



PERSPECTIVE SERIES

HUMAN RIGHTS IN CUBA SINCE THE PAPAL VISIT

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This report addresses country conditions through March 1999.

Human Rights Conditions in Cuba Since the Papal Visit

This report assesses human rights developments in Cuba from November 1997 to March 1999, updating the Perspective Series report *Cuba: Systematic Repression of Dissent* issued in December 1998.

TABLE OF CONTENTS

I.	OVERVIEW	1
II.	PRIOR TO THE POPE’S VISIT.....	6
III.	THE POPE IN CUBA.....	9
IV.	SOME POLITICAL PRISONERS RELEASED, OTHERS SENTENCED	11
V.	NEW DISSIDENT INITIATIVES.....	16
VI.	THE GOVERNMENT’S STRATEGY	23
VII.	INCREASE IN REPRESSIVE TACTICS.....	25
VIII.	SEPTEMBER CRACKDOWN—DRAWING A LINE BETWEEN THE PASTORAL AND THE POLITICAL	31
IX.	THE GOVERNMENT SEEKS TO WEAR DOWN PEACEFUL OPONENTS	33
X.	PRISON CONDITIONS AND THE CONTINUED THREAT OF LONG-TERM IMPRISONMENT	39
XI.	CRACKDOWN AT YEAR’S END	43
XII.	HEIGHTENED REPRESSION INTO 1999.....	47
XIII.	LIMITED FREEDOM FOR THE CATHOLIC CHURCH	51

I. OVERVIEW

The visit of Pope John Paul II to Cuba on January 21-25, 1998 opened new, though limited, space for the Cuban Catholic Church.¹ However, the Cuban government of President Fidel Castro did not heed the Pope's call for democratic change. Since then, Castro has disregarded similar pleas from Canada, the European Union and members of the Organization of American States, and a year after the Pope's visit Cuba remained under the totalitarian control of a one-party Communist state. As Human Rights Watch noted in its annual report in December 1998:

After an apparent opening early in 1998, Cuba took firm action against nonviolent government critics as the year progressed with surveillance, harassment, and intimidation. Cuba used short-term, arbitrary detentions together with official warnings of future prosecution to urge activists to leave Cuba, abandon their opposition activities, or distance themselves from "counterrevolutionary" colleagues or family members.²

Human Rights Watch concluded:

As 1998 drew to a close, Cuba's stepped-up prosecutions and harassment of dissidents, along with its refusal to grant amnesty to hundreds of remaining political prisoners or reform its criminal code, marked a disheartening return to heavy-handed repression.³

Heightened repression continued into 1999 with renewed waves of detentions and, in March, with the convictions and sentencing of four of Cuba's most prominent dissidents on charges of "sedition," as described later in this section and in Section XII. As the trial approached, at least 100 dissidents, including human rights activists and independent journalists, were temporarily detained or placed under house arrest in an evident attempt to prevent them from campaigning on behalf of those being tried, or from attending or reporting on the proceedings. Cuban human rights monitors said that it was

¹U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: February 1999), p. 16 [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 16 March 1999].

²Human Rights Watch. "Cuba: Human Rights Developments," *World Report 1999* (Washington, DC: December 1998), p. 4-5. [Internet] www.hrw.org/hrw/worldreport99/americas/cuba.html [Accessed on 16 March 1999].

³Human Rights Watch. "Cuba: Human Rights Developments," *World Report 1999* (Washington, DC: December 1998), p. 1. [Internet] <www.hrw.org/hrw/worldreport99/americas/cuba.html> [Accessed on 16 March 1999].

the largest anti-dissident round-up since the break-up of the *Concilio Cubano* in February 1996.⁴

When the Pope was in Cuba in January 1998, he did not meet with any dissidents but did appeal for the release of “prisoners of conscience.” Castro, evidently looking to maintain the Pope as an ally against the U.S. economic embargo of Cuba, within weeks released several dozen political prisoners who were on a list of approximately 270 names submitted to the government by the Vatican. Although the number of those freed was unprecedented, the release fit Castro’s historical pattern of pardoning prisoners as a way to gain favor with visiting foreign dignitaries, as discussed in Sections IV and VI.

However, even as some political prisoners were released, trials of peaceful government opponents continued to take place under Cuban laws which bar any form of political or civic activity outside the purview of the Communist Party of Cuba (PCC). Prominent Cuban dissident and human rights monitor Elizardo Sánchez Santa Cruz welcomed the prisoner releases, but stated:

What must happen is a reform of the Cuban penal code and judicial system so that the freedom of association, the freedom of expression and of the press, are no longer crimes. Otherwise, the prisons will just fill up again.⁵

Cuban Foreign Minister Roberto Robaina said that the government had no intention of altering Cuba’s legal structures. He stated that Cuba’s laws would remain in place and that there would continue to be no tolerance for peaceful opposition to the government. He said that the release of prisoners “has not been made to stimulate acts of internal dissidence,” and he made it clear that the government would take a stern view of “counterrevolution,” the term the government habitually uses to refer to peaceful dissent.⁶

The Pope, speaking at his regular Wednesday audience at the Vatican three days after returning from Cuba, drew a parallel between Cuba and Poland, where he visited in 1979 and helped stimulate that country’s eventual democratic transition. He said, “I express my hope, to my brothers and sisters on that beautiful island, that the fruits of this pilgrimage will be similar to the fruits of that pilgrimage.”⁷ Fidel Castro, however, in response to reporters’ questions in Havana four days earlier, ridiculed the notion that

⁴ Amnesty International. *Urgent Action* (Nederland, CO: EXTRA 31/99, 3 March 1999). Cawthorne, Andrew. “Cuba ends trial of dissidents amid big crackdown,” *Reuters* (Havana: 2 March 1999).

⁵ La Franchi, Howard. “Freeing of Dissidents May Not Mean a Freer Cuba,” *Christian Science Monitor* (Mexico City: 17 February 1998).

⁶ Kerry, Frances. “Minister: Cuban Pardons Do Not Mean Opening to Dissent,” *Reuters* (Havana: 15 February 1998).

⁷ Tamayo, Juan O. “Pope Likens Cuba Trip to Fateful Poland Visit,” *Miami Herald* (Miami: 29 January 1998).

there was any parallel between Cuba and Poland.⁸ The day after the Pope spoke at the Vatican, Fidel Castro's brother Raúl, the second highest ranking official in the Cuban government and President Castro's personally designated successor, stated to a nationally televised rally organized by the PCC that Cuba remained steadfastly dedicated to its single-party state and led the participants in chanting, "Socialism or death!"⁹ Three months later, in rejecting a call for political reform by Canadian Prime Minister Jean Chretien, Fidel Castro stated, "We are not going to change."¹⁰

Nevertheless, Cuban dissident organizations, inspired by the Pope's message and seeking to take advantage of the apparent thaw after his visit, undertook a number of new initiatives to seek peaceful political change, as described in Section V. Again, the lessening of repression in early 1998 conformed to the pattern evident since the 1980s, in which the Cuban government becomes less heavy-handed against peaceful opposition when it wants to gain political or economic support from abroad. For example, when the economy was on the verge of collapse in 1994-1995 and the government was seeking foreign investment and debt relief, there was an easing which allowed dissidents to form the *Concilio Cubano*, a national umbrella organization which was eventually crushed in 1996. The thaw in early 1998—during which dissidents nonetheless remained under tight watch and subject to government reprisals—stemmed from Castro's thus far successful effort, beginning with the Pope's visit, to end Cuba's political isolation internationally, as discussed in Section VI.

Dissident initiatives, however, were hamstrung by repressive actions taken against them with increasing frequency as 1998 progressed. Attempting to limit criticism from abroad, the government relied more on short-term detentions, police visits and less overt forms of intimidation such as constant surveillance and threats against family members to keep peaceful opponents off balance.¹¹ Elizardo Sánchez, who continued to head the outlawed *Comisión Cubana de Derechos Humanos y Reconciliación Nacional* (CCDHRN), Cuban Commission for Human Rights and National Reconciliation, said that there had been about 30 detentions in the five months after the Pope's visit. During that period, according to Sánchez, the number of confirmed political prisoners declined

⁸ Tamayo, Juan O. "Pope Likens Cuba Trip to Fateful Poland Visit," *Miami Herald* (Miami, FL: 29 January 1998).

⁹ Snow, Anita. "Cuba Remains Steadfast on Communism," *Associated Press* (Havana: 29 January 1998).

¹⁰ Cawthorne, Andrew. "Castro Rebuffs Canadian's Reform Plea," *Reuters* (Havana: 28 April 1998).

¹¹ Human Rights Watch. "Cuba: Human Rights Developments," *World Report 1999* (Washington DC: December 1998), p. 4-6. [Internet] www.hrw.org/hrw/worldreport99/americas/cuba.html [Accessed on 17 March 1999].

from 482 to 381. However, another 79 prisoners were presumed to have been incarcerated for political reasons, while 16 detained on evidently political grounds were still awaiting trial.¹²

During summer 1998 the government stepped up the level of repressive tactics, as described in Section VII. By September, the period of relative relaxation appeared to end in the wake of a brief public protest by dissidents in Havana against the August 28 trial of dissident Reinaldo Alfaro García.¹³ As described in Section VIII, thirteen dissidents and independent journalists were arrested, held for between 12 and 48 hours, and threatened with long-term imprisonment in what Elizardo Sánchez described as “the most intense, far-reaching crackdown on dissent since the papal visit.”¹⁴ Sánchez concluded, “This situation confirms that there will be no space for political opposition.”¹⁵

The arrests took place on September 7 and September 8, the day when the Catholic Church held a procession in Havana to honor *La Virgen de Caridad del Cobre*, Virgin of Charity, Cuba’s patron saint. All those detained were pointedly questioned about the event.¹⁶ Also on the day of the procession, about 30 other dissidents and independent journalists were blocked by State Security agents and police from leaving a house in Havana where they had assembled to privately commemorate the holy day.¹⁷

In the view of Sánchez and other dissidents, the government’s aim was to stop dissidents from participating in the procession and underscored what Sánchez called the “dual policy” of the government in extending limited religious freedom to the Catholic Church while keeping a tight rein on peaceful political opponents.¹⁸ The religious procession was the largest allowed since the Pope’s visit. By permitting it, the

¹² Rousseau, Denis. “Disidencia: Hay 381 presos políticos en Cuba,” *Agence France Presse* (Havana: 7 July 1998), published in *El Nuevo Herald* (Miami: 8 July 1998). *Reuters* (Havana: 7 July 1998).

¹³ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 12. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 17 March 1999].

¹⁴ Tamayo, Juan O. “Cuban authorities mix tolerance, repression,” *Miami Herald* (Miami: 9 September 1998).

¹⁵ Nogueras, Olance. “Liberan bajo advertencia a mujeres disidentes,” *El Nuevo Herald* (Miami: 10 September 1998).

¹⁶ “13 dissidents freed without charges in Cuba,” *Agence France Presse* (Havana: 10 September 1998), published in the *Miami Herald* (Miami: 11 September 1998). U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 12. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 17 March 1999].

¹⁷ De Céspedes, Oswaldo. “Preocupda, la policía vigiló a opositores e independientes,” *Cooperativa de Periodistas Independientes*, CPI (Havana: 8 September 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

¹⁸ Guggenheim, Ken. “Cuba Arrests Political Dissidents,” *Associated Press* (Havana: 10 September 1998).

government looked to appease the Vatican, whose requests that the Cuban Catholic Church be allowed to open its own schools, operate a radio station and import a printing press continued to be denied. The government also continued to refuse the Church's request to let *Caritas*, the Roman Catholic Church's humanitarian relief agency, operate autonomously.¹⁹

Tad Szulc, who has written biographies of both Fidel Castro and Pope John Paul II, suggested at the time of the papal visit that a stronger Catholic Church might come to provide cover for dissident activities in Cuba, as it did in Poland in the 1980s.²⁰ The Cuban government's dual policy seemed designed to prevent exactly that. To ensure continued support from the Vatican internationally, it was willing to grant a degree of freedom for the Cuban Catholic Church's pastoral mission. But even as it did so, the government wanted both the Church and dissidents to know that it made a distinction between pastoral and political activities—the September crackdown drew a clear line between the two.

The hardening against peaceful opposition continued in late September when a government prosecutor indicted four of Cuba's best-known dissidents on a charge of "sedition"—a "crime against state security" which under Article 100 of the Penal Code explicitly includes nonviolent opposition—and asked for sentences of between five and six years in prison. Vladimiro Roca Antúnez, Marta Beatriz Roque Cabello, Félix Antonio Bonne Carcasés and René Gómez Manzano, the leaders of the *Grupo de Trabajo de la Disidencia Interna* (GTDI), Internal Dissidence Working Group, by then had been imprisoned for over fourteen months without charge after they issued a document criticizing Cuba's one-party system and calling for democratic changes.²¹ On October 15, 1998, Human Rights Watch issued a press advisory in which it stated:

Some commentators have suggested that international monitors should observe whether the Cuban courts are following established legal norms in the case. These well-meaning suggestions miss the point. The problem is that Cuban laws criminalize free speech and free assembly and undercut defendants' rights to a fair trial...The Cuban criminal code serves as the foundation of Cuba's repressive machinery...Cuba has repeatedly refused

¹⁹ Tamayo, Juan O. "Pope summons Cuba's bishops as church-state relations stall," *Miami Herald* (Miami: 31 May 1998).

²⁰ Oppenheimer, Andres. "Slow road to democracy might be best," *Miami Herald* (Miami: 22 January 1998).

²¹ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 7. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 18 March 1999]. Human Rights Watch. *Press Advisory* (Washington DC: 15 October 1998).

to modify criminal code provisions that restrict the fundamental rights to free speech, association and movement.²²

Which means that, notwithstanding the brief thaw that followed the Pope's visit, the Cuban government continued to apply its repressive apparatus at will—as it did again during a crackdown against dissidents who attempted in early December 1998 to celebrate the 50th anniversary of the Universal Declaration of Human Rights, as described in Section XI. Then, in February 1999, the government adopted the *Ley de Protección de la Independencia Nacional y la Economía de Cuba*, Law for the Protection of National Independence and the Economy of Cuba. Also known as Law No. 88 or, among dissidents, the *Ley Mordaza*, Gag Law, it is so restrictive that a Cuban could now be imprisoned for up to five years for merely writing a letter abroad complaining about food shortages.²³ Law No. 88, described in greater detail in Section XII, meant that those groups identified as being at risk in the Perspective Series report *Cuba: Systematic Repression of Dissent* were now possibly in greater jeopardy than they were before the Pope came to Cuba.

II. PRIOR TO THE POPE'S VISIT

In the months before the Pope's arrival, the Cuban government engaged in a two-track approach toward the Cuban Catholic Church and Cuban dissidents. It incrementally made certain gestures toward the Church in response to the Church's request for greater freedom, while simultaneously it increased pressure against dissidents, evidently to dissuade peaceful opponents of the government from taking political advantage of the papal visit.

