

PUBLIC

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UA 112/03

Medical concern/ Possible Prisoner of Conscience (POC)

24 April 2003

CUBA

Oscar Espinosa Chepe (m), aged 62

Amnesty International is concerned for the health of 62-year-old prisoner Oscar Espinosa Chepe. He is currently being held at the State Security headquarters at Villa Marista in Havana and is believed to be suffering from a chronic kidney condition, a thoracic hernia, persistent hyper-tension and weight loss. Oscar Espinosa Chepe may be a prisoner of conscience (POC), and Amnesty International is reviewing the available information to determine his POC status.

Oscar Espinosa Chepe's wife reportedly visited him on 18 April, with his niece, who is a doctor. The latter reportedly noted a number of new symptoms indicating liver disorder and recommended that he be hospitalized. On 20 April his wife was informed that he had been taken to the Marianao Military Hospital due to "*afectaciones hepáticas*," or liver problems. However, his family maintains that he has yet to receive medical treatment.

Oscar Espinosa Chepe was a former employee of the National Bank of Cuba and also worked for the Cuban Government as economic counsellor for the Cuban Embassy in Belgrade. Later he became an independent journalist, reporting on economic and other matters.

On 18 March 2003, Oscar Espinosa Chepe was arrested during a massive crackdown by the Cuban Government, during which at least 75 dissidents were detained (see AMR 25/008/2003, 3 April 2003). He was subsequently tried on 3 April in case number 351/03, and was sentenced to 20 years' imprisonment, according to articles 7 and 11 of Law 88. He was accused of "activities against the integrity and sovereignty of the State", "*actividades contra la integridad y la soberanía del Estado*", by allegedly receiving money from abroad, collecting press cuttings about meetings between representatives from the USA and dissidents and other activities.

BACKGROUND INFORMATION

In February 1999 Cuba's National Assembly passed tough legislation (Law 88), called the *Ley de Protección de la Independencia Nacional y la Economía de Cuba*, A Law for the Protection of the National Independence and Economy of Cuba. The law calls for seven to 15 years' imprisonment for passing information to the United States that could be used to bolster anti-Cuban measures such as the US economic blockade. This would rise to 20 years if the information is acquired surreptitiously. The legislation also bans the ownership, distribution or reproduction of subversive materials from the US government, and proposes terms of imprisonment of up to five years for collaborating with radio and TV stations and publications deemed to be assisting US policy. Until the recent trials of those arrested in the March crackdown, no one had been sentenced under this legislation.

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

- expressing concern about reports received on the current state of health of Oscar Espinosa Chepe;
- seeking information on his current state of health and urging that he receive the appropriate medical treatment;
- stating that you recognize that economic factors, including the US trade embargo, may affect standards of nutrition and medical care in prisons, but that conditions of detention should conform to internationally recognized minimum standards, such as those outlined in the UN *Standard Minimum Rules for the*

Treatment of Prisoners and the UN Body of Principles for the Protection of all Persons Under Any Form of Detention or Imprisonment,

- requesting information regarding the conditions at the State Security headquarters at Villa Marista, Havana.

APPEALS TO:

Head of State and Government

Dr Fidel Castro Ruz

Presidente de los Consejos de Estados y de Ministros

La Habana, Cuba

Telegram: President Castro, La Habana, Cuba

Fax: + 53 7 333 085 (c/o Ministry of Foreign Affairs)

Salutation: Su Excelencia/ Your Excellency

Attorney-General

Dr Juan Escalona Reguera

Fiscal General de la República,

Fiscalía General de la República

San Rafael 3

La Habana, Cuba

Telegram: Fiscal General, La Habana, Cuba

Fax: + 53 7 669 485 / 333 164

Salutation: Señor Fiscal General / Dear Attorney General

Minister of Foreign Affairs

Sr Felipe Pérez Roque

Ministro de Relaciones Exteriores

Ministerio de Relaciones Exteriores

Calzada No. 360

Vedado, La Habana, Cuba

Telegram: Ministerio de Relaciones Exteriores, La Habana, Cuba

Fax: + 53 7 333 085

E-mail: cubaminrex@minrex.gov.cu

Salutation: Señor Ministro / Dear Minister

Interior Secretary

General Abelardo Coloma Ibarra

Ministro del Interior y Prisiones

Ministerio del Interior

Plaza de la Revolución

La Habana, Cuba

Telegram: Ministerio del Interior, La Habana, Cuba

Fax: + 53 7 8301 566

Salutation: Señor Ministro / Dear Minister

COPIES TO: Diplomatic representatives of Cuba accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 5 June 2003.