

EXTERNAL

AI Index: AMR 25/29/92  
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To: Medical professionals  
From: Medical Office / Research Department - Americas  
Date: 21 December 1992

## *MEDICAL LETTER WRITING ACTION*

### **Silencing opponents Cuba**

#### **Keywords**

Theme: withholding of medical care / ill-health / ill-treatment

Profession/association: doctor

#### **Summary**

Opponents of the Cuban government within Cuba are liable to be subjected to a number of repressive measures including imprisonment, unfair trial, ill-treatment, loss of employment and while in prison may be exposed to poor conditions, including poor medical care, which in some cases may be life-threatening. There have also been an increasing number of allegations of ill-treatment, including in some cases deaths in detention, and occasional incidents of apparent unlawful killings by members of the security forces.

#### **Recommended Actions**

Letters from medical professionals, preferably written in Spanish otherwise your own language, should be sent to the addresses below:

- stating that you are writing as a health professional concerned with the protection of human rights; you could mention a balanced sample of the other countries on which you have written appeals
- expressing concern at the detention of individuals for the non-violent expression of their political or social beliefs
- urging that all detainees be guaranteed the right to see a lawyer of their choice as well as having access to their family and to a doctor
- urging that measures are taken to ensure that prison conditions conform to the UN Standard Minimum Rules for the Treatment of Prisoners and, in particular, that adequate medical care is provided for prisoners at all times
- urging that in all cases of death in custody, forensic investigation should conform to international standards including the UN Principles on the Effective Prevention and Investigation of Extrajudicial, Arbitrary and Summary Executions.

- raising some of the cases outlined in the attached

**Additional individual case recommendations:**

**Sebastián Arcos Bergnes, Jose Dueñas Martínez, José Luís Pujol Irizar and Luis Alberto Pita Santos (adopted POCs):**

- urging the immediate and unconditional release of the above-named as prisoners of conscience
- expressing concern at reports that the first three are said to be without adequate medical attention and seeking assurances that while they remain in prison they will be provided with all medical and specialist care they require
- expressing concern at reports that Luis Alberto Pita Santos was interned in psychiatric hospitals without apparent cause and seeking information on the reasons for this hospitalization
- noting that Luis Alberto Pita conducted a hunger strike while in Boniato prison and expressing concern at reports that he was beaten as a result. Letters could note that Arturo Suarez Ramos also participated in the hunger strike and seek information about his current state

**Dr Eduardo Vidal Franco (probable POC):**

- requesting information about the precise reason for his arrest and the charge which was brought against him, expressing concern that he may have been arrested solely for peaceful political activities

**Alejandro Fuentes García (probable POC):**

- expressing concern that Alejandro Fuentes was arrested while attempting to leave Cuba, in contravention of the right of citizens to enter and leave their own country without hindrance
  - seeking information on what charges have been brought against him
- expressing concern at reports that he was badly ill-treated on more than one occasion, causing kidney damage and an injury to his right eye
- further expressing concern about reports of his attempted suicide and subsequent cardiac arrest and seeking information about his current state of health. Urge that he will be assured of sympathetic medical care while he remains in prison
- expressing concern that he may have been arrested solely for attempting to leave the country and urging that, if he is not to be charged with a recognizable criminal offence, he be released from prison

**Addresses**

General Abelardo Colomé Ibarra  
Ministro del Interior  
Ministerio del Interior  
Plaza de la Revolución  
Ciudad de la Habana, Cuba (Minister of the Interior)

Dr Ramón de la Cruz Ochoa  
Fiscal General de la República  
Fiscalía General de la República  
San Rafael 3  
Ciudad de la Habana, Cuba (Attorney General)

**For appeals for Luis Alberto Pita Santos only:**

Dr Eduardo Bernabé Ordaz Ducangé  
Director  
Hospital Psiquiátrico de al Habana  
Avda. de la Independencia 26520  
Ciudad de la Habana, Cuba

**Copies of letters can be sent to:**

Sr Julio Tejas Pérez  
Ministro de la Salud Pública  
Ministerio de la Salud Pública  
Calle 23, No 301  
Vedado  
Ciudad de la Habana, Cuba (Minister of Health)

Consejo Médico Cubano Independiente  
c/o CODEHU  
1040 S.W. 27 Ave  
Miami, Fl 33135  
USA (Independent medical body - letters to be sent  
this address in Miami) c/o



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*MEDICAL CONCERN*

**Silencing opponents  
Cuba**

Amnesty International's main concerns in Cuba at present are: the short-term arrest and harassment of members of unofficial groups, the imprisonment of prisoners of conscience and probable prisoners of conscience and the continued use of the death penalty. Amnesty International is also concerned about the increasing number of allegations of ill-treatment, including in some cases deaths in detention, and occasional incidents of apparent unlawful killings by members of the security forces. An overriding concern in all areas is the lack in practice of judicial safeguards, particularly relating to access to defence lawyers and the possibility of a fair hearing, in according with international standards for a fair trial.

