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CUBA

Prisoner of Conscience Héctor Palacio Ruiz Sentenced to 18 Months' Imprisonment

2 October 1997

AI INDEX: AMR 25/35/97

DISTR: SC/CO/GR

Héctor Palacio Ruiz

Amnesty International has learned that on 4 September 1997, at a municipal court in Havana, prisoner of conscience Héctor Palacio Ruiz was sentenced to 18 months' imprisonment for "*desacato*,"disrespect" (article 144 of the Penal Code) towards President Fidel Castro.

Héctor Palacio, who is president of the *Partido Solidaridad Democrático (PSD)*, Democratic Solidarity Party, and a member of the national coordinating council of *Concilio Cubano*, Cuban Concilium, had been arrested on 9 January 1997. He was initially held at *the Departamento Técnico de Investigaciones (DTI), Technical Investigations Department, in Havana, and was subsequently transferred to Combinado del Este Prison in Havana province while he awaited his trial. His arrest took place following an interview with a German television station in which he criticised the Cuban Government and referred to declarations made by President Fidel Castro at the Sixth Ibero-American Summit in Chile in November*

1996. The following are extracts from the interview:

"En la Cumbre Ibero-Americana Fidel Castro ha firmado toda una serie de acuerdos que posibilita el tránsito a una sociedad democrática. Incluso firma conceptos tales como el pluripartidismo, el respeto a los derechos humanos, la libertad de expresión ... Fidel Castro no puede seguir firmando cosas y no cumpliendo. Es poco serio que el presidente de un gobierno haga eso".

"At the Inter-American Summit Fidel Castro signed a whole series of agreements which could bring about a transition to a democratic society. He even signed concepts such as a multiparty system, respect for human rights, freedom of expression ... Fidel Castro cannot continue

signing things and not fulfilling them. It is irresponsible for the president of a government to do that."

"Te das cuenta o que Fidel Castro está loco o que las gentes que están a su lado tendrán que ver hasta donde su locura lo puede llevar."

"You realise that either Fidel Castro is mad or that the people at his side will have to see how far his madness can go."

The interview was subsequently broadcast in several European countries and in the United States of America. Héctor Palacio also reportedly sent letters to foreign governments regarding President Castro's declarations at the summit.

Amnesty International is further concerned that the trial of Héctor Palacio did not conform to international standards for a fair trial. According to reports, Héctor Palacio's lawyer was prevented from presenting as evidence at the trial either the video recording of the TV interview or the statement made by Fidel Castro at the summit in Chile. He was also not permitted to call as witnesses the foreign journalists to whom Héctor Palacio had given the interview.

As Héctor Palacio was being removed from the courtroom at the end of the trial, supporters cheered and called out messages of support. Several of them were reportedly detained shortly afterwards or later in their homes. They included Adolfo Fernández Sainz and Fernando Sánchez (***both members of the Democratic Solidarity Party***), Manuel Cuesta Morúa and Leonardo Calvo Cárdenas (of the *Comisión Cubana de Derechos Humanos y Reconciliación Nacional (CCDHRN)*, Cuban Commission for Human Rights and National Reconciliation, and the *Corriente Socialista Democrática (CSN)*, Democratic Socialist Current), Nancy Gutiérrez (of the *Movimiento Acción Cívica (MAC)*, Civic Action Movement), Javier Marqués Borrego, Fernando Machín Bravo and Luis Alberto Lam. At the time of writing Amnesty International is continuing to investigate whether they are still in detention and, if so, on what grounds.

Amnesty International believes that Héctor Palacio has been detained for the non-violent exercise of his rights to freedom of expression and association and is calling for his immediate and unconditional release as a prisoner of conscience.

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

- Expressing concern that Héctor Palacio Ruiz has been sentenced to 18 months' imprisonment for "disrespect" and that the trial may not have conformed to international standards for a fair trial;
- Calling for his immediate and unconditional release 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 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 fidge **Fax: + 53 7 - 333164**
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. Please check with the Caribbean Sub-Regional Team if sending appeals after 1 July 1998.

KEYWORDS: PRISONERS OF CONSCIENCE1 / POLITICAL ACTIVISTS / TRIALS / CENSORSHIP
 / ARBITRARY ARRESTS / ADDRESSES / PHOTOGRAPHS /

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