

Immigration and
Refugee Board of CanadaCommission de l'immigration
et du statut de réfugié du Canada

Canada

[Français](#)[Home](#)[Contact Us](#)[Help](#)[Search](#)[canada.gc.ca](#)

Issue Papers, Extended Responses and Country Fact Sheets

[Home](#)

Issue Paper CUBA POLITICAL DISSIDENTS August 1997

Disclaimer

This document was prepared by the Research Directorate of the Immigration and Refugee Board of Canada on the basis of publicly available information, analysis and comment. All sources are cited. This document is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed or conclusive as to the merit of any particular claim to refugee status or asylum. For further information on current developments, please contact the Research Directorate.

Table of Contents

[MAP](#)

1. [INTRODUCTION](#)
 - [1.1 Limits of Available Information](#)
 - [1.2 Recent Developments](#)
 - [1.3 Defining "Dissident"](#)
2. [TREATMENT OF DISSIDENTS](#)
 - [2.1 Arrests and Incommunicado Detentions](#)
 - [2.2 Internal Banishment](#)
 - [2.3 Forced Exile](#)
 - [2.4 Harassment and Assault](#)
 - [2.5 Acts of Repudiation](#)
 - [2.6 Discrimination in Employment](#)

[2.7 Due Process](#)[2.8 Prison Conditions](#)[REFERENCES](#)**MAP**

See original.

Source: *Latin America Today* 1992, p. 138.

1. INTRODUCTION**1.1 Limits of Available Information**

This paper is an update on the situation of political dissidents in Cuba and follows the April 1996 DIRB Question and Answer Series paper *Cuba: The Human Rights Situation*. The lack of readily available neutral information on Cuba is generally an obstacle when reporting on the country's human rights situation. All official Cuban mass media are state-run and deliver information from a pro-government point of view (IACHR 14 Mar. 1997, 682). The Inter-American Commission on Human Rights (IACHR) calls the Cuban press "a channel of education and indoctrination in Marxism-Leninism" and Cuba's main daily newspaper, *Granma*, "the organ of the Communist Party Central Committee" (ibid.).

There are a handful of illegal independent press agencies that operate from within Cuba and provide information to sources based abroad (*The Washington Post* 9 Mar. 1997). According to *The Washington Post*, these agencies lack basic supplies and face harassment and intimidation by authorities (ibid.). The Cuban government alleges that independent journalists in Cuba are funded by the US government (ibid.) and operate in the interests of those seeking to overthrow the present system (Reuters 14 Apr. 1996). The United Nations Commission on Human Rights (UNCHR) reports, however, that independent press agencies have no political affiliation (UNCHR 22 Jan. 1997, para. 19).

The several foreign press agencies that operate from within Cuba may be restricted in their reporting as new rules requiring foreign reporters to report "objectively" were introduced in February 1997 (*Latin American Weekly Report* 10 June 1997, 271). As well, some foreign journalists have allegedly been expelled by authorities for releasing unfavourable information about the Cuban government (CubaNet News 21 Mar. 1997).

A large portion of the available information emanates from the US. The long-standing tensions between the US and Cuba and the influence of the Cuban exile community, which, according to *Latin American Regional Reports*, is "overwhelmingly right-wing and anti-Castro" (*Latin American Regional Reports* 14 Jan. 1997, 2), may undermine the neutrality of some US sources. Extra effort has been made to find additional sources and to corroborate the material provided, but in some cases this has not been possible. Furthermore, although the DIRB has researched the question of whether a definite pattern of action/reaction exists with respect to the current treatment of political dissidents in Cuba (i.e., what level of activity is likely to provoke a given level of official reaction), specific information or public commentary on this subject is limited. New information on the subject of illegal exit and return also could not be

found, and oral sources who are able and willing to provide objective commentary on the record were not available at the time of writing. Despite these limitations, this report updates the documentation presently available and should provide a useful context within which to analyze the treatment of political dissidents in Cuba.

1.2 Recent Developments

A series of economic reforms that began in 1993 have reportedly had "far-reaching consequences" in Cuba (*Latin American Regional Reports* 16 May 1996, 6). These reforms include the legalisation of self-employment and use of foreign currency, and the removal of some restrictions regarding foreign investment (*ibid.*, 7). Some Latin American and European countries believe these economic reforms may be paving the path toward changes "in the direction of democracy, respect for human rights ... and a 'cooperative' foreign policy" (*ibid.*, 9).

On 24 and 25 February 1997, a team of Canadian officials, including Canadian ambassador to Cuba Mark Entwistle, met with Cuban officials and members of opposition groups to discuss human rights issues (Reuters 26 Feb. 1997). The meeting followed Canadian foreign minister Lloyd Axworthy's visit to Cuba in January at which time a joint declaration was signed that included, among other things, an agreement to cooperate on human rights issues (*ibid.*; *ibid.* 4 Feb. 1997; IACHR 14 Mar. 1997, 675). The declaration also provides for assistance from the Canadian government in improving Cuba's legal system (*ibid.*). Prior to the visits Entwistle was quoted in *The Ottawa Citizen* as stating, "'There are cases of violations of human rights, but the kind of abuse of the individual that you see in many other countries doesn't exist in Cuba There's no pattern of torture. People don't disappear in the middle of the night. Vigilante squads don't roam the streets'" (*The Ottawa Citizen* 9 Dec. 1996). The ambassador nevertheless also mentioned, on the same occasion, the lack of freedom of expression and of assembly in Cuba (*ibid.*).

