

EXTERNAL (for general distribution)

AI Index: AMR 25/13/91  
Distr: UA/SC

13 June 1991

**PLEASE SEND UP TO TWENTY APPEALS PER SECTION  
TRY TO GET LAWYERS GROUPS AND MEDICAL GROUPS TO SEND APPEALS.**

Further information on UA 188/91 (AMR 25/12/91, 5 June 1991) - Fair Trial

CUBA:           Dr Julián ARAÑA ROSAINZ, neurologist, aged 35  
                  Dr Julio BENTZ SAAB, neurosurgeon, aged 42 (note new name)

---

Amnesty International has learned that a second man, Dr Julio Bentz Saab, is awaiting trial with relation to the case involving Dr Julián Araña Rosainz. Both are said to have been arrested in October 1990 and are now being held in Combinado del Este Prison in Havana: Dr Bentz in Building 1 and Dr Araña in Building 3. Despite the political nature of the charges against them, they are said to be held with common prisoners rather than with prisoners convicted of or pending trial for crimes against state security, who are usually kept together. As had earlier been confirmed by the Cuban Embassy in Canada in the case of Dr Araña, they have been charged with a state security offence under article 107.1 of the Cuban Penal Code, which states that "Anyone who, with the aim of affecting State security, carries out an act against the life, physical integrity, freedom of personal security of a leader of the Cuban Communist Party, the State or the Government, or against their relatives, faces a sanction of between ten and twenty years' loss of liberty or death". ["**El que, con el propósito de afectar la seguridad del Estado, ejecute un acto contra la vida, la integridad corporal, la libertad o la seguridad personal de un dirigente del Partido Comunista de Cuba, del Estado o del Gobierno, o contra sus familiares, incurre en sanción de privación de libertad de diez a veinte años o muerte.**"] According to unofficial sources, one or both of them are also being charged under article 208-209 of the Penal Code with "illegal association", a relatively minor public order offence which carries a maximum sentence of one year's imprisonment. It is not clear what the basis for either of the charges is. The prosecution is reportedly seeking an 18-year sentence for Dr Bentz and ten years for Dr Araña. The date of trial is not yet known although it is likely to take place very soon. The two defendants are said to have so far had limited access to defence lawyers.

Dr Julio Bentz Saab is a neurosurgeon and, like Dr Araña, is believed to work for the **Instituto Nacional de Neurología and Neurocirugía**, National Institute of Neurology and Neurosurgery, in Havana.

Amnesty International is concerned about the legal situation of both Dr Julián Araña Rosainz and Dr Julio Bentz Saab. It is feared that they have not received full judicial guarantees during the period of pre-trial detention and that, because of the political nature and seriousness of the principal charge against them, the possibility of receiving a fair hearing and a proper defence, will be severely limited.

**FURTHER RECOMMENDED ACTION: Telegrams/telexes and airmail letters:**

- requesting guarantees that the procedures in the forthcoming trial of Dr Julián Araña Rosainz and Dr Julio Bentz Saab conform fully to international standards for a fair trial;

- urging that it should be open to the public and to independent observers;
- urging that Dr Araña and Dr Bentz be afforded full judicial guarantees and especially that they should have full access to defence lawyers of their choice and adequate facilities to prepare and offer evidence on their own behalf.

**APPEALS TO:**

Dr Fidel Castro Ruz  
Presidente del Consejo de Estado  
y del Consejo de Ministros  
Ciudad de la Habana, Cuba

**Telegrams: Presidente Castro, Havana, Cuba**

**Telexes: 51212 P DESP PRESID**

Dr Carlos Amat Forés  
Ministro de Justicia  
Ministerio de Justicia  
Calle O No. 216, 8vo piso  
entre 23 y Humboldt  
Vedado, Ciudad de la Habana  
Cuba

**Telegrams: Ministro Justicia, Havana, Cuba**

**Telexes: 511 331 MINJU CU**

Dr Ramón de la Cruz Ochoa  
Fiscal General de la República  
Fiscalía General de la República  
San Rafael 3  
Ciudad de la Habana, Cuba

**Telegrams: Fiscal General, Havana, Cuba**

**Telexes: 511456 FISGE**

General Abelardo Colomé íbarra  
Ministro del Interior  
Ministerio del Interior  
Plaza de la Revolución  
Ciudad de la Habana, Cuba

**Telegrams: Ministro Interior, Havana, Cuba**

**Telexes: 511122 MINREX**

**COPIES TO:**

Granma (newspaper)  
Apartado 6260  
Ciudad de la Habana, Cuba

and to diplomatic representatives of Cuba in your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 25 July 1991.