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# CUBA

## One year too many: prisoners of conscience from the March 2003 crackdown

### I. Introduction

In the space of a few days beginning on 18 March 2003, the Cuban authorities arrested scores of dissidents in targeted sweeps. Some were subsequently released, but 75 of them were subjected to hasty and manifestly unfair trials in early April and quickly sentenced to long prison terms of up to 28 years.<sup>1</sup> Most appealed their sentences, but the appeals were rejected.

The Cuban authorities attempted to justify the crackdown as a necessary response to United States aggression towards the island. Dissidents were convicted either under Article 91 of the Penal Code or Law 88. Article 91 provides for sentences of ten to 20 years or death<sup>2</sup> against anyone “who in the interest of a foreign state, commits an act with the objective of damaging the independence or territorial integrity of the Cuban state.”<sup>3</sup>

Law 88, the *Ley de Protección de la Independencia Nacional y la Economía de Cuba*, Law for the Protection of National Independence and Economy of Cuba, provides stiff prison terms for those deemed guilty of supporting United States policy against Cuba.<sup>4</sup> The law includes, for example, penalties for passing information to the US government or its agents that could be used to bolster US Cuba policy; for owning, distributing or reproducing 'subversive materials' that could be used to promote US policy; for collaborating with media deemed to be assisting US policy; and distribution of funds or materials for the above activities.<sup>5</sup>

In the trials, dissidents were accused of engaging in activities which the authorities perceived as subversive and damaging to Cuba's internal order and/or beneficial to

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<sup>1</sup> For more information see *Cuba: “Essential measures”? Human rights crackdown in the name of security*, June 2003, AI Index: AMR 25/014/2003.

<sup>2</sup> Law 87 of 1999, which modifies the Penal Code, changes the provisions regarding sentencing to provide for life imprisonment.

<sup>3</sup> Law 62, Penal Code, National Assembly of Popular Power, 1987, Article 91. Unofficial translation.

<sup>4</sup> Law 88 was passed in response to US policy as laid out in the 'Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996,' or 'Helms-Burton Act', which toughened the US embargo on Cuba.

<sup>5</sup> Law 88, For the Protection of National Independence and the Economy of Cuba, published in the Official Gazette of the Republic of Cuba, Special Edition, Number 1, dated 15 March 1999.

the embargo and related US measures against Cuba. Concretely, the prosecution accused them of activities such as publishing articles critical of economic, social or human rights issues in Cuba; being involved in unofficial groups considered by the authorities as counter-revolutionary; or having contacts with individuals viewed as hostile to Cuba's interests. After a detailed review of the available legal documents in the 75 cases, Amnesty International considered the 75 dissidents to be prisoners of conscience<sup>6</sup> and called for their immediate and unconditional release.

Amnesty International has also closely followed the situation of the 75 prisoners, who are incarcerated in prisons throughout Cuba.

## **II. Overview of the situation of the 75 prisoners of conscience arrested in March 2003**

With regard to their **location of detention**, Amnesty International has denounced the practice of deliberately incarcerating the 75 individuals in prisons located at extreme distances from their homes and families. This makes access to families and legal assistance particularly difficult, and can be construed as an additional penalty imposed upon the prisoners and their families. This practice contravenes the United Nations Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment, Principle 20, which provides that:

"If a detained or imprisoned person so requests, he shall if possible be kept in a place of detention or imprisonment reasonably near his usual place of residence".<sup>7</sup>

For example, **Normando Hernández González**, who lives in Vertientes in the province of Camagüey, is serving his sentence in Pinar del Río province, nearly 700 kilometers away, while **Eduardo Díaz Fleitas** from Pinar del Río is being held in Kilo 8 prison in Camagüey.

In addition, the exchange of **correspondence and telephone communications** between many prisoners and their families has reportedly been restricted, and family visits limited, according to families as a form of harassment by prison officials. Restrictions on contact with family members, if intended as harassment or a form of

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<sup>6</sup> For Amnesty International, prisoners of conscience are people detained anywhere for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status, who have not used or advocated violence.

<sup>7</sup> Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, adopted by General Assembly resolution 43/173 of 9 December 1988.

additional punishment, would contradict the principles of the UN Standard Minimum Rules for the Treatment of Prisoners as laid out in paragraph 37:

“Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits”.<sup>8</sup>

In addition, in cases such as that of nine prisoners of conscience held in Kilo 8 prison in Camagüey province, prison authorities have reportedly made efforts to deter prisoners from carrying out activities such as studying the Bible, for example by threatening to suspend family visits. This would also contradict the principles of the UN Standard Minimum Rules for the Treatment of Prisoners, paragraphs 41.3 and 42:

“Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected ... So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination”.<sup>9</sup>

With regard to **treatment in detention** of the 75 individuals detained in March 2003, Amnesty International has received scattered allegations of ill-treatment by prison guards or by other prisoners, reportedly with the complicity of prison guards. Such instances would contravene article 4 of the Universal Declaration of Human Rights, which states that:

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”.<sup>10</sup>

In one such case, reports indicate that prisoner of conscience **Víctor Rolando Arroyo Carmona** was taken from his cell by three prison guards on 31 December 2003 and dragged to the floor while reportedly being struck in the face and body. Guards also allegedly trapped his leg in a door to immobilise him during the beating.

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<sup>8</sup> Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977.

<sup>9</sup> Ibid.

<sup>10</sup> Universal Declaration of Human Rights.

Some prisoners have reportedly been held in **solitary confinement** for extended periods. Amnesty International believes that if solitary confinement is used, strict limits should be imposed on the practice, including regular and adequate medical supervision by a doctor of the prisoner's choice and the right to appeal prison authorities' decisions. Amnesty International believes that solitary confinement can have serious physical and psychological effects and in certain circumstances can constitute cruel, inhuman or degrading treatment or punishment.

For example, the **Sigler Amaya** brothers, Ariel and Guido, have reportedly been held in solitary confinement with inadequate light and water, in breach of international standards.

The Standard Minimum Rules for the Treatment of Prisoners, paragraph 33 that states that "**chains or irons** shall not be used as restraints". Amnesty International has received information indicating that at least one of the prisoners, **Próspero Gainza Agüero**, was chained during his transfer to the prison infirmary, in contravention of these rules.

With regard to **health issues**, Amnesty International is concerned at numerous reports of illnesses among the prisoners which have reportedly been aggravated by prison conditions, insufficient access to appropriate medical care and, at times, hunger strikes. The UN Body of Principles for the Protection of all Persons Under Any Form of Detention or Imprisonment states that:

“A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and thereafter medical care and treatment shall be provided whenever necessary”.<sup>11</sup>

According to reports, at the time of his arrest **Oscar Espinosa Chepe** had already been diagnosed with chronic cirrhosis of the liver and liver failure and bleeding from the digestive tract, among other illnesses. Since his arrest, his health has reportedly deteriorated. According to family members, the deterioration has been due in part to the poor conditions in which he is being held, including lack of running water and lack of clean drinking water, as well as by inadequate medical attention. While in detention he has reportedly been hospitalised several times due to liver problems. In

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<sup>11</sup> Op cit., Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 24.

July 2003, his family presented a judicial request for his release on the grounds of ill health; they have reportedly received no response from the authorities.

In addition, in some cases, family members of prisoners have reportedly been **harassed** by the authorities, due to their own dissident activities or their efforts on behalf of imprisoned family members. Such harassment has reportedly taken the form of threats, summons, interrogations and curtailment of access to prisoners.

**Orlando Fundora Alvarez's** wife, for example, was reportedly threatened with arrest and with reprisals against her husband in prison, if she attended a reception given by the Polish Embassy in Havana in November 2003.

The appendix of this report provides detailed information on the situation of the 75 prisoners, one year after their initial arrest. (Information on their past activities and past abuses against them can be found in the earlier Amnesty International report, *Cuba: "Essential measures"? Human rights crackdown in the name of security* (AI Index: AMR 25/014/2003), June 2003).

### **III. Recommendations to the Cuban government**

#### **1. Prison conditions and treatment of prisoners**

Amnesty International calls on the Cuban government:

- to order the immediate and unconditional release of all prisoners of conscience, including those arrested in the March 2003 crackdown as well as all other such prisoners recognised by the organisation;
- to immediately and unconditionally release all those detained or imprisoned solely for having peacefully exercised their rights to freedom of expression, association and assembly;
- to provide prisoners with adequate medical care and treatment whenever necessary, as defined in the UN Body of Principles for the Protection of all Persons Under Any Form of Detention or Imprisonment (Principles 24 and 26). Amnesty International is aware that the embargo imposed on Cuba by the USA has had a negative impact on, among other things, the availability of medicines and other medical supplies; however, the organisation calls on the Cuban authorities to meet international standards in this regard to the utmost of their capacity;
- to transfer all prisoners of conscience to prisons closer to their families' homes, especially those suffering from illness, as stipulated in the United Nations Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment (Principle 20);
- to ensure that an independent and impartial inquiry is held into allegations of ill-treatment by prison guards or by other prisoners with the complicity of prison guards; and, that the officials responsible be immediately suspended from duty and brought to justice;
- to ensure that treatment of those in custody is in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners, including with regard to permission to have regular correspondence; contact with religious representatives and facilities for worship; a nutritionally adequate diet and acceptable standards of hygiene; and regular open air recreation;
- to ensure that detainees are able to exercise their right to present complaints about matters relating to their legal situation or treatment while in detention without fear of reprisal;



- if solitary confinement is used, strict limits should be imposed on its practice, including: the circumstances under which a detained person may be placed in solitary confinement must be set forth in writing in publicly accessible laws or regulations; specific reason for the confinement must be provided in writing when an the order of solitary confinement is issued, along with an explanation to the detainee about the right of appeal and review; the detainee must have the right of appeal against an order of solitary confinement, and the right to have independent legal advice in the preparation and presentation of this appeal; there must be frequent reviews of the necessity of the imposition of solitary confinement on the particular detainee; regular and adequate medical supervision must be provided, and the detainee must have the right to be examined by a doctor of his or her own choice.