The government granted a public holiday for Christmas for the first time in 28 years, allowed a papal message to be run in the state media, and granted temporary visas to approximately 60 foreign priests and nuns. The Vatican welcomed these policies but quietly continued to press for more permanent concessions. One Vatican official said to *Reuters*, "There are only 288 priests for 4.8 million Catholics. This clearly is not enough."²⁴

At the same time, Human Rights Watch reported during the week before the Pope's arrival that dissidents were being closely watched and in some cases intimidated. "Pressure is definitely increasing against dissidents," stated Sarah DeCosse, who

²² Human Rights Watch. *Press Advisory* (Washington DC: 15 October 1998).

²³ Fletcher, Pascal. "Analysis: Cuba raises defenses against political change," *Reuters* (Havana: 17 February 1999). Oppenheimer, Andres. "Cuba: back to darkness," *Miami Herald* (Miami, FL: 18 March 1999).

²⁴ Püllella, Philip. *Reuters* (Vatican City: 14 January 1998).

monitors Cuba for that organization. “Some have received explicit directives not to attend papal masses. Some have been called into police stations.”²⁵ Independent Cuban journalist Monike de Motas reported from Havana on January 9, 1998, that in the previous three weeks at least 30 dissidents were summoned and threatened with imprisonment by State Security officials if they attempted to demonstrate or otherwise express disagreement with the government during the Pope’s visit.²⁶ Ten days later, in a dispatch from Havana by independent journalist Manuel David Orrio, a number of dissidents said that members of their families who were not politically active were being briefly detained or threatened by police in an effort to intimidate the dissidents themselves.²⁷

Just prior to the Pope’s visit, Amnesty International issued a report stating that it was “concerned at a recent increase in the number of critics of the Cuban Government who have been brought to trial and imprisoned because of their peaceful attempts to exercise their rights to freedom of expression, association and assembly.”²⁸ The organization noted that in the previous months at least 24 government critics had been incarcerated as “prisoners of conscience,” that most of them had been convicted while others were still awaiting trial. It stated:

Some have been charged with offences against state security, such as “*propaganda enemiga*,” “enemy propaganda,” while others have been charged with offenses against authority, such as “*desacato*,” “disrespect,” “*difamación*,” “defamation,” “*desobediencia*,” “disobedience,” “*resistencia*,” “resistance,” or other kinds of common law offenses. In some cases, the charges are believed to have been fabricated in order to discredit them or their organization. Trials in political cases generally fall short of international fair trial standards, particularly with regard to access to defence counsel. In cases of crimes against state security, which are tried in provincial courts, the defendant can be held for several weeks or months with little or no access to a lawyer. During this period, the detainee is often subjected to psychological pressures, including threats against his own physical integrity or that of his family, and coerced into signing false statements or agreeing to leave the country. In cases tried in municipal courts, the hearing can take place within a day or so of arrest and, while in

²⁵ “Cuba Urged to Release Journalists,” *Associated Press* (Paris: 15 January 1998).

²⁶ De Motas, Monike. “Represión a disidentes cubanos por visita papal,” (Havana: 9 January 1998). [Internet] www.cubanet.org/oldies.html [Accessed 12 March 1999].

²⁷ Orrio, Manuel David, “Nuevos Hostigamientos Contra Miriam García Chávez,” (Havana: 19 January 1998). [Internet] www.cubanet.org/oldies.html [Accessed 12 March 1999].

²⁸ Amnesty International. *Cuba: New Cases of Prisoners of Conscience and Possible Prisoners of Conscience* (London: AMR 25/01/98, January 1998), p.1.

theory being permitted to appoint a defence lawyer, the detainee often does not have the opportunity to do so in practice. Lawyers who take on the defence of political prisoners often face reprisals themselves for having done so.²⁹

Among those political prisoners cited by Amnesty International in January 1998 were a number whose cases were discussed in the Perspective Series report, *Cuba: Systematic Repression of Dissent*, but were still pending when that report was written. For example:

- Dr. Desi Mendoza Rivero, president of the *Colegio Médico Independiente de Santiago de Cuba*, Santiago de Cuba Independent Medical Association. Dr. Mendoza was detained on June 25, 1997 in Santiago de Cuba after making statements to the foreign media about a dengue fever epidemic in Santiago de Cuba which, he reported, had caused several deaths. He was brought to trial on November 18, 1997, charged with spreading “enemy propaganda” and sentenced to eight years in prison.³⁰ His subsequent release in November 1998 and exile to Spain are discussed in Section X of this report.
- Orestes Rodríguez Urrutinier (spelled Orrutinier in the Perspective Series report, *Cuba: Systematic Repression of Dissent*), president of the *Comité de Amigos del Club de Ex-Presos Políticos*, Committee of Friends of the Club of Ex-Political Prisoners, and acting president of the dissident *Movimiento Seguidores de Chibás*, Followers of Chibás Movement, in Santiago de Cuba. He was arrested in June 1997 and brought to trial on November 11, 1997 on a charge of spreading “enemy propaganda” and sentenced to four years in prison.³¹

Generally, in the assessment of the U.S. Department of State, during the year prior to the Pope’s visit:

The Government’s human rights record remained poor. It continued systematically to violate fundamental civil and political rights of its citizens...The authorities routinely continued to harass, threaten, arbitrarily arrest, detain, imprison, and defame human rights advocates and members of independent professional associations, including journalists, economists, and lawyers, often with the goal of goading them into leaving the country. The Government used internal and external exile against such persons, and political prisoners were offered the choice of exile or continued imprisonment. The Government denied political dissidents and

²⁹ Amnesty International. *Cuba: New Cases of Prisoners of Conscience and Possible Prisoners of Conscience* (London: AMR 25/01/98, January 1998), p.1.

³⁰ Amnesty International. *Cuba: New Cases of Prisoners of Conscience and Possible Prisoners of Conscience* (London: AMR 25/01/98, January 1998), p. 6-7.

³¹ Amnesty International. *Cuba: New Cases of Prisoners of Conscience and Possible Prisoners of Conscience* (London: AMR 25/01/98, January 1998), p. 6-7.

human rights advocates due process and subjected them to unfair trials...The Government denied citizens the freedoms of speech, press, assembly, and association...The Government was sharply and publicly antagonistic to all criticism of its human rights practices and sought to thwart foreign contacts with human rights activists.³²

III. THE POPE IN CUBA

During his January 21-25 stay in Cuba the Pope presided over outdoor Masses and delivered homilies in four provinces in four successive days. He began in the provincial capital of Santa Clara in central Cuba, moved eastward to the provincial capitals of Camagüey and Santiago de Cuba, then completed his mission in Havana. After months of jousting between the Vatican and Cuban authorities, the Cuban government finally conceded to broadcast uncensored on state media the Pope's open-air Masses. It also gave time off to state employees so that they could attend and provided buses for transportation to the events.³³

Cubans turned out by the hundreds of thousands at the Masses. The bulk of the Pope's speeches were devoted to pastoral issues, as he exhorted Cubans back into the fold of the Catholic Church's religious and moral life. He appealed to Cubans to support priests and bishops and to attend Mass. In the more political parts of his homilies, the Pope stressed the themes of individual freedom, human rights and democracy. The Pope stated in Havana, in the presence of Fidel Castro, that it was the Church's duty to publicly denounce the "corruption of political power," and that Catholics "have the duty and the right to participate in public debate on the basis of equality and in an attitude of dialogue and reconciliation." He also strongly criticized the U.S. economic embargo, but added that it could not be blamed for all of Cuba's problems.³⁴

Underscoring the Pope's anti-communist message was the greeting delivered to the pontiff on January 24 by the Archbishop of Santiago de Cuba, Monsignor Pedro Meurice Estiu. Monsignor Meurice spoke at the beginning of the Pope's Mass before an estimated 100,000 people, including Raúl Castro. He criticized Cuba's political system, blamed the erosion of the Cuban Church's strength on "the ideological confrontation with state-imposed Marxist-Leninism," and stated that too many Cubans "have confused

³² U.S. Department of State. *Country Reports on Human Rights Practices for 1997* (Washington, DC: 30 January 1998), p. 2. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 18 March 1999]

³³ Rice, John. "For One Week Cuba Changes Rules," *Associated Press* (Havana: 26 January 1998).

³⁴ Pullella, Philip. "Pope Left Cuban Church With Ammunition For Change," Reuters (Havana: 26 January 1998). Tamayo, Juan O. "An Anti-communist Message," *Miami Herald* (26 January 1998). Snow, Anita. "Pope Strengthens Cuban Church," *Associated Press* (Havana: 2 February 1998).

patriotism with a single party.” His speech drew applause from the audience and a nod of approval from the Pope, who in his homily stressed the importance of “freedom of expression, being free to undertake initiatives and make proposals within civil society and to enjoy appropriate freedom of association.”³⁵

On his return from Santiago de Cuba, the Pope visited a leper hospital on the outskirts of Havana, where he called for the release of “prisoners of conscience.” He said, “What they want is to participate actively in life with the opportunity to speak their mind with respect and tolerance...I encourage efforts to reinsert prisoners into society.” He then urged those who had been imprisoned “for ideas which though dissident are nonetheless peaceful” not to succumb to “pessimism or discouragement.” Two days earlier the Vatican let it be known that it had passed on to the Cuban government the names of approximately 270 prisoners, many of whom the Vatican said were prisoners of conscience.³⁶

During the Pope’s stay in Cuba there were few reported incidents of repression. The Catholic Church had signaled dissident organizations that it did not want political protests at papal Masses and they complied by keeping a very low profile.³⁷ Still, State Security agents carried off at least three individuals who shouted anti-Castro slogans or criticized the government before foreign television cameras during the Pope’s Mass in Havana. The fate of those people remained unclear as of March 1999.³⁸

Though Fidel Castro may have hoped for more sympathy from the pontiff, outwardly he appeared pleased that the Pope had criticized the U.S. embargo and decried “neo-liberal capitalist” systems which “enrich the few on the backs of the poverty of many.”³⁹ When Castro bade farewell to the Pope following the Mass in Havana, he said, “For every word you have said—even those I might disagree with—on behalf of all the Cuban people, Holy Father, I thank you.”⁴⁰ Castro also heaped scorn on those who may have hoped that the papal trip would mean the demise of his Communist regime, saying

³⁵ Oppenheimer, Andres. “Bishops Boldly Assert Views, Assail Regime,” *Miami Herald* (Miami, FL: 25 January 1998). Simpson, Victor L. “Pope Calls for Prisoners’ Release,” *Associated Press* (Havana: 24 January 1998).

³⁶ Moody, Barry. “Pope Calls for Cuba to Free Prisoners of Conscience,” *Reuters* (Havana: 24 January 1998). Fineman, Mark and Boudreaux, Richard. “Free All Political Prisoners, Pope Urges Castro,” *Los Angeles Times* (Havana: 25 January 1998).

³⁷ Rice, John. “For One Week Cuba Changes Rules,” *Associated Press* (Havana: 26 January 1998).

³⁸ Staff Report, “Cuban Security Ever Vigilant,” *Miami Herald* (Miami, FL: 27 January 1998). Langfield, Martin. “Castro Mocks Enemies as Pope Ends Historic Cuba Trip,” *Reuters* (Havana: 25 January 1998).

³⁹ Rice, John. “For One Week Cuba Changes Rules,” *Associated Press* (Havana: 26 January 1998).

⁴⁰ Rice, John. “For One Week Cuba Changes Rules,” *Associated Press* (Havana: 26 January 1998).

that Cuba “knows no fear...it firmly defends its principles and has nothing to hide from the world.”⁴¹

IV. SOME POLITICAL PRISONERS RELEASED, OTHERS SENTENCED

Because Castro had released political prisoners a number of times in the past to gain the favor of visiting foreign dignitaries, it was not surprising that on February 12, 1998 the Cuban Foreign Ministry announced that the government would pardon “several dozen” prisoners whose names were on the list given by the Vatican. On February 13, the Cuban Communist Party newspaper *Granma* said 224 prisoners not on the Vatican’s list also would be or already had been released for humanitarian reasons such as old age or poor health.⁴²

Because the Cuban government did not reveal the identity of any of the prisoners to be released, and because it claims to hold no political prisoners, dissident Cuban rights groups scrambled to determine just exactly who was being let go. As recently as November 1998, for example, Fidel Castro stated at the Spanish Embassy in Havana, “In Cuba there are no political prisoners, there are only counterrevolutionary prisoners.”⁴³ Adding to the difficulty was the fact that Cuban prisoners are held throughout the island. According to Elizardo Sánchez and the CCDHRN, the Cuban prison system is “a tropical gulag with some 300 prisons and labor camps,” and the overall prison population is more than 100,000, or nearly one of every 100 Cubans.⁴⁴

As of January 1, 1998, the CCDHRN reported 482 confirmed political prisoners and between 100 and 200 more “presumed” political prisoners whose status remained unconfirmed pending further investigation. Sánchez noted that the number of confirmed political prisoners had declined over the previous few years because the Cuban government “has learned the lesson that to keep political prisoners means to pay a high cost in terms of international image.” He explained that the government operated a sophisticated system of intimidation, saying, “They know how to maintain social control

⁴¹ Langfield, Martin. “Castro Mocks Enemies as Pope Ends Historic Cuba Trip,” *Reuters* (Havana: 25 January 1998).

⁴² Rohter, Larry. “Cuba Announces It Will Free 200 In Bow To Pope,” *New York Times* (New York: 13 February 1998). “Havana Won’t Free About 70 Prisoners,” *Associated Press* dispatch published in the *Miami Herald*, 14 February 1998.

⁴³ Vicent, M. and Larraya, J.M. “Castro dice que en Cuba no hay presos políticos, sólo contrarrevolucionarios,” *El País* (Madrid: 12 November 1998).

⁴⁴ Tamayo, Juan O. “Dissidents Won’t Get to Meet Pontiff,” *Miami Herald* (Miami, FL: 20 January 1998).

without having to jail people.”⁴⁵ Marta Beatriz Roque Cabello, one of the four imprisoned leaders of the *Grupo de Trabajo de la Disidencia Interna* (GTDI), Internal Dissidence Working Group, described the system of control this way:

Those who don't live in Cuba find it difficult to understand how the government maintains its political control principally through self-repression. Each Cuban has a built-in policeman. This complex mechanism whereby one assumes the conscience of a hunted person has been developed for almost 40 years.⁴⁶

Sánchez announced that the CCDHRN had been able to confirm that by February 14 more than 33 political prisoners had been released.⁴⁷ At the same time the Cuban government announced that of the nearly 300 prisoners to be released only 74 of them would be from the list of 270 names given by the Vatican.⁴⁸ In the ensuing weeks the CCDHRN, as well as the *Comité Cubano Pro Derechos Humanos* (CCPDH), Cuban Committee for Human Rights, headed by Gustavo Arcos Bergnes, and the *Coordinadora Nacional de Presos Políticos* (CNPP), National Coordination of Political Prisoners, headed by Aida Valdés Santana, worked to keep track of those who were released. In the end, these three groups differed somewhat on the final total of political prisoners released in February 1998. The CCDHRN counted 96, the CCPDH 82, and the CNPP 90.⁴⁹ The U.S. Department of State would subsequently provide a figure of 99 released political prisoners, while Amnesty International and Human Rights Watch eventually put the total at about 100.⁵⁰

⁴⁵ Tamayo, Juan O. “Dissidents Won’t Get to Meet Pontiff,” *Miami Herald* (Miami, FL: 20 January 1998).
Snow, Anita. “Activists: Cuban Prisons Are Worse,” *Associated Press* (Havana: 26 January 1998).

