
CUBA

Recent Arrests of Possible Prisoners of Conscience

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Amnesty International is concerned about the arrest of the following four people and is seeking further information about the reasons for their arrest and their legal situation. All of them are thought to be probable prisoners of conscience, detained for peacefully expressing their anti-government views.

1. Miguel Angel SORDO QUINTANILLA

Miguel Angel Sordo Quintanilla, aged 27, was reportedly arrested in Havana on 2 June 1991. Members of the **Policía Nacional Revolucionaria (PNR)**, National Revolutionary Police, are said to have caught him writing anti-government slogans on walls in Havana and to have fired shots in the air before arresting him. He was then said to have been punched and beaten with batons and pistol butts, causing injuries to his face which required stitches. After being treated for the injuries at the Marianao Military Hospital, **Hospital Militar de Marianao**, he was taken to the Sixth Unit of the PNR before being transferred to the Havana headquarters of the Department of State Security, **Departamento de Seguridad del Estado (DSE)**, known as Villa Marista. He is believed to be still held there for investigation on a charge of "enemy propaganda", "**propaganda enemiga**", under article 103 of the Cuban Penal Code.

2. José Antonio GARAY CALLEJAS

José Antonio Garay Callejas, aged 25, is reported to be in detention in Santiago de Cuba awaiting trial on a charge of "enemy propaganda". It is not clear when he was arrested or where he is currently held, although it is likely to be at Marverde Prison. The prosecution, **fiscalía**, is said to be seeking a three-year sentence.

3. Armando RODRIGUEZ RODRIGUEZ and Alfredo YAÑEZ MARQUEZ

Armando Rodríguez Rodríguez and Alfredo Yáñez Márquez, both aged 26, were reportedly arrested on 21 March 1991 in the province of Pinar del Río. The precise circumstances and reasons for their arrest are not known. However, they are at present being held in Combinado del Este Prison, Havana, believed to be pending trial on a charge of "enemy propaganda". On 9 May 1991, Alfredo Yáñez Márquez was taken to court for the hearing (**vista oral**) of his case. When the lawyer he had appointed did not appear, the prosecutor (**la fiscal**) reportedly told him that it did not matter because she would find him an **abogado de oficio, ex officio** advocate. She then proceeded to read the **petición fiscal**, prosecution petition, requesting a three-year sentence for the defendant. The petition

allegedly included a statement supposedly made by the defendant while in the custody of the **Departamento de Seguridad del Estado**, Department of State Security, in Pinar del Río. However, the defendant objected that the statement read out to the court was not the one he had signed and eventually, against the objections of the prosecution, the court agreed to adjourn the case. No further information has so far been received.

BACKGROUND INFORMATION

Independent monitoring and reporting of human rights violations in Cuba is not officially permitted and this information is therefore based on reports that have been smuggled out of the prisons and thence communicated in various ways to contacts outside of the country. While it is not possible to verify the details or obtain more complete information on every individual situation, such cases are consistent with similar such cases that have occurred in the past. In all of the above cases, the detainees were either arrested by or referred to the **Departamento de Seguridad del Estado (DSE)**, Department of State Security, which handles cases of a political nature, labelled "counter-revolutionary" by the Cuban authorities.

Non-violent political dissidents are frequently charged under article 103 of the Penal Code with "enemy propaganda", an offence which carries a maximum of eight years' imprisonment, although if the mass media are used in carrying out the offence, the sentence can range from seven to fifteen years' imprisonment. It has been most often used against people who have attempted to express their views by writing anti-government slogans or leaflets or, even in some cases, people who have criticized government policies in letters sent to relatives or others abroad. It has also been used against members of unofficial human rights groups who have attempted to denounce human rights violations both inside and outside the country.

Defendants in political cases are given very limited access to defence lawyers and are usually only able to make initial contact once they have been transferred from the DSE headquarters to prison, sometimes several weeks or months after arrest. During the trial itself, the defence lawyers almost always limit themselves to pleading clemency rather than offering serious arguments in defence of their client. Alleged admissions of guilt on the part of the defendant are usually obtained during the initial period of detention in DSE facilities, often under pressure. Former political prisoners have alleged that it is the DSE, under the Ministry of the Interior, and not the courts, who, by bringing pressure to bear on others involved in the judicial process, are the ones who really decide the fate of the detainee.

For further general background of Cuba, see **Cuba: The Human Rights Situation**, AMR 25/07/90, December 1990.

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Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference.

The **external** document is accompanied by an **INTERNAL CARRAN Action No. 05/91, AI Index: AMR 25/18/91**. Please consult your Section for copies of the **internal** action.

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