

URGENT ACTION

GRAFFITI ARTIST TRANSFERRED TO NEW PRISON

Cuban prisoner of conscience and graffiti artist Danilo Maldonado Machado ('El Sexto') has been transferred to a new detention centre where he continues to be detained without charge since his arrest on 26 November. He now refuses to eat the food from the prison.

On 4 December **Danilo Maldonado Machado (also known as 'El Sexto')** was transferred to El Vivac prison in the outskirts of Havana, the capital of Cuba. His mother was able to visit him on 5 December and told Amnesty International that he now refuses to eat the food provided by the prison for fear of poisoning, but he ate the food brought to him by his mother.

Danilo Maldonado was arrested at his home in Havana the morning of 26 November, hours after the announcement of Fidel Castro's death. That same day, Cuba-based newspaper *14 y medio* reported that he had graffitied the words "He's gone" (*Se fue*) on a wall in Havana. Nine days after Danilo Maldonado's arrest, Cuban authorities have still failed to present official charges under an internationally recognized offence against him. The authorities have not informed his mother or his lawyer of the reasons for this detention, nor a date for his release.

His family presented a Habeas Corpus request for the preservation of Danilo Machado's individual rights before the Provincial Court of Havana (Tribunal Provincial de la Habana) on 5 December seeking his immediate release.

Please write immediately in Spanish or your own language:

- Calling on the authorities to release Danilo Maldonado Machado ('El Sexto') immediately and unconditionally, as he is a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression;
- Calling on them to guarantee the peaceful right to freedom of expression, assembly and association including for dissident, opponent or activist voices and to repeal all legislation which unduly limits these rights;
- Urging them to ensure that, pending his release, he is provided with any medical care which he may require, in particular if he refrains to eat; that he is not tortured or otherwise ill-treated; and that he is granted regular access to family and lawyers of his choosing.

PLEASE SEND APPEALS BEFORE 16 JANUARY 2017 TO:

President of the Republic

Raúl Castro Ruz

Presidente de la República de Cuba
La Habana, Cuba

Fax: +41 22 758 9431 (Cuba Office in Geneva); +1 212 779 1697 (via Cuban Mission to UN)

Email: cuba@un.int (c/o Cuban Mission to UN)

Salutation: Your Excellency

Attorney General

Dr. Darío Delgado Cura

Fiscal General de la República
Fiscalía General de la República
Amistad 552, e/Monte y Estrella
Centro Habana, La Habana, Cuba

Salutation: Dear Attorney General/

Señor Fiscal General

Also send copies to diplomatic representatives accredited to your country. Her Excellency Her Excellency **Teresita Vicente**, Embassy of the Republic of Cuba, 167 High Holborn WC1 6PA, 020 7240 2488, Fax 020 7836 2602, secembajador@uk.embacuba.cu, www.cubadiplomacia.cu

Please check with your section office if sending appeals after the above date. This is the first update of UA 273/16. Further information: www.amnesty.org/en/documents/amr25/5244/2016/en/

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ADDITIONAL INFORMATION

On 20 October 2015, Danilo Maldonado Machado was released after spending almost 10 months in prison without trial following accusations of “aggravated contempt”. Amnesty International considered him a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression (see: <https://www.amnesty.org/en/documents/amr25/2710/2015/en/>).

Danilo Maldonado Machado was accused of “aggravated contempt” after being arrested on 25 December 2014 for transporting two pigs with the names “Raúl” and “Fidel” painted on them, which he intended to release in an art show in Havana’s Central Park. He was never formally charged nor brought before a court during the almost 10 months he spent in detention.

Further information on UA: 273/16 Index: AMR 25/5279/2016 Issue Date: 5 December 2016