

EXTERNAL

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EXTRA 16/98

Prisoner of Conscience / Legal Concern

19 February 1998

CUBA Reinaldo ALFARO GARCIA, aged 36

The trial of Reinaldo Alfaro García, vice-president of the unofficial *Asociación de Lucha Frente a la Injusticia (ALFIN)*, Association for Struggle against Injustice and a member of the executive of the unofficial *Partido Solidaridad Democrático (PSD)*, Democratic Solidarity Party, is reportedly scheduled to take place on 20 February 1998 at the Havana People's Provincial Tribunal. The prosecution is reportedly seeking a 12-year prison sentence on several counts of "enemy propaganda". Amnesty International considers Reinaldo Alfaro García to be a prisoner of conscience, detained for peacefully exercising his right to freedom of expression.

Reinaldo Alfaro García was initially arrested in Havana on 1 May 1997 but released a few hours later after refusing to sign an official warning accusing him of intending to disrupt public order. He was re-arrested on 8 May and taken to the State Security headquarters at Villa Marista. In July he was transferred to Combinado del Este Prison to await trial. It is not clear how much access he has had to a lawyer since his arrest.

The charge of "enemy propaganda" has been brought against Reinaldo Alfaro García as a result of information he gave in telephone interviews to Radio Martí, a US government-funded radio station which broadcasts to Cuba. In May 1997 he talked to Radio Martí about a letter he had sent to the National Assembly of Popular Power calling for an amnesty for all prisoners convicted of crimes against state security. The authorities allege that he also called on the mothers of political prisoners to sign the letter and to gather outside the National Assembly. He is also accused of giving reports to Radio Martí about alleged human rights violation during 1995 which the Cuban authorities claim are untrue. The prosecuting authorities reportedly intend arguing that his actions had "the deliberate aim of causing alarm amongst the population" and of "subverting the established social order".

BACKGROUND INFORMATION

In Cuba freedom of expression, association and assembly are severely limited in law and in practice. Those who attempt to express views or organize meetings or form organizations that conflict with government policy and/or the aims of the socialist state are likely to be subjected to punitive measures including loss of employment, harassment, intimidation and often imprisonment. Although, in the wake of the Pope's visit to Cuba in January 1998, the Cuban Government has recently announced the release of over 300 prisoners jailed on criminal and political charges, including prisoners of conscience, trials of peaceful government opponents are continuing. Amnesty International believes that there are still a substantial number of prisoners of conscience in detention in Cuba. Trials in all political cases fall far short of international fair trial standards.

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

- welcoming the news that some 300 prisoners are to be released but expressing concern that the measure does not extend to all prisoners of conscience;
- noting reports that Reinaldo Alfaro García is to be tried on 20 February 1998 on charges of "enemy propaganda";

- expressing concern that the charge has been brought against him solely because of his attempts to peacefully exercise his right to freedom of expression;
- requesting that the charge be immediately dropped and that he be immediately and unconditionally released;
- urging that, if brought to trial, he be provided with full judicial guarantees in accordance with international fair trial standards, including adequate access to a lawyer of his choice.

APPEALS TO:

This is a limited action. Please restrict appeals to 15 per section.

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

2) Minister of Foreign Affairs

Sr Roberto Robaina González
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
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

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 2 March 1998.