Shifts in government policy have seen a greater acceptance in Cuba of the Roman Catholic Church, once identified with dissident movements (IPS 26 Nov. 1996; IACHR 14 Mar. 1997, 676). Fidel Castro met with Pope John Paul II in Rome on 19 November 1996, and tentative plans were set for a visit by the pontiff to Cuba sometime in early 1998 (*Miami Herald* 20 Mar. 1997; IPS 19 Nov. 1996; IPS 26 Nov. 1996). On 22 November 1996, the Cuban government granted entry visas to 40 foreign Catholic clergy (*ibid.*). On 29 June 1997, about 4000 people participated in the first open-air mass to be held in Havana in over 30 years (*Miami Herald* 1 July 1997; see also Reuters 1 July 1997 and *Chicago Tribune* 30 June 1997). The official Cuban media broke new ground as state-owned television and radio stations, and newspapers covered the occasion (Reuters 1 July 1997; *Miami Herald* 1 July 1997).

The above developments took place at a time when relations between Cuba and the US were highly strained. The Cuban Liberty and Democratic Solidarity Act (better known as the Helms-Burton law), passed after the downing in February 1996 of two airplanes belonging to the Cuban exile organization Brothers to the Rescue, introduced numerous and far-reaching sanctions against Cuba (HRW 1997, 5; *Latin American Weekly Report* 7 Mar. 1996, 1; *Latin American Regional Reports* 4 Apr. 1996, 1, 7). The law was criticized by Mexico, Canada and the European Union (*ibid.*, 1), and Amnesty International warned at the time that the resulting tensions could lead to "massive repression of dissidents within Cuba" (*Latin American Weekly Report* 14 Mar. 1996, 120). At the beginning of 1997 US President Bill Clinton suspended key provisions of the Helms-Burton law for an additional six-month period. *Latin American Weekly Report* indicated that shortly afterward the Cuban government hosted meetings with over 100

representatives of "more ` moderate" exile organizations (Latin American Weekly Report 21 Jan. 1997, 41). The government's aim was to persuade them that Helms-Burton's demands for "democratization" might be more readily met "if Cuba [was] not being harassed on the economic front by the US" (ibid.).

Despite the developments described above, the *Annual Report of the Inter-American Commission on Human Rights 1996* states that there have not been substantive changes sufficient to positively and significantly improve the human rights situation in Cuba (IACHR 14 Mar. 1997, 676). The report further accuses the Cuban government of maintaining a system that regularly violates the civil and political rights of its citizens (ibid.). Press reports expressing similar concern have stated that dissidents face "constant danger" (DPA 14 Feb. 1997) and "risk everything" (*The Washington Times* 4 Mar. 1997).

The Cuban government, on the other hand, maintains that the issue of human rights has been used as an instrument by the US government and international human rights organizations, such as Amnesty International and Americas Watch, in a political campaign of hostility against Cuba (*The Ottawa Citizen* 9 Dec. 1996). In justifying the absence of an opposition press, for example, Cuba reportedly takes the position that it is at war with the US and that being "under attack by the world's biggest superpower ... [it] cannot leave itself open to internal attack" (CNN 18 Mar. 1997). Cuba reportedly denies there is a problem with its human rights record; a platform for last October's Communist Party Congress states that, since 1959, "there has not been a single political crime, not one tortured or disappeared person. No more workers and students have been repressed, no more peasants harmed or repressed" (AP 11 June 1997; see also *Miami Herald* 26 May 1997).

1.3 Defining "Dissident"

Cuba considers opposition activists to be "counter-revolutionaries" supported largely by, and working in the interests of, the US government (Reuters 5 May 1997; DPA 14 Feb. 1997; *The Christian Science Monitor* 11 Apr. 1996). As one Cuban official put it, dissidents are "people who are directly or indirectly on a payroll from the United States. They are part of a comprehensive hostile policy from the US" (*The Ottawa Citizen* 9 Dec. 1996). Many members of illegal opposition parties are trade unionists, lawyers, economists, engineers and independent journalists (AI Apr. 1996, 10). The government's targeting of the latter as dissidents has been well-documented (*The Washington Post* 9 Mar. 1997; AP 9 May 1996; Reuters 14 Apr. 1996; IACHR 14 Mar. 1997, 684). As noted above, one reason for this targeting may be the government's view that the independent press is funded largely by the US government and is working to destabilize the Castro regime (*The Washington Post* 9 Mar. 1997). The official state newspaper, *Granma*, reportedly published an article on 17 April 1996 condemning independent journalists, stating that they "` attacked the foundations of the Cuban nation" and were in the service of "those who sought to destroy the island's one-party socialist system" (Reuters 14 Apr. 1996; AP 9 May 1996). Article 53 of the Cuban constitution mandates that all media must be state-owned and that freedom of speech and the press are lawful only in so far as they do not infringe on the "objectives of socialist society" (Reuters 14 Apr. 1996). Deutsche Presse-Agentur (DPA) characterizes the dissident community in Cuba as "weak and isolated" (DPA 14 Feb. 1997), and Reuters describes opposition groups as small, adding that authorities rarely comment on activists (Reuters 3 July 1997). *The Economist* indicates that dissidents are unorganized and without leadership, as most of their "natural leaders" have fled the country, and claims that Cuba has never "faced serious political opposition" from within (*The Economist* 24 Aug. 1996, 33). The United Nations Commission on Human Rights (UNCHR) suggests that the Cuban

