

EXTERNAL (for general distribution)

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Further information on UA 416/91 (AMR 25/25/91, 27 November 1991) - Prisoners of Conscience/Legal Concern

CUBA:

María Elena CRUZ VARELA (f)

Fernando VELASQUEZ MEDINA

Elvira BARO (f)

Húbert Luís MATOS SANCHEZ

Eliécer AGUIAR CHAVEZ

Pastor HERRERA MACURAN (note full name)

Marco Antonio ABAD FLAMAND - new name

Jorge Aracelio POMAR MONTALVO (note full name)

Jorge CRESPO DIAZ - new name

Gabriel AGUADO CHAVEZ

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Amnesty International has learned of the trial and sentence of seven of the above people and the detention of two others. Amnesty International believes that all of those listed are prisoners of conscience.

The first eight people were detained between 19 and 24 November 1991 following *actos de repudio*, "acts of repudiation by the masses", where political dissidents and human rights activists are subjected to verbal and physical abuse by groups of people chanting pro-government slogans. Local human rights groups believe these incidents are orchestrated by Cuba's security services to intimidate any opposition.

According to reports received by Amnesty International, María Elena Cruz Varela, Pastor Herrera Macurán and Jorge Aracelio Pomar Montalvo, detained together on 21 November 1991 and Gabriel Aguado Chavez, detained some time between 20 and 24 November, were brought to trial on 28 November at the Tribunal Municipal Popular de la Habana del Este, People's Municipal Court of East Havana. María Elena Cruz Varela was sentenced to two years' imprisonment on charges of *asociación ilícita*, illegal association, and *difamación*, defamation. Pastor Herrera Macurán was sentenced to one year and four months on charges of *asociación ilícita* and *clandestinidad de impresos*, clandestine printing. Jorge Aracelio Pomar Montalvo was sentenced to two years' imprisonment on charges of *asociación ilícita* and *difamación*. Gabriel Aguado Chavez was sentenced to one year and six months' imprisonment on charges of *asociación ilícita* and *clandestinidad de impresos*. The sentences were confirmed on appeal on 4 December. All were being held at the headquarters of the State Security police, known as Villa Marista, at the time of the trial but may have since been transferred to prisons.

Fernando Velásquez Medina, Húbert Luis Matos Sánchez and Eliécer Aguiar Chávez were reported to have been brought to trial on similar charges on 4 December. Full details are so far not available but Fernando Velásquez Medina is said to have been sentenced to two years' imprisonment, Húbert Luis Matos Sánchez to 1 year 4 months and Eliécer Aguiar Chávez to one year. It is not known whether an appeal has taken place yet.

It is not clear whether Elvira Baró, who was arrested some time between 22 and 24 November, is still in detention. She was reportedly taken to Villa Marista upon arrest. No news of any legal proceedings against her has so far been received.

Amnesty International has learned of the arrest of two other people connected to these cases. Marco Antonio Abad Flamand was reportedly arrested on 19 November as he attempted to video the *acto de repudio* at the home of María Elena Cruz. Immediately following his arrest he was taken to his home which was searched, and possessions, including paintings and documents, were confiscated. According to one report, he is being held at Villa Marista but this has not been confirmed. Marco Antonio Abad Flamand is a film maker and former member of the Cuban film institute ICAIC.

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In addition Amnesty International has learned of the detention of Jorge Crespo Díaz, legal adviser to various human rights groups in Cuba. According to reports, Jorge Crespo Díaz was detained at approximately 9 pm on 7 December 1991 by a group of police agents in civilian clothes whilst visiting the wife of Marco Antonio Abad Flamand and taken to Villa Marista.

**FURTHER RECOMMENDED ACTION: Telegrams/telexes and airmail letters:**

- urging the immediate and unconditional release of all the above, 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;

- continuing to request that all independent human rights monitors and non-violent political dissidents be permitted to carry out their legitimate activities unhindered.

**APPEALS TO:**

1) President

Su Excelencia

**Su Excelencia/Your Excellency**

Dr Fidel Castro Ruz

Presidente de los Consejos de Estado y de Ministros

Ciudad de la Habana

Cuba

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

**Telexes: 51212 p desp presid**

2) Minister of the Interior

General Abelardo Colomé Ibarra

**Señor Ministro/Dear Minister**

Ministro del Interior

Ministerio del Interior

Plaza de la Revolución

Ciudad de La Habana, Cuba

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

**Telexes: 511122 / 511464 / 511560 MINREX HAB**

3) Attorney General

Dr Ramón de la Cruz Ochoa

**Señor Fiscal General/Dear Attorney General**

Fiscal General de la República

Fiscalía General de la República

San Rafael 3

Ciudad de la Habana, Cuba

**Telegrams: Fiscal General, Havana, Cuba**

**Telexes: 511456 FISGE**

4) Head of Department of State Security

Jefe del Cuartel de Seguridad del Estado (DSE)

**Señor Jefe/Dear Sir**

Villa Marista,

Ciudad de la Habana, Cuba

**Telegrams: Jefe Seguridad del Estado, Havana, Cuba**

5) Minister of Justice

Dr Carlos Amat Forés

**Señor Ministro/Dear Minister**

Ministro de Justicia

Ministerio de Justicia

Calle O No. 216, 8vo piso

e/23 y Humboldt, Vedado

Ciudad de la Habana 4, Cuba

**Telegrams: Ministro Justicia, Havana, Cuba**

**Telexes: 511331 MINJU CU**

**COPIES TO:**

Information Bureau of Human Rights Movement in Cuba

3901 SW 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 the 22 January 1992.**