## **2. The detention of prisoners of conscience**

Amnesty International calls on the Cuban government:

- to reform the Cuban legislation which facilitates the ongoing incarceration of prisoners of conscience by outlawing the legitimate exercise of fundamental freedoms, and to bring such legislation into line with international standards;
- to provide full judicial guarantees to ensure that, in accordance with international human rights standards, all detainees accused of politically-motivated offences have access to a fair trial, including immediate access to a lawyer of their choice;
- to suspend Law 88 and other similar legislation that facilitates the imprisonment of prisoners of conscience by unlawfully restricting fundamental freedoms;

## **3. International human rights instruments**

In addition, Amnesty International urges the Cuban government:

- to ratify the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Optional Protocol to the International Covenant on Civil and Political Rights; and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

#### IV. Appendix: 75 prisoners of conscience - updates

##### 1. Nelson Alberto Aguiar Ramírez, 58

Sentence: 13 years

Home town: Havana city

Prison: Guantánamo provincial prison, since September 2003.

Background: President of the unofficial *Partido Ortodoxo de Cuba*, Cuba Orthodox Party, and a member of the recent initiative, *Asamblea para Promover la Sociedad Civil*, Assembly to Promote Civil Society. He is an electrician by profession.

Nelson Alberto Aguiar Ramírez reportedly suffers from arteriosclerosis (narrowing of the arteries). This condition leads to reduced blood circulation, high blood pressure and the likelihood of heart failure. His symptoms include swelling of the legs. He is also reported to have an enlarged prostate, which has led to retention of urine and urinary infection. He is also apparently suffering from sores on the skin.

On 31 August 2003 he, along with five other prisoners of conscience in Boniato prison, reportedly started a hunger strike to call attention to conditions of detention which included poor hygiene, insufficient food and limited medical assistance. In a move that may have been aimed to break their hunger strike, they were all transferred to different prisons. Nelson Alberto Aguiar was taken to Guantánamo Provincial Prison. Since his arrival he has been, according to reports, in a punishment cell. In these cells, according to reports, conditions habitually fall far below international standards.

##### 2. Osvaldo Alfonso Valdés, 38<sup>12</sup>

Sentence: 18 years

Home town: Havana city

Prison: Guanajay prison in Havana province.

Background: President of the unofficial *Partido Liberal Democrático*, Liberal Democratic Party. He has been a member of the *Todos Unidos*, "All Together" movement, and the steering committee of the *Proyecto Varela*<sup>13</sup> initiative.

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<sup>12</sup> Some sources indicate that he is several years older.

<sup>13</sup> The *Proyecto Varela* is a petition for referendum on legal reform which seeks greater personal, political and economic freedoms, as well as amnesty for political prisoners. It is led by Osvaldo Payá Sardiñas, of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, and signatures were collected by a broad range of organisations. In March 2002 project organisers reported having collected the 10,000 signatures constitutionally required to hold a referendum; these were submitted to the National Assembly. Activists for the *Proyecto Varela* have been subjected to threats, short-term detention, summons, confiscation of materials and other forms of harassment by State Security agents; several of the leaders of *Proyecto Varela* were arrested in the March 2003 crackdown

Reports received in October indicated that Osvaldo Alfonso may have been suffering increased mental distress. As a result, he was taken to the Guanajay Hospital for four days.

His wife was reportedly detained and questioned in October 2003 by state security agents and apparently warned to stop her dissident activities and her criticisms of her husband's treatment.

### **3. Pedro Pablo Alvarez Ramos, 55**

Sentence: 25 years.

Home town: Havana city

Prison: Ciego de Avila provincial prison (called "Canaleta").

Background: President of the unofficial *Consejo Unitario de Trabajadores Cubanos* (CUTC), United Cuban Workers Council. He served as a vice delegate in the 1995-96 *Concilio Cubano* initiative, and became involved with the *Proyecto Varela* in 2002.

There is no additional information available on his current situation.

### **4. Pedro Argüelles Morán, 56**

Sentence: 20 years

Home town: Ciego de Avila city

Prison: Combinado del Este prison in Havana.

Background: Member of the *Cooperativa de Periodistas Independientes*, Cooperative of Independent Journalists. He is also a member of the *Comité Cubano Pro Derechos Humanos*, Cuban Committee for Human Rights, in Ciego de Avila. Neither organisation has been recognised by the Cuban authorities.

On 16 October 2003, Pedro Argüelles reportedly started a hunger strike in Combinado del Este prison in Havana, demanding to be separated from prisoners convicted of criminal, non-political offences. He reportedly claimed that they threatened and abused him under the orders of prison officials. His demands were met early in November 2003, and according to the information received he started eating again as a result.

### **5. Víctor Rolando Arroyo Carmona, 52**

Sentence: 26 years

Home town: Pinar del Río

Prison: Guantánamo provincial prison.

Background: Vice-president of the unofficial group *Foro por la Reforma*, Forum for Reform, as well as a member of the unofficial *Unión de Periodistas y Escritores Cubanos Independientes* (UPECI), Union of Independent Cuban Journalists and Writers.

According to reports, he is suffering from a number of medical conditions including high blood pressure, headaches, weight loss and diarrhoea. His family have charged that Víctor Arroyo is not receiving adequate medical treatment. Family members also reported being subjected to humiliating treatment from prison guards when attempting to visit him in prison in August 2003.

There have also been worrying reports of ill-treatment. According to information received, Víctor Arroyo was taken from his cell by three prison guards on 31 December 2003 and dragged to the floor while reportedly being beaten in the face and body. Guards also allegedly trapped his leg in a door to immobilise him during the beating. The beating reportedly occurred after he complained about being transferred to a building inside the prison where prisoners accused of criminal offences are allegedly confined in harsh conditions.

#### **6. Mijail Barzaga Lugo, 36**

Sentence: 15 years

Home town: Havana city

Prison: Villa Clara provincial prison in Santa Clara city

Background: According to the trial verdict, Mijail Barzaga had worked as an 'independent journalist'.

There is no additional information available on his current situation.

#### **7. Oscar Elías Biscet González, 43**

Sentence: 25 years

Home town: Havana city

Prison: Kilo 8 prison, in Pinar del Río province.

Background: Doctor by profession. Also president of the unofficial *Fundación Lawton de Derechos Humanos*, Lawton Human Rights Foundation. He has been recognised by Amnesty International as a prisoner of conscience in the past.

Oscar Biscet was already in pre-trial detention when the March 2003 crackdown took place, having been arrested on 6 December 2002 while attempting to take part in a meeting in Havana, reportedly to discuss human rights concerns. However, he was tried together with a number of dissidents who were arrested in the March crackdown, and convicted of similar offences.

On his transfer to Kilo 8 prison in Pinar del Río province in November 2003 he was, according to reports, taken to a punishment cell with no windows or light after refusing to stand up in the presence of prison guards. His family was told that his punishment included a prohibition on family visits, receiving food supplies, toiletries or clothing from outside the prison, receiving or sending any correspondence and going outdoors. Oscar Biscet had apparently already spent some time in solitary confinement in October.

According to the information received, Oscar Biscet suffers from high blood pressure and infected gums.

### **8. Margarito Broche Espinosa, 45**

Sentence: 25 years

Home town: Caibarién, Villa Clara province.

Prison: Guanajay prison in Havana province.

Background: Member of local unofficial *Comité Ciudadano*, Citizens Committee, for *Proyecto Varela* initiative. Also founded a group called *Asociación Nacional de Balseiros, Paz, Democracia y Libertad del Centro Norte de Cuba*, the National Association of Rafters, Peace, Democracy and Liberty of North Central Cuba.

According to reports, Margarito Broche suffers from bronchiectasis, a condition in which lung tissue is destroyed and becomes a source of infection. One symptom is reportedly a constant cough. He is also said to have an ulcer of the small intestine and a condition of chronic low blood sugar. It has been reported that he is not receiving adequate medical treatment for these illnesses.

In addition, his family has repeatedly complained that Margarito Broche Espinosa has not been able to receive or send correspondence regularly.

According to information received, on 3 January 2004 Margarito Broche started a hunger strike which he planned to continue 75 days to pay symbolic tribute to the 75 prisoners of conscience.

