

EXTERNAL (for general distribution)

AI Index: AMR 25/11/92

Distr: UA/SC

24 January 1992

Further information on UA 416/91 (AMR 25/26/91, 27 November 1991) and follow-up AMR 25/26/91, 11 December 1991 - Prisoners of Conscience/Legal Concern

CUBA:María Elena CRUZ VARELA (f)

Fernando VELASQUEZ MEDINA

Pastor HERRERA MACURAN

Jorge Aracelio POMAR MONTALVO

Gabriel AGUADO CHAVEZ

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Elvira BARO (f)

Húbert Luis MATOS SANCHEZ

Eliécer AGUIAR LOPEZ (note correction of name)

Marco Antonio ABAD FLAMAND, film maker

Jorge CRESPO DIAZ, legal adviser to various human rights groups

Amnesty International has learned that Elvira Baró was in fact released shortly after her arrest in late November 1991 and was not brought to trial. However, Marco Antonio Abad Flamand, who was arrested on 19 November 1991 while attempting to film the arrest of María Elena Cruz Varela, and Jorge Crespo Díaz, who was arrested on 7 December 1991 while visiting Marco Antonio Abad's wife, are still believed to be held at the headquarters of the Departamento de Seguridad del Estado (DSE), Department of State Security, at Villa Marista. Some reports suggest that they are under investigation on a charge of *desacato*, disrespect.

In the case of Marco Antonio Abad Flamand, he is believed to be accused of having offended President Fidel Castro in the course of his work. It is unlikely that these two will have had access to lawyers.

Marco Antonio Abad Flamand is a film maker and former member of the Instituto Cubano del Arte y la Industria Cinematográfica (ICAIC), Cuban Institute of Art and the Cinema Industry, from which he reportedly resigned in mid-1990 after criticizing government policies. Jorge Crespo Díaz is a lawyer who works as a legal adviser to several unofficial human rights groups. He is also said to be a member of an unofficial group called Arte y Derecho (AR-DE), Art and Rights.

The other seven people listed above, all of them members of an unofficial opposition group called Criterio Alternativo, Alternative View, have been tried and convicted and are serving their sentences in various prisons, most of them far away from their families. Amnesty International considers them to be prisoners of conscience.

María Elena Cruz Varela, the President of Criterio Alternativo, is serving a two-year sentence for *asociación ilícita*, illegal association, and *defamación*, defamation, in Combinado del Sur Prison in Matanzas Province.

Fernando Velásquez Medina, sentenced to two years' imprisonment on the same charges is believed to be in Alambradas de Manacas Prison, Villa Clara Province.

Pastor Herrera Macurán, sentenced to sixteen months' imprisonment for illegal association and *clandestinidad de impresos*, clandestine printing, is believed to be in Alambradas de Manacas Prison, Villa Clara Province.

Jorge Pomar Montalvo, sentenced to two years' imprisonment for illegal association, and defamation, is said to be in Ariza Prison in Cienfuegos Province.

Gabriel Aguado Chávez is serving an eighteen-month sentence for illegal association and clandestine printing, in Agüica Prison, Matanzas Province.

Hubert Luis Matos Sánchez, also sentenced to sixteen months on the same charges, is reportedly in Guanajay Prison, Havana Province.

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Eliecer Aguilar López, sentenced to one year's imprisonment for illegal association, is said to be in Taco-Taco Prison, Pinar del Río Province.

No further action is required by Urgent Action participants for these seven prisoners or for Elvira Baró. Thank you to all those who sent appeals on their behalf.

**FURTHER RECOMMENDED ACTION:**

- urging the immediate and unconditional release of Marco Antonio Abad Flamand and Jorge Crespo Díaz on the grounds that they are prisoners of conscience detained solely for peacefully expressing their political beliefs;
- requesting that they be humanely treated while in detention and allowed full access to family and lawyers.

**APPEALS TO**

1) President:

Dr Fidel Castro Ruz  
Presidente del Consejo de Estado  
y del Consejo de Ministros  
Ciudad de la Habana, Cuba

**Telegrams: Presidente Castro, Havana, Cuba**

**Su Excelencia /  
Your Excellency**

2) Minister of the Interior:

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

**Telegrams: Ministro Interior, Havana, Cuba**

**Señor Ministro /  
Dear Minister**

3) Head of Investigations at the Department of State Security:

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**

**Señor Coronel /  
Dear Sir**

4) Attorney General:

Dr Ramón de la Cruz Ochoa  
Fiscal General de la República  
Fiscalía General de la República  
San Rafael 3

**Señor Fiscal General /  
Dear Attorney General**

Ciudad de la Habana, Cuba  
**Telegrams: Fiscal General, Havana, Cuba**  
**Telexes: 511456 FISGE**

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**

**Señor Ministro /**  
**Dear Minister**

**COPIES TO:**

Information Bureau of the Human Rights Movement in Cuba  
3901 S.W. 109 Ave, Apt B10  
Miami  
FL 33165  
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 6 March 1992.