⁴⁶ Roque Cabello, Marta Beatriz. “Each Cuban has a built-in policeman,” *Miami Herald* (Miami, FL: 15 April 1998).

⁴⁷ “Over 30 Cuban Political Prisoners Freed—Dissident,” *Reuters* (Havana: 14 February 1998).

⁴⁸ Kerry, Frances. “Minister: Cuban Pardons Do Not Mean Opening to Dissent,” *Reuters* (Havana: 15 February 1998).

⁴⁹ The totals calculated by the CCDHRN and the CNPP were posted on the web site of the Miami-based Infoburo, a Cuban rights-monitoring organization headed by former Cuban political prisoner Ariel Hidalgo. [Internet] <www.netpoint.net/~infoburo/dere-02.htm>. [Accessed on 10 March 1999]. The total as calculated by the CCPDH was provided by a CCPDH representative in Miami.

⁵⁰ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 7. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 15 March 1999]. Amnesty International. *Cuba: One year later and four members of the ‘Grupo de Trabajo’ still imprisoned without being informed of any charges* (London: AMR 25/16/98, 29 July 1998). Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington DC: December 1998), p.1. [Internet] www.hrw.org/hrw/worldreport99/americas/cuba.html [Accessed on 15 March 1999].

The discrepancy in numbers among the three Cuban rights organizations might be explained in part by the fact that the CCPDH did not include in its list the pardons issued in the first days of February 1998 by the Cuban government to seven dissidents who had been carrying out a hunger strike in the north-central province of Villa Clara since October 1997. These pardons apparently were unrelated to the Pope's appeal for prisoner releases. The seven Villa Clara dissidents, members of the *Partido Pro Derechos Humanos*, Pro-Human Rights Party, had been sentenced for up to 18 months in prison or farm labor camps for "criminal association" and "disobedience," and had been fasting for more than three months to protest their convictions. They were reportedly pardoned on the condition that they leave Cuba.⁵¹ However, at the end of February the seven dissidents remained hospitalized and had renewed their hunger strike to protest the transfer of one of them from a hospital back to prison.⁵² In apparent retaliation for drawing the attention of the international press during the Pope's visit, all were subsequently sent back to prison in Villa Clara province. One of them, Danilo Santos Méndez, was released in October 1998, while the others reportedly remained incarcerated.⁵³

An examination of the list of freed political prisoners compiled by the CCPDH and provided by a CCPDH representative in Miami evinces a clear pattern. Of the 82 released, about 95 percent had been imprisoned prior to 1996. As Human Rights Watch has noted, most had already served the majority of their sentences.⁵⁴ Only a handful of those released had been imprisoned during the crackdown against the dissident umbrella organization *Concilio Cubano* in 1996 or during the wave of repression in the spring and summer of 1997 when dozens of dissidents were imprisoned. Most prominent among that small group was Héctor Palacio Ruíz, president of the *Partido Solidaridad Democrático* (PSD), Democratic Solidarity Party. Palacios had been arrested on January 9, 1997 after he criticized the Cuban government during an interview with German television and had been sentenced on September 4, 1997 to 18 months in prison for "disrespect."

⁵¹ Rice, John. "Some Cuban Prisoners Reported Free," *Associated Press* (Mexico City: 11 February 1998). "Cuba Releases, Exiles Dissidents Who Were Fasting," *Reuters* (Havana: 10 February 1998).

⁵² Noguerras, Olance. "Opposition Figures Restart Hunger Strike in Santa Clara," *El Nuevo Herald* (Miami, FL: 28 February 1998). Trujillo Pis, Héctor. "Nuevamente ingresado en deplorable estado físico Guillermo Fariñas Hernández," *Cuba Free Press* (9 November 1998). [Internet] www.cubafreepress.org/bnews.html [Accessed on 12 March 1999].

⁵³ Trujillo Pis, Héctor. "Liberado miembro del Partido Pro Derechos Humanos," *CubaPress* (Caibarién, Villa Clara: 19 October 1998). [Internet] www.cubafreepress.org/bnews.html [Accessed on 12 March 1999].

⁵⁴ Human Rights Watch. "Cuba: Human Rights Developments," *World Report 1999* (Washington D.C.: December 1998), p. 1. [Internet] www.hrw.org/hrw/worldreport99/americas/cuba.html [Accessed on 15 March 1999].

According to the CCPDH, 19 of the prisoners were released on the condition that they leave Cuba. Canada agreed to accept them, but later hesitated in the case of five prisoners because of the violent nature of the offenses for which they had been convicted, including hijacking and “terrorism” charges.⁵⁵ Ultimately, Canada accepted 17 of the 19 prisoners.⁵⁶ The CCPDH also noted that of the 82 prisoners released, five would have finished their terms in 1998 and one should already have been released after having completed his term in 1997.

According to Elizardo Sánchez, 90 percent of all former prisoners eventually seek asylum abroad because of government harassment, denial of jobs and threats against family members and friends. “They have no alternative,” he said to the *Miami Herald* three weeks after the Pope’s visit. “The fundamentalist nature of this government makes the reinsertion of these people into society impossible.”⁵⁷

Among the first 63 political prisoners released in February 1998 there was only one woman, Maritza Santos Rosell, who had been sentenced to eight years in prison in 1995 for “subversion.” Amaya Antúnez of the Commission on Human Rights of the Christian Democratic International, said, “Cuban authorities have always tried to conceal the fact that women are among the political prisoners, which would explain why only one woman appears on the list of pardons.” According to Antúnez, citing reports her organization had received from Cuba, at least 36 women remained imprisoned for political reasons following the prisoner releases in February 1998. She added that there could be more, saying, “Actually, there are a lot of women political prisoners officially listed as common or economic criminals.”⁵⁸

Even as political prisoners were being released, trials of peaceful government opponents continued to take place. In February, according to Cuban rights activists and foreign diplomats on the island, there were between 15 and 24 leading dissidents either in pretrial detention or actually undergoing trial for peacefully opposing the government.⁵⁹

⁵⁵ Palmer, Randell. “Prisoner Expulsion Highlights Canada’s Cuba Policy,” *Reuters* (Ottawa: 27 February 1998). “Freed Cuban Prisoners Prepare to Leave for Canada,” *Reuters* (Havana: 6 April 1998).

⁵⁶ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 7. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 15 March 1999].

⁵⁷ Tamayo, Juan O. “Castro to Free Dozens in Jail, Dissident Says,” *Miami Herald* (Miami, FL: 12 February 1998).

⁵⁸ Alfonso, Pablo. “Cuban Dissident Facing 15 Years,” *Miami Herald* (Miami, FL: 19 February 1998).

⁵⁹ Tamayo, Juan O. “Cuba to Free Dozens in Jail, Dissident Says,” *Miami Herald* (Miami, FL: 12 February 1998). Alfonso, Pablo. “Cuban Dissident Facing 15 Years,” *Miami Herald* (Miami, FL: 19 February 1998).

On February 16, 1998, Amnesty International issued a statement in which it called attention to the trials of three peaceful government opponents. Amnesty reported that Cecilio Monteagudo Sánchez, age 26, a member of the *Partido Solidaridad Democrática* (PSD), Democratic Solidarity Party, in Villa Clara province, and Juan Carlos Recio Martínez, age 29, a journalist working in Villa Clara for the independent *CubaPress* were convicted on February 6 on charges of “enemy propaganda” and “other acts against state security,” and were facing sentences of six years and 18 months respectively. It was subsequently reported from Villa Clara by the independent *Centro-Norte Press* (CNP) that Monteagudo Sánchez was sentenced to four years in prison and Recio Martínez to one year of forced “correctional work” at an agricultural cooperative.⁶⁰

Reinaldo Alfaro García, who had been held pending trial since May 1997, was reportedly facing a sentence of 12 years in prison on a charge of “enemy propaganda.”⁶¹ Alfaro García, the vice-president of the *Asociación por la Lucha Frente a la Injusticia Nacional* (ALFIN), Association for the Struggle Against National Injustice, had been arrested after he called for mothers of political prisoners to submit an amnesty petition to the Cuban government on behalf of their jailed children.⁶² His subsequent conviction in late August 1998 and the events surrounding his trial are described in Section VIII. In another case, Julio César Coizeau Rizo, a member of the *Club de Ex-Presos Políticos Gerardo González*, Club of Ex-Political Prisoners Gerardo González, was convicted on April 24 by a court in Santiago de Cuba on a charge of *desacato*, disrespect of authority, for posting anti-government fliers and was sentenced to three years in prison.⁶³

Regarding the release of political prisoners, the Vatican said in a statement that it was “delighted with this notable step, which represents a concrete prospect of hope for the future of this noble nation.” One senior Vatican official stated, referring to the releases, “There is no precedent for this in 40 years” of the Castro regime in Cuba.⁶⁴

In reality, the freeing of prisoners continued the pattern of prisoner releases following the visits of foreign dignitaries from whom Fidel Castro seeks favor. Similar,

⁶⁰ Trujillo Pis, Héctor. “En proceso de apelación un disidente y un periodista independiente,” *Centro-Norte Press*, CNP (Caibarien, Cuba: 8 April 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

⁶¹ Amnesty International. *Cuba: Prisoner Releases: Hope for a New Future for Human Rights?* (London: AMR 25/5/98, 16 February 1998).

⁶² Alfonso, Pablo. “Cuban Dissident Facing 15 Years,” *Miami Herald* (Miami, FL: 19 February 1998).

⁶³ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 11. [Internet] www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html [Accessed on 15 March 1999].

⁶⁴ Rohter, Larry. “Cuba Announces It Will Free 200 In Bow To Pope,” *New York Times* (New York: 13 February 1998).

though smaller, releases occurred after the visits of Rev. Jesse Jackson in 1984 and former French first lady Danielle Mitterand in 1995, and were eventually followed by renewed crackdowns against peaceful government opponents. One unnamed dissident, quoted in a report by a Pax Christi Netherlands delegation which visited Cuba in January 1998, stated:

It is a bartering process. We are the raw materials of Cuba's industry of political prisoners. If some of us are released due to international pressure, others of us are bound to be arrested a while later.⁶⁵

While the February 1998 releases were taking place, Cuban Foreign Minister Roberto Robaina dismissed the idea of any political opening. He stated, "The pardon has not been made with the intention of stimulating internal dissident activities," and further asserted that the authorities would stake a stern view of "counterrevolution," the term the government habitually uses to refer to peaceful dissent.⁶⁶

V. NEW DISSIDENT INITIATIVES

Despite the statements by Foreign Minister Robaina and other Cuban officials, a number of dissident groups endeavored to test the government's tolerance following the Pope's visit. One initiative was announced in early May 1998 by the *Partido Solidaridad Democrático* (PSD), Democratic Solidarity Party. The PSD has a 15-member national executive committee and has maintained a presence in Havana and in each of Cuba's fourteen provinces despite years of being targeted by Cuba's repressive apparatus. In party elections held on August 21, 1998, Fernando Sánchez López was elected to succeed Héctor Palacios Ruíz as president of the PSD. Palacios Ruíz retained his position on the executive committee, three of whose members remained incarcerated: Reinaldo Alfaro García, Cecilio Monteagudo Sánchez and Pedro Pablo Castillo.⁶⁷

Also in May, the PSD identified itself with the Pope's message of "solidarity and reconciliation" and called on all Cuban dissident organizations, the Cuban government and Cuban exile organizations to begin a national dialogue, mediated by the Cuban Catholic Church, to seek solutions to national problems. The proposal also called for the United Nations, the European Union and the Ibero-American Parliament to participate as

⁶⁵ Pax Christi Netherlands. *Report of the Pax Christi Netherlands Delegation to Cuba* (Utrecht, The Netherlands: May 1998), p. 16. The delegation was in Cuba from 18-31 January 1998.

⁶⁶ Kerry, Frances. "Minister: Cuban Pardons Do Not Mean Opening to Dissent," *Reuters* (Havana: 15 February 1998).

⁶⁷ López Prendes, Luis. "Celebró elecciones el opositor Partido Solidaridad Democrática," *Buró de Prensa Independiente de Cuba* (BPIC) (21 August 1998). [Internet] www.cubonet.org/oldies.html [Accessed on 12 March 1999].

observers.⁶⁸ The PSD proposed that the agenda for such a dialogue include a discussion of the specific initiatives which individual dissident organizations were already attempting to carry out, including:

- *Proyecto Varela*, Varela Project. Proposed by the *Movimiento Cristiano Liberación* (MCL), Christian Liberation Movement, led by Oswaldo Payá Sardiñas, and named for Padre Varela, a priest and Cuban independence hero. The goal of the initiative, in line with the Cuban Constitution, was to obtain 10,000 signatures on a petition to hold a national referendum on reforming or creating laws to guarantee political rights and civil liberties. The petition would then be presented to the official National Assembly of People's Power, the legislative body in Cuba's political system.⁶⁹
- *Principios Arcos*, Arcos Principles. Proposed by the *Confederación de Trabajadores Democráticos de Cuba* (CTDC), Democratic Workers Confederation of Cuba (José Orlando González Ridón, president) and the *Comité Cubano Pro Derechos Humanos* (CCPDH), Cuban Committee for Human Rights. Under this initiative it was proposed to the Cuban government and foreign investors that they adopt a set of principles to improve the conditions of Cuban workers by ending "unjustified exploitation" and "political discrimination" and allowing all Cubans to benefit from foreign investment.⁷⁰
- *Foro Abierto*, Open Forum. Proposed by the *Corriente Socialista Democrática*, Democratic Socialist Current (Manuel Cuesta Morúa, secretary general). An initiative to bring together all peaceful dissident organizations by early 1999 to hold a discussion about "the future democratization of Cuban society." This would be the first attempt to plan a gathering of all dissident organizations since the formation of the *Concilio Cubano* in 1995 and the February 1996 crackdown by the government which blocked the more than one hundred member organizations of the *Concilio* from meeting.⁷¹

The PSD itself had made a proposal to gather signatures for a petition which called for a national referendum on political change through constitutional reform. In its May 1998 proposal for a national dialogue, the party stated, "The essential thing is to find for Cuba a true and definitive solution through a popular consultation and referendum."⁷²

⁶⁸ Alfonso, Pablo. "Proponen diálogo que no excluye a nadie," *El Nuevo Herald* (Miami, FL: 6 May 1998).