### **9. Marcelo Cano Rodríguez, 39**

Sentence: 18 years

Home town: Havana city

Prison: Ariza Prison, Cienfuegos province, having been transferred from Ciego de Avila provincial prison (called "Canaleta")

Background: He is a doctor by profession and the National Coordinator of the unofficial *Colegio Médico Independiente de Cuba*, Cuban Independent Medical

Association, a national organization of Cuban medical professionals. As a human rights activist he is also a member of the unofficial *Comisión Cubana de Derechos Humanos y Reconciliación Nacional*, Cuban Commission for Human Rights and National Reconciliation.

There is no additional information available on his current situation.

#### 10. Juan Roberto de Miranda Hernández, 57



© Private

Sentence: 20 years  
Home town: Havana city  
Prison: Combinado del Este prison in Havana city  
Background: He is a teacher by training. He founded and is the president of the *Colegio de Pedagogos Independientes de Cuba*, College of Independent Teachers of Cuba, which has not received any official recognition by the Cuban authorities.

Reportedly, Juan Roberto de Miranda Hernández is in a fragile state of health. He was reportedly briefly sent to a military hospital to be treated for a heart condition in April 2003. The visit occurred during a move, apparently for medical reasons, from the Agüica prison in Matanzas province to his current prison in Havana city.

According to the information received, Roberto de Miranda subsequently underwent surgery on the valves of his heart, followed by urgent surgery for an obstruction of the coronary artery.

His symptoms are said to include high blood pressure and severe headaches. In October 2003, according to the information received, he was given a series of medical examinations at the *Hermanos Almejeiras* Hospital in Havana city. After a visit to him in November 2003, his family complained that he was not receiving medical treatment for a large cyst on his back.

Roberto de Miranda's family has also allegedly suffered numerous incidents of harassment at the hands of the authorities, including arbitrary threats of arrest. In addition, another family member who resides in Spain has reportedly been denied an entry visa to Cuba, despite the fact that the reason for the proposed visit is the precarious health of Roberto de Miranda.

**11. Carmelo Agustín Díaz Fernández, 65**

Sentence: 16 years.

Home town: Havana city

Prison: Combinado del Este prison in Havana province.

Background: Member of the unofficial *Unión Sindical Cristiana Cubana*, the Christian Cuban Workers Union, and president of the also unofficial *Agencia de Prensa Sindical Independiente de Cuba* (APSIC), the Independent Union Press Agency. He is the Cuban correspondent for the Venezuelan magazine *Desafíos*, and his articles have appeared on a number of websites.

According to reports, Carmelo Díaz suffers from cardiovascular ailments, high blood pressure and depression. He was apparently transferred from Guanajay prison in Havana province to the hospital in *Combinado del Este* prison, where he may reportedly undergo a heart operation.

**12. Eduardo Díaz Fleitas, 51**

Sentence: 21 years

Home Town: Pinar del Río

Prison: Kilo 8 prison in Camagüey

Background: He is a farmer by profession and belongs to a number of groups in his province of Pinar del Río, including the unofficial *Movimiento 5 de Agosto*, 5 August Movement.

According to reports Eduardo Díaz suffers from cardiovascular problems and high blood pressure. In October 2003, he apparently decided to discontinue medical treatment offered by the authorities on the grounds that it was inadequate. According to reports, family members have tried to provide him with medicine required for his treatment, which is unavailable within the prison medical service, but were not allowed to do so.

In September 2003, Eduardo Díaz and other prisoners of conscience imprisoned in *Kilo 8* were reportedly threatened with having conjugal and other family visits suspended if they persisted in activities such as studying the Bible in their cells.

**13. Antonio Ramón Díaz Sánchez, 40**

Sentence: 20 years

Home town: Havana city

Prison: Holguín provincial prison.

Background: He is an electrician by profession. He is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement, and has been active in the *Proyecto Varela* initiative.

On 18 October 2003, Antonio Díaz joined a hunger strike of six other prisoners to protest against the detention in a punishment cell on 17 October of fellow prisoner Iván Hernández Carrillo after the latter reportedly shouted criticisms of the government and accused prison authorities of denying him medical assistance. Conditions in such cells habitually fall far below international standards, according to reports.

On 6 November, five women relatives of the hunger strikers travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however, no calls were received.

Following Antonio Díaz ' participation in the hunger strike, he was transferred to another unit within Holguín prison.

**14. Alfredo Rodolfo Domínguez Batista**, age not known

Sentence: 14 years

Home town: Las Tunas

Prison: Holguín provincial prison

Background: He is a member of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, and has been involved in the *Proyecto Varela* initiative.

Alfredo Domínguez began serving his sentence in "El Típico" provincial prison in Las Tunas, with four other men arrested in the crackdown of March 2003. However, they were all transferred, reportedly after they had staged a protest in the prison. He is now being held in Holguín provincial prison.

According to reports, he and others in Holguín prison joined prisoner of conscience Mario Enrique Mayo on a hunger strike from 15 to 25 August 2003. Mario Enrique Mayo had begun the strike to demand better medical attention and food. The protest apparently ended when the authorities agreed to meet prisoner demands.

From 18 October to 6 November 2003 Alfredo Domínguez apparently joined another hunger strike, in conjunction with other prisoners, to protest against the detention in a punishment cell on 17 October of fellow prisoner Iván Hernández Carrillo after the latter reportedly shouted criticisms of the government and accused prison authorities of denying him medical assistance. Conditions in such cells habitually fall far below international standards, according to the information received.



On 6 November, five women relatives of the hunger strikers travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however no calls were received.

### 15. Oscar Manuel Espinosa Chepe, 63



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Sentence: 20 years

Home town: Havana city

Prison: Carlos J. Finlay military prison in Havana.

Background: He is a former employee of the National Bank of Cuba. He also worked for the Cuban government as economic counsellor for the Cuban Embassy in Belgrade. Later, after expressing criticism of government policies, he became a journalist reporting on economic and other matters.

Oscar Espinosa reportedly suffers from several medical conditions. According to reports, at the time of his arrest he had already been diagnosed with chronic cirrhosis of the liver and liver failure and bleeding from the digestive tract. Non-malignant growths have been removed from the colon and it needs checking for possible recurrence. He has problems with his spine and receives treatment for ocular disease.

Since his arrest, although a medical doctor reportedly has access to him and has been able to alert prison authorities to medical problems, his health has deteriorated. The deterioration has been exacerbated by the poor conditions in which he is being held, including lack of running water, lack of clean drinking water and inadequate medical attention.

On 20 April 2003, while awaiting transfer to another prison, Oscar Espinosa was sent from the temporary detention facility at the State Security headquarters in Havana to the Marianao Military Hospital; however, he reportedly was not given a medical examination, on the grounds that he was soon to be assigned to a more permanent prison.

On 24 April, he was transferred to Guantánamo Provincial Prison and, from there on 16 May, to Guantánamo Provincial Hospital. Concerns for his health continued and, on 31 May, he was admitted to the provincial Ambrosio Grillo Hospital in the city of Santiago de Cuba. According to reports, his family was concerned at the poor

conditions in that hospital, and requested that he be sent to a better-equipped hospital in Havana.

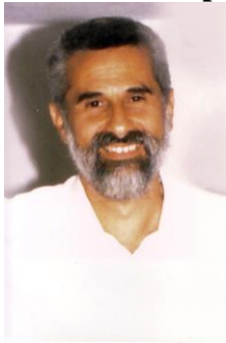
On 4 July, he was sent to Boniato Provincial Prison in Santiago de Cuba province and on 12 July, apparently due to liver problems, he was sent again to Ambrosio Grillo Hospital. Family members continued to protest at the absence of the specialised medical attention they believed he required. On 7 August, he was flown to Carlos J. Finlay Military Hospital in Havana.

In July 2003, his family presented a judicial request for the release of Oscar Espinosa on the grounds of ill health; they have reportedly received no response from the authorities. They apparently remain concerned at the lack of information from prison system doctors about his medical condition and treatment. They reportedly continue to request his release on health grounds and have added a petition that he be allowed to leave Cuba once released, in order to have a liver transplant abroad.

According to the information received, Oscar Espinosa is not allowed to use the telephone or to receive or write letters.

His family has reported some harassment by prison officials: in one instance, they were allegedly told that the visit scheduled for 29 November 2003, which coincided with Oscar Espinosa's 63rd birthday, depended on "how Miriam behaves," a possible reference to his wife's statements to international media about his condition.

#### **16. Alfredo Felipe Fuentes, age not known**



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Sentence: 26 years  
Home town: Artemisa in Havana province  
Prison: Guamajal prison in the municipality of Santa Clara.  
Background: Member of the *Consejo Unitario de Trabajadores Cubanos* (CUTC), United Cuban Workers Council, and other organisations.

There is no additional information available on his current situation.

#### **17. Efrén Fernández Fernández, 54**

Sentence: 12 years

Home town: Havana city

Prison: Guanajay prison in Havana province.

Background: He is secretary of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, and was active in the *Proyecto Varela* signature drive in Havana.