Prison conditions have also deteriorated over the past two years, at least in part as a result of the serious economic crisis facing the country. Food, medicines and other essentials are in short supply and many prisoners are said to have been suffering from anaemia, diarrhoea, parasitic infestations and fever.

The following cases illustrate some of Amnesty International's concerns. For a more detailed analysis of Amnesty International's concerns regarding human rights in Cuba see *Cuba: Silencing the voices of dissent*. (AMR 25/26/92, December 1992).

**Dr María Valdez Rosado** (medical doctor), president of the unofficial Cuban Christian Democratic Movement (*MCDC: Movimiento Cubano Demócrata Cristiano*) was called in for questioning by Havana police on 1 January 1992 when, she says, she was threatened with loss of her medical license. On 25 January she was again called for questioning and states that on this occasion she was also threatened, it being suggested that she give up her activities and leave the country or face trial and imprisonment.

**Sebastián Arcos Bergnes** (dentist) was arrested on 15 January 1992 together with his brother Gustavo and a third human rights activist, Jesus Yanes Pelletier. He is Vice president of the *Comité Cubano Pro Derechos Humanos* (Cuban Committee for Human Rights). His brother and Jesus Yanes were released 24 hours later, but Sebastián Arcos was kept in detention and brought to trial on 5 October 1992 on a charge of disseminating "enemy propaganda". He was tried at the Court of Crimes against State Security for the City of Havana and sentenced to four years and eight months' imprisonment. He has been adopted as a prisoner of conscience by Amnesty International.

Sebastian Arcos is a 61-year-old dentist who was a junior minister in an early Castro government. He has served a previous term of seven years' imprisonment after he tried in 1981 to leave the country without authorization, together with his brother and son. Since his arrest at the beginning of the year, he is said to have had a number of medical problems. After reportedly

being denied treatment for two months, he was transferred to hospital to have surgery for an abscessed tooth. He is also said to be suffering from jaundice and weight loss and is being held in Valle Grande Prison, where hygiene and medical facilities are said to be poor.

**Joel Dueñas Martínez** was arrested in Havana on 31 December 1991 with two others. He was taken to the 10th Police Unit in Havana where he is said to have suffered several epileptic fits, but to have remained without adequate medical attention. A few days later he was transferred to the State Security headquarters at Villa Marista where he was held for over three months. While there he was transferred for a short period to the Havana Psychiatric Hospital for reasons which are not known to Amnesty International. He was later transferred to the Carlos J. Finlay Military Hospital in Havana where is said to have spent long periods without adequate medication to control his epilepsy. From the Military Hospital he was taken to Combinado del Este Prison and to Taco-Taco prison in the province of Pinar del Rio. Reports dating from September 1992 indicate that he was not receiving medication to control his epilepsy. Taco-Taco prison is distant from Havana and this makes it difficult for his mother to visit him; when she tried to supply the medication he was prescribed before his imprisonment, she was told that he did not need them as the prison hospital could supply what was needed. He is also believed to suffer from hypertension and diabetes.

In late October his mother received news that he was suffering from fever as a result of an illness said to be affecting several other prisoners. However, when she went to visit him on 6 November, she was refused permission to see him and was reportedly unable to obtain further information about him.

Joel Dueñas was brought to trial in early September 1992 together with Bienvenida Cúcalo Santana, one of the two others arrested with him. Bienvenida Cúcalo is Secretary General of the unofficial *Movimiento Femenino Humanitario Cubano*, Cuban Humanitarian Women's Movement, an organization to which Joel Dueñas is said to belong. They are believed to have been tried for enemy propaganda and Joel Dueñas is reported to have been sentenced to four years' imprisonment. He is adopted as a prisoner of conscience.

**José Luis Pujol Irizar**, an adopted prisoner of conscience, is a founder member of two dissident groups:- Alternative View (*Criterio Alternativa*) and Opening of the Island Project (*Proyecto de Apertura de la Isla*). He was arrested on 3 March 1992 at his home in east Havana and brought to trial in September 1992 when he was sentenced to three years' imprisonment on a charge of "disrespect" (*desacato*). The grounds for the charge were apparently that he had criticized President Castro in a letter to a Cuban exile leader. After being held for a period in Micro-10 Prison, he was transferred to Combinado del Este Prison. His eyesight is said to have seriously deteriorated while in detention. Only days before he was arrested he had had an operation on both eyes for detached retinas. According to one report, he has received no treatment for his eyes while in detention.