⁶⁹ Tena, Gerardo. "Cuban Dissidents Planning a Public Forum to Discuss Future of Island," *Miami Herald* (Miami, FL: 15 April 1998).

⁷⁰ Statement by José Orlando González Ridón, "Principios Arcos: Solución o Alternativa," *CubaNet* (1 May 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999]. Joaquín Torres, "Boletín de la Confederación de Trabajadores Democráticos de Cuba," *Cubanet* (1 May 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

⁷¹ Tena, Gerardo. "Cuban Dissidents Planning a Public Forum to Discuss Future of Island," *Miami Herald* (Miami, FL: 15 April 1998).

⁷² Alfonso, Pablo. "Proponen diálogo que no excluye a nadie," *El Nuevo Herald* (Miami, FL: 6 May 1998).

Meanwhile, the rump faction of the now fragmented *Concilio Cubano* led by Leonel Morejón Almagro, a former political prisoner and the former chief organizer of the government-blocked *Concilio Cubano* meeting in February 1996, was also attempting to get 10,000 signatures on a separate petition calling for a referendum on political change.⁷³

In March 1998, thirteen dissident organizations based in the eastern provinces of Cuba formed the *Plataforma Democrática Oriental*, Eastern Democratic Platform. The thirteen groups issued the *Declaración de Oriente*, Declaration of the East, which said that, inspired by the Pope, they had united around the idea of liberty, democracy and national justice based on a “Social Christian doctrine.”⁷⁴ The member organizations and those who signed the Declaration on their behalf were reported by independent Cuban journalist Monike de Motas:⁷⁵

- *Frente Unido de Repatriados Cubanos*, United Front of Repatriated Cubans. Nora Muñoz Aguilar.
- *Frente Democrático Oriental*, Eastern Democratic Front. María Antonia Escobedo Yasell (Secretary of the five-member executive committee of the Platform).
- *Foro Feminista de Aliadas Democráticas*, Feminist Forum of Allied Democrats. Daisy Carcacés Batlle (Vice President of the five-member executive committee of the Platform).
- *Movimiento Civico Cristiano Pro Derechos Humanos, Patria, Independencia y Libertad*, Christian Civic Movement for Human Rights, Fatherland, Independence and Liberty. Ramón Palmaz Rosell.
- *Los Seguidores de Chibás*, The Followers of Chibás. Pedro Emilio Pacheco Pérez (member of the five-member executive committee of the Platform).
- *Frente Oriental Vicente García*, Vicente García Eastern Front. Humberto Illa Laguna.
- *Movimiento Democracia y Paz*, Peace and Democracy Movement. Jorge León Rodríguez González (President of the five-member executive committee of the Platform).
- *Frente Feminino Humanitario*, Humanitarian Feminine Front.

⁷³ Zúñiga, Jesús and Orrio, Manuel David. “Concilio Cubano podría entregar en 1998 diez mil firmas solicitando plebiscito,” *CubaNet* (18 March 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

⁷⁴ De Motas, Monike. “Se unifican 13 organizaciones orientales,” *CubaNet* (10 March 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

⁷⁵ De Motas, Monike. “Se unifican 13 organizaciones orientales,” *CubaNet* (10 March 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

- Comité de Madres por la Reunificación Familiar, Committee of Mothers for Family Reunification.
- Alianza Juvenil Cristiana, Christian Youth Alliance.
- Frente Unido de Campesinos Libres, United Front of Free Peasants.
- Movimiento de Jóvenes por la Democracia, Movement of Youths for Democracy.

The thirteenth member group of the Platform was not reported in de Motas's dispatch. The fifth member of the five-member executive committee of the Platform was identified as René Narciso Galán de Feria, but his group affiliation was not given.

Other dissident initiatives included the creation of small, home-based independent libraries, a number of them begun by dissidents affiliated with the PSD. The first, the *Biblioteca Independiente*, Independent Library, was begun in the eastern agricultural city of Las Tunas by former university professor Bertha Mexidor Vásquez and her husband Ramón Humberto Colás. Their aim was to make available books and other publications that the government has banned as "enemy propaganda"—for example, the works of Vaclav Havel, Octavio Paz and George Orwell, the Universal Declaration of Human Rights and foreign periodicals. The library, which is actually comprised of a number of shelves in the couple's second-floor apartment, had been operating secretly for some months before the Pope came to Cuba. Mexidor and Colás decided after the pontiff departed to announce its existence to independent Cuban journalists and foreign media.⁷⁶

As of the end of 1998, Cuban authorities had not moved to shut down the library, but it remained under heavy surveillance by State Security agents. Moreover, the government continued to block delivery of book donations from abroad and the collection remained limited to about 800 volumes. Possession of banned publications is punishable under Article 103 of the Penal Code which prescribes a prison sentence of 18 months or more on the charge of "enemy propaganda." Colás, 36, became a dissident in 1994 and is associated with the PSD branch in Las Tunas. The government fired him from his job in a hospital and pressured Mexidor to divorce him. When she refused she was fired from her job as a university professor in Las Tunas. Mexidor also is a correspondent for *Agencia Libertad*, Liberty Agency, an independent journalist group in Las Tunas. The couple survives on the goodwill of relatives and friends.⁷⁷

⁷⁶ Hidalgo González, Magdelidia. "Informaciones de Las Tunas," *Buró de Prensa Independiente de Cuba* (BPIC), published on *CubaNet* (9 March 1998). [Internet] www.cubanel.org/oldies.html [Accessed on 12 March 1999].

⁷⁷ "Fighting Cuba's Book Barrier Couple Opens Collection to Friends, Scholars on Island," *Miami Herald* (Miami, FL: 6 July 1998).

During spring and summer of 1998, a number of other independent, home-based libraries were established. They included at least five in the eastern province of Santiago de Cuba. One was started by José Daniel Ferrer García in the municipality of Julio Antonio Mella, another by PSD activist Dr. Rafael Ibáñez Isaac in the town of Palma Soriano. Three others were established in the city of Santiago de Cuba, one by PSD activist Alfredo Denis Camp, one by PSD activist Xiomara Velia Blanco called the *Biblioteca José Maceo*, and another called the *Biblioteca Independiente Pedro Luis Boitel* which is linked to the *Club de Presos y Ex-Presos Políticos de Santiago de Cuba*, Club of Political Prisoners and Former Political Prisoners of Santiago de Cuba.⁷⁸ In early November 1998 it was reported that Lázaro Raúl González Alfonso, a farmer and new contributor to *CubaNet*, had started an independent library in his home town of Herradura in the western province of Pinar del Río. The report by independent journalist Manuel David Orrio said that this was the ninth independent library started in Cuba.⁷⁹

In early February 1998, the *Instituto Independiente Democracia y Cultura* (IIDC), Independent Democracy and Culture Institute, was established in the city of Santiago de Cuba. Among the founders were José Gabriel Ramón Castillo, president, and Jesús Rafael Maturell, organizing secretary. Ramón Castillo stated that the principal objectives of the IIDC were to promote education about democracy and civic culture, to sponsor workshops and disseminate publications on these issues, and to establish cooperative relations with similar institutions in Cuba and abroad. By late September 1998 the IIDC had held two small workshops on the theme, “What do you know about democracy?” One of the workshops was held in the *Biblioteca Independiente Pedro Luis Boitel*.⁸⁰ On October 10, a *Debate Abierto*, Open Debate, forum was inaugurated at that library with a

⁷⁸ Hidalgo, Magdelivia. “Tres nuevas bibliotecas independientes en Santiago de Cuba,” *Agencia Prensa Libre Oriental* (APLO) (17 July 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999]. Santana, Santiago. “Nueva biblioteca independiente en Santiago de Cuba,” *Agencia Prensa Libre Oriental* (APLO) (1 September 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

⁷⁹ Orrio, Manuel David. “Avanza biblioteca pública independiente en Herradura,” *Cooperativa de Periodistas Independientes* (CPI) (9 November 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 12 March 1999].

⁸⁰ “El Instituto Independiente Democracia and Cultura,” statement signed by José Gabriel Ramón Castillo, *CubaNet* (5 February 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 14 March 1999]. Yero, Margarita. “Efectuado segundo espacio—“Qué sabe usted de democracia?” *CubaPress* (Santiago de Cuba: 30 September 1998). [Internet] <www.cubafreepress.org/bnews.html> [Accessed on 14 March 1999].

discussion on Carlos Manuel de Céspedes, a leader of Cuba's war for independence from Spain.⁸¹

In early September, the PSD announced that it had created the *Centro de Estudios Sociales*, Social Studies Center, in Havana for the purpose of conducting scholarly investigations of the Cuban reality and proposing alternatives to the current political system. Former PSD president and recently freed political prisoner Héctor Palacio Ruíz was named director of the center and Gisela Delgado Sablón the executive secretary.⁸²

A number of new independent press agencies have been formed since 1997. Dispatches from independent journalists are published, as are those by journalists who work for older agencies (described in Section XVI of the Perspective Series report *Cuba: Systematic Repression of Dissent*) by the Florida-based *CubaNet*: www.cubanet.org. Dr. José Alberto Hernández, president of *CubaNet*, stated in September 1998 that *CubaNet* received dispatches by telephone from approximately 30 journalists working for ten or so independent agencies.⁸³ Among the agencies established since 1997 are:

- *Agencia de Prensa Sindical Independiente de Cuba* (APSIC), Independent Workers Press Agency of Cuba. Based in Havana.
- *Agencia de Prensa Cuba Verdad* (CUV), True Cuba Press Agency. Based in Havana.
- *Agencia Libertad*, Liberty Agency. Based in the eastern province of Las Tunas.
- *Agencia Lux Info Press*. News agency affiliated with independent worker organizations, including the *Consejo Unitario de Trabajadores Cubanos* (CUTC), Unitary Council of Cuban Workers. Based in Havana.
- *Cooperativa Avileña de Periodistas Independientes*, Avileña Cooperative of Independent Journalists. Based in the central province of Ciego de Avila.
- *Cooperativa de Periodistas Independientes* (CPI), Independent Journalists Cooperative. Founded in Havana by Jesús Zúñiga Silverio, Manuel David Orrio, Aurora García del Busto, Osvaldo Raúl de Céspedes Feliú, Pablo Cedeño and Manuel Vásquez Portal.
- *Corresponsalía Sindical Villa Roja*, Villa Roja Correspondents Union. Journalist group operated outside the capital in the province of Havana,

⁸¹ Yero, Margarita. "Nuevo Espacio Pro Democrático en Santiago," *CubaPress* (Santiago de Cuba, 20 October 1998). [Internet] <www.cubafreepress.org/bnews.html> [Accessed on 15 March 1999]

⁸² "Crean centro de estudios sociales independientes," *Infoburó* (Miami: 11 September 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 15 March 1999].

⁸³ Hernández Cuellar, Jesús. "Encuentro con el Presidente de CubaNet News," *Revista Contacto* (8 September 1998). [Internet] www.cubanet.org/oldies.html [Accessed 15 March 1999].

affiliated with the independent *Consejo Unitario de Trabajadores Cubanos* (CUTC), Unitary Council of Cuban Workers.

- *Nueva Prensa Cubana* (NPC), New Cuban Press. Based in Havana. Correspondents regularly file reports with *Diario Las Americas* (Miami).
- *Santiago Press*. Founded in June 1998 in the eastern city of Santiago de Cuba.

In 1998, approximately twenty independent journalists also reported from around the country for *CubaPress*, which is directed in Havana by its founder, Raúl Rivero Castañeda. *CubaPress* has a web site, operated by the Florida-based Cuba Free Press, Inc., and dispatches filed by telephone by correspondents in Cuba are posted at www.cubafreepress.org.⁸⁴ Between *CubaNet* and *CubaPress* a total of 10-12 news reports or commentaries from Cuba are posted daily on their respective web sites. Independent journalists themselves, however, operate without fax machines and computers which are illegal in Cuba without government authorization.⁸⁵

The visit of the Pope notwithstanding, independent journalists continued to face repression by the Cuban government. In its annual report issued in March 1998, the New York-based Committee to Protect Journalists stated:

Despite implicit promises to Pope John Paul II that there would be greater room for freedom of expression, Castro continues his control over all media outlets and his harsh treatment of independent journalists, who are routinely detained, arrested and beaten, or forced into exile, especially before major political events.⁸⁶

The Committee to Protect Journalists further reported that the Cuban government had created a special police force to target independent journalists and that their international telephone calls were constantly monitored and interrupted by the government.⁸⁷

In July 1998, the CCDHRN inaugurated a bulletin called *El Observador*, the first such publication since the organization was founded in the 1980s. Elizardo Sánchez, president of the CCDHRN and editor of the publication, wrote in the first issue comprised

⁸⁴ Statement by Juan A. Granados, president of Cuba Free Press, Inc., *Cuba Free Press* (23 July 1998). [Internet] www.cubafreepress.org/art [Accessed on 10 March 1999].

⁸⁵ Committee to Protect Journalists. *Country Report: Cuba* (New York: 31 December 1998), p. 1. [Internet] www.cpj.org/countrystatus/1998/Americas/Cuba.html [Accessed on 15 March 1999].

⁸⁶ Committee to Protect Journalists. "Enemies of the Press: The 10 Worst Offenders of 1998," *Attacks on the Press in 1998* (New York: March 1998), p. 63.

⁸⁷ Committee to Protect Journalists. "Enemies of the Press: The 10 Worst Offenders of 1998," *Attacks on the Press in 1998* (New York: March 1998), p. 63.

of five mimeographed pages that the purpose of the pamphlet would be “to promote and increase understanding of political and civil rights in Cuba” and was directed at “nongovernmental Cuban human rights observers, various institutions throughout the island, and international entities and organizations.”⁸⁸

VI. THE GOVERNMENT’S STRATEGY

Over the past two decades, rule in Cuba has been characterized by cycles of repression. Severe repression in the early 1980s gave way to a thaw in 1985-1988. That was followed by a crackdown in 1989 which peaked in July 1994 when a state-owned tugboat hijacked from Havana harbor by 72 civilians was deliberately rammed and sunk by a Cuban vessel, killing 41 people. Since then, cycles of repression have occurred on an almost annual basis. A period of eased repression began at the end of 1994 and lasted until the crackdown against the *Concilio Cubano* in February 1996. There was a thaw in the winter of 1996-97, which was followed by a period of heightened repression in the summer of 1997 that did not abate until after the Pope’s visit in January 1998.