government, having survived a devastating economic free fall, likely enjoys support from larger numbers of the population than previously believed by most outside observers (UNCHR 22 Jan. 1997, para.48). Concilio Cubano, the collective whose founding sparked a government crackdown in 1996, once counted 140 participating organizations but is now reportedly in "disarray" (*The Washington Times* 4 Mar. 1997; see also the DIRB's *Cuba: The Human Rights Situation*). At the height of the crackdown certain key members were jailed for long periods and have only recently been released from prison (*Miami Herald* 31 May 1997), while a good number have gone into exile (*The Boston Globe* 11 Dec. 1996). *The Economist* reports that the breakup of Concilio Cubano "has turned dissidents once again into isolated voices" (*The Economist* 24 Aug. 1996, 33). The IACHR reports, however, that although government opponents are subjected to systematic discrimination and harassment, opposition groups have grown in recent years (IACHR 14 Mar. 1997, 677). As well, the IACHR accuses the Cuban government of downplaying the prominence of these groups by labelling them "counter-revolutionaries" or referring to them derisively as "grupusculos" (small groups) (*ibid.*).

2. TREATMENT OF DISSIDENTS

2.1 Arrests and Incommunicado Detentions

Short-term detentions are regularly and repeatedly used by Cuban authorities as a means of intimidating and harassing political dissidents (DPA 14 Feb. 1997; *Country Reports 1996* 1997, 417). This is a marked departure from the government's previous practice of imposing 20- and 30-year prison sentences (*Contacto Magazine* 12 Oct. 1996) and is seen by some observers as an attempt to improve its image overseas (UNCHR 22 Jan. 1997, para. 45). The tactic was widely used during the last weeks of February 1996, when authorities arrested dozens of dissidents throughout the country in a move to undermine the planned gathering by Concilio Cubano (*ibid.*, para. 10; AI July 1996, 1; AI Apr. 1996, 21). Most, although not all, were released shortly after their arrest (UNCHR 22 Jan. 1997, para. 11; *Contacto Magazine* 12 Oct. 1996).

Raul Rivero, a leading dissident and the director of Cuba Press, an illegal independent press agency, claims that most of his dissident colleagues were arrested at some point in 1996 (DPA 14 Feb. 1997). On 12 August 1996, Bernardo Fuentes Cambolor, Magaly Pino Garcia and Jorge Enrique Rives, all three of whom worked for the independent press agency Patria and were members of Concilio Cubano, were arrested by authorities and detained incommunicado (AFP 14 Aug. 1996; AI 23 Aug. 1996). On 23 August 1996, Amnesty International reported that, following their interrogation for having contact with another dissident, Suzanne Bilello, the three were warned and released (*ibid.*). The report of UNCHR Special Rapporteur Carl-Johan Groth, released 22 January 1997, gives a detailed account of numerous other arrests of dissidents throughout 1996^[1].

The following are examples of incidents reported in 1997. In January 1997, journalists Tania Quintero and Juan Antonio Sanchez were arrested and held incommunicado (AFP 22 Jan. 1997; Reuters 22 Jan. 1997). While in detention, Quintero and Sanchez were allegedly subjected to "hostile interrogations" and robbed (AP 24 Jan. 1997). They were held for 25 and 35 hours, respectively, before being released (*ibid.*).

On 9 January 1997, Hector Palacios Ruiz, leader of the banned Democratic Solidarity Party (Partido Solidaridad Democratica or PSD), was arrested and charged with "contempt of public authority" (Reuters 4 Feb. 1997; *The Washington Post* 4 Feb. 1997; BPIC 16 Jan. 1997).

According to DPA, Palacios was arrested because in an interview with German television he expressed views about Fidel Castro that authorities labelled "derogatory" (DPA 14 Feb. 1997). On 10 June 1997, Cable News Network (CNN) reported that Palacios is still awaiting trial in a maximum security prison.

In the days preceding 24 February 1997, the first anniversary of Cuba's downing of the Brothers to the Rescue planes, 11 dissidents were reported to have been detained by authorities (Reuters 24 Feb. 1997). The outcome of these 11 detentions could not be ascertained.

In May 1997, there were reports of an increase in arrests of dissidents (AFP 22 May 1997; Reuters 20 May 1997). On 1 May 1997, dissident Ana Maria Agramonte, a member of the Nationalist Action Party (Partido Accion Nacionalista), was arrested along with "dozens" of opposition activists and sentenced on 10 May to 18 months following a conviction for "resistance and disobedience" (AFP 22 May 1997; see also AI June 1997; UNCHR 22 Jan. 1997, para. 16). As of 22 May 1997, according to Elizardo Sanchez, a member of the dissident group Cuban Human Rights and National Reconciliation Commission (Comision Cubana de Derechos Humanos y Reconciliacion Nacional or CCDHRN), five of those arrested with Agramonte still remained imprisoned "for alleged acts against state security" (AFP 22 May 1997). On 5 May 1997, the Cuban Independent Press Bureau (Buro de Periodistas Independientes de Cuba or BPIC), an illegal independent press organization operating from the island, reported that in a move to protect government May Day celebrations, "dozens" of opposition leaders were harassed and restrained. News of the detentions was corroborated by Reuters, although the news agency's sources—"dissidents in Cuba"—stated that "a dozen" dissidents were involved (Reuters 20 May 1997; *ibid.* 5 May 1997).

