

CUBAJesús Joel Díaz Hernández, aged 24, journalist and human rights worker

Amnesty International is concerned, amidst a climate of harassment and detention of journalists in Cuba, by the recent arbitrary arrest and imprisonment of journalist, government critic and human rights activist Jesús Joel Díaz Hernández.

Jesús Díaz was arrested on 18 January 1999 in Ciego de Avila province and, at a trial the following day, sentenced to four years' imprisonment for "*peligrosidad*", "dangerousness". The organization is concerned that Jesús Díaz's trial did not conform to international standards of fairness and that his lawyer had inadequate time to prepare his defence.

Amnesty International believes that Jesús Díaz, executive director of the independent press agency *Cooperativa Avileña de Periodistas Independientes*, Cooperative of Independent Journalists of Ciego de Avila, is a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression.

Jesús Díaz has been repeatedly threatened and harassed by the government, reportedly as a result of his independent work as a journalist. He has had a number of previous warnings that he must be employed by the State and, in 1996, was subjected to an "*acto de repudio*", act of repudiation - where a so-called "counter-revolutionary" is criticized and abused, sometimes physically, by groups of government supporters, and was also reportedly discharged from his job. In 1997 he was detained for several hours and threatened and in 1998 he was attacked in the street the day of a meeting of members of opposition groups and independent journalists.

BACKGROUND INFORMATION

The media in Cuba is state-controlled and freedom of expression, association and assembly are severely limited. This has led to the recent emergence of a number of independent press agencies who want to challenge the state monopoly on news - though the restrictions mean they generally publish outside the country. Many journalists working for these agencies have been harassed, including being detained for short periods, threatened with detention if they continue their work, or asked to leave the country. Others have been charged or sentenced and have become prisoners of conscience.

Bernardo Arévalo Padrón, the director of independent press agency: *Linea Sur Press* was detained in 1997 and is currently serving a six year sentence for "disrespect". Juan Carlos Recio Martínez was sentenced to one year's "correctional work without internment" [***"trabajo correccional sin internamiento"***] after being convicted of "acts against state security" [***actos contra la seguridad del estado***]. Manuel Antonio González Castellanos, a reporter for *Cuba Press*, was detained in October 1998 and is currently awaiting trial in Holguín Prison, accused of "*desacato*", "disrespect". Mario Julio Viera González, director of the independent press agency, *Cuba Verdad*, Cuba Truth, is awaiting trial for charges of "*injuria*", "slander" to the head of the legal department of the Ministry of Foreign Affairs after he wrote an article implying the government was hypocritical when it said the proposed international criminal court should be independent and impartial.

Article 72 of the Cuban Penal Code, entitled "The Dangerous State", states: "The dangerous state is considered to be the special proclivity of a person to commit crimes as demonstrated by behaviour that manifestly contradicts the norms of socialist morals." ["**Se considera estado peligroso la especial proclividad en que se halla una persona para cometer delitos, demostrada por la conducta que observa en contradicción manifiesta con las normas de la moral socialista.**"].

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

- expressing concern that Jesús Joel Díaz Hernández was sentenced to four years' imprisonment for "*peligrosidad*";
- urging that Jesús Joel Díaz Hernández be immediately and unconditionally released, on the grounds that he is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression;
- expressing concern that his trial took place less than 24 hours after arrest and there was thus not enough time to prepare a proper defence;
- urging that freelance journalists be permitted to carry out their legitimate peaceful activities without interference from the authorities.

APPEALS TO:

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

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

Faxes: + 53 7 333085 / 335261

Telexes: 511122 / 511464 / 512950

Salutation: Señor Ministro / Dear Minister

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:

Cuban Journalists Union (official body)

Unión de Periodistas de Cuba, Calle 23 No. 452, Apartado 6656, Vedado, La Habana, 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 5 March 1999.