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## CUBA

### Prisoners of conscience

JANUARY 1992

SUMMARY

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The number of prisoners of conscience and probable prisoners of conscience in Cuba has risen sharply over the past few months. Many of them are members of unofficial political and human rights groups who have been detained as a result of their attempts to peacefully exercise their rights to freedom of expression and association. Some are still awaiting trial while others have been tried and convicted on criminal charges such as illegal association, clandestine printing or defamation, or state security charges such as enemy propaganda or rebellion. Those convicted are serving sentences of up to seven years' imprisonment. Access to lawyers during pre-trial detention is extremely limited.

Many recent arrests have taken place in an increasing atmosphere of violence. There have been several recent incidents, known as "**actos de repudio**", "acts of repudiation", in which large groups of pro-government supporters have gone to the homes of known dissidents and verbally or physically abused those inside. Police are usually present but fail to intervene to stop the assaults. After some time, often hours, they proceed to arrest those who have been under attack.

The attached document gives a general description of the situation of prisoners of conscience at present in Cuba and also provides details of the cases of 30 prisoners of conscience and 26 probable prisoners of conscience.

**KEYWORDS:** POLITICAL GROUPS1 / HUMAN RIGHTS GROUPS1 / PRISONERS OF CONSCIENCE1 / BANNING1 / CENSORSHIP1 / PRISONERS' LISTS / RELIGIOUS GROUPS / RESTRICTION ON MOVEMENT / HARASSMENT / ARMED CIVILIANS / PRISON CONDITIONS / TORTURE/ILL-TREATMENT / DETENTION WITHOUT TRIAL / TRIALS / INCOMMUNICADO DETENTION / ILL-HEALTH / PSYCHIATRIC CONFINEMENT / HUNGER-STRIKE / REARREST / DETENTION FOR RE-EDUCATION / WRITERS / JOURNALISTS / WOMEN / TRADE UNIONISTS / PRODUCERS / DENTISTS / DIPLOMATS / PEACE ACTIVISTS / FAMILIES / ENGINEERS / FACTORY WORKERS / RELIGIOUS OFFICIALS / TEACHERS / STUDENTS /

This report summarizes a 26-page document (8,050 words), *Cuba: Prisoners of conscience* (AI Index: AMR 25/12/92), issued by Amnesty International in January 1992. Anyone wanting further details or to take action on this issue should consult the full document.

**INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM**

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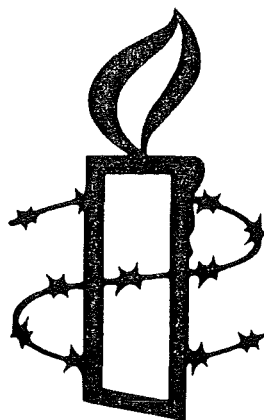
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**CUBA**

**Prisoners of Conscience**



January 1992  
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# CUBA

## PRISONERS OF CONSCIENCE

The number of prisoners of conscience and probable prisoners of conscience in Cuba has risen sharply over the past few months. It is difficult to obtain specific figures, both because of the lack of public official statistics about political imprisonment and the restrictions on independent human rights monitoring. However, there are believed to be at least several hundred political prisoners of whom up to three hundred may be prisoners of conscience or probable prisoners of conscience. They include members of unofficial political and human rights groups who have been detained as a result of their attempts to peacefully exercise their rights to freedom of expression and association and people believed to be held for trying to leave the country without obtaining authorization. However, some reports suggest that many of those in this latter category who did not commit any other crimes in their attempt to flee may have been released following the relaxation of government policy concerning emigration during 1991.

Amnesty International is concerned at the increasingly harsh measures being taken by the Cuban authorities against those who have been advocating political change by peaceful means and at the apparent encouragement being given to pro-government supporters to harass and intimidate such people. However, the majority of the arrests of political and human rights activists brought to the attention of Amnesty International in recent months have come about as a result of their attempts to peacefully exercise their rights to freedom of expression and association in accordance with the Universal Declaration of Human Rights. Many such arrests have been made following so-called "**actos de repudio**", "acts of repudiation" - large groups of government supporters, sometimes armed with sticks, stones and other blunt instruments, are transported to the homes of known dissidents where they verbally or even physically abuse those present and cause damage to property. Police are usually present but fail to intervene to stop the assaults. Such incidents frequently involve what are known as **Destacamentos Populares de Respuesta Rápida**, People's Rapid Response Detachments. These were set up in June 1991 and are composed of Communist Party volunteers whose task is to deal with any sign of "counter-revolution".

The charges most frequently brought against members of unofficial groups in Havana, where most dissident and human rights groups are based, have been for public order offences such as **asociación ilícita**, illegal association; **clandestinidad de impresos**, clandestine printing; **desórdenes públicos**, public disorder; and **instigación a delinquir**, incitement to commit a crime. Other offences include **desacato**, disrespect, and **difamación**, defamation. Such cases are normally heard within days of arrest in a municipal court where access to defence lawyers is non-existent or extremely limited. Charges of a more serious nature such as **propaganda enemiga**, enemy propaganda, and

**rebelión**, rebellion, fall under the jurisdiction of the **Departamento de Seguridad del Estado (DSE)**, Department of State Security. In such cases, the detainee is held for several weeks or months in the local headquarters of the DSE while the charge is being investigated. During this period the detainee has little or no access to a defence lawyer. There is evidence to suggest that psychological pressure is sometimes brought to bear on the detainee during this period to sign false confessions. Whether such trials take place in a municipal or state security court, interference in the work of the judiciary by political authorities is routine.

Amnesty International has also become increasingly concerned at the general deterioration of the conditions in which prisoners, once convicted, are being held. Food, medicines and other essential provisions are in very short supply. This has coincided with the general deterioration in living conditions within the country resulting from the current economic crisis. However, there are indications that political prisoners are being singled out for particularly harsh treatment. For example, some of those arrested in recent months have been sent to prisons far away from their homes. Shortages of petrol have led to a serious deterioration in public transport services and relatives therefore find it almost impossible to visit imprisoned family members and take them additional supplies. There are also reports that some political prisoners who have tried to disseminate information about prison conditions outside the prison have been threatened with additional sentences. Reports of unprovoked beatings of prisoners by prison guards have also become much more frequent.