There is no additional information available on his current situation.

### 18. Juan Adolfo Fernández Sainz, 55



© Private

Sentence: 14 years

Home town: Havana city

Prison: Holguín provincial prison.

Background: He is a trained English language translator and worked as a journalist with the unofficial agency *Patria*, Fatherland.

Juan Adolfo Fernández has reportedly joined two hunger strikes in Holguín provincial prison. According to reports, he and others in Holguín prison joined prisoner of conscience Mario Enrique Mayo on a hunger strike from 15 to 25 August 2003. Mario Enrique Mayo had begun the strike to demand better medical attention and food. The protest apparently ended when the authorities agreed to meet the demands.

Subsequently, Juan Adolfo Fernández and 6 other prisoners of conscience carried out a hunger strike from 18 October to 6 November, to protest against the detention in a punishment cell on 17 October of fellow prisoner Iván Hernández Carrillo after the latter reportedly shouted criticisms of the government and accused prison authorities of denying him medical assistance. Reportedly conditions in punishment cells habitually fall far below international standards.

On 6 November, five women relatives of the hunger strikers, including Juan Adolfo Fernández' wife, travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however no calls were received.

According to reports, on 6 December 2003 Juan Adolfo Fernández was beaten by another prisoner, to whom prison officials had given a supervisory role over other inmates. The incident, which has apparently not been investigated by the authorities, reportedly occurred after Juan Adolfo Fernández protested about the detention conditions of another prisoner. Information received indicated he suffered a bruised and bloody left temple and a bruised right eyelid during the incident, and was consequently transferred to the infirmary. Ongoing health concerns reportedly include severe weight loss and chronic conjunctivitis.

**19. José Daniel Ferrer García, 33**

Sentence: 25 years

Home town: Santiago de Cuba

Prison: Kilo 5 1/2 prison in Pinar del Río

Background: Brother of Luis Enrique Ferrer García, he is an active *Proyecto Varela* supporter and regional co-ordinator for the *Movimiento Cristiano Liberación*, Christian Liberation Movement, in Santiago Province.

According to reports, he started a hunger strike in May, claiming that he had been refused medical assistance for intestinal problems. He also allegedly complained about orders forcing him to stand up in presence of a prison guard or military person; according to reports, for these reasons he was sent to a punishment cell; reported conditions in punishment cells habitually fall far below international standards.

**20. Luis Enrique Ferrer García, 27**

Sentence: 28 years

Home town: Puerto Padre in Las Tunas province

Prison: Combinado del Este prison in Guanabacoa municipality in Havana province

Background: Brother of José Daniel Ferrer García, he also is a member of *Movimiento Cristiano Liberación*, Christian Liberation Movement.

According to reports, in September 2003 he and fellow prisoner of conscience Librado Ricardo Linares García were transferred to a punishment cell in Combinado del Este prison for having refused to military salute a high prison official. As mentioned above, reported conditions in punishment cells habitually fall far below international standards. The two men, along with prisoners of conscience Guido Sigler Amaya and Alfredo Pulido López, apparently carried out a hunger strike for five days until both Librado Ricardo Linares García and Luis Enrique Ferrer were returned to their original cells.

In September 2003, Luis Enrique Ferrer's wife reported being threatened by police officers that she would be arrested, and her children taken away, because she had taken part in activities such as collecting signatures for the *Proyecto Varela* initiative.

**21. Orlando Fundora Alvarez, 48**

Sentence: 18 years

Home town: Havana city

Prison: Combinado del Este prison in Guanabacoa municipality in Havana province.

Background: President of the unofficial *Asociación de Presos Políticos 'Pedro Luis Boitel,'* or 'Pedro Luis Boitel' Political Prisoners Association.

Reports indicate that Orlando Fundora suffered a heart attack in the past and remains at high cardiovascular risk, with additional complaints such as a stomach ulcer and high blood pressure. He has reportedly been operated on twice, in August and December 2003, for another ailment (intestinal thrombosis) blockage of blood vessels of the intestine and is currently said to be recovering in Julio Trigo Hospital in Havana province.

Orlando Fundora's family has reportedly been harassed by state security officials; on one occasion, his wife was reportedly threatened with arrest and with reprisals against her husband in prison, if she attended a reception given by the Polish Embassy in Havana in November 2003.

**22. Próspero Gaínza Agüero, age not known**

Sentence: 25 years

Home town: Moa in Holguín province

Prison: Boniato Provincial Prison in Santiago de Cuba province

Background: Delegate for Holguín province of the unofficial *Movimiento Nacional de Resistencia Cívica 'Pedro Luis Boitel,'* 'Pedro Luis Boitel' National Civil Resistance Movement.

According to reports, while Próspero Gaínza was suffering from a very high fever resulting from a serious bout of influenza in July 2003, his hands and feet were chained during his transfer to the prison infirmary.

On 31 August 2003, he reportedly started, along with five other prisoners of conscience in Boniato prison, a hunger strike to call attention to their conditions of detention, including poor hygiene, insufficient food and limited medical assistance. In a move that may have been aimed to break their hunger strike, prison authorities transferred some of them to different prisons.

Próspero Gaínza's family have denounced his conditions of detention. For example, they have charged that, as an additional form of punishment, he has not been allowed to receive or to send correspondence as freely or frequently as other prisoners do, or to have a Bible in his cell.

**23. Miguel Galván Gutiérrez, 39**

Sentence: 26 years.

Home town: Guines, Havana province

Prison: Agüica prison in the municipality of Colón in Matanzas province

Background: He is an engineer by profession. He has reportedly written articles for the unofficial press agency Havana Press and served as president of the unofficial *Colegio de Ingenieros y Arquitectos de Cuba*, College of Engineers and Architects of Cuba. He is also the area coordinator for *Proyecto Varela*

Miguel Galván is physically handicapped due to the effects of a road accident in 1998. His family has reportedly expressed concerns for his health, which according to prison officials has deteriorated during his imprisonment due to his participation in several hunger strikes. He reportedly suffers from diarrhoea, abdominal pain, pain in his joints and inflammation of the feet, in addition to difficulties with his handicapped arm.

According to information received, prison officials repeatedly threatened Miguel Galván with being tried on additional charges related to his having produced, together with other prisoners, a document for the Ibero-American Summit<sup>14</sup> in Bolivia in November 2003 demanding freedom for political prisoners.

His family has complained that Miguel Galván has not been permitted to receive or to send correspondence as free or frequently as other prisoners, as a form of harassment.

**24. Julio César Gálvez Rodríguez, 59**

Sentence: 15 years

Home town: Havana city

Prison: Provincial prison in Santa Clara

Background: He is a journalist. In 2001, he was allegedly sacked from the official radio stations Radio Ciudad de La Habana and Radio Cadena Habana for collaborating with the unofficial organization Cuba Free Press.

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<sup>14</sup> This annual event was initiated in 1991 with the goal of bringing together Heads of State of the Spanish and Portuguese-speaking nations of Europe and America to discuss issues of common concern.

Julio César Gálvez is reportedly suffering from high blood pressure, renal and intestinal colic and cervical arthritis. On 6 December, he was reportedly transferred to the prison infirmary for treatment of these complaints.

**25. Edel José García Díaz, 58**

Sentence: 15 years

Home town: Havana city

Prison: Boniato Provincial Prison in Santiago de Cuba province.

Background: He worked as director of an unofficial press agency in Havana, and reportedly took part in a workshop on journalistic ethics held just before the March 2003 crackdown.

According to reports, he is blind in the left eye and the right eye is increasingly affected as well. In addition, he is said to suffer from stomach ulcer, bleeding haemorrhoids, high blood pressure, kidney cyst and claustrophobia.

**26. José Luis García Paneque, 38**

Sentence: 24 years

Home town: Las Tunas

Prison: Villa Clara Provincial Prison

Background: He is a plastic surgeon by training and a member of the unofficial *Colegio Médico Independiente de Cuba*, Cuban Independent Medical Association. He has also been involved in journalism, as director of the independent news agency Libertad and member of unofficial Sociedad de Periodistas, Journalists' Society, "Manuel Marquez Sterling." He was also reportedly involved in the *Proyecto Varela* initiative as well as directing a private library.

José Luis García reportedly suffers from claustrophobia. Reports received in October 2003 indicated that he may have been suffering increased mental distress at his confinement.

**27. Ricardo Severino González Alfonso, 53**



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Sentence: 20 years.

Home town: Havana city

Prison: Kilo 8 Provincial Prison in the province of Camagüey

Background: President of the unofficial *Sociedad de Periodistas "Manuel Marquez Sterling"*, *Manuel Márquez Sterling* Journalists' Society, and correspondent in Cuba of the international non-governmental organization Reporters Without Borders. He also has a private library in his home.

In September 2003, he and other prisoners of conscience imprisoned in Kilo 8 were reportedly threatened with having conjugal and other family visits suspended if they persisted in studying the Bible in their cells. Such behaviour would contravene international standards.