2.2 Internal Banishment

A relatively new method used by the Cuban government to restrict dissident activity has been the imposition of internal banishment (AI July 1996, 2-3; UNCHR 22 Jan. 1997, para. 14; *Miami Herald* 5 Sept. 1996). This tactic is intended to prevent activists from communicating with each other and impede contact with those who provide support from abroad (*ibid.*). While some dissidents have been exiled to remote parts of the island from Havana, others who reside outside Havana have been banned from entering the capital city (*ibid.*; AI July 1996, 2; *Country Reports* 1996 1997, 417). This tactic has reportedly "already contributed to the breakup of at least two opposition groups, ... [deterred] foreign contacts with dissidents, and [helped] to limit publicity abroad for Cuban human rights abuses" (*Miami Herald* 5 Sept. 1996).

According to a number of reports, two university students, Nestor Rodriguez Lobaina and Radames Garcia de la Vega, members of the dissident group Young People for Democracy (Jovenes por la Democracia), were sentenced to five years internal exile following their arrest and conviction for "disrespect" and "resistance" in early June 1996 (AI July 1996, 2; *Miami Herald* 5 Sept. 1996; *Contacto Magazine* 12 Oct. 1996). Rodriguez and Garcia were banished from Havana and forcibly taken back to their home towns in eastern Cuba (*ibid.*; *Country Reports* 1996 1997, 418; AI July 1996, 2).

On 16 February 1996, Concilio Cubano member Maria Antonia Escobedo Yaser was reportedly arrested and subsequently forcibly returned to her home province of Santiago de Cuba (UNCHR 22 Jan. 1997, para. 14). Similarly, in September 1996 the banned Independent Press Agency of Cuba (Asociación de Periodistas Independientes de Cuba or APIC) reported that authorities have banned Aida Rosa Jimenez from visiting the interior provinces of the country

(APIC 18 Sept. 1996). Rosa Jimenez was accused of setting up "illicit associations" for her Cuban Mothers Solidarity Movement (Madres Cubanas por la Solidaridad) (ibid.).

In September 1996 the *Miami Herald* reported that government authorities had ordered at least a dozen dissidents to leave Havana since 1 March 1996 (Miami Herald 5 Sept. 1996). As well, Cuban authorities have informally restricted the movements of dissidents by resorting to such tactics as preventing them from taking buses or trains to or from Havana or denying them access to gasoline (ibid.).

2.3 Forced Exile

Amnesty International reports that in early 1996 state authorities placed intense pressure on detained dissidents to leave the country (AI July 1996, 4). The 1997 UNCHR report states that threats of "persecution" and offers of release conditional upon prisoners' immediate departure from the island were used regularly in 1996 to force dissidents into exile (UNCHR 22 Jan. 1997, para. 28). The US Department of State's *Country Reports 1996* claimed that in 1996 the Cuban government "used exile as a tool for controlling and eliminating the internal opposition" and that "in contrast to its general practice of offering exile only after imprisonment, the Government increasingly threatened to charge, try, and imprison human rights advocates and independent journalists if they did not leave the country" (Country Reports 1996 1997, 417).

An example of this is the case of dissident journalist Rafael Solano. Amnesty International reports that in late 1995 and early 1996, Solano was detained at least six times, threatened and pressured by authorities to stop his activities or leave the country (AI July 1996, 13; see also IACHR 14 Mar. 1997, 697). On 27 February 1996, Solano was arrested and charged with "association with criminal intent" (UNCHR 22 Jan. 1997, para. 3b; AI July 1996, 14-15). Following his conditional release on 8 April 1996 (*The New York Times* 16 Apr. 1996), Solano decided to accept an invitation by the Spanish government to visit for three months and applied for a temporary exit visa (AI July 1996, 15). However, Cuban authorities returned his passport with a final exit stamp, and he was warned by authorities at the airport "not to try to return to Cuba" (ibid., 16; AP 9 May 1996). Solano subsequently sought political asylum from the Spanish government (ibid.).

In another incident, *El Nuevo Herald* reported that Miguel Angel Aldana, a Concilio Cubano member, was arrested on 24 February 1997 and warned by authorities that he would be jailed for four years if he did not leave Cuba by 1 May 1997 (*El Nuevo Herald* 11 Apr. 1997). Aldana fled and arrived in Miami on 4 April 1997 (ibid.).

In early May 1997, dissident writer and poet Ismael Sambra arrived in Canada, exiled after spending four or five years in jail. Sambra had been sentenced to ten years in jail in 1992 after being convicted for distributing anti-Castro pamphlets. He was released by Cuban authorities following an appeal by Canadian foreign affairs minister Lloyd Axworthy (*The Globe and Mail* 16 May 1997; *Miami Herald* 15 May 1997; *Edmonton Journal* 16 May 1997).

2.4 Harassment and Assault

The UNCHR reported in January 1997 that the government used "intensive harassment" as a primary measure in its campaign against dissidents during 1996 (UNCHR 22 Jan. 1997, para. 45). On 4 March 1997, *The Washington Times* quoted Barbara Joe, Amnesty International coordinator for Cuba, as stating that "the situation has not improved since last summer," and

that "if anything, it may be harsher now than it was last summer." Reuters and BPIC reported in early May 1997 that dissidents and opposition sympathizers were harassed by authorities (Reuters 5 May 1997; BPIC 1 May 1997).

Joaquin Torres Alvares, the director of the banned independent news agency Habana Press, alleges that on 31 May 1997 he was assaulted outside his home by four individuals whom he recognized as Communist Party members or State Security officials (AI 2 June 1997; AFP 1 June 1997; Reuters 2 June 1997). Torres was reportedly harassed and threatened with detention numerous times prior to the incident and was detained for three days last year (*ibid.*; UNCHR 22 Jan. 1997, para. 19). An Amnesty International Urgent Action Appeal concerning Torres states that, although they regularly make such threats, it is rare for authorities to actually carry them out against dissidents (AI 2 June 1997). The Appeal further states that another dissident, journalist Nicholas Rosario Rosabal, was reportedly assaulted by unknown individuals suspected to be agents of State Security on 14 January 1997 (*ibid.*).