The number of short-term arrests of prisoners of conscience has also increased. Among recent cases were the following:

**Roberto LUQUE ESCALONA**, a writer and former journalist who had a book criticizing President Fidel Castro published abroad, was arrested on 19 July 1991 during an "act of repudiation" that was carried out at his house in Havana. He was held by the **Departamento Técnico de Investigaciones (DTI)**, Technical Investigations Department, apparently under investigation on a charge of **desacato**, disrespect. He was released on 21 August 1991. It was thought that he was to be brought to trial but so far no further action has been taken against him. He is a member of an unofficial group called **Criterio Alternativo**, Alternative View, and had signed in June 1991 a so-called "Statement by Cuban Intellectuals" ["**Declaración de Intelectuales Cubanos**"] listing five measures he and others believed to be required "to promote and ensure broad national debate" ["**para promover y asegurar un amplio debate nacional**"].

**María Celina RODRIGUEZ**, President of an unofficial religious group called **Libertad y Fé**, Freedom and Faith, was arrested on 2 August 1991, together with

her three-year-old son, after being accosted in the street by a group of people who chanted abuse and physically assaulted her and her son. She was initially taken with her son to a police station but was then reportedly taken to several places belonging to the DSE, including one in the city of Santa Clara. She was later transferred to the Havana Psychiatric Hospital<sup>1</sup>, while her son was taken to a nursery. She was released without charge about three weeks after her arrest.

**Rafael GUTIERREZ SANTOS**, the leader of an unofficial trade union, aged 55, was arrested on 10 January 1992 after a group of civilians believed to be members of a People's Rapid Response Detachment went to his home in Luyanó, Havana. He was not there but they came across him nearby and reportedly physically assaulted him and tried to force him to swallow documents issued by the trade union before forcing him into a private car and taking him away. He was later located at the 10th police unit in Avenida de Acosta where his family were told he would be kept for some time. However, he was released on 14 January 1992. It is not clear whether there are any charges pending against him. Rafael Gutiérrez is the president of the founding committee (**comité gestor**) of the **Unión General de Trabajadores de Cuba (UGTC)**, General Union of Cuban Workers. The UGTC was set up in 1991 and requested official recognition from the Ministry of Justice on 3 October 1991. No reply has been received. Since 1959, only one trade union, the **Central de Trabajadores de Cuba (CTC)**, the Cuban Workers Federation, has been allowed to function in Cuba. Rafael Gutiérrez had formerly been a CTC leader for 22 years at the Havana docks where he worked. In July 1990 he and three other dock workers were sacked from their jobs after being briefly arrested for investigation of "**delitos contra los poderes del estado**", "crimes against state authorities" in connection with their alleged membership of an unofficial political group. Rafael Gutiérrez was removed from his CTC post in July 1990.

## Appendices

Attached at Appendix I are the details of 30 cases of prisoners of conscience and 26 probable prisoners of conscience currently awaiting trial or already convicted. The list is not exhaustive but comprises those cases which have been most well-documented. In many other cases, only scant details such as the name, place of detention and charge are known.

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<sup>1</sup> According to Cuban law, detainees can be referred upon arrest to psychiatric institutions for tests in order to establish whether they are fit to stand trial. While this is a routine procedure and can in genuine cases benefit the detainee, Amnesty International fears that, in some cases, particularly those involving political prisoners, the procedure may be open to abuse.

Attached at Appendix II is a list of unofficial political or human rights groups mentioned in this document. Several of the groups have joined forces to form two separate groupings with similar names: the **Concertación Democrática Cubana**, Cuban Democratic Convergence, and the **Coalición Democrática Cubana**, Cuban Democratic Coalition. Other groups such as the **Comité Cubano Pro Derechos Humanos (CCPDH)**, Cuban Committee for Human Rights, have so far stayed outside either grouping.

## PRISONERS OF CONSCIENCE AND PROBABLE PRISONERS OF CONSCIENCE

### PRISONERS OF CONSCIENCE

#### **ABAD FLAMAND, Marco Antonio**

Aged 26. A dissident film maker and former member of the **Instituto Cubano del Arte y la Industria Cinematográfica (ICAIC)**, Cuban Institute of Art and the Cinema Industry. Arrested 19 November 1991 as he attempted to video the "**acto de repudio**", "act of repudiation", at the home of María Elena Cruz Varela in the east Havana neighbourhood of Alamar (see below for further details of the arrest of María Elena Cruz Varela). Immediately following his arrest he was reportedly taken to his home which was searched and possessions, including paintings and documents, confiscated. Initially held at the headquarters of the **Departamento de Seguridad del Estado (DSE)**, Department of State Security, at Villa Marista but may have been transferred to prison. At the time of writing, he had not been sentenced but was reported to be under investigation on a charge of **desacato**, disrespect, on the grounds that he offended President Castro in the course of his work. He is said to have resigned from ICAIC in mid-1990 after criticizing the government and the official cultural establishment in a meeting of artists and intellectuals held in advance of the Fourth Communist Party Congress (which took place in October 1991). He is also reported to have been expelled from another artists' group in October 1990 after he had entered two of his films in a US film festival without seeking official permission.

#### **AGUADO CHAVEZ, Gabriel**

Member of **Criterio Alternativo**, Alternative View, an unofficial opposition group. Arrested some time between 20 and 24 November 1991 in the course of a so-called "**acto de repudio**", "act of repudiation", at his home in Havana. Initially held at the DSE headquarters at Villa Marista but believed to have been transferred following conviction to Agüica Prison in Matanzas Province. Tried on 28 November 1991 at the **Tribunal Municipal de la Habana del Este**, Municipal Court of East Havana, and sentenced to one year six month's imprisonment on charges of **asociación ilícita**, illegal association, and **clandestinidad de impresos**, clandestine printing. The



sentence was confirmed on appeal. See also the related case of María Elena Cruz Varela below.

