata Tamayo at least five other political prisoners died on hunger strikes:

- Roberto López Chávez, 25 years old, died on December 11, 1966 in Isle of Pines prison on hunger strike without medical assistance. Armando Valladares, in his prison memoir, *Against All Hope* stated: “When Roberto López Chávez, went on a hunger strike to protest the abuses in the prison, the guards withheld water from him until he became delirious, twisting on the floor and begging for something to drink.”
- Carmelo Cuadra Hernández, died in La Cabaña prison in April of 1969 on hunger strike, after suffering mistreatment over eight and a half months, without receiving medical care.
- Pedro Luis Boitel died on hunger strike on May 25, 1972 in El Principe Prison.
- Olegario Charlot Pileta, died in the famous "Escaleras" of Boniato prison, in January 1973 during a hunger strike, without medical assistance and is described in documents as a “black youth.”
- Enrique García Cuevas died on a hunger strike, without receiving medical care, in the new Provincial Jail of Santa Clara, on June 24, 1973.