Country Reports 1996 indicates that dissidents are often placed under close surveillance by authorities and that "authorities regularly search people and their homes, without probable cause, to intimidate and harass them" (Country Reports 1996 1997, 419). As well, the UNCHR continued to receive reports concerning individuals who suffered threats, harassment, house searches and "other kinds of reprisal connected with the exercise of the freedom of expression and association due to discrimination on political grounds" (UNCHR 22 Jan. 1997, 3). The IACHR states that dissidents in Cuba are punished by "prison terms, temporary detentions, harassment, threats, job loss, home searches, adoption of disciplinary measures, etc." (IACHR 14 Mar. 1997, 709).

2.5 Acts of Repudiation

Acts of repudiation (*actos de repudio*) are another form of harassment that dissidents in Cuba may face. Amnesty International describes these as "meetings or demonstrations organized by government officials or mass organizations supporting the government at which the person or persons concerned are subjected to criticism and abuse, sometimes physical, because of their so-called 'counter-revolutionary' views or activities" (AI 2 June 1997). The civilian groups that carry out the acts of repudiation are commonly referred to as Rapid Response Brigades and are thought to be initiated by authorities (*ibid.* Apr. 1996, 4). Amnesty International states that in February 1996 several lawyers were victims of acts of repudiation (*ibid.*). CubaNet reports that on 8 February 1997, a local Committee for the Defence of the Revolution (CDR) "zone chief" summoned Havana Press reporter Jorge Olivera to a meeting where about 12 CDR, Rapid Action Brigades and Communist Party members threatened, insulted and accused him of "violating the law of sovereignty and Cuban dignity" (CubaNet 13 Feb. 1997). Olivera claimed these same individuals later threatened his family and visited his neighbours, some of whom were afraid to speak to him or his family afterward (*ibid.*). On 12 February 1997 Cuba Press director Raul Rivero, referred to earlier, was reportedly harassed by a civilian mob that shouted insults at him outside his apartment building (*El Nuevo Herald* 13 Feb. 1997; *The Washington Post* 9 Mar. 1997). The mob of about 100 accused Rivero of being a "counter-revolutionary, a traitor and a CIA agent" (*ibid.*). In mid-February 1997 *El Nuevo Herald* reported that during the previous week acts of repudiation had been organized against independent journalists, including BPIC director Lazaro Lazo (*El Nuevo Herald* 16 Feb. 1997). The report states that mobs gathered outside the homes of independent journalists and, equipped with loudspeakers, "hurled insults and accusations of all types" (*ibid.*). The report describes acts of repudiation as "attempt[s] at intimidation through terror and repression" that

were carried out in early February 1997 under the Law of Reaffirmation of Dignity and Cuban Sovereignty, Cuba's answer to Helms-Burton (*ibid.*).

2.6 Discrimination in Employment

Discrimination in the work force on the basis of political opinion is reportedly common in Cuba (UNCHR 22 Jan. 1997, 9; *Country Reports 1996 1997*, 424; *The Dallas Morning News* 24 Sept. 1996). In June 1997, InfoBuro reported that according to Young People for Democracy, the Ministry of Education is still dismissing professors who express opinions that run counter to official ideology (InfoBuro 16 June 1997). The cases of Professors Nilda Malera Pedraza and Joaquin Lozano Arencibia were cited as examples (*ibid.*). Malera Pedraza was reportedly dismissed from her position for "deviating from official political thought" after she refused to join several government groups (*ibid.*). Upon her dismissal, the dean of the institute where she taught reportedly stated that "her attitude impeded her eligibility to continue in her professional duties, as it is not a proper example of Revolutionary professionalism for her students, colleagues or neighbors" (*ibid.*). Following a failed attempt to defect, Lozano Arencibia was reportedly blacklisted and labelled "politically unreliable" by officials at the Education Ministry (*ibid.*).

Country Reports 1996 reports that on 16 April 1996 Blanca Nieves Cruz Rivero was dismissed from her job of 13 years at the Ministry of Justice for, among other things, "having contact with people who do not share the philosophy of the revolution and for opposing it in an open manner as an activist of so-called human rights groups ..." (1997, 424).

Amnesty International reported that Concilio Cubano Executive Secretary and lawyer Dr. Leonel Morejon Almagro was barred from practising law after he was removed from his lawyers' collective in January 1995 for alleged "technical deficiencies" (AI Apr. 1996, 4). Dr. Morejon, a known political activist, had been defending three political prisoners at the time of his dismissal (*ibid.*). He was subsequently arrested on 15 February 1996 and charged with contempt and resisting arrest (UNCHR 22 Jan. 1996, para. 11b). In March 1996, he was sentenced to 15 months in jail and was released in May 1997 (*Miami Herald* 31 May 1997). Similarly, another lawyer, Dr. Gomez Manzano, one of the founders of Concilio Cubano, was dismissed from his lawyers' collective in October 1995 (AI Apr. 1996, 4). He had been critical about the collective and was a known dissident (*ibid.*). Dr. Manzano is a member of Agramontist Current (Corriente Agramontista, formerly Union Agramontista), a group of lawyers who take on political cases (*ibid.*). The IACHR reports that members of the Agramontist Current are "subject to a full array of pressures ... [including] the administrative prohibition against serving as defense counsel for human rights activists and political dissidents" (IACHR 14 Mar. 1997, 689). The Commission states it also received reports of "expulsions from law offices, and even prison sentences for lawyers who sought to exercise the profession independently" (*ibid.*).

