

UA 36/99

Arbitrary arrest/Fear of becoming prisoner of conscienceCUBAJesús Labrador Arias, aged 44, journalist

Amnesty International is concerned that journalist and government critic Jesús Labrador Arias may become a prisoner of conscience if sentenced under harsh new legislation aimed at silencing dissent.

Jesús Labrador, who works for the independent press agency *Cuba Press*, was arrested by State Security agents at dawn on 24 February 1999 in Manzanillo, Granma province. The police had reportedly warned him the day before not to report on activities planned by dissidents for the 24 February to commemorate the beginning of the war of independence in 1895 and the third anniversary of the shooting down by the Cuban air force of two aeroplanes of the Miami-based exile group, *Hermanos al Rescate*, Brothers to the Rescue.

No charges are known to have been brought against him yet, but under harsh new legislation (see background information) Jesús Labrador may become a prisoner of conscience, imprisoned solely for peacefully exercising his right to freedom of expression.

Jesús Labrador has been threatened, harassed and detained on several occasions in the past, apparently because of his work as an independent journalist. In July, October and November 1998 he was subjected to "*actos de repudio*", acts of repudiation - where a so-called "counter-revolutionary" is criticized and abused, sometimes physically, by government supporters.

BACKGROUND INFORMATION

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 found to be working against the Cuban state reportedly face up to 20 years in jail and huge fines. 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 8 years for collaborating with radio and TV stations and publications deemed to be assisting US policy.

The media in Cuba is state-controlled and freedom of expression, association and assembly is severely limited. Recently a number of independent press agencies have emerged, 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 faced harassment, 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 (see EXTRA 14/99, AMR 25/02/99).

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

- expressing concern that Jesús Labrador Arias was arrested and urging that he be immediately and unconditionally released, on the grounds that if sentenced

he would become a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression;
- urging that he be granted immediate access to a lawyer of his choosing;
- 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 9 April 1999.