### **Luis Alberto Pita Santos**

45-year-old Luis Alberto Pita has also been adopted as a prisoner of conscience. He is the president of ADDEPO (*Asociación Defensora de los Derechos Políticos* - Association for the defence of political rights) and was arrested on 9 October 1991 with three others. He was held initially at the 6th Police Unit in Havana and then transferred to the Sala Carbó Serviá Ward of the Havana Psychiatric Hospital, apparently for tests to determine whether he was fit to stand trial. After being there for about a month, he was returned to the police station, having been found "not mentally ill". However, shortly after this he was transferred to the psychiatric wing of the Carlos J. Finlay Military Hospital where he went on hunger strike for an unknown period, and from there to Valle Grande Prison in Havana Province.

He was recently transferred to Boniato Prison in Santiago de Cuba where he is said to be in poor health as a result of another hunger strike. It is also alleged that he was beaten by prison guards because of his protest, but the precise circumstances of the beating are not yet known. His action is thought to be at least partly in protest at his transfer to Boniato, which is almost 1,000 km from Havana and his family. Arturo Suarez Ramos, who is said to have gone on hunger strike at the same time, is also alleged to have been beaten by prison guards after commencing the hunger strike. He is serving a 30-year sentence, commuted from the death penalty, for his participation in an attempt to hijack a Cuban Airlines plane in 1987.

Luis Alberto Pita was tried in April 1992 on charges of "disrespect" (*desacato*), illegal association (*asociación ilícita*), and "clandestine printing" (*clandestinidad de impresos*). In June 1992 it was announced that he had been sentenced to five years' imprisonment.

He is a former professor of Marxism-Leninism at the Instituto Superior Pedagógico de la Educación Técnica y Profesional in Havana and has been arrested and referred for psychiatric tests on several occasions in the past few years. He has made a series of official complaints about the treatment he has received, consistently maintaining that he is not suffering from any kind of psychiatric illness and that such action has been taken against him because of his anti-government views.

**Dr Eduardo Vidal Franco** (doctor) and two other members of the "Liberation" Christian Movement (*Movimiento Cristiano "Liberación"*) were arrested in Santiago de Cuba in early 1992 on charges of enemy propaganda after they had been gathering signatures for a petition to change the Cuban Constitution. Dr Vidal was sentenced to six years' imprisonment and the others to five years each. All three are believed to be held in Boniato Prison in Santiago de Cuba. The precise basis of the charge against them is not clear but some reports indicate that the charge relates to an offence committed in 1990, thus suggesting that it may have been a pretext to punish the three for the legitimate gathering of signatures for a petition.

**Alejandro Fuentes García**, a former lieutenant in the Department of State Security, was reportedly arrested in 1991 as he tried to leave the country by boat from the coast of Villaclara in central Cuba. He was taken to the State Security headquarters in Santa Clara where he was said to have been badly beaten causing serious damage to his kidneys. He was transferred to Villaclara Provincial Prison where he is said to have suffered cardiac arrest after trying to hang himself. He is said to have been resuscitated by a doctor who was also in detention. In the 1992 Annual Report of the UN Special Rapporteur on Torture, the Cuban Government is reported as having acknowledged that Alejandro Fuentes was arrested in June 1991, together with five others, while trying to leave the country illegally, and stated that he was awaiting trial. They said that he had suffered from kidney problems for several years and that, during his detention, he had suffered from nephritic colic but at all times had received proper medical care and was not ill-treated or tortured. According to a letter smuggled out of Villaclara Prison dated 21 May 1992, when Alejandro Fuentes was transferred to Combinado del Este Prison to attend the court hearing of his case, he was removed from his cell and again beaten by guards causing injury to his right eye. His injuries were said to be such that the hearing had to be postponed. There has been no further news of his case.

Several deaths in detention have been reported in recent months, some as the result of hunger strikes and others as the result of the denial of prompt and adequate medical attention or alleged ill-treatment. Details of these deaths are given in *Cuba: Silencing the voices of dissent* (AMR 25/26/92, December 1992). Amnesty International is urging the Cuban authorities to

ensure that all deaths in custody are properly investigated and, if it is found that ill-treatment was the cause of death, that those responsible are brought to justice.

Over the past two years the Cuban Government has taken increasingly strong measures to stifle criticism of its policies and leaders, and the number of prisoners of conscience has risen dramatically. Amnesty International is urging the Cuban authorities to strengthen the protection of human rights in Cuba and, to this end, has submitted 16 specific recommendations which are set out in the report cited above.