The cyclical nature of repression stems from the tension between the government’s two principal objectives: 1) maintaining total political control domestically, while 2) seeking political and economic support internationally, which requires projecting a softer image abroad due to increased concerns about human rights since the 1980s. Cuban diplomatic offensives therefore are usually accompanied by a lessening of repression and/or the release of some political prisoners. That allows countries which promote investment in Cuba or support it in international forums to say that their policy of engagement is working. What is really at play, however, is Castro’s strategy of “hostage politik,” a term used in 1997 by Sidney Jones, executive director of Human Rights Watch/Asia, in assessing China’s release into exile of political prisoner Wei Jingsheng. Jones said, referring to the Chinese government, “When they need to offer a concession for political reasons, they release someone they should never have arrested in the first place.”⁸⁹ The strategy of the Cuban government is the same.

The easing of repression that began with the Pope’s visit therefore fit the pattern as Fidel Castro in the months that followed sought to capitalize on the pontiff’s appeal that “the world open itself up to Cuba.” Cuba’s strategy resulted in an enormous diplomatic victory on April 21, 1998, when the United Nations Commission on Human

⁸⁸ Rivero, Raúl. “Circula en Cuba boletín de derechos civiles,” *El Nuevo Herald* (Miami: 18 July 1998).
“Group notes Cuban prisoner releases, seeks more,” *Miami Herald* (Miami: 18 July 1998).

⁸⁹ Sun, Lena H. “China Dissident Wei Jingsheng Arrives in U.S.,” *Washington Post* (Washington, DC: 17 November 1997).

Rights rejected a U.S. resolution critical of Cuba and effectively ended the 7-year mandate of the United Nations Special Rapporteur on Human Rights in Cuba. That Castro would have been emboldened by his victory at the United Nations seemed evident when he brusquely rebuffed the appeal for political reform and the release of well-known political prisoners made by Canadian Prime Minister Jean Chretien during a visit to Havana on April 27-28.⁹⁰ Castro, after seeing Chretien off at the airport, declared, “We are not going to change. We are going to continue defending our cause and our socialism.” Chretien asked for the release of the four leaders of the *Grupo de Trabajo de la Disidencia Interna*, Internal Dissidence Work Group—Vladimiro Roca Antunes, Félix A. Bonne Carcasés, René Gómez Manzano and Marta Beatriz Roque Cabello—all jailed without trial since July 1997. Castro stated, “We have not made any type of commitment in relation to that.”⁹¹

To placate Canada, now Cuba’s largest investor, Castro released three lesser known political prisoners on May 5, 1998. They were Guillermo Ismael Sombra Ferrandiz, Esperanza Micaela Atencio de la Rosa and José Miranda Acosta, all imprisoned since the early 1990s. The three were released on the condition that they leave the country—as is frequently the case with freed political prisoners—and Canada readily accepted them.⁹² It was also useful for Castro to announce the release of the three prisoners on May 4 and send them to Canada on May 5, as the headlines abroad about released prisoners overshadowed the government’s simultaneous crackdown against a movement of independent farmers, as described in Section VII.

Despite Castro’s continuing intransigence on human rights and political reform, Cuba continued to reap benefits internationally. In June, Italian Foreign Minister Lamberto Dini, the highest-ranking European Union official to visit Cuba in recent years, pledged to help Cuba integrate more into the international community.⁹³ Dini was followed to Havana by senior government officials from several countries of Europe, Latin America and the Caribbean, and in August Castro was well received during a tour of once hostile Caribbean countries. The visit to Havana of Spanish Foreign Minister Abel Matutes in November and the announcement that the King and Queen of Spain would visit Cuba in Spring 1999 seemed to indicate the mending of relations between Cuba and the conservative government in Spain, though as of the completion of this

⁹⁰ Cawthorne, Andrew. “Castro Rebuffs Canadian’s Reform Plea,” *Reuters* (Havana: 28 April 1998).

⁹¹ Cawthorne, Andrew. “Castro Rebuffs Canadian’s Reform Plea,” *Reuters* (Havana: 28 April 1998).

⁹² “Three More Cuban Prisoners Released,” *Associated Press* (Ottawa: 4 May 1998). “Tearful Cuban Exiles Arrive in Canada,” *Reuters* (Toronto: 5 May 1998).

⁹³ Cawthorne, Andrew. “Italy’s Dini on high-profile visit to Cuba,” *Reuters* (Havana: 9 June 1998).

paper, the royal couple had yet to visit the country. Also, Guatemala and the Dominican Republic established full diplomatic relations with Cuba, and participants at the annual Ibero-American summit in Lisbon agreed to hold the next summit in Havana in fall 1999.⁹⁴

At the end of the year, the PCC-controlled weekly *Juventud Rebelde* trumpeted, “A total of 139 important personalities visited Cuba in 1998!”⁹⁵ Moreover, outside of Washington, there had been little or no encouragement from abroad for any of the dissident initiatives outlined in Section V. In an interview at year’s end Elizardo Sánchez concluded, “This government is going to complete 40 years and there is no indication that it will initiate a process of even gradual democratic reforms.”⁹⁶

VII. INCREASE IN REPRESSIVE TACTICS

The Cuban government began to increase repressive measures against dissidents soon after the April 21 vote at the United Nations which ended the mandate of the United Nations Special Rapporteur on Human Rights in Cuba. As Human Rights Watch noted in its annual report in December 1998:

After an apparent opening early in 1998, Cuba took firm action against nonviolent government critics as the year progressed with surveillance, harassment, and intimidation. Cuba used short-term, arbitrary detentions together with official warnings of future prosecution to urge activists to leave Cuba, abandon their opposition activities, or distance themselves from “counterrevolutionary” colleagues or family members.⁹⁷

In early May 1998, the government took actions against a peaceful movement of independent farm cooperatives which had begun in May 1997. By February 1998, three small independent cooperatives had formally banded together in the *Alianza Nacional de Agricultores Independientes de Cuba* (ANAIC), National Alliance of Independent Farmers of Cuba.⁹⁸ The three were:

⁹⁴ Cawthorne, Andrew. “Cuba welcomes Haitian leader, Spanish minister,” *Reuters* (Havana: 9 November 1998). “Cuba Hosts Foreign Leaders,” *Associated Press* (Mexico City: 9 November 1998). Fletcher, Pascal. “Cuba pardons two prisoners in gesture to Spain,” *Reuters* (Havana: 23 November 1998).

⁹⁵ Alfonso, Pablo. “Avance diplomático y retroceso económico,” *El Nuevo Herald* (Miami: 31 December 1998).

⁹⁶ Alfonso, Pablo. “Avance diplomático y retroceso económico,” *El Nuevo Herald* (Miami: 31 December 1998).

⁹⁷ Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington D.C.: December 1998), p. 4-5. [Internet] www.hrw.org/hrw/worldreport99/americas/cuba.html [Accessed on 14 March 1999].

⁹⁸ Orrio, Manuel David. “Nueva cooperativa independiente cubana,” *CubaNet* (28 February 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 10 March 1999].

- *Cooperativa Transición*, Transition Cooperative. Founded in May 1997 in the province of Santiago de Cuba.
- *Cooperativa Independiente Progreso I*, Progress I Independent Cooperative. Founded in the province of Guantánamo in early fall 1997.
- *Cooperativa Independiente Progreso II*, Progress II Independent Cooperative. Founded in the municipality of San José de las Lajas in the province of Havana in February 1998.

In early August 1998, at least two dozen small farmers in the central-eastern province of Las Tunas affiliated themselves with the ANAIC.⁹⁹ The ANAIC was founded on the principles of land ownership by farmers rather than the government, free agricultural markets, and cooperation, mutual support and solidarity between farmers independent of the government. Initially, the government tried to coax the independent farmers back into the fold by promising credits and other support. But the ANAIC reconfirmed its independence as a non-governmental organization and, following the visit of the Pope, announced that it would hold its first major meeting on May 5, 1998 in Loma del Gato in the province of Santiago de Cuba. The meeting was to be called the *Primer Encuentro Inter-Cooperativas Independientes*, First Independent Inter-Cooperative Meeting.¹⁰⁰ Independent Cuban journalists reported that the scheduled ANAIC meeting had aroused much interest and anticipation among small farmers outside of the actual ANAIC members and that the three cooperatives themselves were increasing in membership as the day of the meeting approached.¹⁰¹

On April 2, 1998, ANAIC president Reinaldo [Reynaldo] Hernández was temporarily detained in Havana by State Security agents who threatened him with deportation or a prison sentence of four to six years if he continued his work with the independent farmers movement.¹⁰² On May 3, 1998, two days before the scheduled ANAIC meeting, Hernández was arrested in the province of Guantánamo by State

⁹⁹ Hidalgo, Magdelivia. "Crean delegación de la ANAIC en Las Tunas," *Agencia de Prensa Libertad*, Liberty Press Agency (Las Tunas: 8 August 1998). [Internet] www.cubanet.org/oldies.html. [Accessed on March 1999]

¹⁰⁰ Céspedes, Juan Carlos. "Anuncian temas a tratar en encuentro entre cooperativas independientes," *Agencia de Prensa Libre Oriental* (APLO), Eastern Free Press Agency (Santiago de Cuba: 28 March 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 10 March 1999].

¹⁰¹ "Amenazado líder campesino independiente por la policía política," *CubaNet* (3 April 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 10 March 1999].

¹⁰² "Amenazado líder campesino independiente por la policía política," *CubaNet* (3 April 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 10 March 1999].

Security agents.¹⁰³ Hernández is also president of the *Cooperativa Independiente Progreso I* in Bejuquera de Filipinas in the province of Guantánamo.

On May 4-5, 1998, the government deployed large numbers of police, State Security agents and *Brigadas de Respuesta Rápida*, Rapid Response Brigades, to intimidate and in many cases detain anyone who tried to travel to the site of the ANAIC meeting, the farm of Jorge Béjar, president of the *Cooperativa Transición*, in Loma del Gato in the province of Santiago de Cuba. Those detained were taken to police stations where they were threatened with imprisonment if they did not desist from participating in the independent farmers movement. Police and State Security then invaded Béjar's farm house, interrogated and threatened the residents, and told them there would be no farmers meeting. Béjar and his wife were detained by police for five hours. ANAIC president Hernández was released the night of May 5.¹⁰⁴

Harassment and intimidation by the government against independent farmers continued following the disruption of the ANAIC meeting in May. For example, in October 1998, State Security agents interrogated a number of farmers affiliated with the *Cooperativa Transición* and threatened to bring them to trial for "violating the laws of the country."¹⁰⁵ In November, an ANAIC delegate in Las Tunas, Roger Curbelo Marrero, was threatened by State Security agents who stated to him that they had in their possession tapes of declarations he had made to Radio Martí.¹⁰⁶

Heightened actions against dissidents overall continued throughout the summer, as related through *CubaNet* and *CubaPress* in dozens of dispatches by independent journalists working in Havana and different provinces. Such measures included short-term detentions by police and State Security, the issuance of *advertencias oficial*, official

¹⁰³ "Detienen en Guantánamo al líder campesino Reynaldo Hernández," *Agencia de Prensa Libre Oriental* (APLO), Eastern Free Press Agency (Santiago de Cuba: 3 May 1998), [Internet] www.cubanet.org/oldies.html [Accessed on 10 March 1999].

¹⁰⁴ Santana, Santiago. "Régimen frustra encuentro de cooperativas independientes," report by Cuban independent journalist in province of Santiago de Cuba, published in *El Nuevo Herald* (Miami: 7 May 1998). Santana, Santiago. "Impiden fuerzas represivas celebración de encuentro campesino," *Agencia de Prensa Libre Oriental* (APLO), Eastern Free Press Agency (Santiago de Cuba: 5 May 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 5 March 1999]. Mirna Riverón. "Continúan las medidas represivas contra campesinos independientes," *Agencia de Prensa Libre Oriental* (APLO), Eastern Free Press Agency (Santiago de Cuba: 5 May 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 9 March 1999].

¹⁰⁵ "Amenaza policía política a cooperativistas independientes," *Agencia de Prensa Libre Oriental* (APLO), Eastern Free Press Agency (Santiago de Cuba: 19 October 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 9 March 1999].

¹⁰⁶ Vásquez, Berta Mexidor. "Citan autoridades a delegado de la ANAIC en Las Tunas," *Agencia de Prensa Libertad*, Liberty Press Agency (Las Tunas: 11 November 1998). [Internet] www.cubanet.org/oldies.html [Accessed on 9 March 1999].

warnings, and threats of long-term imprisonment.¹⁰⁷ Under the Cuban Penal Code, *advertencias oficiales*, as well as the offense of *peligrosidad*, dangerousness, as defined in Articles 72-90, give the government the authority to imprison or mandate police surveillance of individuals who have committed no criminal act.¹⁰⁸

Other measures included intrusions into dissident homes and threats by groups of people organized by the *Comités de Defensa de la Revolución* (CDR), Committees for the Defense of the Revolution, and the *Sistema Único de Vigilancia y Protección* (SUVP), the Unified System of Vigilance and Protection;¹⁰⁹ acts of repudiation against dissidents and/or their families by Rapid Response Brigades under the direction of the Ministry of Interior (MININT);¹¹⁰ persecution of children of dissidents through denial of employment and, in schools, harassment, denial of promotions, and expulsion;¹¹¹ physical attacks by police;¹¹² anonymous physical attacks and robberies against dissidents and their residences;¹¹³ and arbitrary evictions from homes and rental properties.¹¹⁴

The stepped-up repression coincided with an ideological offensive launched in late May and early June by the PCC to root out the “cancer” and “capitalist fetishes” which the party said “threatened the Revolution.”¹¹⁵ The PCC called for greater vigilance and actions by all PCC-controlled mass organizations and exhorted the CDRs to conduct

¹⁰⁷ For example: Peraza Font, Rafael. “Reprimen activista de movimiento cívico,” *Corresponsalía Sindical Villa Roja* (Artemisa: 4 August 1998), published 5 August 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁰⁸ Human Rights Watch. *Press Advisory* (Washington D.C.: 15 October 1998).

¹⁰⁹ For example: López Baeza, Ana Luisa. “Renewed Repression,” *CubaPress* (Havana: 22 May 1998), published on 22 May 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹¹⁰ For example: González Alfonso, Ricardo. “Hostigan a periodista independiente,” *CubaPress* (Havana: 9 July 1998), published 9 July 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹¹¹ For example: Arroyo, Victor Rolando. “No todos son iguales,” *Asociación Foro por la Reforma* (Pinar del Río), published 25 August 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹¹² For example: Dante Abat, Jorge. “Golpeado brutalmente un sindicalista independiente por miembros de la represión cubana,” *Lux Info Press* (Guantánamo: 18 Octubre 1998), published 22 October 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹¹³ For example: García, Miriam. “Hostigamiento y robos contra pedagogos independientes,” *Colegio de Pedagogos Independientes de Cuba* (Havana: 16 August 1998), published on 19 August 1998 by *CubaNet*: www.cubanet.org/oldies.html. Curbelo, Odalys. “Unknowns throw eggs at dissident’s home at night,” *CubaPress* (Pinar del Río: 27 August 1998), published on 27 August 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹¹⁴ For example: Sotolongo León, Nancy. “Sutiles agresiones contra la oposición,” *Unión de Periodistas and Escritores de Cuba* (Havana), published on 25 July 1998 by *CubaNet*: www.cubanet.org/bpic/index.html.