2.7 Due Process

In a February 1995 report, the IACHR criticised Cuba for its denial of due process to those suspected of being involved in dissident activity (IACHR 17 Feb. 1995, 689). Recent reports suggest that fairness of the legal process continues to be undermined when the accused is charged with a political crime (*ibid.* 14 Mar. 1997, 689; *Country Reports 1996 1997*, 418; AP 11 June 1997; UNCHR 22 Jan. 1997, para. 10-12). In particular, there has been criticism of the lack of independence of the judiciary (*ibid.*, 15; IACHR 14 Mar. 1997, 690; *Country Reports 1996 1997*, 418), denial of the right to defence counsel (*ibid.*; AP 11 June 1997) and "the weak state of procedural guarantees [in general], especially in trials that may directly or indirectly affect the

system of power that exists in Cuba today" (ibid.). Although some articles of the Cuban constitution protect procedural rights, such as the right to defence, these guarantees are, according to IACHR, significantly limited, if not made altogether inoperable, by Article 62 which provides that constitutional freedoms can only be exercised in accordance with the "aims of the socialist state" (IACHR 14 Mar. 1997, 687). As well, the IACHR reports that another significant barrier to fairness in the legal system is the government's "policy" of intimidating lawyers representing individuals held for political reasons, as discussed above (ibid., 690). For more information on the legal system, refer to the April 1996 Question and Answer Series paper *Cuba: The Human Rights Situation*.

2.8 Prison Conditions

The UNCHR and the IACHR estimate that there are at least 1,173 political prisoners in Cuba (UNCHR 22 Jan. 1997, 9; IACHR 14 Mar. 1997, 708; see also *Latin American Weekly Report* 18 Mar. 1997, 144; AP 11 June 1997). However, Amnesty International puts this figure at 600 (AI Apr. 1996, 24). The Cuban government denies that any political crimes have been committed since 1959 (*Miami Herald* 26 May 1997; AP 11 June 1997).

As noted earlier, Cuba has largely abandoned its policy of imposing long sentences for political crimes and has opted for short-term detention (DPA 14 Feb. 1997; *Country Reports 1996 1997*, 417). However, the conditions for those who remain in prison for political crimes reportedly remain unchanged (*Country Reports 1996 1997*, 415; UNCHR 22 Jan. 1997, 8; AP 11 June 1997).

The UNCHR reports that "overcrowding, terrible sanitary conditions, inadequate and substandard food, limited medical care, beatings, restrictions on family visits, the problems of having common criminals share living quarters with political prisoners, and the jailing of many political prisoners far from their home towns, which makes contact with their families extremely difficult" still remain (UNCHR 22 Jan. 1997, para. 20). The IACHR adds "solitary confinement as punishment (behind closed doors without light), ... [and] keeping those convicted with those awaiting trial" to the above list (IACHR 14 Mar. 1997, 699). For more information on the treatment of prisoners, refer to the April 1996 Question and Answer Series paper *Cuba: The Human Rights Situation*.

For updates and additional information on Cuba, please consult the DIRB databases and documentary sources available at Regional Documentation Centres.

NOTES

[1] This report is available at Regional Documentation Centres. [\[back\]](#)

REFERENCES

Agence France Presse (AFP). 1 June 1997. "Dissident Journalist Alleges Physical Aggression in Cuba." (NEXIS)

_____. 22 May 1997. "Cuban Dissident Tried and Jailed, Six More Await Sentences in Roundup." (NEXIS)

_____. 22 January 1997. "Two Independent Journalists Reportedly Arrested in Cuba."

_____. 14 August 1996. "Two Journalists Are Arrested in Cuba, According to Reporters Without Borders." [Internet] <URL: <http://www.cubanet.org/CNews/aug96/15jour.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]

Amnesty International (AI). June 1997. *Amnesty International/Urgent Action Follow Up*. London: Amnesty International. [Internet] <URL: <http://www.cubanet.org/CNews/y97/jun97/26e3.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 26 June 1997]

_____. 2 June 1997. *Amnesty International: Urgent Action Appeal: CUBA: Joaquin Tores Alvarez*. (AI Index: UA 159/97). London: Amnesty International. [Internet] <URL: <http://www.cubanet.org/CNews/y97/jun97/03el.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 4 June 1997]

_____. 23 August 1996. "Further Information on Extra 133/96." [Internet] <URL: <http://www.cubanet.org/CNews/aug96/24ai3.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.htm>> [Accessed 10 June 1997]

_____. July 1996. *Cuba: Dissidents Imprisoned or Forced into Exile*. (AI Index: AMR 25/29/96). London: Amnesty International.