### **AGUIAR LOPEZ, Eliecer**

Member of **Criterio Alternativo**, Alternative View, an unofficial opposition group. Arrested some time between 20 and 24 November 1991 in the course of a so-called "**acto de repudio**", "act of repudiation", at his home in Havana. Initially held at the DSE headquarters at Villa Marista but believed to have been transferred following conviction to Taco-Taco Prison in the province of Pinar del Río. Brought to trial on 4 December 1991 and sentenced to one year's imprisonment on charges of **asociación ilícita**, illegal association, and **clandestinidad de impresos**, clandestine printing. See also the related case of María Elena Cruz Varela below.

### **ARCOS BERGNES, Sebastián**

Vice-President of the **Comité Cubano Pro Derechos Humanos (CCPDH)**, Cuban Committee for Human Rights. Aged about 60. Arrested on 15 January 1992 in Havana, together with his brother Gustavo, the Secretary General of the CCPDH and another member of the executive, Jesús Yanes Pelletier. The arrests occurred after Cuban television broadcast extracts from the trial of three men who had been sentenced to death a few days earlier after being convicted of terrorism, sabotage and enemy propaganda. According to the Cuban Government, they had been caught entering the country illegally from the USA with the purpose of carrying out sabotage attacks and terrorist actions. During the trial one of the defendants, Eduardo Díaz Betancourt, who has since been executed (the other two had their sentences commuted to 30 years' imprisonment), read from a notebook the names and addresses of the three CCPDH leaders whom he alleged they had been told to contact if they encountered any problems. The names and addresses were also reportedly shown in large letters on the television screen. Following the television broadcast, large groups of people reportedly gather outside the house of Gustavo Arcos Bergnes and carried out an "act of repudiation". The three CCPDH leaders were subsequently arrested and taken to the DSE headquarters at Villa Marista. Gustavo Arcos Bergnes and Jesús Yanes Pelletier were released after about 24 hours with an official warning (**advertencia oficial**). However, Sebastián Arcos Bergnes was kept in custody. On 27 January, his brother and his wife were allowed to visit him and a DSE official reportedly told them that Sebastián Arcos could be brought to trial for **rebelión**, rebellion, a state security charge which can, in some circumstances, carry a heavy prison sentence or even the death penalty.

The CCPDH executive has consistently dissociated the group from the use of violence in order to bring about political change in Cuba and has called for dialogue with the authorities. Sebastián Arcos, together with Gustavo Arcos and Jesús Yanes Pelletier, have emphatically denied any links with Ernesto Díaz Betancourt and the two men tried with him or with any other violent groups or individuals.

Both Sebastián and Gustavo Arcos Bergnes had supported the Cuban Revolution in 1959. Gustavo served as Ambassador to Belgium in the early 1960s and Sebastián, who is also a dentist, was a junior government minister. Both later changed their views and ceased to hold any official posts. The two brothers were arrested in 1981, together with Sebastián's son, also called Sebastián, as they were trying to flee the country without authorization. Gustavo was sentenced to seven years' imprisonment, his brother to six years and the son to one year. Following their release, Sebastián in May 1987 and Gustavo in March 1988, they became active members of the CCPDH and have been the object of several "acts of repudiation" over the past two or three years.

#### **AZPILLAGA LOMBARD, Daniel**

President of the **Movimiento Pacifista Cubano Solidaridad y Paz**, Solidarity and Peace Cuban Pacifist Movement. Arrested on 6 September 1991 in Havana with three others after they and other members of the group tried to hold a demonstration outside the DSE headquarters at Villa Marista. Initially held at the 10th Police Unit in the suburb of Víbora. Brought to trial on 12 September 1991 at the **Tribunal Popular Municipal**, People's Municipal Court, in the Municipio "10 de Octubre", Havana, on charges of public disorder, **desórdenes públicos**, and incitement to commit a crime, **instigación a delinquir**, and sentenced to two years' imprisonment. It is thought that the four had little or no access to a lawyer before or during the trial. It is not known if an appeal was lodged. Daniel Azpillaga is believed to be held in Taco-Taco Prison in the province of Pinar del Río.

#### **AZPILLAGA LOMBARD, Tomás**

Vice-President of the **Movimiento Pacifista Cubano Solidaridad y Paz** and brother of the above. Arrested at the same time and in the same circumstances. He was convicted only of public disorder and was sentenced to ten months' imprisonment which he is believed to be serving in Guanajay Prison, Havana Province.

**BETANCOURT ALVAREZ, Reinaldo**

Member of the unofficial **Asociación Defensora de los Derechos Políticos (ADDEPO)**, Association for the Defence of Political Rights. Arrested on 9 October 1991 together with six other members of the group. They are believed to have been detained because they attempted to distribute copies of a ten-point program of reform to delegates attending the Fourth Communist Party Congress, which was taking place at that time. Brought before the Marianao People's Municipal Court, **Tribunal Popular Municipal de Marianao**, on 16 October 1991 and sentenced to three years' imprisonment for clandestine printing, **clandestinidad de impresos**, illegal association, **asociación ilícita**, and incitement to commit a crime, **instigación a delinquir**. Access to lawyers is believed to have been non-existent or extremely limited. The sentence was confirmed on appeal on 28 October 1991. Believed to be held in Agüica Prison in the province of Matanzas.

**CRESPO DIAZ, Jorge**

Arrested on 7 December 1991 while visiting the wife of Marco Antonio Abad Flamand (see above) and taken to the DSE headquarters at Villa Marista, where he is still believed to be held. He is said to be a lawyer and a legal adviser to various unofficial human rights groups. He is also reported to be a member of an unofficial group called **Arte y Derecho**, Art and Rights. Latest reports suggest that he is being investigated, together with Marco Antonio Abad, on a charge of **desacato**, disrespect.

**CRUZ MARTINEZ, Aníbal**

Member of ADDEPO. Arrested at the same time and in the same circumstances as Reinaldo Betancourt Alvarez (see above). Sentenced to two years and three months' imprisonment on the same charges, confirmed on appeal. Also believed to be held in Agüica Prison in Matanzas.

