



Plenary sitting

B9-0200/2019

26.11.2019

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on Cuba, the case of José Daniel Ferrer
(2019/2929(RSP))

Michael Gahler, Leopoldo López Gil, Tomáš Zdechovský, Ivan Štefanec, Eva Maydell, Vladimír Bilčík, Magdalena Adamowicz, Michaela Šojdrová, Milan Zver, Isabel Wiseler-Lima, Željana Zovko, Roberta Metsola, Lefteris Christoforou, Loucas Foulas, Tomas Tobé, Romana Tomc, Seán Kelly, David McAllister, Stelios Kypouropoulos, Arba Kokalari, Tomasz Frankowski, Javier Zarzalejos, Sandra Kalniete, Loránt Vincze, Stanislav Polčák, Inese Vaidere, Jiří Pospíšil, Antonio López-Istúriz White
on behalf of the PPE Group

B9-0200/2019

**European Parliament resolution on Cuba, the case of José Daniel Ferrer
(2019/2929(RSP))**

The European Parliament,

- having regard to its previous resolutions on Cuba, in particular the ones of 17 November 2004, of 2 February 2006, of 21 June 2007, of 11 March 2010, of 5 July 2017 and of 15 November 2018,
 - having regard to the Political Dialogue and Cooperation Agreement (PDCA) between the European Union and Cuba signed in December 2016 and provisionally applied since 1 November 2017,
 - having regard to the second EU- Cuba Joint Council on 9 September 2019 in Havana,
 - having regard to the second formal EU-Cuba Human Rights Dialogue, held under the EU-Cuba PDCA, on 3 October 2019 in Brussels,
 - having regard to the UN Human Rights Council Universal Periodic Review on Cuba in May 2018,
 - having regard to the EU Guidelines on Human Rights Defenders,
 - having regard to the Universal Declaration of Human Rights, to which Cuba is a signatory,
 - having regard to the Rule 144 of its Rules of Procedure,
- A. whereas on 1 October 2019 the opposition leader of the Patriotic Union of Cuba (UNPACU) Jose Daniel Ferrer was arbitrarily detained without any charges brought against him and was held incommunicado for at least 72 hours;
- B. whereas Cuban authorities have imprisoned, harassed and intimidated him for more than a decade due to his peaceful political activism; whereas in 2018, he was held in solitary confinement for 10 days;
- C. whereas on 2 November, Mr Ferrer smuggled out a letter stating he has been tortured and ill-treated putting his life in danger while in detention and have been denied proper medical attention; whereas according to information provided by his family on 15 November, he is being held in Aguadores prison in Santiago de Cuba, where he was taken to a punishment cell; whereas on 7 November his wife saw him for few minutes, confirming that his health is in a critical state;
- D. whereas he is only one case among at least 125 political prisoners in Cuba; whereas many independent journalists, peaceful dissidents and human rights defenders, who are mostly members of the democratic opposition, are being persecuted, arbitrarily

detained or held in jail in Cuba, in particular José Guía Piloto, Silverio Portal Contreras, Mitzael Díaz Paseiro, Orlando Zapata Tamayo, Eliecer Bandera Barrera, Edilberto Ronal Azuaga y Roberto de Jesús Quiñones Haces;