On 8 December 2003, Ricardo González apparently started a hunger strike demanding to be separated from ordinary criminal prisoners who had allegedly threatened and stolen his personal belongings. On 14 December, he was transferred to a punishment cell, where according to reports conditions habitually fall far below international standards; however, according to reports, his demands were met on 24 December and he started eating again.

Ricardo González's family are said to be very concerned about his health. Reports indicate that suffers from a cyst in the neck as well as enlarged lymph nodes.

**28. Diosdado González Marrero**, age not known

Sentence: 20 years

Home town: El Roque in Matanzas province

Prison: Kilo 5½ Prison in the province of Pinar del Río.

Background: He has been an activist for several years and has been detained on several occasions. He was been recognised by Amnesty International as a prisoner of conscience in the past.

According to reports, he suffers from high blood pressure and apparently has not received adequate medical attention for his complaint.

**29. Léster González Pentón**, 26

Sentence: 20 years

Home Town: Santa Clara city

Prison: According to information received, on 10 November 2003 he was transferred from Kilo 8 to Kilo 7 Prison, both in Camagüey province.

Background: He is a member of the *Movimiento pro Derechos Humanos Razón, Verdad y Libertad*, Reason, Truth and Freedom Human Rights Movement, and delegate of the *Confederación de Trabajadores Democráticos de Cuba*, Cuban Confederation of Democratic Workers, in Santa Clara. Neither organization has been officially recognized by the authorities.

In September, he and other prisoners of conscience imprisoned in Kilo 8 prison were reportedly threatened with suspension of conjugal and other family visits if they persisted in studying the Bible in their cells.



According to reports, Léster González has complained to prison authorities of harassment and threats from other prisoners with whom he has been imprisoned. However, there has reportedly been no official response.

According to his family communication via mail or telephone with the prisoner is restricted.

**30. Alejandro González Raga, 45**

Sentence: 14 years

Home town: Camagüey

Prison: Ciego de Avila Provincial Prison (called "Canaleta")

Background: He is a journalist and helped to collect signatures for the *Proyecto Varela*, Varela Project.

There is no additional information available about his current situation.

**31. Jorge Luis González Tanquero, 32**

Sentence: 20 years

Home town: in Las Tunas province

Prison: Guanajay Prison in Havana province

Background: He is reportedly a member of an unofficial group called *Movimiento Independentista Carlos Manuel de Céspedes*, Carlos Manuel de Céspedes Independence Movement, which is not recognized by the authorities. He also helped to collect signatures for the *Proyecto Varela* in Las Tunas.

There is no additional information available about his current situation.

**32. Leonel Grave de Peralta Almenares, age not known**

Sentence: 20 years

Home town: Juan Antonio Mella in Santiago de Cuba province

Prison: Kilo 5½ Prison in Pinar del Río

Background: He is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement, in the province of Santa Clara. He reportedly helped gather signatures for the *Proyecto Varela* in that region. He is also said to have a private library called the "Bartolomé Massó" Library.

There is no additional information available about his current situation.

**33. Iván Hernández Carrillo, 32**

Sentence: 25 years

Home town: Colón, in Matanzas province

Prison: Holguín Provincial Prison

Background: He reportedly belongs to several dissident groups: he is a member of the unofficial *Partido por la Democracia* "Pedro Luis Boitel," "Pedro Luis Boitel" Democracy Party", has worked as a journalist for several agencies, including the *Patria*, "Fatherland" agency, and has a private library in his house in the province of Matanzas.

He reportedly joined prisoner of conscience Mario Enrique Mayo on his hunger strike from 15 to 25 August demanding better medical assistance and food for prisoners in Holguín Prison. The protest apparently ended when the authorities agreed to Mario Enrique Mayo's demands.

On 17 October 2003, he was reportedly placed in a punishment cell after reportedly shouting criticisms of the government and accusing prison authorities of denying him medical attention for high blood pressure. In response Iván Hernández started a hunger strike which was joined by six other prisoners of conscience. Reportedly, conditions in punishment cells habitually fall far below international standards.

On 6 November, five women relatives of the hunger strikers travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however no calls were received.

#### **34. Normando Hernández González, 33**

Sentence: 25 years

Home Town: Vertientes, province of Camagüey

Prison: Kilo 5 ½ prison in Pinar del Río province

Background: He is the director of the unofficial *Colegio de Periodistas Independientes*, College of Independent Journalists.

According to reports, Normando Hernández and five other prisoners of conscience in Boniato prison started a hunger strike on 31 August to call attention to their conditions of detention, which reportedly included poor hygiene, insufficient food and inadequate medical attention. In a move that may have been aimed to break the hunger strike, they were all transferred to different prisons. Since 1 September Normando Hernández has been held in Kilo 5 ½ prison in Pinar del Río province.

His family is reportedly concerned about his health. It has been reported that Normando Hernández suffers from inflammatory disease of the small intestine, chest pain, increased heart rate and high blood pressure.

His family has repeatedly complained about not having been able to communicate with him either by phone or letters since October 2003.

**35. Juan Carlos Herrera Acosta, 37**

Sentence: 20 years

Home town: Guantánamo

Prison: Kilo 7 prison in Camagüey

Background: He is a member of the *Movimiento Cubano de Jóvenes por la Democracia*, Cuban Movement of Young People for Democracy, and the *Asociación de Presos Políticos 'Pedro Luis Boitel'*, 'Pedro Luis Boitel' Political Prisoners Association. Neither organisation has been recognised by the authorities. He also works as a journalist in the province of Guantánamo.

Juan Carlos Herrera has reportedly been held in three different prisons: in September 2003 he was transferred from Boniato Provincial Prison in Santiago de Cuba province to Kilo 8 in Camagüey and in November, to Kilo 7 in the same province.

According to reports he has a number of ailments, including sores on his skin and cardiovascular problems. Information received indicates that the appropriate medication for his condition has not been administered in prison due to lack of availability; when family members acquired the relevant medicine on their own, they reportedly were not allowed to give it to the prisoner.

According to reports, on 31 August Juan Carlos Herrera, along with five other prisoners of conscience in Boniato prison, began a hunger strike to call attention to their conditions of detention, which they said included poor hygiene, insufficient food and inadequate medical attention. In a move that may have been aimed to break their hunger strike, they were all transferred to different prisons, Juan Carlos Herrera was reportedly transferred to Kilo 8 prison in Camagüey.

In September he and other prisoners of conscience in Kilo 8 were reportedly threatened with suspension of conjugal and other family visits if they persisted in studying the Bible in their cells.

He has also complained, according to reports, of the denial of access to the telephone to contact his family, and of not being able to receive and to send correspondence as frequently as other prisoners, as additional punishment.

**36. Regis Iglesias Ramírez, 33**

Sentence: 18 years

Home town: Havana city

Prison: Ariza prison in Cienfuegos province

Background: He is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement, in Havana. He has been involved in work related to the *Proyecto Varela*.

In September 2003, he and other prisoners of conscience in Kilo 8 were reportedly threatened with having conjugal and other family visits suspended if they persisted in studying the Bible in their cells.

It has been reported that he was been transferred from Kilo 8 Provincial Prison in the municipality of Camagüey to Ariza Prison in Cienguegos province.

**37. José Ubaldo Izquierdo Hernández, age not known**

Sentence: 16 years

Home town: Güines in Havana province

Prison: Kilo 5½ prison in the municipality of Pinar del Río

Background: He runs the private "Sebastián Arcos Bergnes" Library and works as a journalist for an agency called *Grupo Decoro*.

In June 2003, it was reported that José Ubaldo Izquierdo fell while handcuffed, requiring nine stitches in his head and treatment for two wrist fractures. He was transferred to the Provincial Hospital in Pinar del Río.

**38. Reinaldo Miguel Labrada Peña, 40**

Sentence: 6 years

Home town: Las Tunas

Prison: Guantánamo provincial prison

Background: He is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement. He has been involved in the work around the *Proyecto Varela* initiative.

According to reports, he has been denied access to religious services, time outdoors and to adequate light and ventilation in his cell.

**39. Librado Ricardo Linares García, 42**

Sentence: 20 years

Home town: Camajuaní, Villa Clara province

Prison: Combinado del Este prison in the municipality of Guanabacoa, Havana province

Background: He is president of the unofficial *Movimiento Cubano Reflexión*, Cuban Reflection Movement in Camajuaní. He is an engineer by profession and, after reportedly being expelled from the Communist Party in 1992 for calling for economic reforms, has been involved in dissident activities for a number of years.

According to reports, in September 2003 he and fellow prisoner of conscience Luis Enrique Ferrer were transferred to a punishment cell in Combinado del Este, Havana, for having refused to salute a prison official; reported conditions in punishment cells habitually fall far below international standards. The two prisoners, along with prisoners of conscience Guido Sigler Amaya and Alfredo Pulido López, apparently carried out a hunger strike over several days in September until both Librado Ricardo Linares García and Luis Enrique Ferrer were returned to their cells. His family visits have been reportedly cancelled since August 2003.

His family has repeatedly complained that, as a form of harassment, Librado Ricardo Linares Garcia has not been permitted either to receive or to send correspondence under the same conditions as other prisoners.

