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Session:	Fifty-Third Session (22 June – 2 July 1981)
Title/Style of Cause:	Boni Oriente prisoners v. Cuba
Doc. Type:	Resolution
Decided by:	Chairman: Tom J. Farer; First Vice Chairman: Marco Gerardo Monroy Cabra; Second Vice Chairman: Francisco Bertrand Galindo; Members: Carlos A. Dunshee de Abranches; César Sepúlveda
Dated:	25 June 1981
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## BACKGROUND:

1. In a communication of May 29, 1979, the following denunciation was received:

“Last June, 114 political prisoners were transferred from the Combinado del Este prison in Havana to the maximum security prison of Boni Oriente.

Most of the prisoners transferred are "unbreakable" (plantados) prisoners.

The reasons for the transfer are unknown, but it is suspected that they were transferred to separate them from their companions because the authorities intend to delay their release or not to release them at all. They were transferred under inhumane conditions, like animals, crowded into "dog kennels" (jaulas perreras) for more than 20 hours, with little medical care and scant food until they reached the prison.

Details of the transfer are given in a letter received on August 16, which was smuggled out of the Boniato prison.

News received by the families of some of the transferred prisoners indicate that a group of them are on a hunger strike.“

2. In a note of December 18, 1979, the Commission transmitted the pertinent portions of the denunciation to the Cuban Government and requested information on the case.

3. To date, the Government of Cuba has not replied.

## WHEREAS:

1. To date, the Government of Cuba has not replied to the Commission's request dated December 18, 1979.

2. Article 39 (1) of the Commission Regulations provides as follows:

#### Article 39

The facts reported in the petition whose pertinent parts have been transmitted to the government of the state in reference shall be presumed to be true if, during the maximum period set by the Commission under the provisions of Article 31 paragraph 5, the government has not provided the pertinent information, as long as other evidence does not lead to a different conclusion.

#### THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS RESOLVES:

1. Pursuant to article 39 (1 ) of its Regulations. to presume to be true the events denounced in the communication of May 29, 1979, concerning the arbitrary detention of 114 prisoners.
2. To declare that the Government of Cuba violated the right to life, liberty and personal security (Art. I of the American Declaration of the Rights and Duties of Man), the right to the preservation of health and to well-being (Article XI), the right to a fair trial (Article XVIII), the right of protection from arbitrary arrest (Article XXV), and the right to due process of law (Article XXVI).
3. To communicate this decision to the Government of Cuba and to the claimants.
4. To include this resolution in the Commission's Annual Report to the General Assembly of the Organization of American States, pursuant to Article 18(f) of the Statute and Article 59(g) of the Regulations of the Commission.