¹¹⁵ Cawthorne, Andrew. “Cuban union lashes emerging capitalist ‘fetishes’,” *Reuters* (Havana: 1 June 1998).

more house-to-house operations “against ideological deviation.”¹¹⁶ In its most recent annual human rights report, the U.S. State Department said:

Although the Constitution provides for the inviolability of a citizen’s home and correspondence, official surveillance of private and family affairs by government-controlled mass organizations, such as the CDRs, remains one of the most pervasive and repressive features of Cuban life. The State has assumed the right to interfere in the lives of citizens, even those who do not actively oppose the Government and its practices.¹¹⁷

Part of the government’s ideological effort was in response to mounting common crime, corruption and prostitution. But the survey of dispatches filed during the summer by independent journalists through *CubaNet* and *CubaPress* indicated a simultaneous increase in the targeting of dissidents, as well. Moreover, in keeping with the government’s tactics in recent years, anti-crime measures continued to be used as a means to harass and intimidate dissidents. For example, police confiscated an air conditioner used by the asthmatic son of dissident José Orlando González Ridón on the pretext that it had been illicitly acquired. In another example, the wife of Dr. Oscar Elías Biscet, president of the *Fundación Lawton de Derechos Humanos*, Lawton Human Rights Foundation, was fined 1,000 pesos (equal to about five months’ average salary) for allegedly operating as a manicurist without a license.¹¹⁸

The *Fundación Lawton de Derechos Humanos* was established in early 1998 when Dr. Elías Biscet, 37, produced an unauthorized, critical report on the government’s use of the abortion drug Rivanol and made it available to independent journalists. In reprisal, he was fired from the hospital where he worked. He and foundation vice-president Rolando Muñoz Yllobre, a computer expert who helped prepare the report, are devout Catholics and, in accord with church teaching, are foes of abortion and the death penalty, which still exists in Cuba. Both were detained by State Security and police on numerous occasions throughout the year.¹¹⁹ As described in Section XI, the *Fundación*

¹¹⁶ “Partido Comunista decide apretar tuercas ideológicas,” *El Nuevo Herald* (Miami, FL: 8 June 1998). “Arrecian la vigilancia casa por casa en Cuba,” *EFE* (Havana), published in *Diario Las Americas* (Miami: 9 July 1998).

¹¹⁷ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 9 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹¹⁸ Nardo Cruz, Ofelia. “Acoso político y delito común,” *CubaPress* (Havana: 9 October 1998), published on 9 October 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹¹⁹ Noguerras, Olance. “Arrestan a líderes de grupo de derechos humanos,” *El Nuevo Herald* (Miami, FL: 11 July 1998).

Lawton was one of several dissident organizations that in the latter part of 1998 attempted to confront the government through acts of civil disobedience.

Repressive actions against independent journalists also increased during the summer following attacks against them in the official media. On June 26, a column in the PCC newspaper *Granma* denounced “the lies, immoralities and poorness of the so-called independent Cuban journalists whose aim is to make money at all costs.”¹²⁰ A week earlier three independent journalists in the western province of Pinar del Río were arrested, issued formal warnings, and threatened with physical violence and long-term imprisonment before being released.¹²¹ In another instance, not long after the *Granma* column appeared, Jesús Labrador Arias, a *CubaPress* correspondent in the eastern Granma province, was physically attacked by a 30-strong Rapid Response Brigade, after which he was arrested by police and fined for committing the offense of *escándolo público*, public scandal.¹²²

Increasingly, the government targeted family members as a means of pressuring independent journalists to abandon their work or leave the country. As described in the most recent annual report of the U.S. Department of State, Mirta Leyva, a journalist based in the southeastern coastal city of Manzanillo, accepted refugee status from Spain and departed with her family in September after her husband lost his job and was jailed. That occurred after stones and animal blood had been hurled at their house repeatedly during the course of a number of months.¹²³

In another instance cited in the State Department report, the family of independent journalist Manuel Antonio González in October was the target of an act of repudiation staged at their home in the eastern province of Holguín. Government and Communist Party officials mobilized workers from two local enterprises, as well as students from nearby primary and secondary schools, at the González home and led the crowd in shouting insults and pro-government slogans. Men in plainclothes then bashed in the door

¹²⁰ Cawthorne, Andrew. “Cuba slams independent press as ‘lying mercenaries’,” *Reuters* (Havana: 26 June 1998).

¹²¹ Lazo, Luis Alberto. “Detenciones y citaciones a activistas y periodistas,” *Agencia Nueva Prensa* (Artemisa: 18 June 1998), published on 19 June 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹²² González Alfonso, Ricardo. “Hostigan a periodista independiente,” *CubaPress* (Havana: 9 July 1998), published 9 July 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹²³ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 13 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

and beat several of the people inside the house in what Cuban rights activists described as one of the largest, most violent such incidents in years.¹²⁴

VIII. SEPTEMBER CRACKDOWN—DRAWING A LINE BETWEEN THE PASTORAL AND THE POLITICAL

On August 28, 1998, Reinaldo Alfaro García was convicted and sentenced to three years in prison on a charge of *difusión de informaciones falsas contra la paz internacional*, dissemination of false information against international peace, under Article 115 of the Penal Code. He had been imprisoned without trial since May 8, 1997, when he was arrested after he had alleged during an interview on U.S.-based Radio Martí that a woman imprisoned in the province of Guantánamo had been tortured. He also called upon mothers of political prisoners to demand from the government an amnesty for their children. Alfaro García, 37-years-old, is vice-president of the dissident *Asociación de Lucha Frente a la Injusticia* (ALFIN), Association for Struggle against Injustice, and a member of the executive committee of the *Partido Solidaridad Democrático* (PSD), Democratic Solidarity Party.¹²⁵

With the exception of Alfaro García's immediate family, neither international journalists, foreign diplomats, nor members of the public were allowed into the courtroom, which the government had packed with its own personnel.¹²⁶ As Alfaro García was taken away by police, several dozen family members and dissidents outside the courthouse in Havana erupted in chants of "Long Live Human Rights," "Freedom!" and some occasional cries of "Down with Fidel." The small demonstration lasted about ten minutes before the government finally mustered a Rapid Response Brigade, backed by uniformed anti-riot police, which marched at the protesters and forced them to disperse. It was the most visible public protest against the government in years and seemed to

¹²⁴ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 5 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹²⁵ Amnesty International. *Update on Prisoner of Conscience, Reinaldo Alfaro García, Sentenced to Three Years' Imprisonment* (London: AMR 25/22/98, 1 September 1998). Nogueras, Olance. "Estricta vigilancia predominó en juicio a disidente," *El Nuevo Herald* (Miami: 29 August 1998).

¹²⁶ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 12 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

indicate a further deepening of resolve among some dissidents following the Pope's trip to Cuba.¹²⁷

Less than two weeks later, the government moved to ensure against further protests by arresting thirteen dissidents and independent journalists, among them: Nancy de Varona Díaz, *Movimiento 13 de Julio*, July 13th Movement; Vicky Ruíz Labrit, *Comité Cubano de Opositores Pacíficos*, Committee of Cubans in Peaceful Opposition; Ofelia Nardo, *Confederación de Trabajadores Democráticos de Cuba* (CTDC), Confederation of Democratic Workers of Cuba; and Luis López Prendes, director of the *Buró de Prensa Independiente de Cuba* (BPIC), Independent Press Bureau of Cuba. All were held for between 12 and 48 hours and threatened with long-term imprisonment in what Elizardo Sánchez described as “the most intense, far-reaching crackdown on dissent since the papal visit.”¹²⁸

The arrests took place on September 7 and September 8, the latter being the day when the Catholic Church held a procession in Havana to honor *La Virgen de Caridad del Cobre*, Virgin of Charity, Cuba's patron saint. All those detained were interrogated about that event as well as the dissident protest at the García Alfaro trial.¹²⁹ Also on September 8, State Security agents and police blocked about 30 other dissidents and independent journalists from leaving a house in Havana where they had assembled to privately commemorate the holy day.¹³⁰

In the view of Elizardo Sánchez and other dissidents, the government's aim was to stop dissidents from participating in the procession and underscored what Sánchez called the “dual policy” of the government in extending limited religious freedom to the Catholic Church while keeping a tight rein on peaceful political opponents.¹³¹ The Virgin of Charity procession was the largest allowed since the Pope's visit. The government also permitted a smaller procession in a Havana suburb in honor of the Virgin of Regla and allowed Cardinal Jaime Ortega to address worshippers on state-run *Radio Musical*

¹²⁷ Cawthorne, Andrew. “Cuba dissident sentenced amid rare public protest,” *Reuters* (Havana: 28 August 1998). García Chávez, Miriam. “Vibrant demonstration surrounds the trial of Reinaldo Alfaro García,” report by independent journalist published on 31 August 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹²⁸ Tamayo, Juan O. “Cuban authorities mix tolerance, repression,” *Miami Herald* (Miami: 9 September 1998).

¹²⁹ “13 dissidents freed without charges in Cuba,” *Agence France Presse* (Havana: 10 September 1998), published in the *Miami Herald* (Miami: 11 September 1998).

¹³⁰ De Céspedes, Oswaldo. “Preocupda, la policía vigiló a opositores e independientes,” *Cooperativa de Periodistas Independientes* (CPI) (Havana: 8 September 1998), published on 9 September 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹³¹ Guggenheim, Ken. “Cuba Arrests Political Dissidents,” *Associated Press* (Havana: 10 September 1998).

Nacional -- a minor, less widely heard station which usually plays classical music. It was the first time Ortega had been given time on state-run broadcast media since the Pope's visit. He prayed that the Virgin of Charity would help Cuba "open its mind and heart to Christ," but made no mention of the wave of dissident arrests which were occurring at the time.¹³²

The government, by allowing the Cuban Catholic Church somewhat more space to function, appeared to be trying to appease the Vatican, whose requests that the Cuban Church be allowed to open its own schools, operate a radio station or import a printing press continued to be denied. The government also continued to refuse the Church's request that Caritas, the Roman Catholic Church's humanitarian relief agency, be allowed to operate autonomously.¹³³

Tad Szulc, who has written biographies of both Fidel Castro and Pope John Paul II, suggested at the time of the papal visit that a stronger Catholic Church might come to provide cover for dissident activities in Cuba, as it did in Poland in the 1980s.¹³⁴ The Cuban government's "dual policy" was designed to prevent exactly that. To ensure continued support from the Vatican internationally, the government was willing to grant a degree of freedom for the Cuban Church's pastoral mission. But even as it did so, the government wanted both the Church and peaceful opponents to know that it makes a distinction between pastoral and political activities—the September crackdown drew a clear line between the two.

IX. THE GOVERNMENT SEEKS TO WEAR DOWN PEACEFUL OPPONENTS

In mid-August 1998, Elizardo Sánchez said, "I perceive a lessening of political tension. But we don't know how long it will last."¹³⁵ A few weeks later, however, at the time of the September crackdown, Sánchez stated, "This situation confirms that there will be no space for political opposition."¹³⁶ That held true for the remainder of 1998 and into

¹³² Tamayo, Juan O. "Cuban authorities mix tolerance, repression," *Miami Herald* (Miami: 9 September 1998). "Autorizan 2 procesiones en La Habana," report compiled from wire service reports *El Nuevo Herald* (Miami: 8 September 1998).

¹³³ Tamayo, Juan O. "Pope summons Cuba's bishops as church-state relations stall," *Miami Herald* (Miami: 31 May 1998).

¹³⁴ Oppenheimer, Andres. "Slow road to democracy might be best," *Miami Herald* (Miami: 22 January 1998).

¹³⁵ Cawthorne, Andrew. "Cuban dissidents say repression against them eases," *Reuters* (Havana: 19 August 1998).

¹³⁶ Nogueras, Olance. "Liberan bajo advertencia a mujeres disidentes," *El Nuevo Herald* (Miami: 10 September 1998).

the first part of 1999. The increase in repressive actions that began in late spring and summer accelerated in the fall and early winter, as indicated by reports from foreign journalists and a survey of hundreds of dispatches from independent Cuban journalists published in the last four months of the year by *CubaNet* and *CubaPress*.

Based on that review, heightened repression was most evident in the city of Havana, the surrounding province of Havana, the western province of Pinar del Río, the north-central province of Villa Clara, and the eastern provinces of Santiago de Cuba, Granma, Guantánamo and Holguín. The tactics used against dissidents and independent journalists remained much the same as earlier in the year: short-term detentions by police and State Security, the issuance of formal warnings and threats of long-term imprisonment; intrusions into dissident homes and threats by group organized by CDRs and the SUVP; acts of repudiation against dissidents and their families by Rapid Response Brigades; persecution of children of dissidents through denial of employment and, in schools, through harassment, denial of promotions, and expulsion; physical attacks by police; anonymous physical attacks and robberies against dissidents and their residences; arbitrary evictions from homes and rental properties.

In the second half of 1998, there were also a number of cases in which dissidents were arrested and held in jail for extended periods of time without charge. For example, *Nueva Prensa Cubana* reported that Lázaro Planes Farías, 34, of the *Partido Democrático 30 de Noviembre* “Frank País,” Frank País November 30th Democratic Party, had been arrested on October 14, 1998 after members of a CDR in Havana accused him of making comments critical of Fidel Castro. As of late November, he was still incarcerated without formal charge and had gone on a hunger strike. Planes Farías was one of the political prisoners released the previous February following the petition of the Pope.¹³⁷ In another example, Manuel Antonio Hernández Castellanos, a *CubaPress* correspondent in the eastern province of Holguín, was arrested on October 1, 1998 after allegations that he, too, had spoken critically of Fidel Castro. As of mid-December, Hernández Castellanos, 40, was still being held without charge.¹³⁸ In a third example, Rolando Bestart Favart, director of the *Biblioteca Independiente Pedro Luis Boitel* in Santiago de Cuba, one of the newly formed independent libraries discussed in Section V, was arrested in late October 1998. He was held for 42 days before being charged with possession of drugs

¹³⁷ Díaz Loyola, Jesús. “Cumple 26 días en huelga de hambre,” *Nueva Prensa Cubana* (Havana: 27 November 1998), published in *Diario Las Americas* (Miami: 2 December 1998).

¹³⁸ Sánchez, Juan Antonio. “Suspenden visita familiar a periodista preso,” *CubaPress* (Havana: 18 December 1998), published in 18 December 1998 by *Cuba Free Press*: www.cubafreepress.org/art

and released to await trial. He denied the charge and stated that he was being targeted because of his dissident activities.¹³⁹

As the frequency of repressive actions increased, it was evident that a principal goal of the government was to wear down and demoralize peaceful opponents to the point where they would either give up dissident activities or leave the country. The government apparently calculated that peaceful opponents presented less of a threat to the regime outside the country rather than in prison. For example, despite the testimony of dozens of recently exiled dissidents about human rights violations in Cuba, and the reports by Elizardo Sánchez, who twice in recent years has been allowed to travel abroad, the government won a major victory in April 1998 when the United Nations Commission on Human Rights voted to end the mandate of the United Nations Special Rapporteur on Cuba, as discussed in Section VI.