**CRUZ VARELA, María Elena**

President of **Criterio Alternativo**, Alternative View, an unofficial opposition group. Arrested on 19 November 1991 at her home in Havana following a so-called "**acto de repudio**", "act of repudiation", involving the **Destacamentos Populares de Respuesta Rápida**, Popular Rapid Response Detachments (see Introduction). An estimated 300 people, who reportedly arrived in official vehicles, some of them armed and using walky-talkies, assembled outside the house in the Alamar district. Entry was forced into the house and those inside were said to have been physically attacked and injured by the crowd who also shouted abuse at them. According to

eyewitnesses, Maria Elena Cruz Varela was held in a headlock while the pamphlets she had been distributing were stuffed into her mouth. She was then dragged outside by the hair and beaten by the crowd. María Elena Cruz Varela, her daughter and Gladys González Noy were arrested and taken to a local police station where they were held for six hours before being released. However, the **acto de repudio** outside María Elena Cruz Varela's home continued and she was arrested again on 21 November, together with three other members of **Criterio Alternativo**, Fernando Velásquez Medina, Pastor Herrera and Jorge Pomar (who was reportedly injured), and taken to the DSE headquarters at Villa Marista. The arrests took place shortly after María Elena Cruz Varela and three other dissidents had met (on 18 November) with Juan Luis Rodríguez Vigil, President of the Spanish Region of Asturias, who was on an official visit to Cuba. On 28 November 1991 María Elena Cruz Varela was brought to trial at the **Tribunal Municipal de la Habana del Este**, Municipal Court of East Habana, and sentenced to two years' imprisonment on charges of **asociación ilícita**, illegal association, and **difamación**, defamation. The sentence was confirmed at an appeal hearing on 4 December 1991. She is believed to be serving her sentence in Combinado del Sur Prison in Matanzas.

#### **CUCALO SANTANA, Bienvenida**

Secretary-General of the unofficial **Movimiento Feminino Humanitario Cubano**, Cuban Humanitarian Women's Movement, set up in 1991 to provide assistance to the relatives of political prisoners. Arrested with three other members of the group on 31 December 1991 following searches of their homes. She is believed to be held in the DSE headquarters at Villa Marista. It is not clear what the charges against her are but one of the others arrested with her, Joel Dueñas, is reportedly under investigation on charges of illegal association and enemy propaganda. They are unlikely to have had access to lawyers.

#### **DUEÑAS, Joel**

Member of the **Movimiento Feminino Humanitario Cubano**. Aged 21. Arrested together with Bienvenida Cúcalo Santana (see above) and one other on 31 December 1991 in Havana. He is said to be held at the 10th police unit in Avenida de Acosta accused of illegal association and enemy propaganda. Amnesty International is concerned about his state of health. He is said to suffer from epilepsy and during one day while in custody he reportedly had 21 epileptic fits. He is also said to be suffering from high blood pressure and diabetes.

**EGAÑA, Jorge**

Member of the **Movimiento de Armonía (MAR)**, Harmony Movement (see case of Yndamiro Restano Díaz below). Arrested on 26 December 1991 and taken to the DSE headquarters at Villa Marista where he is still being held at the time of writing. Unconfirmed reports suggest that he and three other detained MAR members are being investigated on a charge of **rebelión**, rebellion, a state security charge which can in certain circumstances carry a heavy prison sentence or even the death penalty.

**GARNICA TORRES, Arturo**

Member of the **Movimiento Feminino Humanitario Cubano**. Aged 27. Arrested with Bienvenida Cúcalo Santana and Joel Dueñas (see above) on 31 December 1991 in Havana. He is believed to be held in the 10th police unit in Avenida de Acosta. The charges against him are not yet known.

**GONZALEZ GONZALEZ, Esteban**

Founder and President of the **Movimiento Integracionista Democrático (MID)**, Movement for Democratic Integration. Arrested with six other MID members on 24 September 1989 in Havana. Brought to trial on 20 June 1990 at the **Tribunal Popular Provincial de la Ciudad de la Habana**, Havana City People's Provincial Court on a charge of "rebellion" in connection with their activities in the MID. They were accused of possessing and disseminating "counter-revolutionary propaganda" and seeking funds and recognition from international sources. The prosecutor said that the defendants wanted to change the political and social system operating in the country and to restore capitalism. Esteban González was sentenced to seven year's imprisonment. During 1991 he was transferred to other prisons on several occasions but at present he is believed to be held in Combinado del Este Prison. See Cuba - The Human Rights Situation (AI Index: AMR 25/07/90) for further details of the case. At the time of writing, Amnesty International has received so far unconfirmed reports that he and the remaining three MID prisoners are to be released in the near future.

**HERRERA MACURAN, Pastor**

Member of **Criterio Alternativo**. Arrested with María Elena Cruz Varela (see above). Sentenced to one year four month's imprisonment on charges of "**asociación ilícita**", illegal association and "**clandestinidad de impresos**", clandestine printing. The sentence was confirmed at an appeal hearing on 4 December. He is believed to be imprisoned in Alambradas de Manacas Prison in Villa Clara Province.

**LOPEZ IRIBARNE, Basilio Alexis**

Member of the **Movimiento Pacifista Cubano Solidaridad y Paz**. Arrested at the same time and in the same circumstances as Daniel Azpillaga Lombard (see above). Sentenced to ten months' imprisonment for public disorder (**desórdenes públicos**) which he is currently serving in Guanajay Prison, Havana Province.

**MARTINEZ CASTILLO, Rigoberto**

Member of the **Movimiento Pacifista Cubano Solidaridad y Paz**. Arrested at the same time and in the same circumstances as Daniel Azpillaga Lombard (see above). Sentenced to eleven months' imprisonment for public disorder (**desórdenes públicos**) which he is currently serving in Pinar del Río Provincial Prison, which is known as "Kilo 5½".

**MATOS SANCHEZ, Hubert Luis**

Member of **Criterio Alternativo**, Alternative View, an unofficial opposition group. Arrested some time between 20 and 24 November 1991 in the course of a so-called "**acto de repudio**", "act of repudiation", at his home in Havana. Initially held at the DSE headquarters at Villa Marista. Brought to trial on 4 December 1991 and sentenced to one year four months' imprisonment on charges of "**asociación ilícita**", illegal association, and "**clandestinidad de impresos**". Believed to be serving his sentence in Guanajay Prison, Havana Province. See also the related case of María Elena Cruz Varela above.

