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Eleven remain in detention following government crackdown on dissent during the Ibero-American Summit in Havana

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Eleven people remain in detention following a government crackdown on dissidence around the time of the Ibero-American Summit¹ in Havana in November 1999. Amnesty International is concerned that nine of them are prisoners of conscience and that the two others are possible prisoners of conscience, all of whom may be subjected to harsh prison sentences.

Prior to and following the summit, some 260 dissidents, including human rights defenders, political opponents and journalists, were detained. All were released without charges except for eleven people, all of whom are reportedly peaceful opponents of the government. As yet no trial dates have been set but some of the 11 have been instructed to find lawyers to represent them. All except one (Maritza Lugo Fernández) have been issued with charges by the police but not yet by a prosecutor. They are all being held at the *Departamento Técnico de Investigaciones* (DTI), Technical Investigations Department, in Havana.

Amnesty International considers the following people to be prisoners of conscience and is calling for their immediate and unconditional release.

PRISONERS OF CONSCIENCE

Dr. Oscar Elías Biscet González

Dr. Oscar Elías Biscet González, president of the *Fundación Lawton de Derechos Humanos*, Lawton Foundation for Human Rights, an illegal humanitarian organization, was arrested on 3 November 1999. He has been charged with “*ultraje a los símbolos de la patria*”, “insult to the symbols of

¹ This annual event was initiated in 1991 with the goal of bringing together the heads of state of the Spanish and Portuguese-speaking nations of Europe and America to discuss issues of common concern.

the homeland” (article 203 of the Cuban Penal Code), which carries a maximum sentence of one year’s imprisonment. The charge was reportedly brought against him because he hung a Cuban flag sideways on his balcony during a press conference at his home on 28 October 1999. He will reportedly be tried in case number 662/99. Prior to his arrest, he and three others had been involved in organizing a march to protest alleged human rights abuses by the government and to ask for the release of political prisoners, to take place in Havana on 10 November 1999. The march was prevented from taking place by government supporters who reportedly beat and kicked dissidents. Several protesters were detained by State Security agents.

Dr. Oscar Biscet is believed to have been detained more than two dozen times in the last year for his involvement in anti-government protests and meetings.

Angel Moya Acosta, Guido Sigler Amaya and Ariel Sigler Amaya

Angel Moya Acosta and the brothers Guido and Ariel Sigler Amaya, all members of the illegal *Movimiento Opción Alternativa*, Alternative Option Movement, were detained on 15 December 1999 after they took part in a peaceful demonstration in Pedro Betancourt village, Matanzas province, on 10 December to celebrate the 51st anniversary of the Universal Declaration of Human Rights. It is believed that they have been charged with “resistencia”, “resistance”, “desórdenes públicos”, “public disorder”, and “instigación a delinquir”, “instigation to commit a crime”.

Angel Moya had also been temporarily detained in November 1999 when he took part in a prayer session on behalf of Dr. Oscar Biscet. He was also detained around the time of an important trial in March 1999 and in December 1997 prior to taking part in a public memorial activity.

Guido and Ariel Sigler Amaya had been detained temporarily in November 1999 and in December 1997.

José Aguilar Hernández, Carlos Oquendo Rodríguez, Diosado González Marrero and Marcel Valenzuela Salt

José Aguilar Hernández and Carlos Oquendo Rodríguez of the illegal *Movimiento Opositor 13 de Julio*, 13 July Opposition Movement, and Diosado González Marrero and Marcel Valenzuela Salt of the illegal *Hermandad Cívica*, Civic Brotherhood, were all detained on 17 December 1999. The arrests took place whilst they were marching, chained together, to the Saint Lazarus religious shrine, demanding the release of political prisoners and respect for human rights. According to reports, they were treated violently by the police on arrest. They have reportedly been charged with “resistance” and “public disorder” and have been informed that they will be tried in case number 736/99.

