

EXTERNAL

AI Index: AMR 25/31/97

This is a limited action. Please restrict appeals to 15 per Section.

EXTRA 117/97

Prisoner of Conscience / Legal concern

28 August 1997

CUBA

Héctor Palacio Ruiz

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According to reports, Héctor Palacio Ruiz, who is currently being held in Combinado del Este Prison, Habana del Este province, is to face trial on 4 September 1997 and could be sentenced to up to three years' imprisonment if convicted of "desacato", "disrespect" (article 144 of the Penal Code). Amnesty International believes that he is a prisoner of conscience, detained solely for the non-violent exercise of his right to freedom of expression, association and assembly.

Héctor Palacio Ruiz, president of the *Partido Solidaridad Democrático (PSD)*, Democratic Solidarity Party, and member of the national coordinating council of *Concilio Cubano*, Cuban Concilium, was arrested on 9 January 1997. Until now no formal charges have been brought against him, although he has reportedly been told that he will be charged with "desacato a la figura del presidente Fidel Castro", "disrespect to President Fidel Castro", for allegedly making statements to foreign journalists and in letters to foreign governments about declarations made by President Fidel Castro at the Sixth Ibero-American Summit in Chile in November 1996.

Héctor Palacio had previously been arrested on 15 February 1996 during a major crackdown on *Concilio Cubano*, but was released some hours later. On 16 February 1996 his home was searched by police and documents were confiscated. He was arrested later that day by State Security officials and was held in detention for four days before being released without charge (see *Cuba: Government Crackdown on Dissent*, AMR 25/14/96 and *Prisoner of Conscience - Héctor Palacio Ruiz*, AMR 25/02/97).

Amnesty International is concerned that Héctor Palacio will not be granted full judicial guarantees in accordance with international standards.

#### BACKGROUND INFORMATION

In Cuba freedom of expression, association and assembly are severely limited in law and in practice. Those who attempt to express views or organize meetings or form organizations that conflict with government policy and/or the aims of the socialist state are likely to be subjected to punitive measures including loss of employment, harassment, intimidation and often imprisonment. It is difficult to give precise numbers of prisoners of conscience because of the severe restrictions on human rights monitoring and the lack of official information. However, Amnesty International believes that there are some six hundred people currently imprisoned in Cuba because of their peaceful attempts to exercise their rights to freedom of expression, association and assembly. The most common charges of an overtly political nature brought against such people are "propaganda enemiga", "enemy propaganda", and "desacato", "disrespect". However, in many cases those concerned are charged with criminal offences, sometimes trumped up, in order to disguise the political motivation for their arrest.

Since its formation in October 1995, members of the *Concilio Cubano* have been subjected to persistent harassment. Meetings have been banned or disrupted by the authorities to prevent the organization from carrying out its activities.

Many have been detained for short periods and threatened with imprisonment if they do not cease their activities or leave the country. Others have been tried and sentenced and have become prisoners of conscience.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express letters in Spanish or your own language:**

- expressing concern at reports that Héctor Palacio Ruiz is to be tried on 4 September 1997;
- calling for his immediate and unconditional release on the grounds that he is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression, association and assembly;
- urging that as long as he is in detention he be provided with full judicial guarantees;
- 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 or otherwise punish those who attempt to peacefully exercise such rights.

**APPEALS TO:**

1) 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**  
**Telexes: 511456 fisge**  
**Salutation: Sr Fiscal General / Dear Attorney General**

2) 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**  
**Telexes: 511122 / 511464 / 512950**  
**Faxes: + 53 7 335261**  
**Salutation: Señor Ministro / Dear Minister**

3) Minister of the Interior

General Abelardo Colomé Ibarra  
Ministro de Interior  
Ministerio del Interior  
Plaza de la Revolución, La Habana, Cuba  
**Telegrams: Ministro Interior, Havana, Cuba**  
**Salutation: Señor Ministro / Dear Minister**

**COPIES TO:**

National Union of Jurists  
Unión Nacional de Juristas  
Apartado 4161  
La Habana 4, Cuba

Editor of Granma (daily newspaper)

Sr Jacinto Granda de Laserna  
Granma, Apdo 6260, La Habana, Cuba

and to diplomatic representatives of Cuba accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 20 September 1997.