**MONTALVO MIRANDA, Iraída**

Member of MAR. Arrested at the same time and in the same circumstances as Jorge Egaña (see above). Believed to be held in the DSE headquarters at Villa Marista under investigation on a charge of rebellion.

**MONTANE RUIZ, Arturo Valentín**

Member of MID. Arrested at the same time and in the same circumstances as Esteban González González (see above). He was sentenced to three years' imprisonment which he is currently serving in Combinado del Este Prison. As of July 1991, he was said to be in the prison hospital suffering from hepatitis. In January 1991 he and Manuel Pozo Montero (see below) had been transferred to "Cerámica Roja" Prison in Camagüey after participating in a protest at Combinado del Este Prison. There, while both on hunger strike and refusing to wear the prison

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uniform, they are said to have been beaten several times by guards and chained to the bars of their cells. They were taken back to Combinado del Este Prison in early April 1991 after giving up their protest.

**MORALES, Berenice**

Member of MAR. Arrested at the same time and in the same circumstances as Jorge Egaña (see above). Believed to be held in the DSE headquarters at Villa Marista under investigation on a charge of rebellion.

**PITA SANTOS, Luis Alberto**

President of ADDEPO. Arrested at the same time and in the same circumstances as Reinaldo Betancourt Alvarez (see above). Following his arrest, he was transferred to Havana Psychiatric Hospital in order to be submitted to medical tests to assess whether he was fit to stand trial - he was reportedly sent there on a previous occasion after criticizing marxism. On 11 November 1991 he was sent back to the 6th Police Unit after being diagnosed as "normal" but at the end of November was transferred for unknown reasons to the psychiatric ward of the Carlos J. Finlay Military Hospital where he was receiving family visits. He is reported to have been on hunger strike while in detention. However, at the time of writing, it is not clear whether he is still on hunger strike or where he is being held. One report suggests he has been taken to Villa Marista. He has so far not been brought to trial and, as far as Amnesty International is aware, has not had access to a lawyer. The charges on which he is being investigated are not clear but most recent reports suggest that the prosecution intends to request a sentence of 17 years' imprisonment.

**POMAR MONTALVO, Jorge Aracelio**

Member of **Criterio Alternativo**. Arrested with María Elena Cruz Varela - for details see her case above. Brought to trial on 28 November 1991 at the **Tribunal Municipal de la Habana del Este**, and sentenced to two years' imprisonment on charges of **asociación ilícita**, illegal association and **difamación**, defamation. The sentence was confirmed at an appeal hearing on 4 December 1991. He is believed to be serving his sentence in Ariza Prison, Cienfuegos Province.

**POZO MONTERO, Manuel**

Member of MID. Arrested at the same time and in the same circumstances as Esteban González González (see above). Sentenced to five years' imprisonment which he is currently serving in Combinado del Este Prison. In January 1991 he and Arturo

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Montané Ruiz (see above) were transferred to "Cerámica Roja" Prison in Camagüey after participating in a protest at Combinado del Este Prison. There, while both on hunger strike and refusing to wear the prison uniform, they are said to have been beaten several times by guards and chained to the bars of their cells. They were taken back to Combinado del Este Prison in early April 1991 after giving up their protest.

### **QUINTANA SILVA, Jorge**

Member of the **Proyecto Apertura de la Isla (PAIS)**, Opening of the Island Project. Arrested at the same time and in the same circumstances as Reinaldo Betancourt Alvarez (see above). Because he was serving a previous non-custodial sentence of three year's restricted liberty, **limitación de libertad**, for disrespect, **desacato**, after being arrested in January 1990, he was not brought to trial but sent directly to Kilo 8 Prison in Pinar del Río to serve out the remainder of the earlier sentence. His previous arrest had occurred because when he was a mathematics student at Havana University and a member of the **Unión de Jóvenes Comunistas (UJC)**, Union of Communist Youth, he and Carlos Ortega sent a letter to the UJC executive openly criticizing President Fidel Castro, among other things. Both Quintana and Ortega were said to be members of an unofficial student group called **Seguidores de Mella**, Followers of Mella. They spent ten months in detention before being brought to trial on 6 November 1990 at the Havana People's Provincial Court, where the original charge of "enemy propaganda" was changed to one of disrespect, **desacato**. Jorge Quintana was sentenced to three years' restricted liberty and Carlos Ortega to two years.

### **REGUEIRO ROBAINA, Manuel de la Caridad**

Member of MID. Arrested at the same time and in the same circumstances as Esteban González González (see above), who is his father-in-law. Sentenced to five years' imprisonment which he is currently serving in Combinado del Este Prison.

### **RESTANO DIAZ, Yndamiro**

President of the **Movimiento de Armonía (MAR)**, Harmony Movement, which he founded in 1990. Arrested on 20 December 1991 as he was leaving his parents' house in the Vedado district of Havana and taken to the DSE headquarters at Villa Marista, where he has been permitted family visits but so far no access to a lawyer. Most recent reports suggest that he is under investigation on a charge of **rebelión**, rebellion, which in certain circumstances can carry a heavy prison sentence or the death penalty, apparently on the grounds that he was trying to recruit people from within the Communist Party and the military to his organization which he was hoping



to transform into a social democrat party. The declared aims of MAR are "to help through our ideas with the transition from state socialism to democratic socialism in our country" ("**ayudar con nuestras ideas a la transición del socialismo de estado al socialismo democrático en nuestro país**"). It has publicly rejected the use of violence and, as far as Amnesty International is aware, has used only peaceful means to pursue its aims. Yndamiro Restano and several other MAR members had earlier been arrested on 30 June 1991 but were released two days later with an official warning (**advertencia oficial**) to cease their activities or face charges of **asociación ilícita**, illegal association, **propaganda enemiga**, enemy propaganda, and **incitación a la rebelión**, incitement to rebellion.

**REYES GARCIA, Jorge Julián**

Member of ADDEPO. Arrested at the same time and in the same circumstances as Reinaldo Betancourt Alvarez (see above). Sentenced to three years' imprisonment on the same charges. He is believed to be serving his sentence in Agüica Prison, Matanzas Province.