#### **40. Marcelo Manuel López Bañobre, 40**



© Private

Sentence: 15 years

Home town: Havana city

Prison: Guanajay prison in Havana province

Background: He is a tugboat captain by occupation and is the spokesperson for the unofficial *Comisión Cubana de Derechos Humanos y Reconciliación Nacional*, Cuban Commission for Human Rights and National Reconciliation.

According to reports, Marcelo Manuel López Bañobre suffers from a neurological disease, emphysema of the lungs, high blood pressure and orthopaedic problems.

#### **41. Héctor Fernando Maseda Gutiérrez, 61**

Sentence: 20 years

Home town: Havana city

Prison: Manacas prison in the municipality of Manacas

Background: He is reportedly an engineer and physicist by profession. Since becoming involved in dissident activities, he has written many articles, especially on history, economy and culture, which have been published in different sites.

According to reports, he suffers from scabies and has contracted different allergies due to prison conditions. His family has reportedly tried to ease his condition by bringing clean sheets and other materials, but this has not been permitted by prison authorities.

**42. José Miguel Martínez Hernández, 39**

Sentence: 13 years

Home town: Quivicán in Havana province

Prison: Kilo 8 prison in Camagüey municipality

Background: He is an area representative for the unofficial political group *Movimiento 24 de Febrero*, 24 February Movement. He has been active with the *Proyecto Varela* and has a private library, the "General Juan Bruno Zayas" library, in his house.

In September, he and other prisoners of conscience imprisoned in Kilo 8 were reportedly threatened with having conjugal and other family visits suspended if they persisted in studying the Bible in their cells.

**43. Mario Enrique Mayo Hernández, 38**

Sentence: 20 years

Home town: Camagüey

Prison: Mar Verdad prison, province of Santiago de Cuba

Background: He is a lawyer by profession. He has worked as a journalist, publishing articles in the media, and is director of the *Félix Varela* unofficial press agency in Camagüey.

Mario Enrique Mayo reportedly suffers from high blood pressure and haemorrhoids, ailments which have apparently worsened during his time in prison.

In August, prison guards reportedly prevented Mario Enrique Mayo from collecting medicine and food brought for him by his wife. In protest, he declared an indefinite hunger strike and was joined by six other prisoners of conscience. They demanded better medical assistance and food for prisoners in Holguín prison. Mario Enrique Mayo had to be taken to the medical unit in the prison due to deterioration of his health during the strike. The protest ended on 25 August when according to reports the authorities agreed with Mario Enrique Mayo's demands.

On 18 October 2003, Mario Enrique Mayo joined a hunger strike of six other prisoners to protest against the detention in a punishment cell on 17 October of fellow prisoner Iván Hernández Carrillo after the latter reportedly shouted criticisms of the government and accused prison authorities of denying him medical assistance. Reported conditions in punishment cells habitually fall far below international standards.

On 6 November, five women relatives of the hunger strikers travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however no calls were received.

Due to his participation in the hunger strike, Mario Enrique Mayo was reportedly transferred to Mar Verdad Prison, province of Santiago de Cuba.

**44. Luis Milán Fernández, 34**

Sentence: 13 years

Home town: Santiago de Cuba

Prison: Ciego de Avila provincial prison (called "Canaleta")

Background: He is reportedly a medical doctor by profession. He is a member of the unofficial *Colegio Médico de Cuba*, Cuban Medical Association.

There is no additional information available on his current situation.

**45. Nelson Moliné Espino, 39**

Sentence: 21 years

Home Town: San Miguel del Padrón, Havana province

Prison: Reportedly transferred from Kilo 8 prison to Kilo 5 ½ both in Pinar del Río municipality in October 2003

Background: He is president of the unofficial *Confederación de Trabajadores Democráticos de Cuba*, Confederation of Democratic Workers of Cuba, and a member of the unofficial *Partido 30 de noviembre*, 30 November Party.

Nelson Moliné is said to suffer from diarrhoea and sores on his skin due to infected mosquito bites.

According to reports, since his trial in April 2003 he has again been tried and sentenced to an additional year on charges of "*desacato*," or "disrespect". The basis of the charges and conviction were not clear.

In early October 2003, in what was reported as a form of additional punishment for Nelson Moliné and harassment for family members, he was allegedly brought to a family meeting handcuffed and shackled.

**46. Angel Juan Moya Acosta, 39**

Sentence: 20 years

Home town: Havana city

Prison: a prison in Bayamo, Granma province

Background: He is president of the unofficial *Movimiento Opción Alternativa*, Alternative Option Movement, in Matanzas province, as well as a member of the *Consejo Nacional de Resistencia Cívica*, National Council of Civic Resistance, both organisations which have not been recognised by the authorities. He was active in the *Todos Unidos*, "All United" umbrella movement. He has previously been considered a prisoner of conscience by Amnesty International.

From 15 to 25 August 2003 he apparently joined Mario Enrique Mayo on his hunger strike demanding better medical assistance and food for prisoners in Holguín Prison. The protest ended when the authorities agreed to give Mario Enrique Mayo a proper diet.

On 18 October 2003, Angel Moya reportedly joined a hunger strike of six other prisoners to protest against the detention in a punishment cell on 17 October of fellow prisoner Iván Hernández Carrillo after the latter reportedly shouted criticisms of the government and accused prison authorities of denying him medical assistance. Angel Moya was reportedly transferred to a punishment cell the same day. Reported conditions in punishment cells habitually fall far below international standards.

On 6 November, five women relatives of the hunger strikers travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however no calls were received.

Due to his participation in the hunger strike, Angel Moya Acosta was transferred to a prison in Bayamo, Granma province.

Angel Moya apparently suffers from blockage of blood vessels of the intestines.



**47. Jesús Miguel Mustafá Felipe, 58**

Sentence: 25 years

Home town: Palma Soriano, Santiago de Cuba province

Prison: Combinado del Este prison in Havana province

Background: He is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement. He was involved in collecting signatures for the *Proyecto Varela* in his home town of Palma Soriano, Santiago de Cuba province.

There is no additional information available on his situation at this time.

**48. Félix Navarro Rodríguez, 49**

Sentence: 25 years

Home town: Perico, Matanzas province

Prison: Combinado de Guantánamo prison, Guantánamo

Background: He is a teacher by training, and a member of the unofficial *Partido Solidaridad Democrática*, Democratic Solidarity Party in the Matanzas province. In addition, he has been active in the *Proyecto Varela* campaign and the *Todos Unidos* umbrella movement.

There is no additional information available on his situation at this time.

**49. Jorge Olivera Castillo, 41**



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Sentence: 18 years

Home town: Havana city

Prison: Provincial prison in Guantánamo province

Background: He is director of the unofficial Havana Press agency. The agency's articles have been featured on the US-based *Nueva Prensa Cubana*, New Cuban Press, website.

According to reports, at the time of his arrest Jorge Olivera was receiving medical treatment for chronic inflammation of the intestine, hiatus hernia and gastric reflux, a non-specific disease of the rectum and parasitic infection.

In December 2003, he reportedly underwent a medical check-up, after which he was also diagnosed with high blood pressure, high cholesterol levels, and infection with parasites (giardiasis and amoebiasis). He has reportedly had severe weight loss since his detention. According to the information received, his family has expressed concern that he may not be receiving adequate medical attention for his illnesses at the provincial prison of Guantánamo.

Letters to and from his family have reportedly not been reaching their destination, leading to concerns that his correspondence is being restricted more than that of other prisoners as a form of harassment.

**50. Pablo Pacheco Avila, 33**

Sentence: 20 years

Home town: Ciego de Avila

Prison: Agüica prison in the municipality of Colón in Matanzas province

Background: He works for the unofficial agency *Cooperativa Avileña de Periodistas Independientes*, Avileña Cooperative of Independent Journalists, in Ciego de Avila.

He is reportedly suffering from high blood pressure and migraines, for which he is said to have received some treatment.

**51. Héctor Palacios Ruiz, 62**

Sentence: 25 years

Home town: Havana City

Prison: Kilo 5 1/2 prison in Pinar del Río province

Background: He is the director of the unofficial *Centro de Estudios Sociales*, Centre of Social Studies. He is also the secretary of the public relations committee of *Comité de Relatoría del Movimiento Todos Unidos*, the Todos Unidos umbrella movement.

In a letter to a friend in November 2003, Héctor Palacios was reported to have complained about poor treatment and an aggressive attitude by prison staff; family members were reportedly warned by prison officials not to inform the media of his complaints.

In December 2003, Héctor Palacios and other prisoners, as well as some family members, reportedly went on a symbolic twelve hour hunger strike on the occasion of the 55th anniversary of the Universal Declaration of Human Rights.

In January 2004, Héctor Palacios was reported to be suffering from diarrhoea, ear infection, high blood pressure and problems with the kidneys and the gall-bladder. In February 2004, he was said to have been admitted to hospital for surgical intervention for a problem with his gall-bladder, as apparently he suffers from gall stones. Prison authorities reportedly said that he would undergo surgery to alleviate the condition, although no date has been given for the operation.

