

EXTERNAL (for general distribution)

AI Index: AMR 25/05/92

Distr: UA/SC

UA 24/92 Prisoners of Conscience/Legal Concern

16 January 1992

CUBA: Gustavo ARCOS BERGNES, Secretary General of the Comité Cubano Pro Derechos Humanos (CCPDH), Cuban Committee for Human Rights, aged about 65  
Sebastián ARCOS BERGNES, brother of the above and member of the CCPDH executive, aged about 60  
Jesús YANES PELLETIER, member of the CCPDH executive

---

Amnesty International is concerned at reports of the arrest of Gustavo Arcos Bergnes, Secretary General of the unofficial Comité Cubano Pro Derechos Humanos (CCPDH), Cuban Committee for Human Rights, his brother Sebastián Arcos Bergnes and Jesús Yanes Pelletier, both members of the executive of the same organization.

The three were reportedly arrested at their homes in Havana on the evening of 15 January 1992. That same evening Cuban television had 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 (see UA 16/92, AMR 25/02/92, 13 January 1992). They were 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 read from a notebook the names and addresses of the three CCPDH leaders whom they alleged they had been told to contact if they encountered any problems. Following the television broadcast, large groups of people reportedly gathered outside the house of Gustavo Arcos and carried out what is known as an "*acto de repudio*", "act of repudiation". Such acts, which have become frequent over recent months and which the authorities claim are the spontaneous response of ordinary citizens to so-called "counter-revolutionary activities", are known in many cases to involve the so-called Destacamentos Populares de Respuesta Rápida, People's Rapid Response Detachments (see Background Information below) in coordination with the security forces and Communist Party organizations.

The three CCPDH members were subsequently arrested and are believed to be held at the headquarters of the Departamento de Seguridad del Estado (DSE), Department of State Security, at Villa Marista. The precise reasons for their arrest are not yet known.

Amnesty International believes that all three men are prisoners of conscience detained solely on account of their peaceful human rights activities and political views. In their work on behalf of the CCPDH, which was set up in 1976 but has never received official recognition, they have consistently dissociated themselves from the use of violence in order to bring about political change in Cuba and have called for dialogue with the authorities. On 13 January 1992, when they heard about the references made to them during the trial, they issued a statement in which they said: "Violence is not and cannot be the solution to our problems... We will not tire from insisting that the only possible solution is civilized discussion of our differences. This is an appeal to Cubans for wisdom and common sense... No act of violence is justified... Let us say no to violence and learn to live in peace." ("*La violencia no es ni puede ser la solución de nuestros problemas... No nos cansaremos de insistir en que la única solución posible es la discusión civilizada de nuestras diferencias. Este es un llamamiento a la cordura y al sentido común de los cubanos... Ningún acto violento tiene justificación... Digamos no a la violencia y aprendamos*")

a vivir en paz.") They also specifically denied any links with the three men on trial or any other violent groups or individuals.

Gustavos Arcos Bergnes was appointed Ambassador to Belgium in 1960 following the success of the Cuban Revolution the year before in which he had fought alongside President Fidel Castro. In 1966, while still holding the position of Ambassador, he was arrested during a visit to Cuba and sentenced to 10 years' imprisonment for "counter-revolutionary activity". The real reason for his arrest is believed to have been his disagreement with certain government policies at that time. He was released three years' later and applied several times unsuccessfully to leave Cuba. In 1981, he and his brother Sebastián, together with other members of the family, were arrested as they tried to leave the country illegally by boat. Gustavo Arcos was sentenced to seven years' imprisonment and his brother Sebastián to six years' imprisonment. The latter was released in May 1987 and his brother in March 1988. Since then both have played a prominent role in the CCPDH and have been subjected on several occasions, together with Jesús Yanes Pelletier, to "acts of repudiation" and other forms of harassment because of their human rights activities.

Page 2 of UA 24/92

#### BACKGROUND INFORMATION:

The Cuban authorities have increasingly clamped down on signs of dissent over recent months. On 31 December 1991, a senior Cuban official said that they would not hesitate to act against "counter-revolutionary activities" and did not intend to change their policy of detaining, prosecuting and jailing opponents. In June 1991, they set up Destacamentos Populares de Respuesta Rápida, People's Rapid Response Detachments, also known as brigades (*brigadas*), for which civilians were asked to volunteer. They are under specific instructions to crack down on any signs of unrest or dissent. Several incidents have occurred recently in which known dissidents, including human rights activists, have been verbally and physically attacked by such groups. In some cases, those under attack have been arrested and brought to trial and are now serving prison sentences following conviction on charges such as illegal association (*asociación ilícita*), clandestine printing (*clandestinidad de impresos*) and defamation (*difamación*). Trials on such charges often take place within days of arrest and access to defence lawyers is non-existent or extremely limited. If more serious charges such as enemy propaganda (*propaganda enemiga*) or other crimes against state security are brought, the detainee is often held under investigation for several months without access to lawyers.

#### RECOMMENDED ACTION: Telegrams/telexes/airmail letters:

- urging that all three be immediately and unconditionally released on the grounds that they are prisoners of conscience detained solely on account of their peaceful human rights activities and political views;
- requesting that they be humanely treated while in detention;
- requesting that they be allowed full access to family and lawyers.

#### APPEALS TO

1) President:  
Dr Fidel Castro Ruz  
Presidente del Consejo de Estado  
y del Consejo de Ministros  
Ciudad de la Habana, Cuba  
**Telegrams: Presidente Castro, Havana, Cuba**  
**Telexes: 51212 P DESP PRESID**  
**Salutation: Su Excelencia /**  
**Your Excellency**

Ministro del Interior  
Ministerio del Interior  
Plaza de la Revolución  
Ciudad de la Habana, Cuba  
**Telegrams: Ministro Interior, Havana, Cuba**  
**Telexes: 511122/511464 MINREX HAB marked**  
**"please forward to the Minister**  
**of the Interior"**  
**Salutation: Señor Ministro / Dear Minister**

2) Minister of the Interior:  
General Abelardo Colomé Ibarra

3) Head of Investigations at the Department  
of State Security:

Coronel Adalberto Rabeiro García  
Jefe de Investigaciones  
Departamento de Seguridad del Estado  
Villa Marista  
Ciudad de la Habana, Cuba  
**Telegrams: Coronel Rabeiro, Villa Marista,  
Havana, Cuba**  
**Salutation: Señor Coronel / Dear Sir**

4) Attorney General:  
Dr Ramón de la Cruz Ochoa  
Fiscal General de la República  
Fiscalía General de la República  
San Rafael 3  
Ciudad de la Habana, Cuba  
**Telegrams: Fiscal General, Havana, Cuba**  
**Telexes: 511456 FISGE**  
**Salutation: Señor Fiscal General /  
Dear Attorney General**

5) Minsiter of Justice:  
Dr Carlos Amat Forés  
Ministro de Justicia  
Ministerio de Justicia  
Calle O No. 216, 8vo piso  
e/ 23 y Humboldt, Vedado  
Ciudad de la Habana, Cuba  
**Telegrams: Ministro Justicia, Havana, Cuba**  
**Telexes: 511331 MINJU CU**  
**Salutation: Señor Ministro / Dear Minister**

**COPIES TO:**

Information Bureau of the Human Rights  
Movement in Cuba  
3901 S.W. 109 Ave, Apt B10  
Miami, FL 33165, USA

and to diplomatic representatives of Cuba  
in your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section  
office, if sending appeals after 27 February 1992.