**VELASQUEZ MEDINA, Fernando**

Member of Criterio Alternativo. Arrested with María Elena Cruz Varela (see above). Brought to trial on 4 December 1991 and sentenced to two years' imprisonment for illegal association and defamation. He is believed to be serving his sentence in Alambradas de Manacas Prison, Villa Clara Province.

## **PROBABLE PRISONERS OF CONSCIENCE**

[Note: Amnesty International believes that the following prisoners may also be prisoners of conscience. However, insufficient specific information on each case has been received to be certain. The nature of the charges, nevertheless, strongly suggest that they are prisoners of conscience.]

### **ALEMAN ALMEIDA, Angel Luis**

Member of the **Comité Cubano Pro Derechos Humanos**, Cuban Committee for Human Rights. Arrested 22 March 1990 in Sagua La Grande, Villa Clara, with nine other members of the group. Tried in September 1990 at the **Tribunal Popular Provincial de Villa Clara**, Villa Clara Provincial People's Court, and sentenced to two years' imprisonment on a charge of enemy propaganda. Believed to be held in Alambradas de Manacas Prison in Santa Clara.

### **ALVAREZ MARTINEZ, Pedro**

Provincial delegate of the **Partido Pro Derechos Humanos de Cuba**, Party for Human Rights in Cuba. Arrested in December 1989, believed to be in Pinar del Río. Tried in June 1990 at the **Tribunal Popular Provincial de Pinar del Río**, Pinar del Río Provincial People's Court, and sentenced to five years' imprisonment. He is believed to have been convicted for enemy propaganda and possibly also for printing illegal documents (**clandestinidad de impresos**). Some sources say that the charges related to the possession or reproduction of documents issued by the **Movimiento Integracionista Democrático (MID)**, Movement for Democratic Integration. He had been serving his sentence in Combinado del Este Prison but in July 1991, he was transferred to the State Security headquarters in Havana ("Villa Marista") after going on hunger strike at the time of the Panamerican Games. In August news was received that he had been transferred from there to the Carlos J. Finlay Military Hospital in Havana because of the state of his health. It is not clear where he is being held at present.

### **BONILLA FONSECA, Ernesto**

Aged 47, electrical engineer, believed to be a resident of Manzanillo, Granma province, where, as part of his job he is said to have been responsible for repairing the TV transmitter. Arrested on 3 April 1990, place not known. Brought to trial on 25 May 1990 at the **Tribunal Popular Provincial de Santiago de Cuba**, Santiago de Cuba Provincial People's Court, on a charge of enemy propaganda and sentenced to

three years' imprisonment. No further details are known except that the so-called propaganda was of an oral nature. He is believed to be serving his sentence in Las Mangas Prison, Bayamo.

#### **CONTRERAS MILIAN, Jesús**

Secretary of the **Unión Democrática Indio Feria**, Indio Feria Democratic Union. Arrested on 22 January 1990 in Havana together with Aurea Feria Cao and other members of the group. They were brought to trial on 13 November 1990 at the **Tribunal Popular Provincial de la Ciudad de la Habana**, Havana City People's Provincial Court, on a charge of enemy propaganda. He is believed to have been sentenced to six years' imprisonment which he was serving in Combinado del Este Prison, Havana. However, as of mid-July he was said to have been transferred to Guanajay Prison in Havana Province.

Little is known of the activities of the **Unión Democrática Indio Feria** or about the exact reasons for their detention. According to press reports of the trial, the group was infiltrated by a government agent who told the court that members of the organization had maintained contact with diplomats at the US Interests Section in Havana. The prosecution also alleged that the group planned to distribute "counter-revolutionary" pamphlets during Havana's summer carnival but that the security forces had foiled the plan. Other unconfirmed reports suggest that they were trying to set up an independent trade union. The organization is said to be named after Aurea Feria's father, "Indio" Feria, who was allegedly killed by the authorities in the early years of the Cuban Revolution; it is not clear in what circumstances his death occurred.

#### **FERIA CAO, Aurea**

President of the **Unión Democrática Indio Feria**. See case of Jesús Contreras Milián above for background to arrest and trial. Aurea Feria Cao was convicted of enemy propaganda and sentenced to five years' imprisonment, which she is serving in Havana Women's Prison (**Centro de Re-educación de Mujeres de Occidente**, nicknamed "Manto Negro").

#### **FILGUEIRA CASTRO, Ricardo**

Former metal worker (**metalúrgico**) at the Julio Antonio Mella factory in Guanabacoa, Havana. He was reportedly arrested on 17 August 1989 but the precise circumstances are not known. Some sources suggest that it was in connection with his attempts to speak out on behalf of his fellow workers. He was reportedly brought

to trial on 25 June 1990 at the **Tribunal Popular Provincial de la Ciudad de la Habana**, Havana City People's Provincial Court. Initial reports said that he was sentenced to a total of seven year's imprisonment on charges of enemy propaganda and attempting to leave the country illegally (**salida ilegal del país**). However, on a recent list emanating from a usually reliable source inside Cuba, he is listed as serving a 2½-year sentence solely for enemy propaganda. He is believed to be currently held in Combinado del Este Prison and is a member of the CCPDH group inside the prison.

### **HOYO RUIZ, Rubén**

Member of the CCPDH. Arrested on 22 March 1990 in Sagua La Grande, Villa Clara Province, with several other members of the group. Brought to court on 26 September 1990, believed to be at the **Tribunal Popular Provincial de Villa Clara**, Villa Clara People's Provincial Court, and sentenced to six years' imprisonment, believed to be for enemy propaganda but possibly also illegal association. He is serving his sentence in Alambradas de Manacas Prison, Santa Clara. In May 1991, he and other of his co-defendants were reportedly interviewed by the Head of Santa Clara Counter-Intelligence who threatened not only to initiate new legal proceedings against them for trying to smuggle information about prison conditions out of the jail but also to arrest their wives for helping them to do so.

