

EXTERNAL (for general distribution)

AI Index: AMR 25/05/94
Distr: UA/SC

UA 186/94

Prisoner of Conscience / Legal Concern

11 May 1994

CUBA: Francisco CHAVIANO GONZÁLEZ, President of the unofficial *Consejo Nacional por los Derechos Civiles en Cuba (CNDCC)*, National Council for Civil Rights in Cuba

Jorge O. LORENZO PIMIENTA, Vice-President of CNDCC

Mario RODRÍGUEZ CASTELLÓN, member of CNDCC

Abilio RAMOS MOYA, member of CNDCC

Terina FERNÁNDEZ GONZÁLEZ, member of CNDCC and sister of Francisco Chaviano

Francisco Chaviano González was arrested by State Security police at his Havana home on 7 May 1994. He is currently being held without access to a lawyer at the State Security headquarters at Villa Marista. Amnesty International believes he is a prisoner of conscience, detained solely because of his peaceful activities in defence of human rights.

Reports indicate that, early on 7 May, State Security officials simultaneously raided the homes of the five leading CNDCC members named above, and confiscated personal property belonging to the five, such as bicycles, a television, money and documents. They also reportedly took most of the files belonging to CNDCC.

It was reported that, moments before the arrest of Francisco Chaviano, a person believed to be unknown to him had handed him a compromising document which was found by State Security and used as a pretext for detaining him on the grounds that he was "highly dangerous".

As far as is known, the other four members of the group who had their homes searched have not been arrested.

BACKGROUND INFORMATION

The activities of the National Council for Civil Rights in Cuba, which include trying to document cases of Cubans who have gone missing at sea while trying to leave Cuba, are closely monitored by the security forces, and its members have been harassed and threatened several times in the past. One of the most recent incidents occurred on 7 March 1994 when Francisco Chaviano González was attacked in his home by four armed men (see UA 104/94, AMR 25/04/94, 15 March 1994). The nature of the assault and the history of harassment against him and the group indicate that there may have been official involvement.

As many as five hundred prisoners of conscience are believed to be detained in Cuba for trying to exercise their rights to freedom of expression and association. Many are charged with "enemy propaganda" on the grounds that they have transmitted information abroad that discredits Cuba and which is alleged by the Cuban authorities to be false. Trial procedures for all political prisoners fall far short of international standards for a fair trial.

They are often held for several weeks or months in pre-trial detention without access to a lawyer and are frequently obliged to sign incriminating statements under duress.

While reports of physical torture are rare, psychological pressures, such as threats to their own wellbeing or that of their relatives, are frequently reported. At the trial hearings, the defence lawyers, who often meet their client only a few days before or even only on the day of the hearing, usually limit themselves to asking for clemency or seeking a lesser charge rather than

putting forward arguments in their defence.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters. In addition, each section should try to make one phone call to the Department of State Security, where Francisco Chaviano is held.

- urging the immediate and unconditional release of Francisco Chaviano González on the grounds that he is a prisoner of conscience detained solely for his peaceful activities in defence of human rights;

- urging that he granted immediate access to a lawyer of his choice;

- seeking assurances that while in detention, he is treated in accordance with international standards;

- urging that he and other members of the National Council for Civil Rights in Cuba, including Jorge O. Lorenzo Pimienta, Mario Rodríguez Castellón, Obelio Ramos Moya and Terina Fernández González, be permitted to carry out their legitimate activities in defence of human rights without interference from the authorities.

APPEALS TO:

1) President:

Dr Fidel Castro Ruz

Presidente de los Consejos de Estado y de Ministros

La Habana, Cuba

Telegrams: Presidente Castro, Havana, Cuba

Telexes: 511122 / 511464 / 512950

Faxes: + 53 7 333085 / + 53 7 335261 [These telex and fax numbers are for the Ministry of Foreign Affairs - please ask them to forward your message to the President]

Salutation: Señor Presidente / Dear President

2) 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

Faxes: + 53 7 333164

Salutation: Sr Fiscal General / Dear Attorney General

3) Minister of Justice:

Dr Carlos Amat Forés

Ministro de Justicia

Ministerio de Justicia

Calle 0 # 216, 8° piso

e/ 23 y Humboldt, Vedado

La Habana, Cuba

Telexes: 511331

Telegrams: Ministro Justicia, Havana, Cuba

Salutation: Sr Ministro / Dear Minister

4) Department of State Security (Villa Marista)

Coronel Adalberto Rabeiro García

Jefe del Centro de Investigaciones

Departamento de Seguridad del Estado

Villa Marista, La Víbora, La Habana, Cuba

Faxes: + 53 7 408036
Telephone: + 53 7 403535
Salutation: Sr Colonel / Dear Colonel

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:
Sr Roberto Robaina González
Ministro de Relaciones Exteriores
Ministerio de Relaciones Exteriores
Calzada No. 360, Vedado, La Habana, Cuba
Faxes: + 53 7 333085 / + 53 7 335261

National Union of Jurists:
Dra Zenaida Osorio Vizcaina
Presidente
Unión Nacional de Juristas de Cuba
Calle 21, No. 552, esq. D
Apartado 4161, La Habana 4, 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 22 June 1994.