

Cuba

New Prisoners of Conscience and Possible Prisoners of Conscience

Amnesty International has been closely following the situation of a number of activists detained in a wave of arrests in February and March 2002 in Cuba. Some of these individuals, detained in various prisons throughout Cuba, recently took part in a hunger strike to protest six months of detention without trial.

Among them, Amnesty International believes that **Leonardo Miguel Bruzón Avila** and **Carlos Alberto Domínguez González**, both detained without trial in Cuba since 23 February 2002, are prisoners of conscience detained for the non-violent exercise of their rights to freedom of expression and association. Amnesty International calls for their immediate and unconditional release.

Amnesty International further believes that a several of the other detainees may possibly be prisoners of conscience, and is seeking more information on their cases. Among these are **Emilio Leyva Pérez** and **Lázaro Miguel Rodríguez Capote** of the unofficial *Partido Pro Derechos Humanos de Cuba*, the Cuban Pro Human Rights Party, who were arrested together on 22 February. The two also recently took part in a hunger strike to protest their ongoing detention without trial.

Prisoners of Conscience Leonardo Miguel Bruzón Avila and Carlos Alberto Domínguez González

Leonardo Miguel Bruzón Avila, president of the unofficial *Movimiento Pro Derechos Humanos 24 de Febrero*, 24 February Human Rights Movement, was arrested on 23 February 2002. The arrest was apparently carried out in order to prevent Leonardo Bruzón from taking part in the next day's activities to commemorate the anniversary of a date in 1996 on which two planes belonging to a Cuban exile group were shot down by the Cuban airforce. Cuban authorities claim that this was an act of self defence prompted by violation of its airspace, while supporters of the exile group maintain that it was an act of aggression committed over international waters. Amnesty International has noted with concern that dissidents' efforts to commemorate the anniversary are often repressed by security forces.

Following his arrest, Leonardo Bruzón was taken to the *Departamento Técnico de Investigaciones* in the capital and reportedly held in a punishment cell. At end March 2002 he was said to have been transferred to Melena Dos prison in the province of La Habana; he is currently held in Quivicán prison, also in La Habana province. Six months after his arrest, in late August, Leonardo Bruzón joined a number of detainees in prisons around Cuba on a hunger strike to protest at their continued detention without trial. He reportedly ended his hunger strike on 10 October. This provoked serious concerns for his already precarious state of health. Family members are reportedly greatly concerned by his serious weight loss, which they claim has been accompanied by fever and other symptoms.

They have urgently requested that he receive specialist medical care in addition to that provided by the health service within the prison.

Family members were reportedly told unofficially that Leonardo Bruzón had been charged with 'desacato' disrespect, and 'propaganda enemiga,' enemy propaganda.¹ However, no trial date was set. On 1 April, an attorney filed a *habeas corpus* petition on his behalf since, although the attorney had been permitted to see Bruzón, he had not been given access to the case file, including information on motives for his arrest, charges against him and the circumstances of his detention. The petition was rejected on 4 April by the provincial court, the *Tribunal Popular Provincial*, of Havana. Prosecutors have reportedly since indicated that the charges against him may include 'desorden público,' public disorder, and 'incitación a delinquir,' incitement to commit a crime. On 3 May Amnesty International wrote to the Cuban authorities respectfully requesting information about his legal status, but has not received a reply. As at this writing, however, there is no formal information available on charges or trial date.

Leonardo Bruzón has been repeatedly detained and harassed. In one incident in December 2000, he and other dissidents were detained to prevent them taking part in a demonstration to celebrate Human Rights Day. On that occasion he was detained for two months before being released. In another example, reports indicate that on 5 September 2001 he was arrested, and his family threatened with eviction from their home, after having set up an independent video library for children in Havana; he was released several days later.² He was again reportedly arrested in December 2001.

Carlos Alberto Domínguez González, an independent journalist with the unofficial *Cuba-Verdad* agency, was also arrested on 23 February 2002. He was arrested by members of State Security, *Seguridad del Estado*, in his home. The motives for his arrest are not clear, though in the days preceding his arrest he had reportedly attended several Catholic masses on behalf of political prisoners in Cuba.

Carlos Alberto Domínguez is being held in the Valle Grande prison. There are unofficial indications that he is accused of public disorder, and disrespect. On 21 May Amnesty International wrote to the Cuban authorities respectfully requesting information about his legal status, but has not received a reply. Like the other detainees mentioned here, to date there has been no formal confirmation of any charges against them.

Amnesty International is also concerned about the state of his health, as he is reported to suffer from hypertension and migraine and to have deteriorated since his incarceration. Again like Leonardo Bruzón, Carlos Alberto Domínguez took part in the hunger strike which began in late August to protest his and other detainees' long pre-trial detention, and it is feared that this may have contributed to further worsening of his health. He is no longer on hunger strike.

¹ See *CUBA: The Situation of Human Rights in Cuba*, AI Index AMR 25/002/2002, May 2002.

² See Amnesty International Urgent Actions AI Index 25/007/01 of 12 September 2001, and AMR 25/015/2001 of 13 September 2001.

Possible Prisoners of Conscience Emilio Leyva Pérez and Lázaro Miguel Rodríguez Capote

Emilio Leyva Pérez and **Lázaro Miguel Rodríguez Capote** are leaders of the unofficial *Partido Pro Derechos Humanos de Cuba*, the Cuban Pro Human Rights Party. The two were reportedly arrested on 22 February 2002. Like several others, it was believed that they were taken into custody to prevent them from participating in activities to commemorate the 24 February 1996 downing of two planes belonging to a Cuban exile group by the Cuban airforce.

Family members have been told unofficially that charges may include '*resistencia*,' resistance; '*desacato*,' disrespect; and '*desorden público*,' public disorder. However they apparently have yet to be officially charged, and Amnesty International is not aware that any trial date has been set.

At end August, both men joined a hunger strike of other detainees to protest at six months' detention without trial, Emilio Leyva in Quivicán prison with Leonardo Bruzón and Lázaro Rodríguez in Valle Grande prison with Carlos Alberto Domínguez. Family members and friends of both men have reportedly expressed grave concern at the state of their health. Both have reportedly ended their hunger strike

Among other activities, over the last year Emilio Leyva and Lázaro Rodríguez were reported to be active members of the *Proyecto Varela* campaign for a referendum on constitutional human rights reforms in Cuba. Numerous activists involved in the petition drive have been harassed and detained.³ Both men were reportedly held in custody for several hours in early February following a prayer service on behalf of political prisoners, in which Leonardo Bruzón was also said to have taken part.

Background Information

Amnesty International is concerned about the ongoing detention and harassment of critics of the Cuban government in response to their peaceful attempts to exercise their rights to freedom of expression, association and assembly. Over the past years dozens of members of unofficial groups, including human rights defenders and journalists, have been detained for short periods and threatened with being brought to trial if they do not give up their activities or go into exile. Some have remained in prolonged pre-trial detention, while in other cases trials have taken place and sentences issued. '*Desacato*' disrespect, '*propaganda enemiga*,' enemy propaganda, '*desorden público*,' public disorder, '*incitación a delinquir*,' incitement to commit a crime, and '*resistencia*,' resistance, are commonly used charges within the Criminal Code for punishing behaviour that is seen as critical of the state. Trials in political cases often fall short of international fair trial standards.

³ See *CUBA: The Situation of Human Rights in Cuba*, AI Index AMR 25/002/2002, May 2002.