

PUBLIC

AI Index: AMR 25/037/2003

11 August 2003

Further Information on UA 112/03 (AMR 25/016/2003, 24 April 2003) Medical concern/ Prisoner of Conscience (POC)

CUBA **Oscar Espinosa Chepe (m), aged 62**

On 7 August, prisoner of conscience Oscar Espinosa Chepe was transferred to the Carlos J. Finlay military hospital in the capital Havana after his health deteriorated. He is reportedly suffering from severe cirrhosis of the liver and anaemia. Amnesty International remains deeply concerned for his health.

Oscar Espinosa Chepe was transferred from the State Security headquarters in Havana to the Marianao Military Hospital in April 2003, but was later returned to prison. In July, concerns for his health again led to his admission, this time to the provincial Ambrosio Grillo Hospital in the town of Santiago de Cuba. According to reports, his family was concerned at the poor conditions in the hospital, and requested that he be sent to a hospital in Havana. However, family members, who were reportedly permitted to visit him in the Carlos J. Finlay military hospital on 10 August, are concerned at the conditions in the new hospital and fear that he still may not have access to the specialised medical attention he is said to need.

Oscar Espinosa Chepe, a journalist and former Cuban government economist, was arrested during a massive crackdown by the Cuban Government, during which at least 75 dissidents were detained (see Amnesty International's report, *Cuba: "Essential measures"? Human rights crackdown in the name of security*, AMR 25/017/2003, 3 June 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. Amnesty International considers him to be a prisoner of conscience, detained solely for exercising his legitimate right to freedom of expression.

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 specialised medical treatment;
- calling for his immediate and unconditional release as a prisoner of conscience, jailed solely for the legitimate and peaceful expression of his beliefs;
- urging the Cuban authorities to immediately and unconditionally release all prisoners of conscience in Cuba;
- stating that you recognize that economic factors, including the US trade embargo, may affect standards of nutrition and medical care for prisoners, but that treatment 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*.

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: Ministro 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 (Please keep trying)

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 22 September 2003.