_____. April 1996. *Cuba: Government Crackdown on Dissent*. (AI Index: AMR 25/14/96). London: Amnesty International.

Asociacion de Periodistas Independientes de Cuba (APIC). 18 September 1996. Lucas Garve. "The Banished." [Internet] <URL: <http://www.cubanet.org/Cnews/oct96/9vanish.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]

The Associated Press (AP). 11 June 1997. "Report Assails Cuban Rights Records." [Internet] <URL: <http://www.cubanet.org/CNews/y97/jun97/11e3.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 11 June 1997]

_____. 24 January 1997. "Cuba Arrests Media." [Internet] <URL: <http://www.cubanet.org/CNews/y97/jan97/24rg.html>>, [Internet] <URL: <http://www.Cubanet.org/cubanews.html>> [Accessed 20 May 1997]

_____. 9 May 1996. "Cuba Journalist in Spain Exile." (Global NewsBank)

The Boston Globe. 11 December 1996. Steve Fainaru. "9 Months Later, Cuba Dissidents Still in Disarray." [Internet] <URL: <http://www.cubanet.org/Cnews/nov96/13nine.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 20 May 1997]

Buro de Periodistas Independientes de Cuba (BPIC). 16 January 1997. "Hector Palacios Ruiz Remains Under Arrest." [Internet] <URL: <http://www.cubanet.org/Cnews/y97/jan97/21bpice.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]

_____. 1 May 1997. "Opposition Leaders Arrested, Harassed on May Day." [Internet] <URL: <http://www.cubanet.org/Cnews/y97/may97/5e7.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 20 May 1997]

- Cable News Network (CNN). 10 June 1997. Lucia Newman. "Cuba Cracks Down on Dissidents." [Internet] <URL: <http://www.cnn.com/WORLD/9706/10/cuba.dissidents>>, [Internet] <URL: <http://www.cnn.com>> [Accessed 4 July 1997]
- _____. 18 March 1997. Lucia Newman. "Few Independent Journalists Challenge Cuba's Restrictions" [Internet] <URL: <http://www.cnn.com/WORLD/9703/18/cuba.media>>, [Internet] <URL: <http://www.cnn.com>> [Accessed 4 July 1997]
- Chicago Tribune*. 30 June 1997. Paul de la Garza and Michael J. McGuire. "Hopeful over a Papal Visit, Cubans Cry 'Viva Cristo!'" [Internet] <URL: <http://www.cubanet.org/Cnews/y97/jul97/Ole2.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 2 July 1997]
- The Christian Science Monitor* [Boston]. 11 April 1996. Howard Lafranchi. "Cuban Dissidents Fight Image of Being US Pawns." [Internet] <URL: <http://www.cubanet.org/CNews/apr96/12e2.html>>, [Internet] URL: <http://www.cubanet.org/cubanews.html>> [Accessed 20 May 1997]
- Contacto Magazine* [Burbank]. 12 October 1996. Jesus Hernandez Cuellar. "Human Rights in Cuba: Decades of Violations." [Internet] <URL: <http://www.cubanet.org/CNews/oct96/24humrigh.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]
- Country Reports on Human Rights Practices for 1996*. 1997. United States Department of State. Washington, DC: United States Government Printing Office.
- CubaNet News. 21 March 1997. "CNN's Lucia Newman Tells Univision Network That She Feels on [sic.] a Glass Bowl in Havana." [Internet] <URL: <http://www.cubanet.org/CNews/y97/mar97/21lucia.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 4 July 1997]
- _____. 13 February 1997. "Joaquin Torres and Jorge Olivera, from Havana Press, Narrate Their Experiences to Cubanet." [Internet] <URL: <http://www.cubanet.org/CNews/y97/feb97/13narrt.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 23 July 1997]
- The Dallas Morning News*. 24 September 1996. David L. Marcus. "Unending Struggle; Cuban Dissidents Active Despite Little Hope of Ousting Castro." (NEXIS)
- Deutsche Presse-Agentur (DPA). 14 February 1997. Klaus Blume. "Cuban Opposition Weak, Isolated and Repressed." (NEXIS)
- The Economist* [London]. 24 August 1996. "The Warder of the Nation."
- Edmonton Journal*. 16 May 1997. "Castro Still Despotic Despite Poet's Release."
- El Nuevo Herald* [Miami]. 11 April 1997. Armando Correa. "Opposition Leader Forcibly Exiled from Cuba." [Internet] <URL: <http://www.cubanet.org/CNews/y97/apr97/15ex2.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]

_____. 16 February 1997. Pablo Alfonso. "Repression Attempts to Quiet the Echo of Free Voices in the Island." [Internet] <URL: <http://www.cubanet.org/CNews/y97/feb97/17art1.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 22 July 1997]

_____. 13 February 1997. Pablo Alfonso. "Increased Harassment Against Independent Journalists Makes Them Fear for Their Lives." [Internet] <URL: <http://www.cubanet.org/CNews/y97/feb97/17harass.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]

The Globe and Mail [Toronto]. 16 May 1997. Paul Knox. "Cuban Dissident Describes Long Road to Jail."

Human Rights Watch (HRW). 1997. *Human Rights Watch World Report 1997: Events of 1996*. New York: Human Rights Watch.

InfoBuro. 16 June 1997. "Ideological Purges the Norm in Cuban Schools." [Internet] <URL: <http://www.cubanet.org/CNews/y97/jun97/20el.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 23 June 1997]

Inter-American Commission on Human Rights (IACHR). 14 March 1997. *Annual Report of The Inter-American Commission on Human Rights 1996* (OEA/Ser.L/V/II.95 Doc. 7 rev.). Washington, DC: General Secretariat, Organization of American States.

_____. 17 February 1995. *Inter-American Commission on Human Rights Report on Cuba*. Washington, DC: General Secretariat, Organization of American States.

Inter Press Service (IPS). 26 November 1996. Dalia Acosta. "Cuba-Religion: Detente Continues Apace."

_____. 19 November 1996. "Cuba: Castro Ends Cold War with Church."

Latin America Today: An Atlas of Reproducible Pages. 1992. Rev. ed. Wellesley, Mass.: World Eagle Inc.

Latin American Regional Reports: Caribbean & Central American Report [London]. 21 January 1997. "Cuba: New 'Front' in Helms-Burton Tiff."