- E. whereas on 28 October 2019, Armando Sosa Fortuny – the longest detained Cuban political prisoner who spent 43 years in prison died; whereas the Cuban authorities had not agreed to release him despite the worsening health;
- F. whereas under international human rights standards, anyone who is arrested or detained must be informed about the reasons at the time of their arrest, and be brought before a judge promptly;
- G. whereas Cuban’s government actions are contrary to the provisions of Articles 1 (5) and 22 of the Agreement on Political Dialogue and Cooperation between the European Union and Cuba signed in 2016, in which the government commits to uphold and improve human rights;
- H. whereas on 5 July 2017, the European Parliament granted its consent to the EU-Cuba Political Dialogue and Cooperation Agreement (PDCA); whereas the PDCA clearly articulates its great concerns about the human rights situation in Cuba, and includes a suspension clause in the event of a violation of human rights provisions;
- I. whereas the human rights dialogue between the EU and Cuba, led by the EU Special Representative for Human Rights, began in 2015 and fourth round took place on 9 October 2018; whereas it hasn’t brought any tangible results despite Cuba’s re-election to the UN Human Rights Council for the period 2017-2019; whereas the political dialogue must include the direct intensive dialogue with civil society and the opposition without any restriction;
- J. whereas in the margins of the second EU- Cuba Joint Council meeting on 9th September in Havana more than 480 activists were arbitrarily arrested; whereas the EU has remained silent over this actions as it is also the case with Mr Ferrer;
- K. whereas the European Parliament has awarded its Sakharov Prize for Freedom of Thought to Cuban activists on three occasions: Oswaldo Payá in 2002, the Ladies in White in 2005 and Guillermo Fariñas in 2010; whereas Sakharov Laureates are still regularly harassed and intimidated and prevented from leaving the country and participating in international events;
- L. whereas human rights, freedom, the dignity and interest of people are best represented and defended in a democracy;
 - 1. Condemns the arbitrary detention of Jose Daniel Ferrer and urgently calls on the Cuban authorities for his immediate release; urges to guarantee the access to a lawyer of his choice, to allow the communication with his family as well as access to all documentation related to his detention and alleged cause;
 - 2. Denounces the torture and ill - treatment that Mr Ferrer has suffered from; reminds the

Cuban authorities about their duty to prevent torture and ill-treatment and to ensure a prompt and impartial investigation; urges the Cuban authorities to grant Mr Ferrer immediate access to medical care;

3. Reiterates its great concern over the continuous persecution, harassment, attacks against peaceful dissidents, independent journalists, human rights defenders and political opposition in Cuba; calls for an immediate end to these actions and the release of all political prisoners, and those arbitrarily detained solely for exercising their freedom of expression and assembly;
4. Expresses its deep concerns about the lack of EU public condemnation on the arbitrary arrest of Mr Ferrer and the aforementioned individuals; urges again the EU Member States, the EEAS and its delegation in Cuba to firmly condemn these actions and to take all necessary action in the defence of democracy and human rights;
5. Regrets that despite the adopted PDCA, the situation of democracy and human rights has not improved; calls for the fulfilment of the binding obligations established under the PDCA between the EU and Cuba, and calls for clear benchmarks in this regard;
6. Recalls that the PDCA includes a provision for the suspension of the agreement that should be applied in the event of a violation of the provisions on human rights; insists therefore that the European Union closely follow and monitor respect for human rights and fundamental freedoms in Cuba when implementing the PDCA and that there are regular reports back to Parliament;
7. Demands the Cuban government to implement legal reforms in order to guarantee freedom of the press, association and demonstration, and launch the political reforms enabling free, fair and democratic elections taking into account the sovereign will of the Cuban people freely expressed;
8. Calls on the new VP/HR to recognise the existence of a political opposition to the Cuban Government and to support its inclusion in the political dialogue between the EU and Cuba; in this sense, calls on all EU Member State representatives to raise human rights concerns during visits with the Cuban authorities and to meet with the Sakharov Prize laureates when visiting Cuba in order to ensure the internal and external coherence of EU human rights policy;
9. Calls on the new VP/HR to demand the Cuban authorities, after years of inaction, to launch reforms leading to a democratic transformation of the country in line with the PDCA; points out that the current situation in Cuba undermines principles on human rights and democracy on which the Agreement is based;
10. Deeply regrets the Cuban authorities' refusal to allow European Parliament, delegations and some political groups to visit Cuba despite Parliament granting its consent to the PDCA; calls on the authorities to immediately allow entry to the country;
11. Denounces and requests the Cuban government to abandon the interventionist attitude and all interference activities in various Latin American countries;

12. Instructs its President to forward this resolution to the Government and National Assembly of People's Power of Cuba, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the Member States of the CELAC countries.