Rubén Hoyo Ruiz is a Jehovah's Witness and was arrested for his activities with that sect in 1981 and sentenced to nine months' imprisonment. He provided information about that arrest and imprisonment to the delegation from the United Nations Commission on Human Rights which visited Cuba in September 1988.

### **LLORENS HURRETA, Juan Ramón**

Member of the CCPDH. Arrested in Santa Clara, Villa Clara Province on 22 March 1990 and convicted in the same case as Ruben Hoyo Ruiz - see above. Juan Ramón Llorens Hurreta was sentenced to 18 months' imprisonment for enemy propaganda which he was serving in Alambradas de Manacas Prison in Santa Clara. The sentence was due to expire in September 1991 but so far no confirmation has been received that he has been released. In May he was one of four defendants in the same case who were threatened with additional sentences for trying to smuggle information on prison conditions out of the prison.

**JIMENEZ TRUJILLO, Emérito**

As of March 1991, according to information smuggled out of the prison, he was said to be serving a two-year sentence for disrespect, **desacato**, in Ciego de Avila Provincial Prison. Little other information is known except that the prisoner lived in Ciega de Avila Province and was allegedly accused of **desacato** after speaking badly of President Fidel Castro.

**MAESTRE SAVORIT, Alexis**

Reportedly arrested in June 1990 in his home in Manzanillo, Granma Province, following a police search of his home and believed to have been brought to trial on a charge of enemy propaganda and possibly others. The final sentence is not known but the prosecution is said to have requested twelve years. He is said to have been accused of burning a flag in a school in Manzanillo and of writing anti-government slogans in public places. As of September 1990, the authorities reportedly intended to send him to Las Mangas Prison, Bayamo, but he was requesting to be sent to Boniato. It is not clear where he is currently being held. He was previously sentenced to four years' imprisonment in 1987, also for enemy propaganda, of which he served 18 months.

**MARICHAL, Adriano**

Believed to be a member of the **Movimiento Pacifista Cubano Solidaridad y Paz**. Detained on 6 January 1992 together with 16 other people belonging to the **Coalición Democrática Cubana**, Cuban Democratic Coalition, following a police search of the home of one of them, Angela Herrera, and taken to the DSE headquarters at Villa Marista. The other 16 were released shortly afterwards but Adriano Marichal is believed to be still held under investigation. The reasons for his continuing detention are not known.

**MARTINEZ MARTINEZ, Rev. Luis Enrique**

Believed to be a member of the **Unión Democrática Indio Feria**. Arrested on 23 March 1990 and convicted of enemy propaganda, believed to be in the same case as Aurea Feria Cao and Jesús Contreras Milián. Sentence not known. Was being held in Combinado del Este Prison but is thought to have been transferred to Guanajay Prison in July 1991.

**MAYO MENDEZ, Juan**

A mathematics teacher and student. Believed to have been arrested in January 1990 at his home in the Victoria de Las Tunas, Las Tunas Province. He is believed to have been tried in September 1990, probably at the **Tribunal Popular Provincial de Las Tunas**, Las Tunas People's Provincial Court, and sentenced to six years' imprisonment on a charge of "enemy propaganda" for writing anti-government slogans in public places. The trial hearing is said to have taken place in front of his fellow students in order to make an example of him ("**un juicio ejemplarizante**"). He is believed to be serving his sentence in Boniato Prison, Santiago de Cuba.

**MOREJON RODRIGUEZ, Felipe Alexis**

Provincial delegate for the **Comité Cubano Pro Derechos Humanos**, Cuban Committee for Human Rights. Arrested on 21 December 1989, probably in Ciego de Avila. Brought to court on 21 June 1990 at the **Tribunal Popular Provincial de Camaguey**, Camaguey People's Provincial Court, on a charge of enemy propaganda and sentenced to two years' imprisonment, which he is believed to be serving in Ciego de Avila Provincial Prison, known as Canaleta. He has been denouncing human rights abuses from inside the prison. In June 1991, reports were received that State Security were intending to open a new case against him for "other acts against State security" (**otros actos contra la seguridad del Estado**) on the grounds that he had tried to organize a "counter-revolutionary" group inside the prison (article 124 of the Penal Code). According to relatives, he was due for release on 21 July 1991. It is not clear if the new accusation was pursued or if he was in fact released.

**MORENO TAPIA, Juan Pablo**

According to information smuggled out of Ciego de Avila Provincial Prison ("Canaleta") in March 1991, Juan Pablo Moreno Tapia is serving a sentence there of three years' imprisonment for disrespect, **desacato**, for allegedly criticising President Fidel Castro. The date and circumstances of his arrest are not known.

**PERAZA, Carlos Enrique  
(or HUERREZ PERAZA, Carlos Enrique)**

Member of the CCPDH. Arrested on 22 March 1990 in Sagua la Grande, Villa Clara Province, in the same circumstances as Ruben Hoyo Ruiz (see above). Sentenced to three years' imprisonment, believed to be for enemy propaganda. Held in Alambradas de Manacas Prison, Santa Clara.

**PEREZ MORALES, Omar Aleído**

Member of the CCPDH. Arrested on 22 March 1990 in Sagua la Grande, Villa Clara Province, in the same circumstances as Ruben Hoyo Ruiz (see above). Sentenced to two years' imprisonment, believed to be for enemy propaganda. Held in Alambradas de Manacas Prison, Santa Clara.

**RIOS ALDUNCIN, Roberto**

Member of the **Comisión Cubana de Derechos Humanos y Reconciliación Nacional (CCDHRN)**, Cuban Commission for Human Rights and National Reconciliation. Arrested on 28 July 1989 and held for one month and four days in Havana State Security headquarters ("Villa Marista") before being transferred to Taco-Taco Prison. It appears that he had violated the conditions of his early release from a previous conviction. He had previously been convicted in 1986 or 1987 of "enemy propaganda", other acts against State security (**otros actos contra la seguridad del Estado**), forgery of an identity document, and possessing material to be used for forging money, and given a joint sentence of six years' imprisonment, three years eight months of which was for the latter charge. He was given early release (**licencia extra-penal**) on 18 December 1987 under the Release Plan, **Plan de Excarcelación (Orden 24 del Ministerio del Interior)**. Following his release from prison, he became an active member of the CCDHRN. Although it has not been confirmed, it is thought possible that his re-arrest in July 1989 was a result of his human rights activities.