_____. 14 January 1997. "Cuba: Clinton Rolls over Waiver."

_____. 16 May 1996. "Cuba: Reforms Continue Behind the Rhetoric."

_____. 4 April 1996. "Washington at Odds with Allies in Tightening Sanctions Against Cuba."

Latin American Weekly Report [London]. 10 June 1997. "New Rules for Reporting on Cuba."

_____. 18 March 1997. "Cuba: Human Rights."

_____. 14 March 1996. "Cuba/Amnesty Warning."

_____. 7 March 1996. "Cuba Falls for Provocation by Downing Planes ... and Everyone Loses."

- Miami Herald*. 1 July 1997. Pablo Alfonso. "4,000 Attend Rare Open-Air Mass in Cuba." [Internet] <URL: <http://www.herald.com/americas/carib/cuba.htm>> [Accessed 2 July 1997]
- _____. 31 May 1997. Cynthia Corzo. "Concilio Cubano Isn't Dead, Activist Says." [Internet] <URL: <http://www.herald.com/americas/carib/cuba.htm>> [Accessed 2 July 1997]
- _____. 26 May 1997. Juan Tamayo. "Cuba Chills Talk of Change." [Internet] <URL: <http://www.herald.com:80/americas/digdocs/012877.html>>, [Internet] <URL: <http://www.herald.com>> [Accessed 26 May 1997]
- _____. 15 May 1997. Tom Rachman. "Dissident Cuban Author Arrives in Canada After 5 Years in Prison." [Internet] <URL: <http://www.herald.com/americas/carib/cuba/digdocs/000979.htm>>, [Internet] <URL: <http://www.herald.com>> [Accessed 20 May 1997]
- _____. 20 March 1997. Juan Tamayo. "Before Papal Visit, Vatican Gets Tough on Cuba." [Internet] <URL: <http://www.cubanet.org/CNews/y97/mar97/22pope.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]
- _____. 5 September 1996. Juan Tamayo. "Banishment Wears Down Cuban Dissidents." [Internet] <URL: <http://www.cubanet.org/CNews/sep96/5bofil.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 20 May 1997]
- The New York Times*. 16 April 1996. Anthony DePalma. "Journalist Is out of a Havana Jail but May Have to Leave Cuba." [Internet] <URL: <http://www.cubanet.org/CNews/apr96/16e3.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]
- The Ottawa Citizen*. 9 December 1996. Juliet O'Neill. "The Rights Agenda: The Route to Freedom in Cuba Goes Around the American Embargo." (NEXIS)
- Reuters. 3 July 1997. "Cuban Dissident Says His House Was Stoned." [Internet] <URL: <http://www.cubanet.org/CNews/y97/jul97/04e2.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 4 July 1997]
- _____. 1 July 1997. "In a New Move, Cuba Daily Reports Catholic Mass." [Internet] <URL: <http://www.cubanet.org/CNews/y97/jul97/02el.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 2 July 1997]
- _____. 2 June 1997. "Free-Press Group to Cuba: Leave Journalists Alone." [Internet] <URL: <http://www.cubanet.org/CNews/y97/jun97/03e2.htm>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 4 June 1997]
- _____. 20 May 1997. "Cuban Dissident Jailed for 18 Months." [Internet] <URL: <http://www.infoseek.com/Content?arn=a2347...943C43EDC94D093C322F1F87E&kt=A&ak=allnews>> [Accessed 23 May 1997]
- _____. 5 May 1997. Pascal Fletcher. "Cuban Dissidents Will Oppose One-Party Elections." (NEXIS)

- _____. 26 February 1997. "Canada, Cuba Hold Talks on Human Rights Issues." [Internet] <URL: <http://www.cubanet.org/CNews/y97/feb97/27hrtalk.html>>, [Internet] URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]
- _____. 24 February 1997. "Cuba Reinforces Coast Patrols to Monitor Exiles." (NEXIS)
- _____. 4 February 1997. "U.S. Deplores Arrest of Leading Dissident in Cuba." (NEXIS)
- _____. 22 January 1997. "Authorities in Cuba Detain Three Dissidents." [Internet] <URL: <http://www.cubanet.org/CNews/y97/23detain.html>>, [Internet] <URL: <http://www.cubanet.org/cubanews.html>> [Accessed 10 June 1997]
- _____. 14 April 1996. "Cuban Paper Says Dissident Journalists Break Law." (Global NewsBank)
- United Nations Commission on Human Rights (UNCHR). 22 January 1997. (E/CN.4/1997/53). *Report on the Situation of Human Rights in Cuba Submitted by the Special Rapporteur, Mr. Carl-Johan Groth, in Accordance with Commission Resolution 1996/69 and Economic and Social Council Decision 1996/275.* [Internet] <URL: <http://www.193.135.156.15/html/menu4/hcrrrep/5397.htm>> [Accessed 22 May 1997]
- The Washington Post*. 9 March 1997. Elise Ackerman. "A Look at ... Changing Cuba; Guerrilla Journalism; The Underground Press Fights for an Audience." (NEXIS)
- _____. 4 February 1997. "Cuba Holds Dissident." [Internet] <URL: <http://www.cubanet.org/CNews/y97/feb97/4prso.html>>, [Internet] <URL: [http://www.cubanet.org/cuba news.html](http://www.cubanet.org/cuba%20news.html)> [Accessed 10 June 1997]
- The Washington Times*. 4 March 1997. Tom Carter. "Castro Increases Repression of Critics; Regime Cuts Phone Lines, Spies on Foes."




[Top of Page](#)

[Important Notices](#)