

EXTERNAL (for general distribution)

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Prisoners of Conscience/Legal Concern

3 January 1992

CUBA: Yndamiro RESTANO DIAZ, aged 43, journalist and President of the Movimiento de Armonía (MAR), Harmony Movement

and three other members of MAR.

Berenice MORALES (f)

Jorge EGAÑA

Iraida MONTALVO MIRANDA (f)

Amnesty International is concerned about the arrest in Havana of the President and at least three other members of the **Movimiento de Armonía (MAR)**, Harmony Movement, an unofficial political group set up in 1990. From the information available, Amnesty International believes that they are prisoners of conscience, detained because of their legitimate non-violent political and human rights activities.

Yndamiro Restano Díaz, President of the MAR, was reportedly detained on 20 December 1991 as he was leaving his parents' house in Vedado, Havana. A private car stopped outside and several men got out and handcuffed him before taking him away. He was taken to the headquarters of the **Departamento de Seguridad del Estado (DSE)**, Department of State Security, known as Villa Marista, where he was allowed a family visit on 30 December. His relatives were said to have been told that he would be brought to trial. The charges are so far not clear although one unconfirmed report suggests that he is to be charged with "rebellion" ("**rebelión**"), a state security crime (**delito contra la seguridad del estado**), the penalty for which can range from seven to 15 years' imprisonment or, in more serious cases involving armed uprising or the advocacy of such, from four to 20 years' imprisonment or death.

At least three other people, also believed to be members of MAR, were arrested on 26 December and are also believed to be held in Villa Marista. Their names are Berenice Morales, Jorge Egaña and Iraida Montalvo Miranda. Neither they nor Yndamiro Restano are likely to have access to a lawyer at this stage.

Yndamiro Restano had set up the MAR in 1990. Its declared aims are "to help through our ideas with the transition from state socialism to democratic socialism in our country" ["**ayudar con nuestras ideas a la transición del socialismo de estado al socialismo democrático en nuestra patria**"]. It considers one of the oldest problems within the socialist movement to be "the coordination between the development of the individual and that of the community" ["**la coordinación entre el desarrollo del individuo y el de la comunidad**"] and "the establishment of democracy and human rights to be a condition sine qua non in order to begin to seriously resolve this problem" ["**la implantación de la democracia y los derechos humanos es condición sine qua non para comenzar a resolver en serio esta problemática**"]. It has publicly rejected the use of violence and, as far as Amnesty International is aware, has used only peaceful means to pursue its aims.

MAR is also part of a larger grouping of 11 unofficial political and human rights groups called the **Concertación Democrática Cubana**, Cuban Democratic Convergence, which was recently set up.

Yndamiro Restano and several other MAR members had earlier been arrested on 30 June 1991

but were released two days later with an official warning (**advertencia oficial**) to cease their activities or face charges of illegal association (**asociación ilícita**), "enemy propaganda" ("**propaganda enemiga**") and "incitement to rebellion" ("**incitación a la rebelión**").

BACKGROUND INFORMATION

The Cuban authorities have increasingly clamped down on signs of dissent over recent months. On 31 December 1991, a senior Cuban official said that they would not hesitate to act against "counter-revolutionary activities" and did not intend to change their policy of detaining, prosecuting and jailing opponents.

Page 2 of UA 02/92

There are no opposition parties in Cuba - the only party permitted under the Cuban Constitution is the Cuban Communist Party. Over the past three or four years, several unofficial groupings of varying tendencies, some overtly advocating political change and others concerned more specifically with respect for human rights, have emerged in Cuba.

None have received official recognition from the Cuban authorities, although their activities were for a brief period generally tolerated. However, since mid-1989 dozens of non-violent political and human rights activists have faced harassment and detention, some for only short periods. Others, however, have been sentenced to up to seven years' imprisonment as in the case of prisoner of conscience Esteban González González, the founder of the **Movimiento Integracionista Democrático** (MID), Movement for Democratic Integration, sentenced to seven years for "rebellion" (**rebelión**).

Amnesty International has long been concerned that the DSE is able to hold prisoners for long periods, sometimes for more than six months, without access to defence lawyers. It is during this period that alleged admissions of guilt on the part of the detainee are obtained, often under pressure.

RECOMMENDED ACTION: Telegrams/telexes/airmail letters:

- urging the immediate and unconditional release of Yndamiro Restano Díaz, Berenice Morales, Jorge Egaña and Iraida Montalvo Miranda, on the grounds that they are prisoners of conscience detained solely on account of their peaceful political activities;
- requesting that they be humanely treated while in detention and be allowed full access to family and lawyers;
- requesting that all independent human rights monitors and non-violent political dissidents be permitted to carry out their legitimate activities unhindered.

APPEALS TO

1) President:

Su Excelencia 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

**Salutation: Su Excelencia / Your
Excellency**

Telegrams: Ministro Interior, Havana, Cuba

**Telexes: 511122 / 511464 MINREX HAB marked
"please forward to the Minister of the
Interior"**

Salutation: Señor Ministro / Dear Minister

3) Attorney General:

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

**Salutation: Señor Fiscal General / Dear
Attorney General**

2) Minister of the Interior:

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

4) Department of State Security, Head of
Investigations:

Coronel Adalberto Rabeiro García

Jefe de Investigaciones

Departamento de Seguridad del Estado

Villa Marista

Ciudad de la Habana, Cuba

**Telegrams: Coronel Rabeiro, Villa Marista,
Havana, Cuba**

Salutation: Señor Jefe / Dear Sir

5) Minister of Justice:

Dr. Carlos Amat Forés

Ministro de Justicia

Ministerio de Justicia

Calle O No. 216, 8vo piso

e/ 23 y Humboldt, Vedado

Ciudad de la Habana, Cuba

Telegrams: Ministro Justicia, Havana, Cuba

Telexes: 511331 minju cu

Salutation: Señor Ministro / Dear Minister

COPIES TO:

Coordinating Body of Human Rights Organizations in Cuba:

CODEHU

1040 S.W. 27 Ave, Miami FL 33135

USA

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 14 February 1992.