Dissidents who were detained for short periods in 1998 were often threatened with harsher reprisals if they did not go into exile. For example, according to a report for the Inter-American Press Association co-authored by Raúl Rivero, *CubaPress* director in Havana, State Security agents warned independent journalist María de los Angeles González in early October that she should go to “Nicaragua, Venezuela, Russia or whatever country would have you.” Less than a month later Ana Luisa López Baeza of *CubaPress* finally left Cuba following years of sustained harassment and threats of long-term imprisonment if she did not leave the country.¹⁴⁰ Exiled in Miami, López Baeza was asked in January 1999 about the pressures exerted against her by the Cuban government. She said:

There were many, of every kind. But the most difficult to endure were not the arrests, the jailings, and the threats made by the political police against me, but the pressures and threats against my family and loved ones. The persecution they use against sons and daughters, spouses, fathers, brothers—they aim to break you by making you feel responsible, that your activities are the cause of the pressures against them.¹⁴¹

¹³⁹ Santana, Santiago. “Puesto en libertad director de biblioteca independiente,” *Agencia de Prensa Libre Oriental* (Santiago de Cuba: 14 December 1998), published on 17 December by *CubaNet*: www.cubanet.org/oldies.html.

¹⁴⁰ Rivero, Raúl and Fabricio, Roberto. *Informe de Cuba de la Sociedad Interamericana de Prensa*, Report on Cuba by the Inter-American Press Association, published by *El Nuevo Herald* (Miami: 16 November 1998).

¹⁴¹ Alfonso, Pablo. “Enraíza el periodismo independiente,” *El Nuevo Herald* (Miami: 14 January 1999).

In November, independent journalist Monike de Motas assessed the process through which the government seeks to sap the will of peaceful opponents. She referred to it as:

...a permanent psychological persecution which envelops one's movements, visits, conversations, family and friends, employing everything from anonymous beatings, public acts of repudiation including pelting with rocks, all with the goal of forcing the person into exile to escape the unbearable nervous tension and social marginalization.¹⁴²

De Motas also reported that as part of its tactics the government was increasing its use of "internal exile," whereby a targeted individual is banned from Havana or whatever provinces where he or she has been participating in dissident activities, even if it means being displaced from one's place of residence.¹⁴³

The experience of Jesús Labrador Arias is fairly typical of the "permanent psychological persecution" applied against peaceful government opponents. Labrador Arias, 44, is the *CubaPress* correspondent based in the town of Manzanillo in the eastern province of Granma. As noted in Section VII, in July he was physically attacked by a 30-strong Rapid Response Brigade, after which he was arrested by police and fined for committing the offense of *escándolo público*, public scandal. Before dawn on November 19, 1998, unknown persons attacked his home, where he, his wife, child and mother were sleeping. They broke the windows with rocks and dumped garbage inside the house. A few days earlier, an unknown individual in civilian clothes had accosted his wife on the street, telling her, "Tell your husband to stop talking garbage, or that's what he's going to get." Previously, Labrador Arias had been followed and threatened by State Security agents.¹⁴⁴ On December 29, 1998 Labrador Arias was arrested again. Police told his wife the following day only that he was "under investigation."¹⁴⁵

In another example, in October 1998 three State Security officials entered the home of Oliverio González Linares, a member of the *Comité Cubano de Opositores*

¹⁴² De Motas, Monike. "Dónde poner el huevo?" published on 4 November 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁴³ De Motas, Monike. "Dónde poner el huevo?" published on 4 November 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁴⁴ González Alfonso, Ricardo. "Apedrean casa de corresponsal de Cuba Press en Manzanillo," *CubaPress* (Havana: 19 November 1998), published on 19 November 1998 by *Cuba Free Press*: www.cubafreepress.org/art. De Motas, Monike. "Septiembre: mes aciago para la disidencia cubana," report by independent journalist published on 28 October 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁴⁵ Sánchez, Juan Antonio. "Detenido en Manzanillo periodista de esta agencia," *CubaPress* (Havana: 30 December 1998), published on 30 December 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

Pacíficos, Committee of Cubans in Peaceful Opposition, in the town of Güida de Melena in the province of Havana. They threatened to arrest him on apparently trumped-up charges of having an “unlicensed” refrigerator and for tampering with his electricity meter. Before leaving, the officials reportedly told him that he would not be “left in peace” unless he stopped denouncing human rights violations.¹⁴⁶ Examples of physical attacks include the separate assaults in late September in Havana against two journalists affiliated with the *Cooperativa de Periodistas Independientes* (CPI), Independent Journalists Cooperative. Manuel David Orrio was set upon by unknown assailants on the street near his home, while Jesús Zúñiga was knocked off his bicycle by a small truck. The occupants of the truck yelled to Zúñiga, “That’s what you get for your democracy!”¹⁴⁷

In September 1998, there were reports that school children were being incorporated into some Rapid Response Brigades. Miriam García Chávez, president of the *Colegio de Pedagogos Independientes de Cuba*, Association of Independent Cuban Educators, said that on the night of September 18 she and her family were the target of an “act of repudiation” at their home in Havana. She said the brigade, led by CDR zone directors whom she recognized, included 50 to 60 children, all in school uniforms, who were directed to line up in formation outside the house during a rain storm and chant, *Abajo la gusanera!*, (Down with the worm!). García Chávez reported that other dissidents also had been targeted by Rapid Response Brigades which employed school children, including Augusto Madrigal Izaguirre of the *Colegio Médico Independiente de Cuba*, Independent Medical Association of Cuba.¹⁴⁸

Amid the general trends in 1998, there were additional reports of actions taken against people who had attempted to leave the island without authorization and had been repatriated. In June 1998, the *Buró de Prensa Independiente de Cuba* (BPIC) reported that Yorquis Pineda Laurencio, 24, who had been returned to Cuba from the U.S. base at Guantánamo in March 1998, was beaten by State Security officials in the province of Santiago de Cuba for refusing to tell them how he had fled the island. According to Eugenio Pozo, representative of the *Partido Solidaridad Democrática* (PSD) in the city of Santiago de Cuba, the officials then evicted Pineda Laurencio from his home in an area

¹⁴⁶ López Baeza, Ana Luisa. “Amenazan a opositor pacífico,” published on 21 October 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹⁴⁷ “Agresiones contra la Cooperativa de Periodistas Independientes,” unsigned dispatch from the *Cooperativa de Periodistas Independientes* published on 23 September 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁴⁸ Orrio, Manuel David. “Niños cubanos en acto de repudio,” *Cooperativa de Periodistas Independientes* (Havana: 21 September 1998), published on 22 September by *CubaNet*: www.cubanet.org/oldies.html.

of the city known as Cueto and confiscated his belongings, including the pass provided to him by INS officials at Guantánamo which would allow him to visit the U.S. Interest Section in Havana.¹⁴⁹

In June 1998, *CubaPress* reported that Angel Barbaro del Río Noa, 42, was to be tried for speaking out in public against “communism,” and that the prosecutor would ask for a 2-to-5-year prison sentence. Barbaro del Río Noa, a resident of the coastal city of Caibarién in the north-central province of Villa Clara, previously had left Cuba without authorization and been deported back from the Bahamas. Barbaro del Río Noa denied the charges against him, stating they were “completely false.”¹⁵⁰ There were no further reports as to whether the trial took place.

On September 11, 1998, *CubaPress* reported that Dany Leivis Baños Rodríguez, 21, was arrested by Cuban military officers in the coastal city of Caibarién in the north-central province of Villa Clara and taken to a nearby military installation. According to his mother, Baños Rodríguez sometime earlier in the year had fled by sea from the western province of Pinar del Río. She told *CubaPress* that he made it as far as the Bahamas where he was picked up by the U.S. Coast Guard. Apparently, he was turned over to Bahamian authorities who subsequently returned him to Cuba. Eleven days after he was detained in Cuba, his mother was still not allowed to communicate with him and military authorities had given no explanation for his arrest.¹⁵¹

In late November 1998, *CubaPress* reported that State Security officials arrested José Alberto González Medina and his wife Maribel Rodríguez Abreu in the coastal town of Yaguajay in the central province of Sancti Spiritus. A few months earlier, they had been returned to Cuba from the Bahamas after trying to leave the island without authorization. The officials held the couple for twelve hours and accused them of plotting to steal a boat for the purpose of trying to leave again, a charge which they denied. Upon releasing the couple, the officials told them to leave Yaguajay and never return. The couple stated to *CubaPress* that since being returned from the Bahamas they had been “constantly besieged by the repressive forces of the regime.”¹⁵²

¹⁴⁹ López Prendes, Luis. “Golpiza a deportado de Base de Guantánamo,” *Buró de Prensa Independiente de Cuba* (Havana: 11 June 1998), published in *El Nuevo Herald* (Miami: 18 June 1998) and on 16 June 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁵⁰ Trujillo Pis, Héctor. “Juicio a Balsero Deportado,” *CubaPress* (Caibarién: 16 June 1998), published on 16 June 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹⁵¹ Trujillo Pis, Héctor. “Arrestado joven deportado desde Nassau,” *CubaPress* (Caibarién: 22 September 1998), published on 22 September 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹⁵² Trujillo Pis, Héctor. “Policía política arresta en restaurant a deportados desde las Bahamas,” *CubaPress* (Caibarién: 1 December 1998), published on 1 December 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

In early November 1998, independent journalist Vicente Escobal Rabeiro of *Agencia Lux Info Press* in Havana wrote in an article about repatriated persons:

Many cases of harassment of citizens returned to Cuba have been denounced by independent journalists and human rights organizations on the island, who have highlighted the denial of employment by the authorities, as well as other measures that relegate repatriated people to social and economic marginalization.¹⁵³

Escobar Rabeiro did not provide any specific instances of harassment.

A number of the reports of harassment of repatriated persons in recent years have emanated from the north-central province of Villa Clara. In July 1998 a group of repatriated people in that province formed the *Asociación Nacional de Balseros Paz - Democracia y Libertad*, National Association of Rafters - Peace, Democracy and Freedom. The association claimed to have members throughout Cuba and in subsequent months joined other dissident organizations in denouncing human rights violations by the government. Among the original members of the association, according to a report by *CubaPress*, were Yaisset Rubio Espinoza and Ramón Noa González¹⁵⁴

X. PRISON CONDITIONS AND THE CONTINUED THREAT OF LONG-TERM IMPRISONMENT

Although the number of political prisoners has declined in recent years, peaceful government opponents continued to face the threat of long-term imprisonment in 1998 and the conditions inside Cuban prisons remained deplorable. The conditions were described by Human Rights Watch in its annual report for 1998:

Whether held for political or common crimes, inmates endured severe hardships in Cuba's prisons. Most prisoners faced malnourishment on the prison diet and suffered in overcrowded cells without sufficient medical attention. Prison authorities insisted that all detainees participate in politically oriented reeducation sessions, such as chanting "Long live Fidel" or "Socialism or Death," or face punitive measures including beatings and solitary confinement. Prison guards in men's facilities relied

¹⁵³ Escobal Rabeiro, Vicente. "Continúa devolución de emigrantes furtivos," *Agencia Lux Info Press* (Havana: 7 November 1998), published on 10 November 1998 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁵⁴ García Díaz, Edel José. "Balseros repatriados rinden homenaje a víctimas del remolcador 13 de Marzo," *Nueva Prensa Cubana* (Caibarién), published by *Diario Las Americas* (Miami: 8 July 1998). Trujillo Pis, Héctor. "Detenido por varias horas presidente de comisión de derechos humanos," *CubaPress* (Santa Clara, Villa Clara: 8 August 1998) published on 8 August 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

on “prisoners’ councils (consejos de reclusos) to maintain internal discipline with beatings and control over meager food rations...

...Human Rights Watch interviews with former political prisoners, dissident groups, and prisoners’ families revealed that Cuban political prisoners face serious human rights abuses. Cuba’s confinement of nonviolent political prisoners with prisoners convicted of violent crimes was degrading and dangerous. Guards imposed undue restrictions on political prisoners’ visits with family members. Prison authorities also punished political prisoners who denounced prison abuses or failed to participate in political reeducation or wear prison uniforms.

Many Cuban political prisoners spent excessive periods in pre-trial detention, often in isolation cells. Following conviction, they faced additional punitive periods in solitary confinement. Police or prison guards often heightened the punitive nature of solitary confinement with additional sensory deprivation, by darkening cells, removing clothing, or restricting food and water. The punitive and intimidatory measures against political prisoners caused severe pain and suffering and the retaliations against those who denounced abuses violated Cuba’s obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which it ratified in 1995.¹⁵⁵

Human Rights Watch also noted that:

Cuba maintained its extensive system of prison agricultural camps and ran clothing assembly, construction, furniture, and other factories at its prisons. Cuba’s insistence that some political prisoners participate in work programs and its inappropriate pressuring of inmates to work without pay in inhuman conditions violated international labor and prisons rights standards.¹⁵⁶

The most recent report by the U.S. State Department generally concurred with the assessment of prison conditions by Human Rights Watch. The State Department also noted that police and prison officials used “denial of medical attention against detainees and prisoners, including those convicted of political crimes or those who persisted in expressing their views,” and reported that:

Prison officials regularly denied prisoners other rights, such as the right of correspondence, and continued to confiscate medications and food brought by family members for political prisoners. State security officials in

¹⁵⁵ Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington, DC: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 3-4.

¹⁵⁶ Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington, DC: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 6.

Havana's Villa Marista facility took medications brought by family members for inmates and then refused to give the detainees the medicine, despite repeated assurances that they would. Prison officials also routinely denied religious workers access to detainees and prisoners.¹⁵⁷

The State Department also noted that the Cuban government has refused prison visits by the International Commission of the Red Cross since 1989, and in 1998 continued to refuse requests to renew such visits.¹⁵⁸

Human Rights Watch highlighted a number of trials in 1998 which demonstrated the government's continued willingness "to use the criminal code to crush dissent." One case was that of Reinaldo Alfaro García who, as described in Section VIII, was convicted and sentenced to three years in prison on a charge of *difusión de informaciones falsas contra la paz internacional*, dissemination of false information against international peace. In another case, referred to in Section IV, a court in Santa Clara in the province of Villa Clara on February 13, 1998 sentenced Cecilio Monteagudo Sánchez, a vice-delegate of the *Partido Solidaridad Democrático* (PSD), Democratic Solidarity Party, to four years in prison on a charge of "enemy propaganda" for drafting, but not publishing, a document calling for abstention from Cuba's single-party local elections. The same court convicted Juan Carlos Recio Martínez, a *CubaPress* correspondent, whom Monteagudo Sánchez had asked to type the document, on a charge of *incumplimiento del deber de denunciar*, failure to comply with the duty to denounce counterrevolutionary behavior by other Cubans, and sentenced him to one year in a labor camp without internment.¹⁵⁹ In a third example, on April 24, 1998, a court in Santiago de Cuba convicted Julio César Coizeau Rizo, a member of the *Club de Ex-Presos Políticos "Geraldo González,"* Club of Ex-Political Prisoners "Geraldo González," to three years in prison on a charge of *desacato*, disrespect for authority, for posting anti-government flyers.¹⁶⁰

Human Rights Watch also noted that charging dissidents with offenses that come under the heading of "crimes against State Security," such as "sedition," "enemy propaganda," and "rebellion," gave the government the legal right to impose lengthy pre-

¹⁵⁷ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 5 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹⁵⁸ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 6 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹⁵⁹ Human Rights Watch. "Cuba: Human Rights Developments," *World Report 1999* (Washington, DC: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 2.

