
amnesty international

CUBA

Prisoner of Conscience - Reinaldo Alfaro García

18 August 1998

Amnesty International believes that Reinaldo Alfaro García is a prisoner of conscience, detained for the non-violent exercise of his rights to freedom of expression and association, and is calling for his immediate and unconditional release. He has been imprisoned for over 15 months and yet has still not been brought to trial.

Reinaldo Alfaro García, Vice-President of the unofficial *Asociación de Lucha Frente a la Injusticia (ALFIN)*, Association for Struggle against Injustice, and a member of the executive of the unofficial *Partido Solidaridad Democrático (PSD)*, Democratic Solidarity Party, was detained in Havana on 1 May 1997. He was released a few hours later after

refusing to sign an official warning accusing him of intending to disrupt public order. He was re-arrested on 8 May a few hours after ALFIN had convened the mothers of political prisoners to appear before the National Assembly and the day before he and some of the mothers were to hand over a request for an amnesty for their sons to the President of the National Assembly of Popular Power. The date of the ALFIN action was reportedly chosen in connection with the approaching Mother's Day (11 May). The mothers never reached their destination as they were reportedly intercepted by a Cuban official who confiscated the letter. Several of the mothers attempting to deliver the letter were also reportedly visited in their homes or summonsed by the authorities and threatened with imprisonment. Just before his detention Reinaldo Alfaro reportedly spoke

personally about the letter on a US-based radio station that broadcasts to Cuba and is known to be monitored by the Cuban authorities, calling on the mothers of political prisoners to gather outside the National Assembly. His call was reportedly broadcast several times in one day.

Reinaldo Alfaro was held for several days at the State Security headquarters at Villa Marista before being transferred on 12 July 1997 to Combinado del Este Prison, Havana province. In early 1998 he was transferred to Combinado Sur de Matanzas Prison, Matanzas province, where he is still awaiting trial, reportedly on charges of "*propaganda enemiga*", "enemy propaganda" (article 103 of the Cuban Penal Code) and "*difusión de noticias falsas contra la paz internacional*", "spreading false news against international peace" (article 115 of the Cuban Penal Code). The latter charge, which carries a maximum four-year sentence, can be applied to anyone who spreads false news with the aim of "putting in danger the prestige or credit of the Cuban State or its good relations with another State". This charge is reportedly due to a denunciation that he made in 1995 to a US-based radio station regarding a military officer who Reinaldo Alfaro had been told went missing and later died.

Reinaldo Alfaro is said to suffer from serious back problems as a result of previous surgery on his spine. He is also said to suffer from various allergies, stomach problems and anaemia and has lost a lot of weight. In mid-1998 he reportedly went on a hunger strike in protest at the prison conditions in Combinado Sur de Matanzas Prison and the lack of medical treatment. He was then hospitalised and received medical treatment which lessened the pain to his back. On several occasions in the past Reinaldo Alfaro has been detained, had his house searched or received threats.

Background Information

Amnesty International (AI) believes that there are currently at least one hundred prisoners of conscience (POCs) in Cuba, imprisoned because of their attempts to exercise their rights to freedom of expression, association and assembly. Some have been convicted for overtly political offences such as "rebellion", "enemy propaganda", "disrespect" or "dangerousness" while others have been convicted of more minor criminal offences. There are also believed to be at least three hundred other political prisoners convicted of more serious offences such as "terrorism", "piracy", "sabotage" or "espionage", some of whom, despite the serious nature of the charges, may also be POCs. The rights of political detainees to a fair trial are severely limited, particularly in relation to adequate access to defence counsel. In addition, lawyers, who are all employed by the Cuban State, are often reluctant to seriously challenge the arguments put forward by the prosecutors and the Department of State Security, the security service usually responsible for investigating cases of a political nature. During the initial period of detention detainees are frequently held for weeks or months without access to a lawyer and subjected to psychological pressures to sign incriminating statements. Though they are usually permitted weekly family visits, these take place in the presence of an official and they are forbidden to talk about anything relating to the reasons for their detention or the treatment they are receiving.

The number of POCs in Cuban jails was reduced somewhat after Pope John Paul II's visit to Cuba in January 1998, after which 19 AI Cuban POCs were released, six of whom were released on condition that they go into exile in Canada. The Vatican handed to the Cuban authorities a list of several categories of prisoners, including those who were sick, those who had been held for a long time and POCs. Subsequently, in February 1998, President Fidel Castro announced that Cuba would free some 300 prisoners. The number of political prisoners released is believed to be around 100, seventeen of whom were released on condition that they go into exile in Canada. Seventy of the political prisoners reportedly on the Vatican's list were not released on the grounds that they still posed a threat to national security or public safety.

Please send faxes/express and airmail letters preferably in Spanish. If not, in English or your own language:

- Expressing concern that **Reinaldo Alfaro Garcia** has been detained solely for the non-violent exercise of his rights to freedom of expression and association and that over one year has passed since his detention without him having been brought to trial.
- Calling for the immediate and unconditional release of Reinaldo Alfaro Garcia, on the grounds that he is a prisoner of conscience detained solely for his attempts to peacefully exercise his right to freedom of association and expression.
- Urging that he be granted full judicial guarantees in accordance with international standards.
- Urging that all Cuban citizens be guaranteed their rights to freedom of association, assembly and expression, in accordance with the Universal Declaration of Human Rights, and that the Cuban Government immediately cease to imprison, force into exile abroad or otherwise punish those who attempt to peacefully exercise such rights.

Please send appeals to:

Head of State and Government

Dr Fidel Castro Ruz

Presidente de los Consejos
de Estados y de Ministros

La Habana, Cuba

Telex and Fax: via Ministry of Foreign Affairs (see below)

Salutation: Su Excelencia/Your Excellency

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

Telex: 511456 fisge

Fax: + 53 7 - 333164

Salutation: Sr Fiscal General / Dear Attorney General

Minister of Foreign Affairs

Sr Roberto Robaina Gonzalez

Ministro de Relaciones Exteriores

Ministerio de Relaciones Exteriores

Calzada No. 360

Vedado, La Habana, Cuba

Telegrams: Ministro Relaciones Exteriores, Havana, Cuba

Telex: 511122 / 511464 / 512950

Fax: + 53 7 - 333 085 / - 335 261

Salutation: Señor Ministro / Dear Minister

This document is sent to CARRAN coordinators for action by groups. It is also being sent to sections. Please check with the Caribbean Sub-Regional Team if sending appeals after 31 December 1998.

KEYWORDS: PRISONERS OF CONSCIENCE1 / POLITICAL ACTIVISTS / FREEDOM OF EXPRESSION / ILL-HEALTH / WOMEN

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM