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# CUBA

## GOVERNMENT CRACKDOWN ON DISSENT

### INTRODUCTION

Freedom of association, assembly and expression in Cuba are severely limited in law and in practice. The Cuban Constitution of 1976, as revised in 1992, establishes that Cuba is a socialist state and that the Communist Party of Cuba [the only political party permitted] is the leading force in society and the state. In article 7, it specifically recognizes and stimulates “the social and mass organizations which, having arisen in the historic process of the struggles of our people, bring together different sections of the population, represent their particular interests and involve them in the tasks of building, consolidating and defending the socialist society.” Article 53 recognizes freedom of speech and of the press but only “in keeping with the objectives of socialist society... the press, radio, television, cinema, and other organs of the mass media are state or social property and can never be private property. This assures their use at the exclusive service of the working people and in the interests of society”. Article 54 states that “the rights to assembly, demonstration and association are exercised by workers, both manual and intellectual, peasants, women, students and other sectors of the working people, and they have the necessary means to do so. The mass and social organizations have all the facilities they need to carry out such activities for which their members enjoy full freedom of speech and opinion, based on the unlimited right of initiative and criticism.”

In practice, these limitations, which violate articles 19 and 20 of the Universal Declaration of Human Rights, mean that those who attempt to express views or organize meetings or form organizations that conflict with government policy and/or the aims of the socialist state are likely to be subjected to punitive measures including loss of employment, harassment and intimidation, and often imprisonment. Amnesty International believes that there are some six hundred people currently imprisoned in Cuba because of their peaceful attempts to exercise their rights to freedom of expression, association and assembly.

The Law of Associations, Law 54 of 27 December 1985, which does not apply to the social and mass organizations or religious groups, establishes procedures by which certain kinds of associations can be established. Those permitted are listed as: scientific or technical, cultural and artistic, sporting, friendship and solidarity, and any others which, in accordance with the Constitution and this law, are in the social interest. It is up to the Ministry of Justice to decide whether an application is to be granted. Applications have to be submitted to the Ministry of Justice via the state body which is most closely related to the aims and activities of the proposed association. Other than in exceptional cases, the proposed association must have at least 30 members. The Ministry of Justice has 60 days to make its decision. Applications can be turned down for procedural reasons or because insufficient information is provided as well as “if its activities could damage the social interest” and if another association with identical or similar aims or name already exists. If recognized, the association is subject to periodic inspections and has to supply the relevant state body with information about its work.

Over the past decade, people wishing to exercise various civil and political rights, such as human rights defenders, government opponents, lawyers, journalists, trades unionists, environmentalists and others, have come together to form groups and many have attempted to register with the Ministry of Justice. The majority have simply never received a response, either positive or negative. Amnesty International is only aware of one case in which a response was received. In December 1995, ten years after he had submitted the relevant documentation, reportedly including 3,000 signatures supporting the group, lawyer **Dr Leonel Morejón Almagro** received a reply from the Ministry of Justice turning down his request to

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register an ecological organization called *NaturPaz*, NaturePeace, of which he is the president. The reason given was that another organization with similar aims already existed. According to Dr Morejón, the official organization to which the letter referred was only established in 1993. Amnesty International believes that it was no coincidence that the rejection came at that time. Since October 1995 **Dr Morejón** had been one of the leading members of a new coalition of unofficial groups called *Concilio Cubano*, Cuban Concilium, and in fact has since then been imprisoned because of his activities with the coalition (see below). In 1991, **Dr Morejón** was reportedly briefly detained, together with one other person, after they organized a demonstration in the name of *NaturPaz* outside of the UNESCO office in Havana to protest at the Iraqi invasion of Kuwait. He said that he was told at that time that the existence of independent groups would not be permitted and that it was the task of the Cuban Communist Party to establish policies regarding peace and ecological matters.

Such unofficial groups have never been formally declared to be illegal and to a certain extent their activities have at times been tolerated. In the past, many members of such groups have been imprisoned, often for several years, on charges such as “illegal association, assembly and demonstration” (article 208 of the Penal Code), “clandestine printing” (article 210), “enemy propaganda” (article 103) or “rebellion” (articles 98-99). Amnesty International considers those imprisoned for such activities to be prisoners of conscience, as long as they have not used or advocated violence. From mid-1994, however, when thousands of Cubans fled the country by boat and raft<sup>1</sup>, the Cuban authorities appeared to change their tactics in dealing with such people. Rather than arresting them and bringing them to trial, the tendency was to repeatedly detain them for short periods and threaten them with imprisonment unless they gave up their activities or left the country. Following the establishment of *Concilio Cubano* in October 1995, the level of this kind of harassment increased and there were signs of a deliberate campaign on the part of the authorities to discredit members of the group. On 15 February 1996 an extensive round-up of members of groups belonging to *Concilio Cubano* began, with dozens of people being taken into custody for short periods and subjected to threats of imprisonment and physical violence. Two of the principal leaders were tried and sentenced to prison terms. However, instead of bringing overtly political charges against them, the authorities chose to imprison them on criminal charges. Amnesty International believes they are prisoners of conscience. Details of the actions taken against members of *Concilio Cubano* are described in detail below.

Amnesty International believes that the reason for the new crackdown on what have so far been entirely peaceful activities is that it is the first time that the government of President Fidel Castro, which has been in power since the Cuban Revolution in 1959, has been faced with any degree of serious opposition of an organized and peaceful nature. During 1995, there were three modest but important developments. Several lawyers, mostly belonging to an unofficial group called the *Corriente Agramontista*, Agramontist Current, and in particular its president **Dr René Gómez Manzano**, who went on to become one of the founders of *Concilio Cubano*, began to speak out more boldly on issues relating to the justice system. Secondly, journalists came together to set up several independent press agencies, which also later joined *Concilio Cubano*. And thirdly, in October, *Concilio Cubano* itself was formed when some 40 unofficial groups came together. Within a short space of time, the number of groups belonging to *Concilio Cubano* had grown to over 100. This sudden burgeoning of groups and activity clearly perplexed the Cuban Government at a time when it was seeking foreign aid to resolve its serious economic problems and was

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<sup>1</sup> See: *United States/Cuba: Cuban “Rafters” - Pawns of Two Governments*, AMR 51/86/94, October 1994, for further details.

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under pressure from the European Union and others to improve its human rights record.

## **PROBLEMS ENCOUNTERED BY DISSIDENT LAWYERS**

Under Cuban law, lawyers, who are all employed by the state, are obliged to observe and contribute to the strengthening of socialist legality. All legal services to the general population are provided through *bufetes colectivos*, collective law offices, organized and supervised by the Ministry of Justice. New regulations established in 1984 emphasize the independence of the attorney and the obligation to defend his or her client's interests with maximum diligence. In practice, however, in cases of a political nature, the role of the defence lawyer is severely limited. In cases of crimes against state security, they are not permitted to have any direct contact with the client during the first weeks or months of pre-trial detention while the prosecution is preparing the case. Even after that, they usually only meet the client on one or two occasions for short periods before the trial, thus limiting the possibilities of providing an adequate defence. In cases of crimes tried in municipal courts, hearings sometimes take place within days or even hours of arrest, again without the lawyer having adequate access to the defendant or the case file. In cases of a political nature, Cuban defence lawyers have only rarely attempted to provide detailed counter-arguments to those brought by the prosecution, either for lack of information or for fear of reprisals. They have tended, with a few exceptions, to limit themselves to putting forward arguments pleading for clemency or asking for the charge to be changed to one that carries a lesser sentence. In recent years the few defence lawyers who have been more outspoken have found themselves penalized in professional terms and sometimes dismissed or threatened with physical violence.

In July 1994, at the trial of prisoner of conscience **Domiciano Torres Roca**<sup>2</sup> on a charge of "enemy propaganda", defence lawyer **Dr Leonel Morejón Almagro**, at present imprisoned for his activities with *Concilio Cubano* (see below), argued that his client was innocent and asked for his immediate release. He was reportedly threatened with physical violence by one of the state security officials who had arrested the defendant. In January 1995 he was dismissed from his post at the Marianao Lawyers' Collective by the National Directorate of Lawyers' Collectives for alleged "technical deficiencies". As well as defending **Domiciano Torres Roca**, he was at the time involved in the defence of at least two other political prisoners, including former prisoner of conscience **Marta María Vega Cabrera**.

Since August 1990, lawyer **Dr René Gómez Manzano** has repeatedly sought registration from the Ministry of Justice for a group of independent lawyers, named first the *Unión Agramontista*, Agramontist Union, and subsequently *Corriente Agramontista*, Agramontist Current. The group is mainly made up of lawyers who have been willing to take on political cases. The registration request has received no response in over five years except for one reply providing details of requirements. Meetings of the group have been prevented from taking place or disrupted on several occasions. In April 1995 the group were attempting to hold a meeting in the home of 79-year-old retired lawyer **Jorge Bacallao** when three individuals burst in and began to physically attack them. Other hostile individuals were reportedly watching events from outside the house. Before leaving, the attackers took documents and threatened further assaults against them if they carried on "defending criminals". Such attacks, usually known as "*actos de repudio*", "acts of repudiation", are carried out at the instigation of the authorities by government supporters, sometimes organized into so-called *Brigadas de Respuesta Rápida*, Rapid

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<sup>2</sup> See "Cuba: Arrest of Domiciano Torres Roca", AMR 25/10/93, September 1993, and follow-up AMR/16/93, November 1993.

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Response Brigades, whose task is “to defend the country, the Revolution and socialism in all circumstances, by confronting and liquidating any sign of counter-revolution or crime”<sup>3</sup>. The activities of such brigades, which were set up in 1991, have to a certain extent been curtailed following international criticism. However, Amnesty International continues to receive sporadic reports of incidents which indicate their continued existence.

In October 1995, **Dr Gómez Manzano**, who had been one of the founders of *Concilio Cubano* that same month, was expelled from the lawyers’ collective he belonged to after writing a letter to the National Assembly of Lawyers’ Collectives making serious allegations about the leadership of the body. In December 1995, in response to an appeal, the Minister of Justice confirmed his dismissal in writing. The letter reportedly said that “the behaviour of **Dr Gómez Manzano** does not concord with official policy and is incompatible with his participation in the lawyers’ collectives”. Apart from his activities with the *Corriente Agramontista* and *Concilio Cubano*, **Dr Gómez Manzano** had been outspoken about a number of politically-sensitive cases in previous months. In April 1995, he told a Miami-based journalist that the trial of prisoner of conscience **Francisco Chaviano González** and others was “very arbitrary” and “full of irregularities”. He had been present at the trial in his capacity as defence lawyer for one of the other defendants, **Abel del Valle Diez**. He said that the defence lawyers had been prevented from presenting their own witnesses and were not permitted to see so-called “secret documents” which were the mainstay of the prosecution’s case. Further details of the trial were revealed in an article written by **Dr Gómez Manzano** himself and published in the same Miami newspaper.

In July 1995 **Dr Gómez Manzano** and nine other lawyers, including **Dr Morejón**, had written letters to the Minister of Justice asking what legal action the authorities intended to take against those responsible for the sinking of a tugboat called “13 de Marzo”, on 13 July 1994 as a result of which some 40 people died. Survivors claimed that other tugboats, acting on official orders, rammed the “13 de Marzo”, causing it to sink<sup>4</sup>. The authorities maintained that the incident was the result of a tragic accident but said that the case would be investigated. However, the results of such an investigation, if it took place, were never made public.

Both **Dr Gómez Manzano** and **Dr Morejón** were detained in the subsequent crackdown on *Concilio Cubano*, of which further details are given below. The lawyer defending **Dr Morejón**, **Dr José Luis Izquierdo González**, also a member of the *Corriente Agramontista*, reportedly described his trial as a “sham” for which he was fined. It was feared he may also face disciplinary procedures.

## INDEPENDENT JOURNALISTS ENCOUNTER HARASSMENT

In 1989 a group of journalists and others working in the media, some of whom had been sacked from their jobs with state-run media for “ideological incompatibility”, set up the *Asociación de Periodistas Independientes de Cuba (APIC)*, Cuban Association of Independent Journalists, with the intention of publishing reports about many aspects of Cuban life, including human rights abuses. They included **Yndamiro Restano Díaz**, who was subsequently arrested in 1991 in connection with his political activities. Despite the peaceful nature of his activities, he was charged with “rebellion”, for which he was

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<sup>3</sup> For further details, see “*Cuba: Silencing the Voices of Dissent*”, AMR 25/26/92, December 1992.

<sup>4</sup> For further details, see “*United States/Cuba: Cuban “Rafters” - Pawns of Two Governments*”, AMR 51/86/94, October 1994.

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sentenced to ten years' imprisonment<sup>5</sup>. *APIC* continued to issue sporadic reports and by 1994 was said to have some 60 members. From the beginning, *APIC* sought official recognition from the Ministry of Justice but never received a response. As they have no access to the official media in Cuba, independent journalists try to seek an outlet for their reports by sending them to foreign newspapers and radio stations, some of whom broadcast to Cuba. The parameters within which they can safely operate without fear of government sanction are unclear and often arbitrary. **Yndamiro Restano** recently said that being an independent journalist in Cuba means "living between self-censorship and prison".

In early July 1995 three *APIC* members - **Orlando Fondevila**, **Luis López Prendes** and **Lázaro Lazo** - were detained for several hours reportedly in connection with news reports they had issued. On 10 July 1995, State Security police detained **Nestor Baguer**, the president of *APIC*, after a raid on his home and removed a fax machine and some documents. His phone was also cut off. He was released shortly afterwards without charge. However, on 18 August 1995, State Security police again confiscated a fax machine from his home and cut off the telephone line.

By 1995 several other groups of independent journalists had come into existence, including *Habana Press*, *Havana Press*, *Cuba Press*, the *Círculo de Periodistas de la Habana*, Havana Journalists' Circle, and *Patria*, Homeland. In July 1995 several independent journalists encountered problems with the authorities, who were clearly worried at that time about the possibility of popular protests on the first anniversary of the sinking of the "13 de marzo" tugboat (see above). On 12 July 1995, the day before the anniversary, **Rafael Solano**, the director of *Habana Press*, was detained for questioning by State Security officials. While in detention, he was accused of writing "articles damaging to the system for subversive radio stations and newspapers" abroad and told that an official investigation had been started against him on a charge of spreading "enemy propaganda". He was also reportedly accused of inciting people to participate in a protest about the tugboat sinking planned to take place on 13 July. He was taken home some eleven hours later and told not to leave the house. Next morning, before he had had time to find a lawyer, two state security officials took him back to the police station where an official warning was issued against him saying that he would be charged with spreading "enemy propaganda" if he continued to give information to foreign media.

**Héctor Peraza Linares**, the coordinator of *Habana Press*, and **José Rivero García**, the director of the Havana Journalists' Circle, were questioned and had their homes searched on or about 12 July 1995. In the case of **José Rivero García**, a fax machine, video camera and other photographic equipment, were confiscated. His telephone was also cut off. On 18 July, State Security officials went to his home and issued him with an official warning that if he continued with his activities, he would be charged with spreading "enemy propaganda". That same day a member of the executive of *Habana Press*, **Raúl Rivero**, was accosted by a stranger in the street who stole his briefcase. The briefcase reportedly contained several articles he was hoping to get published abroad. Although the identity of the attacker was not known, coming as it did in the context of an official crackdown on the activities of independent journalists, there was reason to believe that the authorities may have been behind the attack.

On 19 September 1995, the *Buró de Periodistas Independientes de Cuba (BPIC)*, Bureau of Independent Cuban Journalists, was established to act as an umbrella organization for most of the already existing

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<sup>5</sup>Amnesty International considered him to be a prisoner of conscience. For further details, see "*Cuba: Silencing the Voices of Dissent*", AMR 25/26/92, December 1992.

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groups<sup>6</sup>. It was set up by **Yndamiro Restano Díaz**, one of the original founders of *APIC*, who had been released from prison in May 1995, and by October it was said to have some 50 members. A few days before *BPIC* started operations, both **Yndamiro Restano** and **Rafael Solano** were taken into custody and questioned about their activities by State Security officials. Relatives of **Yndamiro Restano** were reportedly told that he would be detained again and that the state would not be responsible for any future violent action against him because of the illegal activities *BPIC* was engaged in.

Over the next few weeks, several independent journalists working with groups belonging to *BPIC* were summoned for questioning and warned about their activities. On 3 October 1995, **Roxana Valdivia Castilla**, a journalist who a year earlier had set up *Patria* in Ciego de Avila, was detained, together with her husband, by state security officials in Havana. She had reportedly gone to Havana to visit **Yndamiro Restano** in order to discuss her role as *BPIC* coordinator for the province of Ciego de Avila. The authorities held her for 28 hours before forcibly returning her to her home in Ciego de Avila where she was ordered to remain. She was warned that if she returned to Havana or attempted to remain in contact with **Yndamiro Restano**, she would face imprisonment. On 23 November 1995 **Roxana Valdivia** was detained by police for two days in a small town called Venezuela in Ciego de Avila. She was warned that she faced a possible charge of “disrespect”. She was told that four people were prepared to testify that she had insulted members of the security forces at the school her son attends, an allegation which she denies. She was reportedly warned that she would be charged if she did not leave the country as soon as possible, without her family. However, the authorities reportedly told her that they were prepared to temporarily suspend proceedings against her to give her the opportunity to make arrangements to leave Cuba. According to reports, she had been previously arrested in December 1993 and served four months of a one-year sentence for spreading “enemy propaganda”.

On 7 October 1995 **Olance Noguerras Roce**, who was working as the *BPIC* correspondent in Cienfuegos, was detained by State Security officials in Cienfuegos province and warned that he had 30 days to find a job with a state entity or else face a charge of “dangerousness”. “The Dangerous State and Security Measures” is a catch-all section of the penal code under which people may be imprisoned for up to four years with minimal judicial guarantees on grounds that the authorities believe they have a “special proclivity” to commit crimes, even though they might not have actually committed an offence.<sup>7</sup> **Olance Noguerras** was reportedly questioned about an article he had written about safety fears at the Juragua nuclear power plant in Cienfuegos. On 20 October, he was again arrested in Havana where he had gone to attend a weekly press conference given by the Ministry of Foreign Affairs. He was held for several days without his family being informed of his whereabouts. He had reportedly been taken to Ariza Prison, a high security prison in Cienfuegos. While in detention, he was reportedly told that if he did not leave the country by 7 November, he would be re-arrested and brought to trial. He was released with a warning not to leave Cienfuegos. However, he ignored the warning and on 26 October went to the capital for a meeting with colleagues from *BPIC* at the home of **Yndamiro Restano**, also the *BPIC* office. He was again arrested as he left the meeting and eventually transferred to the State Security headquarters in Cienfuegos. He was released on 31 October, again with a warning not to leave Cienfuegos and not to have contact with other independent journalists.

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<sup>6</sup> *Habana Press*, *Patria* and the Havana Journalists’s Circle belong to *BPIC* but *Cuba Press* does not. The current status of *APIC* is not clear.

<sup>7</sup> For further details of this legislation and how it is applied, see “*Cuba: Hundreds Imprisoned for “Dangerousness”*”, AMR 25/01/94, February 1994.  
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On 10 October 1995, **Héctor Peraza** was summoned by police in the town of Quivicán, Havana province, and forced to sign an “official warning” by which he was given ten days to stop working with *Habana Press* and find another job or be charged with “dangerousness”.

On 12 October 1995, **María de los Angeles Gutiérrez González** was summoned by State Security police in Havana and warned to leave her job as an accountant with *BPIC*. She had previously been detained for four hours on 4 October and given the same warning. On 16 October state security officials reportedly went to her home and told her that she would lose custody of her young daughter if she continued her work with *BPIC*.

On 23 December 1995, following a search of his home, **Orlando Bordón Gálvez**, a journalist working with *Cuba Press*, was detained for 24 hours in San José de las Lajas, Havana province, before being released with a warning to stop his activities.

On 10 January 1996, the elderly parents of **Yndamiro Restano - Julio Restano Suárez**, aged 75, and **Aurora Díaz**, aged 70 - were detained for seven hours at the Fifth Police Unit in Havana. Neither are journalists but the *BPIC* office is located in their house. They were told that the office had to close down and that their son, who was at that time travelling outside Cuba on a temporary exit visa, would not be able to return to Cuba. **Yndamiro Restano**, who had been visiting various countries seeking support for *BPIC*'s work since November 1995, had been intending to return to Cuba at that time. The authorities alleged to his parents that he was a paid agent of the US Central Intelligence Agency (CIA) and would not be permitted to return. He has not so far been allowed to return but at the time of writing is continuing to seek authorization to do so. He has acknowledged that he received money from non-governmental organizations based in the USA, including the PEN Club and the Lilian Hellman journalists' prize, to support *BPIC*'s work.

On 14 January 1996 **Rafael Solano** and **Julio Martínez**, President and Vice-President respectively of *Habana Press*, were detained by police in Cojímar, Havana, and taken handcuffed to a police station in San Miguel del Padrón. They had just returned from a meeting with **Raúl Rivero**, President of *Cuba Press*, and **Juan Antonio Sánchez**, correspondent of *Cuba Press* in Pinar del Río, who was visiting him. They were reportedly questioned at length by state security officials about allegations that they had transmitted to contacts abroad the contents of leaflets dropped on Havana from a small plane by a Cuban exile group. **Rafael Solano** reportedly said later that he was threatened with imprisonment and told that “the people” would be set upon them. He said they were also strongly encouraged to leave the country. If not, “acts of repudiation” would be carried out against them. The two were released after a few hours but summoned to return the next day. **Julio Martínez**' address book was confiscated and a shortwave radio was also taken from **Rafael Solano**. Both also had their identity cards taken away.

That same day State Security officials also detained **Raúl Rivero** and **Juan Antonio Sánchez**. **Raúl Rivero** was told that *Cuba Press* had to be shut down because it was an illegal organization and that if it was not, the Ministry of the Interior would pursue them until they did so. He said that he was told to stick to writing poetry and that if he wanted to write anything else, he should leave the country. They were both released next day but told to get out of the country.

In January 1996, **Luis Solar Hernández** of *BPIC* was arrested in Ciego de Avila as he was about to return  
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to Havana after visiting **Roxana Valdivia** (see above). He was taken to the State Security headquarters but released shortly afterwards. Following his arrest, **Roxana Valdivia** was summoned for questioning at the State Security headquarters, where she was admonished for having met **Luis Solar Hernández** in her home, which is kept under constant surveillance.

On 15 January 1996, **Bernardo Fuentes Cambor**, an independent journalist working with "*Patria*", was reportedly detained for four hours in Camagüey before being released under threat of a charge of spreading "enemy propaganda". He was told to stop his activities and not to leave the province of Camagüey. He had reportedly been detained on several previous occasions and strongly urged to leave the country.

Journalists belonging to independent press agencies that form part of *BPIC* were among those targetted in the subsequent crackdown on groups belonging to *Concilio Cubano* which is described in detail below. At the time of writing, Rafael Solano is in detention and there are fears that he may be brought to trial on a charge of "associating with others to commit crimes".

## CONCILIO CUBANO

### The setting up of Concilio Cubano

*Concilio Cubano*, Cuban Concilium, came into being on 10 October 1995 with the coming together of some 40 unofficial groups, including human rights groups, political opposition groups, and groups of journalists, lawyers, women, young people, economists, engineers, ecologists and trade unionists, several of which specifically describe themselves as christian<sup>8</sup>. By February 1996, the number of groups had reportedly grown to about 140. According to statements put out by the coalition, each group belonging to it retains its own identity and the aim of the coalition is to find a common strategy, even if each group adopts different tactics. The coalition's avowed aims are: 1) a general amnesty for all political prisoners; 2) full respect for the present Constitution; 3) that the Cuban Government should fulfill its international obligations with regard to human rights; 4) that the Cuban Government should take the necessary measures to enable all Cubans to work freely in business, industry, agriculture and other sections of the economy and that they should be able to freely organize Cuban enterprises or cooperatives; and 5) that the Cuban Government should take the necessary steps to organize free and direct elections on the basis of the pluralist nature of the society. A statement drawn up by *Concilio Cubano* in November affirmed its intention to use only peaceful means to achieve its aims: "The determination to work for an absolutely peaceful transition to a democratic state and the rule of law which does not entail violence, hatred or feelings of revenge and which includes all Cubans on an equal basis. Consequently, *Concilio Cubano* excludes all forms of violence and in particular terrorism."

### Harassment begins

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<sup>8</sup> Freedom of religion is recognized in the Cuban Constitution but the activities of churches and religious groups are strictly regulated, especially in relation to proselytism and public meetings or services. Members of certain christian denominations, whose practices are considered to conflict with the aims of Cuban socialist society, in particular the Jehovah's Witnesses, face harassment and sometimes imprisonment for offences related to the peaceful exercise of their religious beliefs. See *Cuba: Imprisonment of Pentecostal Minister, Reverend Orson Vila Santoyo*, AMR 25/06/95, 20 June 1995, for further details.

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The Cuban authorities began to take measures against members of *Concilio Cubano* almost immediately. On 14 November, **Dr Leonel Morejón Almagro**, the Executive Secretary of the provisional organizing group, was detained for twelve hours, together with his wife, in Havana. They were taken to the State Security headquarters at Villa Marista where they were questioned about two telephoned bomb threats which the authorities alleged were made in the name of *Concilio Cubano*. Officials told them that the group would not be allowed to exist and that if they had to imprison all its members, they would do so. They warned that all members of the group would be imprisoned for “illegal association”. **Dr Morejón** was told not to communicate with foreign journalists or broadcasters or with Cuban exile groups and that he should not meet with other dissidents in Cuba. Despite the alleged bomb threats, no action on those grounds has so far been taken against them or any other member of *Concilio Cubano*.

On 15 November 1995, **Aída Rosa Jiménez**, President of the *Asociación Cívica Democrática*, Civic Democratic Association, and national representative of the *Movimiento de Madres Cubanas por la Solidaridad*, Movement of Cuban Mothers for Solidarity, both unofficial groups belonging to *Concilio Cubano*, was ordered to report to the State Security headquarters in Havana. From there she was reportedly taken to a private house in Cubanacán, a suburb of the capital, and questioned by State Security officials before being released later that night. She received similar warnings to those given to **Dr Morejón** and was told not to travel outside of Havana.

At about this time, members of *Concilio Cubano* were planning to hold a meeting at the house of lawyer **Jorge Bacallao** from the *Corriente Agramontista*. However, two State Security officials unexpectedly turned up at the house and insisted that **Jorge Bacallao** should accompany them to hospital for a medical check-up because of his advanced age and delicate health. He was kept there for several hours while a variety of tests were carried out. While at the hospital, he was warned by State Security officials to stop his activities with the Concilium. As a result of his absence, the group’s meeting had to take place elsewhere though without the presence of **Oswaldo Payá Sardiñas**, coordinator of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, who was mysteriously summoned to the Ministry of Public Health, where he was questioned by State Security officials about his activities with the Concilium and warned to give them up.

In the third week of November, several leading members of *Concilio Cubano* were called in for questioning or arrested for short periods. **María Valdés Rosado**, President of the *Movimiento Demócrata Cristiano*, Christian Democrat Movement, was summoned by police and issued with an official warning that she risked being charged with “dangerousness” if she did not stop her activities. **Elizardo Sánchez Santa Cruz**, President of the *Comisión Cubana de Derechos Humanos y Reconciliación Nacional (CCDHRN)*, Cuban Commission for Human Rights and National Reconciliation, and a former prisoner of conscience, was summoned to the prosecutor’s office in Playa, Havana, and warned about his participation in the Concilium. Afterwards he said that he was told that he would be held responsible for any terrorist acts supposedly carried out by *Concilio Cubano*. When he asked for evidence of any such intentions, he was told that it was simply a warning. He was also reminded that a case which had been brought against him in December 1992 for “disrespect” and was later suspended could easily be re-opened. **Félix Bonne Carcacés**, President of the *Corriente Cívica Cubana*, Cuban Civic Current, was arrested at his home on 23 November and held in a Havana police station for twelve hours. He was released with a warning that he could be charged with illegal association, terrorism and other illegal activities if he continued his activities with the Concilium. **María Beatriz Roque**, director of the *Instituto Cubano de Economistas Independientes*, Cuban Institute of Independent Economists,

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reportedly received anonymous telephone calls said to be made on behalf of Cuban exile groups saying things such as “Long live Concilio Cubano which wants to put bombs in children’s nurseries!” Other members of the coalition reportedly received in the mail statements supposedly made in the name of Cuban exile groups which **Dr Morejón** said clearly contradicted the spirit of the Concilium and sought to undermine its unity.

On 1 December 1995 in Havana, a meeting of the youth commission of *Concilio Cubano* was prevented from taking place when members of the security forces surrounded the building where the meeting was to be held. The inhabitants of the house, **Lázaro Miguel Rivero de Quesada** and his mother **Dulce María de Quesada**, were detained and taken to an office belonging to the local education authority where State Security officials reportedly tried to get them to implicate leaders of the Concilium, and in particular **Dr Morejón**, in drugs trafficking. They were released a few hours later. Three other people were arrested as they set off to go to the meeting. They were **María Caridad Salazar Ramírez** and **Luis Felipe Lorens Nodal**, spokesperson and president respectively of the *Organización Juvenil Martiana*, Martí Youth Organization, and **Leonardo Reinoso Rodríguez**, president of the *Movimiento Juvenil Cubano*, Cuban Youth Movement, both unofficial youth groups belonging to the Concilium. Former prisoner of conscience **Luis Felipe Lorens** had previously been imprisoned for “dangerousness”<sup>9</sup> and was warned while in detention this time that he could be imprisoned again on the same charge. Documents confiscated from **Luis Felipe Lorens** reportedly included a letter *Concilio Cubano* was planning to present to the authorities requesting permission to hold a national meeting in early 1996. The three were told that they were terrorists and were warned that they would be imprisoned for over 20 years if they did not stop their activities. **Luis Felipe Lorens** said afterwards that they were shown leaflets, purportedly issued in the name of *Concilio Cubano*, calling for public protests. He said that the leaflets were forgeries.

That same day several other people connected with *Concilio Cubano* were briefly detained, including **Amado González Paso**, **Nery Goriziza Campos** and **Marta Ramírez Jerez**. State security officials reportedly told the two latter, both members of the *Alianza Democrática Popular (ADEPO)*, People’s Democratic Alliance, about alleged acts of terrorism being planned by *Concilio Cubano* in conjunction with *Alpha 66*, a US-based Cuban exile group which has admitted carrying out violent attacks in Cuba in the past, and warned that many of the signatories of the Concilium could be shot if they continued their work. Letters purporting to be written by *Alpha 66*, were also received by six prominent Concilium members, including **Dr Gómez Manzano** and **Gustavo Arcos Bergnes**, Secretary General of the *Comité Cubano Pro Derechos Humanos (CCPDH)*, Cuban Committee for Human Rights.

On three occasions between 1 and 8 December 1995 people claiming to be relatives of political prisoners went to the home of **Elizardo Sánchez**, claiming that they had received letters from abroad telling them that money had been sent to him for them. On all three occasions the people behaved aggressively and on the third occasion smashed up two wooden chairs that were outside the house. **Elizardo Sánchez** said after the incident that he believed it was part of a “dirty war” against peaceful dissidents. The money was supposed to have been sent to him by the *Instituto Puebla*, a religious human rights organization based in Washington, USA, although the alleged letters bore the address of a Miami-based Cuban exile group. Both groups say the letters are forgeries and deny sending funds to **Elizardo Sánchez**.

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<sup>9</sup> For details of his previous arrest and imprisonment, see “Cuba: Hundreds arrested for “Dangerousness”“, AMR 25/01/94, February 1994.