Allegations of harassment of family members have been received. Héctor Palacios' wife, Gisela Delgado, is executive director of the Independent Libraries Project of Cuba, *Proyecto de Bibliotecas Independientes de Cuba*. In September 2003, she was

denied permission by the Cuban authorities to leave the country to accept an invitation from the organizers of a book fair in Gothenburg, Sweden; she had been asked to attend in order to speak about the private library movement in Cuba. According to reports, she was told by authorities that “a counter-revolutionary cannot leave the country”.

**52. Arturo Pérez de Alejo Rodríguez**, age not known

Sentence: 20 years

Home town: Manicaragua, Villa Clara province

Prison: Kilo 5 1/2 prison in Pinar del Río province

Background: He is president of the unofficial organisation *Frente Escambray de Derechos Humanos*, Escambray Human Rights Front. He was also involved in the *Proyecto Varela* initiative in Villa Clara province.

His family has repeatedly complained that, as a form of harassment by prison officials, Arturo Pérez de Alejo has not been able either to receive or to send correspondence in the same way that other prisoners do.

**53. Omar Pernet Hernández**, 57

Sentence: 25 years.

Home town: Placeta, Villa Clara

Prison: Los Mangos prison in Bayamo, Granma province

Background: He is a leader of the unofficial *Movimiento Nacional por los Derechos Humanos*, National Movement for Human Rights, *Mario Manuel de la Peña*. He is active in a number of other organisations and in the *Proyecto Varela* in the area.

Omar Pernet Hernández reportedly suffers from lung problems, a chronic gastric ulcer, high blood pressure and swelling of the legs.

In December 2003, it was reported that Omar Pernet and another prisoner of conscience, Fabio Prieto Llorente went on hunger strike to protest against their confinement with two other prisoners whom they accused of vandalising their possessions and other forms of harassment. The hunger strike ended 24 hours later when the prisoners were moved to a different cell.

In January 2004, Omar Pernet was apparently transferred from Guanajay prison in the province of Havana to Los Mangos prison in Bayamo, Granma province.

**54. Horacio Julio Piña Borrego**, 36

Sentence: 20 years

Home town: Sandino in the province of Pinar del Río

Prison: in the Pinar del Río provincial headquarters of the Department of State Security

Background: He has been involved with the *Proyecto Varela* in Pinar del Río, as well as being a provincial delegate for the unofficial *Partido Pro Derechos Humanos en Cuba*, Party for Human Rights in Cuba, which is affiliated with the Sajarov Foundation.

There is no additional information on his current situation.

**55. Fabio Prieto Llorente**, age not known

Sentence: 20 years

Home town: Nueva Gerona, Isla de Pinos

Prison: a prison in Camagüey

Background: He works for the unofficial news agency *Agencia de Prensa Independiente de Isla de Pinos*, Isla de Pinos Independent Press Agency.

In December 2003, Fabio Prieto and fellow prisoner of conscience Omar Pernet Hernández reportedly went on hunger strike to protest against their confinement with two other prisoners whom they accused of vandalising their possessions and other forms of harassment. The hunger strike ended 24 hours later when the prisoners were moved to a different cell. According to the information received, Fabio Prieto was temporarily held in solitary confinement as punishment for the hunger strike.

In January 2004, he was apparently transferred from Guanajay prison in Havana province to a prison in Camagüey.

**56. Alfredo Manuel Pulido López**, 42

Sentence: 14 years

Home town: La Mascota in Camagüey province

Prison: Combinado del Este prison in the municipality of Guanabacoa, Havana province

Background: He worked as a journalist for the unofficial news agency *El Mayor* in Camagüey. In addition, he was reportedly a member of the unofficial *Movimiento Cristiano Liberación* and was involved in *Proyecto Varela* activities.

According to reports, in September 2003 he took part in several days of a hunger strike to protest the transfer of fellow prisoners of conscience Librado Linares García and Luis Enrique Ferrer García to punishment cells for having allegedly refused to salute a high prison official in a military manner; reported conditions in punishment cells habitually fall far below international standards. His health reportedly deteriorated to the extent that he had to be taken to the prison hospital.

His family has apparently charged that, as an additional form of harassment or punishment, Alfredo Manuel Pulido has not been permitted to receive letters and telephone calls in the same way that other prisoners in similar circumstances do.

**57. José Gabriel Ramón Castillo**, age not known

Sentence: 20 years

Home town: Santiago de Cuba.

Prison: Villa Clara youth prison, Santa Clara city, Santa Clara province

Background: He is a teacher by training and director of the unofficial *Instituto Independiente Cultura y Democracia*, Independent Culture and Democracy Institute. José Ramón Castillo also works as a journalist.

In January 2004, according to a document reportedly smuggled out of the prison, various prison diaries in the possession of José Gabriel Ramón were confiscated by the prison authorities.

He is said to be suffering from circulatory problems and has been prescribed exercises by prison medical authorities.

**58. Arnaldo Ramos Lauzerique**, 61

Sentence: 18 years

Home town: Havana city

Prison: Holguín provincial prison

Background: He is a member of the unofficial *Instituto Cubano de Economistas Independientes*, the Cuban Institute of Independent Economists. He is also a member of the umbrella group *Asamblea para promover la sociedad civil*, Assembly to promote civil society.

From 15 to 25 August 2003, Arnaldo Ramos apparently joined Mario Enrique Mayo on his hunger strike demanding better medical attention and food for prisoners in Holguín Prison. The protest ended when the authorities agreed to Mario Enrique Mayo's demands.

On 18 October 2003, he reportedly joined a hunger strike of six other prisoners to protest against the detention in a punishment cell on 17 October of fellow prisoner Iván Hernández Carrillo after the latter reportedly shouted criticisms of the government and accused prison authorities of denying him medical assistance. Reported conditions in punishment cells habitually fall far below international standards.

On 6 November, five women relatives of the hunger strikers travelled to Holguín prison to enquire for the health of their relatives. They were reportedly not allowed to speak personally with any of them, but were told by prison officials that the hunger strike had ended that day. Prison officials reportedly promised that their relatives would be allowed to telephone home on 10 November; however no calls were received.

**59. Blas Giraldo Reyes Rodríguez, 46**

Sentence: 25 years

Home town: in Sancti Spiritus province

Prison: Agüica prison in the municipality of Colón in Matanzas province

Background: He is a member of the steering committee of the *Proyecto Varela* in Sancti Spiritus and director of a private library located in his residence.

His family reports that he suffers from chronic high blood pressure and has lost a lot of weight since his arrest. Information received by Amnesty International indicates that his wife has been threatened with arrest by police officials if she continued receiving visits of support from dissidents.

**60. Raúl Rivero Castañeda, 58**



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Sentence: 20 years

Home town: Havana City

Prison: Ciego de Avila Provincial Prison (called “Canaleta”)

Background: He is a poet and a journalist. In 1995, he founded of the unofficial press agency Cuba Press, of which he is the director.

Raúl Rivero reportedly suffers from a range of health problems and is believed to have undergone severe weight loss since his arrest. His ailments reportedly include damage to the nerves of the chest and vitamin deficiency. Pain is said to have affected his posture, making him slightly bent.

**61. Alexis Rodríguez Fernández, 33**

Sentence: 15 years

Home town: Palma Soriano in Santiago de Cuba province

Prison: Agüica prison in the municipality of Colón in Matanzas province

Background: He is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement. He was involved in the *Proyecto Varela* initiative.

There is no additional information available on his current situation.

**62. Omar Rodríguez Saludes, 38**

Sentence: 27 years

Home town: Havana city

Prison: Nieves Morejón prison in Sancti Spiritus

Background: He is director of the unofficial *Nueva Prensa* news agency. In addition to reporting, he is also a photographer.

Omar Rodríguez reportedly suffers from kidney problems; no additional information is available on his health.

In September, he and other prisoners of conscience imprisoned in Kilo 8 were reportedly threatened with having conjugal and other family visits suspended if they persisted in studying the Bible in their cells. He has since been transferred from Kilo 8 prison in Camagüey municipality to Nieves Morejón prison in Sancti Spiritus.

His family has complained in the past that his access to correspondence and telephone communications are unduly restricted, as a form of additional harassment.

**63. Marta Beatriz Roque Cabello, 58**

Sentence: 20 years

Home Town: Havana city

Prison: Manto Negro Prison in the municipality of La Lisa, Havana province. On 24 July 2003 she was transferred to Carlos J Finlay Military Hospital, Havana.

Background: She is an economist who heads the unofficial *Instituto Cubano de Economistas Independientes*, Cuban Institute of Independent Economists. She is also the head of the *Asamblea para promover la sociedad civil*, Assembly to promote civil society, an umbrella organization of dissident groups created in October 2002 to call for democracy and greater respect for freedoms.

She has been recognised by Amnesty International as a prisoner of conscience in the past.

Reportedly in good health before her imprisonment, Marta Beatriz Roque's health has deteriorated drastically. In July 2003 she was transferred to Carlos J Finlay Hospital due to high blood pressure, chest pain and nose bleeding. Hospital doctors reportedly diagnosed blockages in a blood vessel of the heart and she has ischaemic heart disease. According to the information received, the medicines prescribed for the heart are apparently causing her severe headaches.