**RODRIGUEZ RAMIREZ, Félix Joaquín**

Member of the CCPDH. Arrested at the same time and in the same circumstances as Ruben Hoyo Ruiz (see above). Sentenced to 4½ years' imprisonment which he is serving in Alambradas de Manacas Prison in Santa Clara.

**RODRIGUEZ RODRIGUEZ, Armando**

Arrested together with Alfredo Yáñez Márquez on 21 March 1991 in the province of Pinar del Río in unknown circumstances. They were later known to be in Combinado del Este Prison believed to be awaiting trial on a charge of enemy propaganda. On 9 May 1991, Alfredo Yáñez Márquez was reportedly taken to court for the hearing (**vista oral**) of his case. When the lawyer of his choice did not appear, the prosecutor (**la fiscal**) told him that it did not matter because he would be assigned an ex-officio lawyer (**abogado de oficio**). She then proceeded to read the prosecution petition (**petición fiscal**) which called for a three-year sentence to be

imposed. The petition reportedly included a statement made by the defendant while he was held in Pinar del Río State Security headquarters. However, he objected that the statement read out in the court was not the one he had signed and eventually, against the objections of the prosecution, the court agreed to adjourn the case. No further information has so far been received about either of the two defendants.

**SORDO QUINTANILLA, Miguel Angel**

Arrested in Havana on 2 June 1991 after being captured by police while writing anti-government slogans on walls. He was reportedly punched and beaten with batons and pistol butts at the time of arrest, causing injuries to his face that required stitches. He was taken to Marianao Military Hospital for medical treatment, then transferred to the 6th Police Unit and eventually transferred to the State Security headquarters at Villa Marista, where he was said to be under investigation on a charge of enemy propaganda. No further news has been received.

**TENREIRO ALVAREZ, Abelardo**

Member of the CCPDH. Arrested on 22 March 1990 in Santa Clara, Villa Clara Province, in the same circumstances as Ruben Hoyo Ruiz (see above). Sentenced to 2½ years' imprisonment for "enemy propaganda" which he is serving in Alamedras de Manacas Prison, Santa Clara. In May 1991 he was one of four defendants in the same case who were threatened with additional sentences for trying to smuggle information on prison conditions out of the prison. His state of health is said to be poor but it is not clear what he is suffering from. He is believed to be 58 years old.

**TRUJILLO CERVANTES, Rafael**

Aged 59. As of March 1991, he was said to be serving a three-year sentence for disrespect, *desacato*, in Ciego de Avila Provincial Prison ("Canaleta"). It is not clear when he was arrested and exactly why.

**VILA LINARES, Fidel**

Member of the CCPDH. Arrested at the same time and in the same circumstances as Ruben Hoyo Ruiz. Sentenced to five years' imprisonment, believed to be for enemy propaganda but possibly also illegal association, which he is serving in Alamedras de Manacas Prison, Santa Clara. In May 1991 he was one of four defendants in the same case who were threatened with additional sentences for trying to smuggle information on prison conditions out of the prison.



**VILLA ESPINOSA, Manuel**

Believed to have been sentenced to five years' imprisonment for enemy propaganda in the same case as Ricardo Filgueira Castro (see above). Place of detention not known.

**YAÑEZ MARQUEZ, Alfredo**

See case of Armando Rodríguez Rodríguez above.

## APPENDIX II

### CHECKLIST OF UNOFFICIAL GROUPS REFERRED TO IN THE ATTACHED DOCUMENT

**Arte y Derecho (AR-DE)/Art and Rights**  
[at least one member imprisoned]

**Asociación Defensora de los Derechos Políticos (ADDEPO)/ Association for the Defence of Political Rights\***  
[President: Luis Alberto Pita Santos, currently imprisoned together with other members of the group]

**Comisión Cubana de Derechos Humanos y Reconciliación Nacional (CCDHRN)/ Cuban Commission for Human Rights and National Reconciliation\***  
[President: Elizardo Sánchez Santa Cruz: one member imprisoned]

**Comité Cubano Pro Derechos Humanos (CCPDH)/Cuban Committee for Human Rights**  
[Secretary General: Gustavo Arcos Bergnes; several members imprisoned.]

**Criterio Alternativo/Alternative View\***  
[President: María Elena Cruz Varela, currently imprisoned together with other members of the group]

**Libertad y Fé/Freedom and Faith\***  
[President: María Celina Rodríguez]

**Movimiento de Armonía (MAR)/Harmony Movement\***  
[President: Yndamiro Restano Díaz, currently imprisoned together with other members of the group]

**Movimiento Femenino Humanitario Cubano/Cuban Humanitarian Women's Movement\***  
[Secretary General: Bienvenida Cúcalo Santana, currently imprisoned together with other members of the group]

**Movimiento Integracionista Democrático (MID)/Movement for Democratic Integration**  
[President: Esteban González González, currently imprisoned together with other members of the group]

**Movimiento Pacifista Cubano Solidaridad y Paz/Solidarity and Peace Cuban Pacifist Movement\*\***  
[President: Daniel Azpillaga Lombard, currently imprisoned together with other members of the group]

**Partido Pro Derechos Humanos de Cuba (PPDHC)/Party for Human Rights in Cuba\***  
[Secretary General: Juan Betancourt Morejón; some members believed to be imprisoned]

**Proyecto Apertura de la Isla (PAIS)/Opening of the Island Project\***  
[at least one member imprisoned]

**Seguidores de Mella/Followers of Mella\***  
[at least one member imprisoned]

**Unión Democrática Indio Feria/Indio Feria Democratic Union**  
[President: Aurea Feria Cao, currently imprisoned together with other members of the group]

**Unión General de Trabajadores de Cuba (UGTC)/General Union of Cuban Workers**  
[President of the founding committee: Rafael Gutiérrez Santos]

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\* Part of the **Concertación Democrática Cubana**, Cuban Democratic  
Convergence

\*\* Part of the **Coalición Democrática Cubana**, Cuban Democratic Coalition