

PUBLIC

AI Index: AMR 25/33/99

UA 169/99

Prisoner of conscience

19 July 1999

CUBA

Nestor Rodríguez Lobaina

---

Political activist Nestor Rodríguez Lobaina was arbitrarily arrested on 11 July 1999, and his whereabouts are now unknown. Amnesty International considers him a prisoner of conscience, detained solely for exercising his right to freedom of expression. Under harsh new legislation aimed at silencing dissent, he could face a long prison sentence.

Nestor Rodríguez Lobaina, who is president of the *Movimiento de Jóvenes Cubanos por la Democracia* (MJCD), Cuban Youth Movement for Democracy, was arrested at the MJCD coordinator's home in Santiago de Cuba. It is believed he was arrested because he had begun a hunger strike in solidarity with a group of dissidents in Havana known as the *Ayunantes de Tamarindo 34*, Tamarindo 34 Hunger-strikers, who began a 40-day hunger strike on 7 June to demand the release of all political prisoners and respect for human rights in Cuba.

#### **BACKGROUND INFORMATION**

Nestor Rodríguez Lobaina has been arrested several times. He was last detained for several days in February and March 1999. He was detained from 7-15 December 1998 after making a personal protest at the Cuban government's refusal to let him leave the country to attend a conference in Paris marking the 50th anniversary of the Universal Declaration of Human Rights (see UA 307/98, AMR 25/28/98, 9 December 1998, and follow-up, AMR 25/29/98, 18 December 1998). He had previously been arrested in April 1997 and sentenced to 18 months' imprisonment for "disrespect", and "resisting authority", after criticising the Fourteenth Youth and Student Festival.

He was also arrested on 6 June 1996, reportedly in connection with the MJCD's peaceful attempts to organize a movement for university reform in the capital. He was sentenced to 12 months' "restricted liberty", as well as five years of "destierro", internal exile or confinement, in his home town of Baracoa, Guantánamo province.

On 16 February 1999 Cuba's National Assembly passed tough new legislation aimed at combatting political dissent, called the "*Ley de Protección de la Independencia Nacional y la Economía de Cuba*", "Law for the Protection of the National Independence and Economy of Cuba". Under this new law, dissidents and journalists deemed to be working against the Cuban state reportedly face up to 20 years' imprisonment. The law calls for seven to 15 years' imprisonment for passing information to the United States that could be used to bolster anti-Cuban measures such as the US economic blockade of the island, rising to 20 years if the information is acquired surreptitiously. The legislation also bans the ownership, distribution or reproduction of "subversive materials" from the US government, and proposes jail terms of up to five years for collaborating with radio and TV stations and publications deemed to be assisting US policy.

#### **RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language:**

- expressing concern at the arrest of Nestor Rodríguez Lobaina on 11 July 1999 and urging that he be immediately and unconditionally released on the grounds that he is a prisoner of conscience detained solely for peacefully attempting to exercise his right to freedom of expression, association and assembly;
- urging that he be granted immediate access to a lawyer of his choosing.

#### **APPEALS TO:**

1) Attorney-General  
Dr Juan Escalona Reguera  
Fiscal General de la República  
Fiscalía General de la República  
San Rafael 3, La Habana, Cuba

**Telegrams:** Fiscal General, Havana, Cuba  
**Telexes:** 511456 fisge  
**Salutation:** Sr Fiscal General / Dear Attorney General  
**Faxes:** + 53 7 57 07 95

2) Minister of Foreign Affairs

Sr. Felipe Pérez Roque  
Ministro de Relaciones Exteriores  
Ministerio de Relaciones Exteriores  
Calzada No. 360, Vedado, La Habana, Cuba  
**Telegrams:** Ministro Relaciones Exteriores, Havana, Cuba  
**Telexes:** 511122 / 511464 / 512950  
**Faxes:** + 53 7 335261 / 33 3085 / 33 3460  
**Salutation:** Señor Ministro / Dear Minister

3) Minister of the Interior

General Abelardo Colomé Ibarra  
Ministro de Interior  
Ministerio del Interior  
Plaza de la Revolución, La Habana, Cuba  
**Telegrams:** Ministro Interior, Havana, Cuba  
**Salutation:** Señor Ministro / Dear Minister  
**Faxes:** + 53 7 335261

**COPIES TO:**

National Union of Jurists  
Unión Nacional de Juristas  
Apartado 4161  
La Habana 4, Cuba

Editor of Granma (daily newspaper)  
Sr Jacinto Granda de Laserna  
Granma, Apdo 6260, La Habana, Cuba

and to diplomatic representatives of Cuba accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 30 August 1999.