All four men have been temporarily detained on several occasions in the past. According to reports Marcel Valenzuela Salt has been transferred to the

Carlos J. Finlay military hospital as he is suffering from an ulcer, high blood pressure and pneumonia.

Maritza Lugo Fernández

Maritza Lugo Fernández, vice-president of the illegal *Partido Democrático 30 de Noviembre "Frank País"*, Frank País 30 November Democratic Party, has been detained since 23 December 1999 but has not been charged. She was due to take part in a religious procession but was detained along with six others, all of whom have since been released. Maritza Lugo has been detained on numerous occasions in the past. In September 1997 she was sentenced to two years' "limitación de libertad", "restricted freedom", charged with "cohecho", "bribery", on the grounds that she bribed a prison guard to smuggle money and a tape recorder into Unit 1580 Prison (also known as "El Pitrre") for another political prisoner. However, in February 1999 she was detained and her sentence was changed to imprisonment, reportedly for violating the order of restricted freedom. She was held in the *Centro de Reeducación de Mujeres de Occidente*, Women's Re-education Centre in Havana (the main prison for women nicknamed "Manto Negro") until her release on 28 September 1999.

She was subsequently temporarily detained on 20 October 1999 after a meeting was held at her house organized by the *Foro Tercer Milenio*, the Third Millennium Forum, a group of non-governmental organizations who had written to Ibero-American presidents calling for human rights and democracy in Cuba. She was also temporarily detained on 12 November 1999 prior to the Ibero-American Summit in Havana, and on 4 December 1999.

POSSIBLE PRISONERS OF CONSCIENCE

Amnesty International is investigating the following two cases to determine whether they are prisoners of conscience.

Eduardo Díaz Fleitas and Fermín Scull Zulueta

Eduardo Díaz Fleitas, vice-president of the illegal *Movimiento 5 de agosto*, 5 August Movement, and Fermín Scull Zulueta, were detained on 10 November 1999 during a demonstration demanding human rights which began peacefully at the Dolores Park in Havana. According to the government newspaper, *Granma*, the two men were carrying "placards that offended the country and stirred up the crowd", "*carteles que ofendían al país e irritaban a la concurrencia*". The newspaper mentioned a banner allegedly held by the two men which reportedly called for "justice for the children that are killed", apparently referring to the use of abortion in Cuba. According to reports, a crowd of government supporters attacked the two men, beating them in the face and body. They have both reportedly been charged with "public disorder" and will be tried in case number 680/99.

In June 1999 Eduardo Díaz reportedly took part in a hunger strike in solidarity with several dozen Cuban opposition activists who began a 40-day fast on 7 June 1999 to demand the release of all political prisoners and the respect of human rights. On 29 June 1999 an unidentified person threw a stone at the front door of the home of Eduardo Díaz in Pinar del Río province in the early hours of the morning. A

few days later he was reportedly detained for a few hours and threatened by a member of State Security.

According to statements made by the Cuban Government, both men have previous convictions. However, Amnesty International has not been able to obtain information on the exact charges and is therefore investigating their cases to determine whether they are prisoners of conscience or not. According to reports, in May 1995 Eduardo Díaz Fleitas was detained along with 13 other members of the illegal *Partido Pro Derechos Humanos en Cuba*, Cuban Human Rights Party. He was charged with “*asociación ilícita*”, “illicit association”, but released the same day with the charges pending. No further information is available.

Background Information

All media in Cuba are state-controlled and freedom of expression, association and assembly are severely limited. Dissidents frequently suffer harassment, short-term detention and threats that they will be imprisoned if they do not cease their activities or leave the country. In some cases they are tried and sentenced and become prisoners of conscience.

On 16 February 1999 Cuba's National Assembly passed tough new legislation, 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”, aimed at combatting political dissent and purportedly protecting the Cuban economy. Under the new legislation dissidents and journalists considered to be working against the Cuban state reportedly can face up to 20 years' imprisonment.

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