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On 9 December 1995 in Santa Clara, Villa Clara province, State Security officials arrested **Librado Linares García**, secretary general of the *Movimiento Reflexión*, Reflection Movement, following a search of his home. He was taken to their headquarters in the city. **Cecilio Monteagudo Sánchez** and four other activists in the area were also summoned for questioning. The operation occurred just after **Librado Linares** and **Cecilio Monteagudo** had returned from Havana, where they had put their signatures to documents relating to *Concilio Cubano* on behalf of their group.

On 17 December 1995, eleven members of the *Movimiento Maceista por la Dignidad*, Maceo Movement for Dignity, were detained for several hours for questioning. Next day, several other members of the group were briefly detained.

On 18 December 1995, **Arnaldo Nelson de Varona**, president of the *Movimiento 13 de Julio*, 13 July Movement, was taken to a Havana police station where he was issued with an official warning that he could be charged with “dangerousness” if he continued with his dissident activities. He alleged that while in detention State Security officials tried to persuade him to work for them.

### **Concilio Cubano requests permission to hold national meeting**

In mid-December 1995 *Concilio Cubano* made public a formal request it had presented to the Cuban Government seeking authorization to hold a national meeting between 24 and 29 February 1996. The request sought assistance from the state or a non-governmental organization to find premises for the meeting in Central Havana. It further sought the good offices and assistance of the United Nations, at an international level, and Roman Catholic Cardinal Jaime Ortega y Alamino, at a national level.

On 22 December 1995, two leading members of *Concilio Cubano* were involved in suspicious traffic accidents. **Eugenio Rodríguez Chaple**, president of the *Bloque Democrático José Martí*, José Martí Democratic Block, and his wife, **Lázara Herrera Portelles**, escaped serious injury after they were knocked off the bicycle on which they were riding in Cotorro, Havana, by a white car which hit them from behind and sped off without stopping. The family has been subjected to repeated harassment, including attacks from Rapid Response Brigades, for a period of two or three years and has previously been threatened with physical violence<sup>10</sup>. The same day **Aída Rosa Jiménez** was travelling in a car which was driven into by another car, causing minor injury to another passenger. The offending car reportedly continued without stopping. Both incidents were reported to the authorities but, as far as Amnesty International is aware, no investigation was undertaken.

On 27 December 1995, **Antonio Femenía**, delegate of the *CCPDH* in Ciego de Avila, was attacked at his home by five or six men who went to see him demanding money they claimed had been sent from abroad for prisoners. They reportedly assaulted and insulted him. When the police arrived, all, including **Antonio Femenía**, were arrested. However, the aggressors were released shortly afterwards while **Antonio Femenía** was kept in detention for 72 hours.

In late December 1995, the provisional organizing committee of *Concilio Cubano* was dissolved and

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<sup>10</sup> See *Urgent Action 57/94*, AMR 25/03/94, 17 February 1994 - *Fear for safety - Eugenio Rodríguez Chaple, Lázara Herrera Portelles and their two children*.

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plans were announced to replace it with a national council of 26 people comprising two people elected from each of thirteen commissions which had been set up in different parts of the country.

In January 1996 **Dr Morejón** received a letter dated 3 January 1996 from the head of the *Departamento de Atención a la Población*, Department of Attention to the Population, of the Council of State acknowledging receipt of the letter he had sent requesting permission for *Concilio Cubano* to hold a national conference in February but with no substantive response.

On 10 January 1996, at least four members of the commission of the Concilium in the province of Villa Clara were arrested in the city of Santa Clara when they tried to hold a meeting to elect their two representatives to the national committee. Those arrested included **Abel de Jesús Acosta Amaneiro**, provincial delegate of the *Partido Pro Derechos Humanos en Cuba (PPDHC)*, Party for Human Rights in Cuba, and **Librado Linares**, from whom voting slips for the election were confiscated. Most were released a few hours later after being informed by the Department of State Security that the Concilium would not be permitted to exist in the province.

On or around the same date, a meeting of Commission 2, which was to be held at the house of **Jorge Bacallao** in Havana, was prevented from taking place after police surrounded the area and briefly detained **Fernando Sánchez** and others.

On 12 January 1996, ten members of Commission 1 were arrested in Havana when they tried to hold a meeting to elect their two representatives to the national committee. They were reportedly told by the authorities that they were under suspicion of selling meat illegally. Those arrested included **Dr Morejón** and **Lázaro González Valdés**. All were released shortly afterwards and reportedly carried out the vote in the entrance of the police station they had been taken to.

By mid-January, all but two of the commissions of the Concilium had managed to elect their national representatives. However, State Security officials prevented a meeting of the commission of the Concilium based in Santiago de Cuba from taking place when they surrounded the house of **María Antonia Suárez** where the meeting was due to be held. On 19 January eight members of the Concilium in Camagüey were detained briefly in order to prevent them from meeting.

On 16 January 1996 a meeting of seven prominent founding members of the Concilium, who had formed themselves into a support and advisory group of the national committee, known as the Group of Seven, was prevented in Havana when dozens of police surrounded the house of **Dr Gómez Manzano** where the meeting was to be held and threatened him and **Elizardo Sánchez**, **Félix Bonne** and **Marta Beatriz Roque** with arrest if they went ahead with the meeting.

On 27 January 1996, in Havana and elsewhere, several leaders of dissident groups, including members of the *Consejo Coordinador Nacional (CNN)*, National Coordinating Council, of the Concilium which had just been established, were visited by State Security officials and warned that they would be attacked by pro-government crowds if they attempted to carry out any activities on 28 January 1996, the anniversary of the birth of Cuban national hero José Martí. Police guards were put on their homes and they were not allowed to go out or receive visitors. Nevertheless, the next day some groups did try to go ahead with their plans. About thirty members of the *Frente Pro Derechos Humanos Máximo Gómez (FPDHMG)*, Máximo Gómez Human Rights Front, were arrested in the city of Pinar del Río when they tried to carry

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out a ceremony in honour of José Martí. All were released within a few hours except for **José Angel Chente Herrera**, president of the group, who was kept in detention for a day or so. Several women belonging to the *Movimiento de Madres Cubanas por la Solidaridad*, were also briefly detained in the same city after they tried to place flowers on a monument to José Martí. In Havana, **Luis Felipe Lorens** and his wife **María Caridad Salazar** were forcibly prevented by police from placing flowers at a similar monument.

On 9 February, delegates from the European Union who were visiting Cuba, were able to meet with leaders of the Concilium at the residence of the Italian Ambassador to Cuba in Havana. The delegation reportedly assured them that they would urge the Cuban Government to allow the conference to go ahead. Manuel Marín, head of the delegation, reportedly presented the request directly to President Fidel Castro later that day.

Next day, the 26-member *CCN*, which is made up of representatives of the 13 commissions, elected a five-person secretariat to act as spokespersons for the group. **Dr Morejón** was elected as the National Delegate, together with four deputy delegates: **Mercedes Paradas Antúnez**, president of *ADEPO* and member of the executive of the *Movimiento de Madres Cubanas por la Solidaridad*; **Héctor Palacio Ruiz**, president of the *Partido Solidaridad Democrático (PSD)*, Democratic Solidarity Party; **Lázaro González Valdés**, president of the *PPDHC*, and **Reinaldo Cosano Alén**, president of the *Coalición Democrática Cubana (CDC)*, Cuban Democratic Coalition. Three others were elected as honorary members, who would have the right to attend meetings but not to vote. They were: **Elizardo Sánchez**, **Gustavo Arcos** and **Oswaldo Payá Sardiñas**. Working groups were also set up to cover the following areas: trade union issues, human rights, family affairs, economics, ethics, finance and international relations. The *CNN* decided to go ahead with the national conference planned for 24-27 February although no substantive response had been received from the authorities.

### Crackdown begins

Thursday, 15 February saw the beginning of an extensive operation against members of the Concilium, spearheaded by the Department of State Security. That morning, four of the national delegates were arrested in Havana. **Dr Morejón** was detained as he arrived at the *BPIC* office where a meeting of the Concilium was taking place. The security forces had reportedly cordoned off the area for several hours. **Héctor Palacio** was detained as he was on his way to the meeting but was released some hours later. **Mercedes Paradas** and **Lázaro González** were both arrested after members of the security forces forced their way into their homes. Documents belonging to the Concilium were confiscated from all of them. Journalist **Luis López Prendes** was also detained at the *BPIC* office, together with another man with the surname **Orio**. Both were released shortly afterwards after press reports they had compiled were taken from them. Four members of the *PPDHC* were also detained later that day. They included **Lázaro García Cernuda** and **Antonio Baez Alemán**, both members of the *PPDHC* executive, who were released two days later.

**Dr Morejón** was taken to a police station in central Havana where his mother was able to visit him briefly on 17 February. She reported that her son had begun a hunger strike and was being put under pressure by the authorities to sign incriminating statements. **Lázaro González**, who had been taken to a police station in Arroyo Naranjo, Havana, was also said to be on hunger strike. Both **Dr Morejón** and **Lázaro González** were later transferred to the headquarters of the *Departamento Técnico de*

*Investigaciones (DTI)*, Technical Investigations Department, in Havana. **Mercedes Paradas**, who was said to be suffering from fibroids and high blood pressure at the time of her arrest, was transferred on 16 February from a police station to the Hermanos Ameijeiras Hospital in Havana where she was kept under police guard. She was reportedly told that she would eventually be brought to trial on various charges, including “enemy propaganda”, “illegal association” and “incitement to civil disobedience”.

### **National conference banned by authorities**

On 16 February a senior official of the Ministry of the Interior went to the home of **Gustavo Arcos** and informed him orally that the authorities did not intend to allow the Concilium conference to go ahead. An information bulletin signed by **Gustavo Arcos** and five other prominent members of the Concilium, speaking as a minority group within the coalition, indicated their intention to respect the ban, saying that they wanted to avoid “incidents and a violent confrontation”. Shortly afterwards, a statement signed by the CNN of the Concilium confirmed that the meeting would be postponed

Meanwhile, arrests of members of groups belonging to *Concilio Cubano* continued throughout the country. On 16 February, **Nestor Rodríguez Lovaina**, president of the *Movimiento de Jóvenes Cubanos por la Democracia*, Movement of Young Cubans for Democracy, and **Eriberto Leyva**, president of the *Instituto de Estudios Alternativos*, Institute of Alternative Studies, were arrested as they were leaving the office of the US Interests Section in Havana<sup>11</sup>. The home of **Héctor Palacio** was searched by police and documents were confiscated. He was told to report to a police station later but shortly before the appointment two State Security officials arrested him and **Jesús Zúñiga**, a spokesman for the *PSD*. **Jesús Zúñiga** was released shortly afterwards but **Héctor Palacio** was detained for four days before being released without charge. Others arrested between 15 and 17 February included **Horacio Casanova Carrera**, a member of the executive of the *PPDHC*; **Agustín Sosa Moya**, president of the *Comisión Humanitaria del Presidio Político*, Humanitarian Commission for Political Prisoners; **Alberto Perera Martínez**, delegate of Commission 6 of *Concilio Cubano* and president of the *Comité Paz, Progreso y Libertad*, Peace, Progress and Freedom Committee; **José García Reyes** of the *Movimiento Ignacio Agramonte*, Ignacio Agramonte Movement; **Miguel Granda Oliver** of *Agenda Nacionalista*, Nationalist Agenda; and **Pedro Labrador Gilimas**, a member of the executive of the *Consejo Nacional por los Derechos Civiles*, National Council for Civil Rights; **José Miguel Acosta Meyer**, a member of the executive of the *Asociación Pro Arte Libre (APAL)*, Association for Free Art; and **Mercedes Rineri Carrión**, provincial delegate of the *Organización Juvenil Martiana*. Most were released shortly afterwards but **Alberto Perera Martínez**, **José Miguel Acosta** and **Miguel Granda Oliver** were not released until 29 February, reportedly after being fined for “disrespect”. It was not clear whether **Agustín Sosa Moya** remained in detention.

Others briefly detained or summoned for questioning on or about 16 February included **Iosvani Pérez Díaz**, **Miguel Palenque**, **Isabel del Pino Sotolongo**, **Aída Rosa Jiménez**, **Marta Parga**, **Vicky Ruiz Labrit**, **Marta Yenis Ramírez** and **María Antonio Escobedo Yaser**, who was sent back to her home in Santiago de Cuba and told not to leave the house. She and others reportedly had their identity cards taken away by the authorities. Cuban citizens are required by law to carry their identity cards at all times. **Armando Hernández Corrales** was ordered back to Pinar del Río and **Eduardo Blanco Tolosa** and

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<sup>11</sup> Cuba and the USA do not have diplomatic relations. However, the US has an Interests Section based at the Swiss Embassy in Havana and Cuba has an Interests Section in Washington.  
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**Aurelio Sánchez Sálazar** were ordered back to Camagüey.

Five members of *Concilium Cubano*, including **Librado Linares**, the coordinator of Commission 11 of the Concilium, were arrested in the province of Villa Clara on or about 18 February. All were released shortly afterwards.

In this period **Nicolás Rosario Rosabal**, the *BPIC* correspondent in Santiago de Cuba, was told not to leave his home in Santiago de Cuba. He is believed to have been arrested some time later in Havana and it remained unclear whether he was still in detention at the end of the month.

On 17 February, three individuals armed with knives went to the *BPIC* offices looking for **Rafael Solano**, director of *Habana Press*, who was not there at the time. They claimed he owed them money that had been sent from abroad for them. They reportedly behaved in an intimidating manner towards **Julio Restano**, in whose house the office is situated. On 19 February, **Rafael Solano** was detained yet again for several hours before being released with the usual warnings to stop his activities, in particular that he could face a charge of “disrespect”.

At midnight on 17/18 February, following a police search of his home, **Dr Gómez Manzano**, coordinator of the Group of Seven, was arrested and taken to the DTI headquarters in Havana. He was released on 21 February but again briefly detained on 24 February.

On 18 February, **Ana Luisa López Baeza** and **Juan Antonio Sánchez**, both of *Cuba Press*, were detained at the home of **Iraída de León León**, vice-president of the *Colegio Médico Independiente de Cuba*, Independent Medical Association of Cuba, who was also taken into custody. All were released shortly afterwards. **Juan Antonio Sánchez** and another journalist, **María de los Angeles González**, were ordered to report to the police next day. However, **Juan Antonio Sánchez** was reportedly detained again later the same day and not released until next day, this time with an official warning. Some reports stated that he was ordered to return to his home in Pinar del Río. **Norma Brito**, a spokesperson for *BPIC*, was detained on or about 18 February following a search of her home but released some hours later. **José Antonio Fornaris**, president of the *Frente de Unidad Nacional*, National Unity Front, was detained on 18 February as he left the house of another dissident and released shortly afterwards. **Lázaro Santana Mezquia**, secretary general of the *Movimiento Maceista por la Dignidad*, was also detained on 18 February. **Maricela Pompa Espinoza** of *ADEPO* was arrested on 19 February and taken to the DTI headquarters.

On 20 February, **Lázaro Lazo** and **Orlando Fondevila** of *BPIC* were summoned for questioning in Havana but released after a few hours. **Marta Beatriz Roque**, director of the *Instituto Cubano de Economistas Independientes*, was held for several hours after a search of her home. She was released with an official warning to stop her activities. **Osmel Lugo Gutiérrez**, vice-president of the *Partido Democrático 30 de Noviembre*, 30 November Democratic Party, was arrested and taken to a police station in San Miguel del Padrón, Havana, where he was reported to be on hunger strike.

As of 21 February, the Cuban authorities had made no public statements about the arrests. However, according to international press reports, foreign diplomats had come under pressure from the Cuban authorities not to meet with members of the Concilium on the grounds that such meetings would be interpreted as interference in Cuba's internal affairs. The official Cuban press agency, *Prensa Latina*,

referred to a “propaganda campaign abroad, mostly with US support” about the formation of “some kind of political council” by opponents of the government. It named **Elizardo Sánchez** and **Gustavo Arcos** as “ex-convicts for crimes against state security”<sup>12</sup> and said the opposition groups were “unknown to the population”. Later that day, a spokesperson from the Ministry of Foreign Affairs confirmed that the conference was banned and said it was “organized, planned, sponsored and financed by the government of the United States”. She went on to say that “any attempt to interfere in the domestic affairs, any attempt to rule despotically over the sovereignty of the Cuban people will not be permitted”. Meanwhile, several prominent members of the Concilium, in a communiqué handed over to the Italian Embassy, urged the authorities to release those still in detention, saying that it seemed unnecessary to keep them in detention given that the group had agreed not to go ahead with its conference.

That day, 21 February, the only national vice-delegate of *Concilio Cubano* not yet to have been arrested, **Reinaldo Cosano Alén**, was detained and taken to a police station in Central Havana. He was released on 23 February apparently without charge. Also arrested on 21 February were **Pedro Pablo Alvarez**, president of the *Consejo Unitario de Trabajadores Cubanos*, United Cuban Workers Council, and **José Angel Chente Herrera**, president of the *FPDHMG*, who was arrested in Pinar del Río and released a few days later. **Griselda Fernández** and **Mirían García**, both of *ADEPO*, were reportedly taken to different police stations in Havana. **Alexander Fuentes Lara**, a member of *Agenda Nacionalista*, was detained and taken to a police station in Havana. Juan José Pérez Maso was reportedly detained in Pinar del Río and taken to the DTI headquarters there. He was released a few days later.

### **Lázaro González and Dr Morejón brought to trial**

On 21 February, relatives of **Lázaro González**, who by that time had been in detention for seven days, were informed that he was to be tried next day at La Palma municipal court in Arroyo Naranjo, Havana, on charges of “disrespect”, and “disobedience”. At the trial, which lasted three hours, **Lázaro González** was found guilty and sentenced to fourteen months’ imprisonment. The charge of “disrespect” is believed to have been based on the fact that he had continued with his political activities despite having received several warnings from the authorities not to do so. The charge of “disobedience” was said to be related to allegations that the family took some time to open the door when police went to arrest him, obliging them to force their way in. Witnesses for the defence reportedly disputed this claim. The evidence of the prosecution was said to be based on the testimony of three members of the security forces. The defence lawyer, **Dr José Angel Izquierdo González**, was reportedly only informed of the substance of the charges against his client an hour or two before the trial and was only able to speak to him minutes beforehand. There was reportedly a large police operation around the court building and the presence of civilians, believed to belong to Rapid Response Brigades and armed with iron bars and sticks, was also reported. **Antonio Baez Alemán**, a member of the *PPDHC*, who had been detained for two days on 15 February, was reportedly re-arrested in the courtroom in circumstances that are not yet clear.

Next day, the trial of **Dr Morejón** took place at the municipal court in La Palma, Arroyo Naranjo, Havana. He was charged with “resistance”, apparently on the grounds that when plainclothed State

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<sup>12</sup> Elizardo Sánchez has been imprisoned on several occasions for political reasons, notably in 1989 when he was sentenced to two years’ imprisonment for “spreading false news with the aim of endangering the prestige or standing of the Cuban state”. Gustavo Arcos, who was Cuban Ambassador to Belgium in the early 1960’s, served seven years in prison in the 1980’s for trying to leave the country illegally as well as three years in the late 1960’s for political reasons. Amnesty International considered them both to be prisoners of conscience.

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Security police arrested him, he requested them to identify themselves and asked whether they had a warrant. He was sentenced to six months' imprisonment. He too was defended by **Dr José Angel Izquierdo González**, who again had only last-minute access to his client and the details of the case against him. After the trial, **Dr Izquierdo**, who himself is a member of the *Corriente Agramontista*, one of the groups that makes up *Concilio Cubano*, was reportedly fined for saying that the trial was "a sham" and was told to report to the authorities on 29 February. Another lawyer and member of the *Corriente Agramontista*, **Jesús Escandel**, was reported to have been arrested during the trial but further details are not yet known.

### Arrests continue

As the date of the banned meeting approached, arrests continued. On 22 February, **Gema Romero Iparraguirre**, vice-president of the *CDC*, was detained for several hours following a search of her home. That same day, **José Luis Quiroz Gómez**, spokesperson for the *Bloque Democrático José Martí*, was arrested at his home in Havana and taken to a police station. He was later released. **Carlos Manuel Gayol Sainz**, a member of *Agenda Nacionalista*, was also reportedly detained in Havana. **Barbara García Lugo** of the same group was arrested but released shortly afterwards. **Marta Parga García**, executive secretary of the *Movimiento de Madres Cubanas por la Solidaridad*, who had been briefly detained on 16 February, was again taken in for questioning for several hours.

On 23 February, **Héctor Peraza** and **José Manuel Canciano Restano**, the acting director and deputy director respectively of *BPIC*, were arrested. **José Manuel Canciano** was released on 25 February. **Héctor Peraza** was also released some time later and sent back to his home province of Pinar del Río with a warning not to leave his home. **Mario Remedio de los Cuetos**, president of the *Movimiento 24 de Febrero*, 24 February Movement, was arrested following a search of his home and taken to a Havana police station. **Gladys Linares Blanco**, delegate of Commission 5 of the Concilium and president of the *Frente Femenino Humanitario*, Women's Humanitarian Front, was arrested together with her husband **Humberto Monet**. While he was released a few hours later, **Gladys Linares**, who is 54 years old, was held for two days in Acosta police station where she was reportedly injured after being attacked in her cell by another woman who appeared to be an expert in karate. The woman reportedly tried to provoke her and when she did not react, she pulled her from her bed and punched her several times. Guards were reportedly watching unconcerned as the incident occurred. Eventually one of them led the woman away without taking any action against her. **Gladys Linares** was released on 25 February but some reports indicated that charges might be brought against her on the grounds that she provoked the attack.

On 24 February, the day the banned conference would have started, police reportedly surrounded the homes of several prominent members of *Concilio Cubano* to prevent them from going out or receiving visitors. They included: **Raúl Rivero** and **José Rivero García** of *Cuba Press*. Arrests also continued. Those arrested included **Rafael Solano**, who was held for fifteen hours, **Dr Gómez Manzano**, **Ana María Agramonte**, **Irene Almira**, **Martiza Lugo Gutiérrez**, **Ismael Rivero**, **José Gómez**, **Jorge Wong**, **Isabel del Pino Sotolongo**, **Juan José López Díaz**, **Iosvani Pérez Díaz** and his wife **Niurka Hernández**, **Reinaldo Alfaro**, **Clara Ortiz**, **Magín Pérez Ortiz** and **Miguel Palenque Lodeiro**. **Osiel Gómez Alemán** was detained at the Hermanos Ameijeiras Hospital in Havana when he tried to visit **Mercedes Paradas** and forcibly returned to his home province of Matanzas. **Luis Felipe Lorens** was detained and taken to a police station in Central Havana. **Mercedes Sabourni**, spokesperson for *Agenda Nacionalista*, was detained following a search of her home in which documents were confiscated and

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taken to a Havana police station. Further arrests were also reported in the province of Pinar del Río. All are believed to have been released shortly afterwards except for **Luis Felipe Lorens** who was reportedly still in detention at the beginning of March.

Also reported arrested on 24 February in Havana was **Esteban Pérez Castillo**, of the *Unión Cívica Nacional*, National Civic Union, who at the end of the month was still believed to be detained. His wife, **Laura Espinosa**, was also said to be facing a possible charge of “disrespect” for protesting his arrest.

On 26 February, State Security officials reportedly arrested **Eugenio Rodríguez Chaple**, president of the *Bloque Democrático José Martí*, after he had made a statement during a telephone call to Cuban exiles in the USA condemning the shooting down by the Cuban Air Force on 24 February of two small planes belonging to a Cuban exile group, which resulted in the loss of four lives<sup>13</sup>. He was believed to have been taken to the DTI headquarters in Havana and at the time of writing was still in detention. His wife, Lázara Herrera, was also briefly detained on 26 February and given an official warning that she may be charged with “dangerousness”. Some reports indicated that Eugenio Rodríguez Chaple had also been detained for several days the previous week.

On 27 February **Rafael Solano** was again detained and taken to the State Security headquarters in Havana. His family were warned that this time he would not return. On the day of his arrest, he received anonymous phone calls threatening his life and those of his family and other opposition members. **Julio Martínez**, the vice-president of *Habana Press*, received similar telephoned threats a week later.

Throughout the crackdown, telephone lines belonging to many members of *Concilio Cubano* have been permanently or intermittently cut off, making it difficult to ascertain the latest situation of all those in detention. However, as of the beginning of March, **Dr Morejón** and **Lázaro González** had been transferred to prison but appeals against their sentences were reportedly due to be heard on 8 March. **Rafael Solano** was believed to be facing a charge of “associating with others to commit crimes” (article 207 of the Penal Code), which carries a maximum prison term of three years. **Eugenio Rodríguez Chaple** and **Luis Felipe Lorens Nodal** remained in detention and it was feared that charges were imminent. **Lázaro García Cernuda**, **Iosvani Pérez Díaz** and **Antonio Baez Alemán**, all members of the *PPDHC*, were provisionally released on 4 March 1996 to await trial on unknown charges. **Alberto Perera Martínez**, **Miguel Granda Oliver**, **José Miguel Acosta** and **Osmel Lugo Gutiérrez** had been released on 29 February after being found guilty of “disrespect” and sentenced to pay a fine of 500 Cuban pesos each. The situation of many other members of *Concilio Cubano* remained unclear.

Amnesty International is calling for the immediate and unconditional release of **Dr Morejón**, **Lázaro González** and **Rafael Solano** on the grounds that they are prisoners of conscience detained solely for peacefully attempting to exercise their rights to freedom of expression, association and assembly. It believes that any other members of *Concilio Cubano* remaining in detention are likely to be prisoners of

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<sup>13</sup> The planes belonged to a group called *Hermanos al Rescate*, Brothers to the Rescue, who claimed that they were searching the Straits of Florida looking for people trying to escape from Cuba by sea. The Cuban Government alleged that the two downed planes, whom they believed to be heading for Havana where they had dropped leaflets on previous occasions, had entered Cuban air space without permission. Following an emergency debate at the UN Security Council called by the Government of the United States, an investigation was to be carried out by the International Civil Aviation Authority. Amnesty International called on all parties involved to fully cooperate with the enquiry.

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conscience who should be released immediately unless there is well-founded evidence to indicate that they have committed a recognizable criminal offence. All those still in detention should be granted full judicial guarantees, including immediate access to a lawyer of their choice. The organization further urges the Cuban Government to ratify the International Covenant on Civil and Political Rights of the United Nations and to guarantee the rights of all Cuban citizens to freely exercise their civil and political rights in accordance with the Universal Declaration of Human Rights. Amnesty International does not take a position on the political aims of *Concilio Cubano* but supports the right of its members, and indeed all Cuban citizens, to exercise their legitimate rights to freedom of expression, association and assembly without undue interference from the Cuban authorities.

### **AMNESTY INTERNATIONAL'S GENERAL CONCERNS IN CUBA**

Amnesty International believes that there are at least 600 prisoners of conscience currently detained in Cuba for offences related to their peaceful attempts to exercise their rights to freedom of expression, association, assembly and movement. It believes there are a similar number of other prisoners held on serious State Security charges such as terrorism, sabotage and piracy. In all cases, those concerned are unlikely to have received a fair trial because of a lack of fundamental guarantees in the judicial process, in particular with regard to the right to defence. Amnesty International receives frequent reports of beatings of prisoners by guards which appear to constitute cruel, inhuman or degrading treatment and occasionally torture. Sporadic reports are also received of deaths of unarmed civilians in circumstances suggesting unnecessary use of lethal force, in particular by security guards working on state-run farms. During 1995 Amnesty International received reports of five deaths of people killed while trying to steal food from state farms. Cuba also retains the use of the death penalty for a wide range of offences though it has not been applied extensively in recent years. Two death sentences were known to have been carried out in 1995 for murder.

## I. Structure of Concilio Cubano

### Secretariado/Secretariat:

Delegado Nacional/National Delegate: Dr Leonel Morejón Almagro  
Vice-Delegados Nacionales/Deputy National  
Delegates: Reinaldo Cosano Alén  
Lázaro González Valdés  
Héctor Palacio Ruiz  
Mercedes Paradas Antúnez

Miembros honorarios/honorary members: Gustavo Arcos Bergnes  
Oswaldo Payá Sardiñas  
Elizardo Sánchez Santa Cruz

### Consejo Coordinador Nacional (CNN)/National Coordinating Council:

Made up of 26 members, two each elected by each of the 13 Commissions

### Grupo de Apoyo/Support Group (also known as the Grupo de los Siete/Group of Seven):

Gustavo Arcos Bergnes  
Félix Bonne Carcacés  
Dr René Gómez Manzano  
Vladimiro Roca  
Marta Beatriz Roque  
Elizardo Sánchez Santa Cruz  
Jesús Yañez Pelletier

## II. Names of groups belonging to Concilio Cubano and which are mentioned in this document

*Agenda Nacionalista* Nationalist Agenda

*Alianza Democrática Popular (ADEPO)* People's Democratic Alliance

*Asociación de Periodistas Independientes de Cuba (APIC)* Cuban Association of Independent Journalists

*Asociación Cívica Democrática* Civic Democratic Association

*Asociación Pro Arte Libre (APAL)* Association for Free Art

*Bloque Democrático José Martí* José Martí Democratic Block

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*Buró de Periodistas Independientes de Cuba (BPIC)*Bureau of Independent Cuban Journalists  
made up of:

*Círculo de Periodistas de la Habana*Havana Journalists' Circle

*Habana Press*Havana Press

*Patria*Homeland

*Coalición Democrática Cubana (CDC)*Cuban Democratic Coalition

*Colegio Médico Independiente de Cuba*Cuban Independent Medical Association

*Comité Cubano Pro Derechos Humanos (CCPDH)*Cuban Committee for Human Rights

*Comisión Cubana de Derechos Humanos y*Cuban Commission for Human Rights  
*Reconciliación Nacional (CCDHRN)*and National Reconciliation

*Comisión Humanitaria del Presidio Político*Humanitarian Commission for Political Prisoners

*Comité Paz, Progreso y Libertad*Peace, Progress and Freedom Committee

*Consejo Nacional por los Derechos Civiles*National Council for Civil Rights

*Consejo Unitario de Trabajadores Cubanos*United Cuban Workers' Council

*Corriente Agramontista*Agramontist Current

*Corriente Cívica Cubana*Cuban Civic Current

*Cuba Press*Cuba Press

*Frente Femenino Humanitario*Women's Humanitarian Front

*Frente Pro Derechos Humanos Máximo Gómez*Máximo Gómez Human Rights Front  
*(FPDHMG)*

*Frente de Unidad Nacional (FUN)*National Unity Front

*Instituto Cubano de Economistas Independientes*Cuban Institute of Independent Economists

*Instituto de Estudios Alternativos*Institute for Alternative Studies

*Movimiento 13 de Julio*13 July Movement

*Movimiento 24 de Febrero*24 February Movement

*Movimiento Cristiano Liberación*Christian Liberation Movement

*Movimiento Demócrata Cristiano*Christian Democrat Movement

*Movimiento Ignacio Agramonte*Ignacio Agramonte Movement

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*Movimiento de Jóvenes Cubanos por la Democracia*Movement of Cuban Young People for Democracy

*Movimiento Juvenil Cubano*Cuban Youth Movement

*Movimiento Maceista por la Dignidad*Maceo Movement for Dignity

*Movimiento de Madres Cubanas por la Solidaridad*Movement of Cuban Mothers for Solidarity

*Movimiento Reflexión*Reflection Movement

*NaturPaz*NaturePeace

*Organización Juvenil Martiana*Martí Youth Organization

*Partido Democrático 30 de Noviembre*30 November Democratic Party

*Partido Pro Derechos Humanos en Cuba (PPDHC)*Party for Human Rights in Cuba

*Partido Solidaridad Democrático (PSD)*Democratic Solidarity Party

*Unión Cívica Nacional (UCN)*National Civic Union