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CUBA

Prisoners of Conscience Lorenzo Paez Nuñez and Dagoberto Vega Jaime

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Amnesty International believes that Lorenzo Paez Nuñez and Dagoberto Vega Jaime, who were arrested on 10 July 1997, have been imprisoned for the non-violent exercise of their rights to freedom of expression and association and is calling for their immediate and unconditional release as a prisoners of conscience.

*Lorenzo Paez Nuñez, President of the Centro No Gubernamental para los Derechos Humanos "José de la Luz y Caballero", José de la Luz y Caballero Non-Governmental Centre for Human Rights, and Dagoberto Vega Jaime, an activist of the same organization, were detained on 10 July 1997 in Artemisa, Havana, and tried the following day, 11 July 1997, in a municipal court. They were charged with "desacato", "disrespect" (article 142 of the Cuban Penal Code), and "difamación", "defamation" (article 318 of the Cuban Penal Code). Lorenzo Paez, who is also a correspondent for *Libertad*, Freedom, an independent press agency which is part of the *Buró de Periodistas Independientes de Cuba (BPIC)*, Bureau of Independent Cuban Journalists, was sentenced to 18 months' imprisonment and Dagoberto Vega to one year's imprisonment. Following their conviction, against which they were reported to*

be intending to appeal, they were transferred to Guanajay Prison, Havana province.

According to reports, the trial proceedings did not adhere to international standards for a fair trial. In particular, the two defendants did not have time to appoint defence lawyers – while, under the Cuban Penal Code, the presence of a defence lawyer is “not indispensable”, defendants may appoint one if they wish. There was also confusion regarding the precise basis of the charges which were reportedly not adequately explained during the proceedings. At the end of the trial, Lorenzo Paez described it as “a farce” [*“una farsa”*]. The charge of “disrespect” appears to have arisen from an incident which had occurred on 25 June 1997. On that day Lorenzo Paez was at the home of political activist Santiago Alonso Pérez when security officials arrived to carry out a search. At the time of their arrival, he was speaking on the telephone with a representative of a Miami-based Cuban exile group and proceeded to describe to her what was happening. He also reportedly handed the telephone to one of the policemen carrying out the search who spoke to the person in Miami. The conversation was recorded and subsequently transmitted by a Miami-based radio station which broadcasts to Cuba. Both Lorenzo Paez and Santiago Alonso were detained that day but released shortly afterwards. During the subsequent trial, the prosecution reportedly argued that the incident demonstrated that Lorenzo Paez was illegally disseminating Cuban news abroad and that he was a “foreign agent” [*“agente del exterior”*]. However, it was reportedly not clearly explained why his actions constituted the offence of “disrespect”. It was also not clear why Dagoberto Vega was charged with “disrespect”, since he was not present during that incident.

The charge of “defamation” was brought against both Lorenzo Paez and Dagoberto Vega by a former Interior Ministry official whom they had denounced, again by transmitting the report to contacts abroad by telephone, as being responsible for beating a group of youths during a party on a sugar cane plantation, an accusation which he denied. However, the youths involved reportedly attended the trial and testified that the accusation was true. Despite this, the two defendants were found guilty.

Lorenzo Paez had been briefly detained in November 1996 after documents relating to his political and human rights activities were confiscated by the authorities during a search of his house. The *Centro No-Gubernamental para los Derechos Humanos "José de la Luz y Caballero"*, of which is president, supports *Concilio Cubano*, Cuban Concilium, a project initiated in 1995 which brought together a wide range of unofficial groups with the aim of working together to bring about peaceful political change in Cuba (see below). Lorenzo Paez is also a former mathematics teacher who was sacked from his post at Mariel Naval Academy in 1992 after reportedly criticizing government policy.

Amnesty International is not in a position to vouch for the veracity of the reports of human rights violations which appear to have led to the arrest and imprisonment of Lorenzo Paez Núñez and Dagoberto Vega Jaime. It also does not take a position on any political views they might have expressed by the two men. However, it defends the right of all Cubans to peacefully exercise, in accordance with the Universal Declaration of Human Rights, their rights to freedom of expression, association and assembly, rights which are severely limited in Cuba and subordinate to political objectives.

Background Information

All media in Cuba are state-controlled and independent human rights monitoring is not permitted. In recent years a number of independent press agencies have emerged in an attempt to challenge the state monopoly on news but in the face of the restrictions are only able to disseminate their reports outside Cuba, usually to contacts based in the USA. Many journalists working for such agencies suffer frequent harassment, short-term detention and threats that they will be imprisoned if they do not cease their activities or leave the country. Several have in effect been forced into exile after being threatened with heavy prison sentences.

The Cuban Government has also been trying to prevent the peaceful activities of *Concilio Cubano*, Cuban Concilium, since its establishment in October 1995. Members of groups belonging to *Concilio Cubano* have encountered persistent harassment and been frequently detained, interrogated and threatened that they may face imprisonment if they do not stop their activities or leave the

country. Some have been effectively forced into exile while others have been tried and sentenced and have become prisoners of conscience.

Since May 1997 the Cuban Government has again intensified its action against dissidents and several journalists and political activists have been detained. In July 1997 the authorities alleged that they had proof that four prominent dissidents currently in detention were working with "leaders of terrorist groups based in the United States" and that such groups were behind two small bomb explosions at hotels in Havana on 12 July 1997 causing minor injuries to a few bystanders. Amnesty International condemns human rights abuses committed by both governments and non-governmental entities and recognizes the right of governments to take appropriate measures, in accordance with international standards, against those whom they have genuine reason to believe may have committed recognizable criminal offences. However, it believes that the recent actions against peaceful opposition groups are aimed at deliberately trying to discredit them by falsely linking them to terrorist activities.

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

- Calling for the immediate and unconditional release of Lorenzo Paez Nuñez and Dagoberto Vega Jaime, on the grounds that they are prisoners of conscience detained solely for their attempts to peacefully exercise their rights to freedom of association and expression.
- 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

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

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 for information only. Please check with the Caribbean Sub-Regional Team if sending appeals after 31 December 1997.

KEYWORDS: PRISONERS OF CONSCIENCE¹ / JOURNALISTS / TEACHERS / HUMAN RIGHTS ACTIVISTS / POLITICAL ACTIVISTS / CENSORSHIP / TRIALS /

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