



Plenary sitting

B9-0210/2019

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 the case of José Daniel Ferrer Garcia in Cuba
(2019/2929(RSP))

Molly Scott Cato, Hannah Neumann
on behalf of the Verts/ALE Group

B9-0210/2019

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

The European Parliament,

– having regard to its previous resolutions on Cuba, in particular the ones of 17 November 2004 on Cuba, of 2 February 2006 on the EU’s policy towards the Cuban Government, of 21 June 2007 on Cuba, of 11 March 2010 on prisoners of conscience in Cuba, of 5 July 2017 on the consent and accompanying resolution to the Political Dialogue and Cooperation Agreement (PDCA) between the EU and Cuba, and of 15 November 2018 on the human rights situation in Cuba (2018/2926(RSP)),

- having regard to PDCA between the European Union and Cuba signed in December 2016 and provisionally applied since 1 November 2017,

– having regard to the fourth EU-Cuba Human Rights Dialogue, which for the first time formally held under the EU-Cuba PDCA on 9 October 2018 in Havana,

– 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,

- having regard to Rule 135 of its Rules of Procedure,

A. whereas the EU and Cuba started a new era of relations in December 2016 with the signature of the Political Dialogue and Cooperation Agreement, PDCA, the first ever agreement signed between the EU and Cuba, the only country in Latin America with which the EU had not signed any type of agreement; whereas the PDCA is being provisionally applied since 1 November 2017.

B. whereas the PDCA defines general principles and objectives for the relationship between the EU and Cuba, including three main chapters on political dialogue, cooperation and sectoral policy dialogue, as well as trade and trade cooperation, whereas the PDCA has led to an unprecedented level of institutionalization of the relations between the EU and Cuba on its two years of provisional application; including the institutionalization of a human rights dialogue, the second of which took place on October 3, 2019, in Brussels;

C. Whereas after years of improving relations between the USA and Cuba during the previous US administration and the hope for an end of the economic boycott imposed by the USA and condemned by the UN General Assembly and the EU on multiple

occasions, the current Trump administration in the USA has returned to a cold war attitude, intensifying sanctions and thus even threatening the activities of European companies European NGOs and individual tourists;

D. Whereas the arrest of José Daniel Ferrer García, leader of the unofficial political opposition group “Patriotic Union of Cuba” since 1 October 2019, with a first official pronouncement concerning the reasons of his attentions only more than six weeks later, on November 20, 2019, is of great concern, with respect to the reasons of his detentions and the conditions of his permanence in prison;

1. Urges the Cuban Government to align its human rights policy with the international standards defined in the charters, declarations and international instruments to which Cuba is a signatory;

2. Calls to the Cuban government to allow independent civil society groups, human rights defenders and alternative trade unions to carry out their legitimate activities without hindrance; points out the need to establish a regime of simple notification for the registration of associations;

3. Calls on the government to allow international independent human rights monitors access to Cuba without hindrance and to extend invitations to the UN Special Rapporteurs on the promotion and protection of the right to freedom of peaceful assembly, of expression and on the situation of human rights defenders.

4. Asks for swift and more complete information on the reasons of the detention of José Daniel Ferrer García, particularly with respect to the alleged kidnapping and ill-treatment to a Cuban individual he did, and demands swift clarification of the further treatment of this case and its deadlines;

5. Equally asks for a treatment of Mr Ferrer, according to international standards, including access to a lawyer of his choice and communication with his family, medical treatment in accordance with the Istanbul protocol;

6. Urges the government of Cuba to abide by its obligations and commitments under international human rights law, including the UN Convention against Torture;

7. Recalls to the Cuban government the need to establish a national human rights institution in accordance with the Paris Principles, to strengthen the right to a fair trial and guarantee the independence of the judiciary and to ensure that persons deprived of their liberty have access to an independent lawyer;

8. Calls on the EEAS and the Commission to support in an active manner civil society groups and individuals defending human rights in Cuba, including through arranging prison visits, trial monitoring and public statements; urges the EU Delegation in La Habana to provide all appropriate support to

Cubans including prison visits, trial monitoring and the provision of legal or any other form of assistance that he might require; calls on VP/HR to report to the European Parliament on the actions undertaken so far by the EU Delegation;

9. 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 parliaments and governments of the Member States and the EUROLAT Parliamentary Assembly.