Further, in August, doctors reportedly diagnosed diabetes and Marta Beatriz Roque began treatment. Subsequent medical difficulties reportedly include unexplained vaginal bleeding, unstable blood sugar levels and high blood pressure.

In January 2004, Marta Beatriz Roque was reported as suffering badly from arthritis, with symptoms including swollen knees, pain in her waist and back and deformities in her hands and feet. Her family has reportedly expressed concern that she has not been provided with adequate medical attention, including for example access to a gynaecologist to assess the causes of her vaginal bleeding.

**64. Omar Moisés Ruiz Hernández, 56**

Sentence: 18 years

Home town: Santa Clara city

Prison: Guantánamo provincial prison

Background: He is a journalist for the unofficial *Grupo de Trabajo Decoro*, Decoro Working Group. Previously he was vice delegate of the unofficial *Partido Solidaridad Democrática*, Democratic Solidarity Party, in Villa Clara.

Omar Moisés Ruiz reportedly suffers from a prostate problem and high blood pressure.

In addition, his family has charged that, as a form of harassment, prison officials have not permitted Omar Moisés Ruiz to receive and send correspondence as freely or regularly as other prisoners in his situation.

**65. Claro Sánchez Altarriba, 50**

Sentence: 15 years

Home town: Santiago de Cuba

Prison: Kilo 8 prison, Camagüey municipality

Background: He is a member of the unofficial *Movimiento de Jóvenes Cubanos por la Democracia*, Movement of Cuban Young People for Democracy, in Santiago de Cuba.

In September, Claro Sánchez was among a group of prisoners of conscience held in Kilo 8 prison who were reportedly threatened with having conjugal and other family visits suspended if they kept studying the Bible in their cells.



**66. Ariel Sigler Amaya,<sup>15</sup> 39**

Sentence: 20 years

Home town: Pedro Betancourt town, Matanzas province

Prison: Ciego de Avila Provincial Prison (called “Canaleta”)

Background: He is a member of the unofficial *Movimiento Opción Alternativa*, *Alternative Option Movement*, in Matanzas Province. He was declared a prisoner of conscience by Amnesty International on a previous occasion.

Ariel Sigler has allegedly been held in a punishment cell with inadequate light and water, in violation of international standards.

According to reports, his family is concerned about his poor health, and claim that he is not receiving adequate food or medical attention; they further charge that prison authorities are not sharing information on Ariel Sigler's health with them. His ailments are said to include muscular stiffness affecting his movements and speech.

In January 2004, he was said to have been denied the right to read the Bible.

**67. Guido Sigler Amaya, 46**

Sentence: 20 years

Home town: Pedro Betancourt town, Matanzas province

Prison: Combinado del Este prison in Guanabacoa municipality, Havana province

Background: He is a member of the unofficial *Movimiento Opción Alternativa*, *Alternative Option Movement*, in Matanzas Province. He has previously been declared a prisoner of conscience by Amnesty International.

Family members have reported that, like his brother Ariel, Guido Sigler has been held in solitary confinement with inadequate light and water, in breach of international standards. They are said to be concerned for his health, and in particular have requested that he receive specialised medical attention for a prostate condition.

According to reports, in September 2003 Guido Sigler took part in several days of a hunger strike to protest the transfer of fellow prisoners of conscience Librado Linares García and Luis Enrique Ferrer García to punishment cells for having allegedly refused to salute a high prison official in a military manner. Reported conditions in punishment cells habitually fall far below international standards; his health reportedly deteriorated to the extent that he had to be taken to the prison hospital. He

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<sup>15</sup> A third member of the Sigler Amaya family, Miguel Sigler Amaya, is also a prisoner of conscience. See *Cuba: Newly declared prisoners of conscience*, January 2004 AI Index: AMR 25/002/2004.

reportedly remained in hospital for an extended period and at the time of writing, no information was available on whether he had been released.

**68. Ricardo Silva Gual**, age not known

Sentence: 10 years

Home town: not known

Prison: Guantánamo provincial prison

Background: He is a medical doctor and a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement.

There is no additional information available on his current situation.

**69. Fidel Suárez Cruz**, 33

Sentence: 20 years

Home town: in Pinar del Río province

Prison: Agüica prison in Matanzas province

Background: He is a farmer and a member of the unofficial *Partido Pro Derechos Humanos en Cuba*, Party for Human Rights in Cuba, in Pinar del Río. He also heads the private library "San Pablo."

No additional information on his situation was available at the time of writing.

**70. Manuel Ubals González**, 34

Sentence: 20 years

Home town: in Guantánamo province

Prison: Agüica prison, in the municipality of Colón in Matanzas province

Background: He is president of the unofficial *Consejo por la Libertad de Cuba*, Council for the Freedom of Cuba.

His family have reportedly complained that Manuel Ubals has been prevented from receiving or sending correspondence in the same way as other prisoners, as a form of harassment.

**71. Julio Antonio Valdés Guevara**, 52

Sentence: 20 years

Home town: Manzanillo, Granma province

Prison: Ciego de Avila Provincial Prison (called "Canaleta")

Background: He is director of the private library of an unofficial group, *Unión de Activistas y Opositores "Golfo de Guacanayabo"*, Union of Activists and Opponents "Gulf of Guacanayabo," in Manzanillo, Granma province.

Julio Antonio Valdés is believed to be suffering from kidney disease, and is said to be in need of a transplant. In addition, he reportedly has dizzy spells and high blood pressure. Due to his ill health he was apparently transferred in January 2004 to Salvador Allende Hospital, known as “La Covadonga”, in Havana city. There is no further information available on the state of his health.

**72. Miguel Valdés Tamayo, 47**

Sentence: 15 years

Home town: not known

Prison: Kilo 8 prison in the municipality of Camagüey

Background: He is vice president of the unofficial group *Hermanos Fraternales por la Dignidad*, Fraternal Brothers for Dignity. At the time of his detention he was reportedly working as a television mechanic in a state run workshop in Havana province.

Miguel Valdés reportedly suffers from a number of illnesses including heart problems and high blood pressure.

In September he and other prisoners of conscience imprisoned in Kilo 8 were reportedly threatened with having conjugal and other family visits suspended if they kept studying the Bible in their cells.

**73. Héctor Raúl Valle Hernández, 35**

Sentence: 12 years

Home town: San José de las Lajas, Havana province

Prison: Guantánamo provincial prison

Background: He is vice president of the unofficial *Confederación de Trabajadores Democráticos de Cuba*, Confederation of Democratic Workers of Cuba, and an activist of the unofficial *Partido Pro-Derechos Humanos*, Pro Human Rights Party, in San José de las Lajas.

There is no information available on his health. According to reports, his family members have been harassed: in February 2004, his wife was allegedly given an official summons by local authorities for having taken part in dissident activities.

#### 74. Manuel Vázquez Portal, 52



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Manuel Vazquez Portal's wife, Yolanda Huergo Cedeño, holding up a picture of her husband.

Sentence: 18 years

Home town: Havana City

Prison: Ambrosio Grillo hospital in Santiago de Cuba city

Background: He is a poet. In 1995, he joined the unofficial independent news agency Cuba Press. He also helped found the unofficial independent news agency *Grupo de Trabajo Decoro*, Decoro Working Group. At the time of his arrest, he was working for the Internet news portal Cubanet, which has received funding from the governmental United States Agency for International Development.

On 31 August 2003, together with five other prisoners of conscience, Manuel Vázquez reportedly started a hunger strike in Boniato prison. It was said that they intended to attract attention to their conditions of detention, which they claimed included poor hygiene, insufficient food and limited medical attention. In what may have been a move to break the hunger strike, all six prisoners of conscience were subsequently transferred to different prisons, with Manuel Vázquez being moved to the Aguadores prison in Santiago de Cuba province.

In November 2003, Manuel Vázquez was reported to be part of a group of about 20 prisoners who started a hunger strike to protest against poor conditions and in solidarity with prisoners of conscience in Holguín province. According to reports, he terminated his hunger strike at the end of November.

In January 2004, Manuel Vázquez was said to have been transferred to Ambrosio Grillo hospital in Santiago de Cuba with health problems; reportedly, medical examinations have revealed lung disease.

#### 75. Antonio Augusto Villareal Acosta

Sentence: 15 years.

Home town: Villa Clara

Prison: Boniato provincial prison in Santiago de Cuba province

Background: He was involved in collecting signatures for the *Proyecto Varela*.

According to reports, Antonio Augusto Villareal, along with five other prisoners of conscience in Boniato prison, started a hunger strike on 31 August to draw attention to poor hygienic conditions, insufficient food and limited medical attention in the prison.

As reported above, all of them were subsequently transferred to different prisons; Amnesty International is not aware of the prison to which Antonio Augusto Villareal was transferred.

According to reports, Antonio Augusto Villareal's health has deteriorated since his arrest and he has undergone severe weight loss. No further details were available on his medical condition.

Reports indicate that as a form of harassment, prison authorities have not allowed him to send or receive letters as other prisoners do.