

PUBLIC

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UA 298/06 Fear for safety/Fear of torture/Intimidation/Harassment

CUBA Miguel Valdés Tamayo (m), aged 49, and his family
Juan Carlos González Leiva (m), aged 41, and his family

Human rights defenders Miguel Valdés Tamayo and Juan Carlos González Leiva have been harassed and intimidated, apparently as a result of their human rights work. They may face further intimidation, or attack.

According to reports, on 27 October Miguel Valdés Tamayo, President of the group Fraternal Brothers for Dignity (*Hermanos Fraternales por la Dignidad*) and a member of the Assembly to Promote Civil Society in Cuba (*Asamblea para Promover la Sociedad Civil en Cuba*), was reportedly verbally and physically assaulted by a large group of people congregated outside his home in the capital, Havana. According to Miguel Valdés Tamayo, they tried to stop him leaving his house. When he attempted to leave the house, members of the crowd hit him in the head, chest and back. The crowd was largely made up of women, who are allegedly part of the Rapid Response Brigades (*Brigadas de Respuesta Rápida*), an unarmed group of volunteers whose task it is to deter crime and to confront any sign of discontent or opposition to the government.

Lawyer Juan Carlos González Leiva, who is President of the Cuban Foundation for Human Rights (*Fundación Cubana de Derechos Humanos*), has been subjected to a number of so-called "acts of repudiation" ("*acto de repudio*"), gatherings of government supporters outside the homes of dissidents and activists, which are often orchestrated by the authorities. Amnesty International believes that these "acts of repudiation" could amount to psychological torture.

On 2 November, Juan Carlos González Leiva, who is blind, was reportedly subject to an "act of repudiation" when a crowd of government supporters gathered around his home in Ciego de Ávila, in central Cuba. Juan Carlos González Leiva has reportedly been intimidated in this way a number of times in recent months. In January 2006, he and some visitors were prevented from leaving his house for five days whilst government supporters rallied in front of his home, shouted pro-government slogans and played loud music outside. The electricity, water and telephone supplies were reportedly cut off during the demonstration and no family members were allowed to enter the house.

Juan Carlos González Leiva has been reportedly threatened, harassed and detained in the past, apparently because of his political views and human rights activities. He was arrested on 4 March 2002 along with other human rights activists, while visiting journalist Jesús Álvarez Castillo in hospital. The journalist had reportedly been injured by the police. The activists protested at the hospital about the attack on Jesús Álvarez Castillo, and were later reportedly beaten and arrested by state security officials. The group were charged with "disrespect", "public disorder", "resistance" and "disobedience". After awaiting trial for almost two years in prison, he was tried together with nine others on 26 April 2004 and sentenced to four years' imprisonment to be served at his home.

Miguel Valdés Tamayo was detained on 19 March 2003, tried and sentenced to 15 years in prison under article 91 of the penal code for "acts against the independence or territorial integrity of the state". Amnesty International adopted him as a prisoner of conscience. He was conditionally released on health grounds on 9 June 2004. Since then, he has been reportedly threatened and harassed by the official security forces. This intimidation and harassment has worsened in recent months.

BACKGROUND INFORMATION

Members of unofficial political and human rights groups have regularly been subjected to intimidation when exercising their right to freedom of expression, assembly and association. This seems to be an attempt to force them to give up their legitimate peaceful activities.

Acts of repudiation are carried out by large groups of government supporters who rally in front or nearby dissidents and activists' homes. They often verbally abuse, intimidate and sometimes physically assault and throw stones and other objects at homes of anyone considered to be "counter-revolutionary". These acts are normally carried out in collusion with the security forces and sometimes involve the Rapid Response Brigades, or another group of civilians organised by the authorities, the Committees for the Defence of the Revolution (CDRs), Comités de Defensa de la Revolución. The authorities, however, normally describe these acts as "spontaneous demonstrations". The level of violence of these recent acts is particularly worrying and has increased in the last few months.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- urging the authorities to take immediate action to guarantee Miguel Valdés Tamayo and Juan Carlos González Leiva's safety;
- expressing concern that so-called "acts of repudiation" may constitute psychological torture, and calling on the authorities to cease the harassment, intimidation and persecution of human rights activists and political dissidents while exercising their right to freedom of expression, assembly and association;
- requesting that all human rights activists and political dissidents engaged in legitimate non-violent activities be permitted to carry out their activities unhindered without fear for reprisals.

APPEALS TO:

Head of State and Government

Raul Castro Ruz

Presidente interino

La Habana, Cuba

Fax: + 53 7 8333085 (c/o Ministry of Foreign Affairs) or + 1 2127791697 (c/o Cuban Mission to UN)

Email: f_castro@cuba.gov.cu or cuba@un.int (c/o Cuban Mission to UN)

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

Fax: + 53 7 669 485 / 333 164

Salutation: Señor Fiscal General / Dear Attorney General

Minister of Foreign Affairs

Sr Felipe Pérez Roque

Ministro de Relaciones Exteriores

Ministerio de Relaciones Exteriores, Calzada No. 360, Vedado, La Habana, Cuba

Fax:+ 53 7 8333 085

E-mail: cubaminrex@minrex.gov.cu

Salutation: Señor Ministro / Dear Minister

Interior Secretary

General Abelardo Coloma Ibarra

Ministro del Interior y Prisiones

Ministerio del Interior, Plaza de la Revolución, La Habana, Cuba

Fax: + 53 7 8301 566

Salutation: Señor Ministro / Dear Minister

COPIES 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 December 2006.