¹⁶⁰ Human Rights Watch. "Cuba: Human Rights Developments," *World Report 1999* (Washington, DC: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 2.

trial detentions and to conduct closed trials.¹⁶¹ For example, Reinaldo Alfaro García had been held in prison since May 8, 1997 prior to his trial on August 28, 1998, while Cecilio Monteagudo Sánchez, convicted on February 13, 1998, had been jailed since his arrest on September 15, 1997.¹⁶² The four leaders of the *Grupo de Trabajo de la Disidencia Interna* (GTDI), Internal Dissidence Working Group, Vladimiro Roca Antúnez, Marta Beatriz Roque Cabello, Félix Antonio Bonne Carcasés and René Gómez Manzano, were arrested and placed in maximum security prisons on July 16, 1997 and, as described in Section XII, were not brought to trial until March 1999. Prosecutors in Havana indicted all four on a charge of “sedition” on September 23, 1998, which meant that they had been imprisoned without charge for more than fourteen months. Under the Cuban Penal Code, the definition of “sedition” explicitly includes non-violent opposition to the government. The four were arrested after they had issued a document, *La Patria es de Todos*, The Homeland Belongs to All of Us, which criticized Cuba’s one-party system and called for democratic changes.¹⁶³

Since 1997, the government of Canada and a number of members of the European Union and the Organization of American States had been asking the Cuban government to release the four leaders of the *Grupo de Trabajo de la Disidencia Interna* (GTDI), to no avail. The indictment of the four in late September 1998 sparked renewed concerns in the international community. Not long afterward, the Cuban government used the opportunity of a visit by Spanish Foreign Minister Abel Matutes to appease such concerns and enhance the prospects for a visit to Cuba by Spain’s King Juan Carlos and Queen Sofia. As was the case during the visit of Canadian Prime Minister Chretien the previous April, the government dismissed Matutes’ plea for the release of the four GTDI leaders and instead released two lesser known political prisoners, on the condition that they go into exile.¹⁶⁴

One of the released political prisoners was Dr. Desi Mendoza Rivero who, as described in Section II, was arrested on June 25, 1997 in Santiago de Cuba, convicted in a trial on November 18, 1997 on a charge of spreading “enemy propaganda,” and sentenced to eight years in prison. The other was Jesús Chamber Ramírez, who since 1992 had been

¹⁶¹ Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington D.C.: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 2.

¹⁶² Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington D.C.: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 2.

¹⁶³ Human Rights Watch. “Cuba: Human Rights Developments,” *World Report 1999* (Washington D.C.: December 1998). Internet version: www.hrw.org/hrw/worldreport99/americas/cuba.html, p. 2.

¹⁶⁴ Fletcher, Pascal. “Cuba pardons two prisoners in gesture to Spain,” *Reuters* (Havana: 23 November 1998).

serving a ten-year prison sentence after also being convicted on a charge of “enemy propaganda.”

As noted in the most recent State Department report:

In the Government’s view, enemy propaganda includes materials such as the Universal Declaration of Human Rights, international reports of human rights violations, and mainstream foreign newspapers and magazines.¹⁶⁵

For example, in September 1998, Dr. Oscar Elías Biscet, director of the *Fundación Lawton de Derechos Humanos*, Lawton Human Rights Foundation, was roughed up and briefly detained by State security personnel who confiscated copies of the Universal Declaration of Human Rights he had been carrying.¹⁶⁶

XI. CRACKDOWN AT YEAR’S END

On November 27, 1998, Mario J. Viera González, the 59-year-old director of the *Agencia de Prensa Cuba Verdad*, Truth Cuba Press Agency, was scheduled to go on trial at the Provincial Tribunal in Havana. Viera González was charged with *injuriar*, insulting, José Dionisio Peraza Chapeau, head of the legal department of the Cuban Foreign Ministry, in a column posted by *CubaNet* on June 24, 1998. In the column, entitled *Moral en calzoncillos*, “Morality in undershorts,” Viera González criticized Peraza Chapeau for stating at a conference in Rome that an international criminal court must be independent and impartial. Viera González noted that in Cuba the judicial system is controlled by the Communist Party of Cuba (PCC) and stated:

When people devoid of ethics demand that others abide by ethics, or ask others to do what they themselves would not, they are said to—in the Cuban vernacular—“moralize in their undershorts.”¹⁶⁷

As happened at the September trial of Reinaldo Alfaro García, about a dozen dissidents came to support Viera González. When he moved toward the entrance to the courthouse, they began chanting the Lord’s Prayer and one of them, Dr. Oscar Elías Biscet, director of the *Fundación Lawton de Derechos Humanos*, Lawton Human Rights

¹⁶⁵ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 13 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹⁶⁶ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 10 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹⁶⁷ Viera González, Mario J. “Moral en calzoncillos,” *Agencia de Prensa Cuba de Verdad* (Havana), published on 24 June 1998 by *CubaNet*: www.cubanet.org/oldies.html. Published in English as “Morality in undershorts,” *Miami Herald* (Miami: 7 December 1998).

Foundation, shouted, “Long Live Mario, who defends the liberty of Cubans.” They were set upon immediately by a Rapid Response Brigade, backed up by State Security agents in plainclothes and special uniformed anti-riot police in black berets. During the course of about twenty minutes, members of the brigade physically attacked the dissidents, beating them and knocking them to the ground while police and State Security officials looked on. Police eventually arrested seven protesters, including Elías Biscet; Miriam García Chávez, president of the *Colegio de Pedagogos Independientes de Cuba*, Association of Independent Cuban Educators; and Milagros Cruz Cano, a 30-year-old blind woman affiliated with *Partido Democrático 30 de Noviembre “Frank País,”* Frank País November 30th Democratic Party. A CNN camera operator trying to film the arrests was shoved and punched by members of the brigade. No one from the brigade was arrested. The trial of Viera González was postponed and by the end of 1998 still had not been held.¹⁶⁸

Six of the seven people arrested were released within 12 to 36 hours. The seventh, a young man who was not a known dissident but had joined in demonstrating support for Viera González, remained unaccounted for. Witnesses said that he had been brutally beaten before being taken away in a police car.¹⁶⁹ A few days later, the government re-took command of international news headlines as foreign journalists in Cuba focused on the announcement that Christmas would be reestablished as a permanent public holiday.¹⁷⁰

Within days of the Christmas announcement the government initiated a new wave of arrests in Havana. On December 4, Milagros Cruz Cano was re-arrested and her family not informed until the following day that she was being held on a ward for violent inmates at the Mazorra Psychiatric Hospital in Havana. She was kept for ten days in an isolation cell before being released.¹⁷¹ On December 7, State Security officials arrested Néstor Rodríguez Lobaina, president of the *Movimiento Cubano de Jóvenes por la Democracia*, Cuban Movement of Youth for Democracy. On October 8, Rodríguez Lobaina, 32, completed 18 months in prison on charges of *desacato*, disrespect, and

¹⁶⁸ Rice, John. “Cubans protest at dissident’s trial,” *Associated Press* (Havana: 27 November 1998).
Fletcher, Pascal, “Fights break out at trial of Cuban dissident,” *Reuters* (Havana: 27 November 1998).
Nogueras, Olance. “Golpes y arrestos en juicio a periodista independiente,” *El Nuevo Herald* (Miami: 28 November 1998).

¹⁶⁹ Nogueras, Olance. “Liberados los detenidos en el disturbio del viernes,” *El Nuevo Herald* (Miami: 29 November 1998).

¹⁷⁰ Rice, John. “Cuba declares Christmas a holiday,” *Associated Press* (Havana: 1 December 1998).

¹⁷¹ Nogueras, Olance. “La reclusión de una disidente ciega ‘viola la ética siquiátrica,’” *El Nuevo Herald* (Miami: 9 December 1998).

resistencia, resistance. He was subsequently invited to participate in a conference in Paris to mark the 50th anniversary of the Universal Declaration of Human Rights on December 10. When the Cuban government denied him permission to travel, he protested in front of the Cuban Ministry of Foreign Affairs in Havana and was arrested. He was held for about a week and State Security officials seized his personal documents and the U.S. dollars he had accumulated for the purpose of making the trip.¹⁷²

Dr. Elías Biscet of the *Fundación Lawton* was also arrested on December 7, the third time he had been detained within ten days. *The Fundación Lawton*, the *Confederación de Trabajadores Democráticos de Cuba* (CTDC), Confederation of Democratic Workers of Cuba, and a number of other dissident groups had announced that on December 10 they would celebrate the 50th anniversary of the Universal Declaration of Human Rights in *Parque Butari*, Butari Park, in the Lawton neighborhood of Havana. On December 8, Ana María Ortega Jiménez, 32, and Gustavo Toirat González, 33, of the CTDC were arrested. They and Biscet were told that their planned gathering would not be permitted and were released. Meanwhile, numerous other dissidents and independent journalists were visited in their homes by State Security Officials who told them to stay away from the park.¹⁷³

On December 10, hundreds of members of the *Unión de Jóvenes Comunistas*, Union of Communist Youth, the youth wing of the PCC, assembled in Butari Park where they chanted, “Long Live Fidel!” and other pro-government slogans. Streets leading to the park were barricaded by police while plainclothes State Security agents surrounded the area. Nearly a dozen dissidents were arrested as they tried to make their way to the park, including Elías Biscet, independent journalist Omar Rodríguez Saludes of *Nueva Prensa Cubana*, and Maritza Lugo Gutiérrez of the *Partido Democrático 30 de Noviembre* “*Frank País*.” Dozens more were reportedly held under house arrest to prevent them from going to the park.¹⁷⁴

¹⁷² González Alfonso, Ricardo. “Detienen a conocido opositor,” *Cuba Press* (Havana: 7 December 1998), published on 7 December 1998 by *Cuba Free Press*: www.cubafreepress.org/art. Cawthorne, Andrew. “Cuba’s young communists pledge support for Castro,” *Reuters* (Havana: 8 December 1998).

¹⁷³ Curbelo, Odalys. “Continúa ola de arrestos,” *CubaPress* (Havana: 8 December 1998), published on 8 December by *Cuba Free Press*: www.cubafreepress.org/art. Rivero, Raúl. “Disidente preso y en ayuno,” *El Nuevo Herald* (Havana: 9 December 1998).

¹⁷⁴ Garve, Lucas. “Conmemorado en La Habana Día de la Declaración de Derechos Humanos,” *Asociación de Periodistas Independientes de Cuba, APIC* (Havana: 10 December 1998), published on 10 December 1998 by *CubaNet*: www.cubanet.org/oldies.html. Cawthorne, Andrew. “Cuba detains dissidents, stops rights’ day protest,” *Reuters* (Havana: 10 December 1998). González Valdés, Lázaro. “Hostigamiento a opositores por el Día de los Derechos Humanos,” *Agencia de Prensa Cuba Verdad* (Havana: 10 December 1998), published on 10 December 1998 by *CubaNet*: www.cubanet.org/oldies.html.

When two people inside the park identified themselves to foreign journalists as dissidents, Communist Youth members converged upon them shouting slogans. One dissident, who according to witnesses was holding copies of the Universal Declaration of Human Rights and the Bible, chanted back, “Long live human rights!” The two dissidents were then beaten by Communist Youth members and dragged away by State Security officials. During the fracas, foreign journalists were roughed up by Communist Youth members and a Reuters television camera operator who tried to record the arrests was shoved, punched and had his microphone stolen.¹⁷⁵

Most of the dozen or so dissidents arrested on December 10 were released within 48 hours. The two dissidents arrested inside Butari Park after they spoke to foreign journalists were later identified as black activist Ernesto Colás, apparently the one who shouted in favor of human rights, and 38-year-old Lázaro Constantino Durán, who had participated in the dissident protest in front of the courthouse in Havana on November 27. Colás was subsequently released. Constantino Durán, president of the *Club de Amigos del Colegio de Pedagogos Independientes de Cuba*, Club of Friends of the Association of Independent Educators of Cuba, was indicted on a charge of *peligrosidad*, dangerousness, and his trial was scheduled for December 16 at the Municipal Tribunal in Old Havana.¹⁷⁶

On December 15 and in the early hours of December 16, State Security and police arrested at least a dozen dissidents to keep them from going to the trial of Constantino Durán. Numerous others were visited in their homes and warned against going to Old Havana. Among those arrested were Miriam García Chávez and Roberto de Miranda Hernández of the *Colegio de Pedagogos Independientes de Cuba*; Efrén Martínez Purgarón of *CubaPress*; Dr. Elías Biscet and Rolando Muñoz Yllobre of the *Fundación Lawton*; and Milagros Cruz Cano.¹⁷⁷ When the trial began on the morning of December 16, State Security agents, police and Rapid Response Brigades formed a four-block cordon around the courthouse. In less than two hours, Constantino Durán was convicted

¹⁷⁵ Cawthorne, Andrew. “Cuba detains dissidents, stops rights’ day protest,” *Reuters* (Havana: 10 December 1998). “Party faithful in Havana attack and silence rights demonstrators,” report compiled from wire service dispatches emanating from Havana, *Miami Herald* (Miami: 11 December 1998).

¹⁷⁶ Noguera, Olance. “Liberan a presos por acto en La Habana,” *El Nuevo Herald* (Miami: 12 December 1998). Curbelo, Odalys. “A tribunales joven golpeado y apresado en el Parque Butari,” *CubaPress* (Havana: 15 December 1998) published on 15 December 1998 by *Cuba Free Press*: www.cubafreepress.org/art.

¹⁷⁷ De Céspedes, Oswaldo. “Represión a opositores y periodistas independientes,” *Cooperativa de Periodistas Independientes, CPI* (Havana: 16 December 1998) published on 16 December 1998 by *CubaNet*: www.cubanet.org/oldies.html. Garve, Lucas. “Fuerte operativo rodeó juicio contra disidente,” *Asociación de Periodistas Independientes de Cuba, APIC* (Havana: 16 December 1998) published on 16 December 1998 by *CubaNet*: www.cubanet.org/oldies.html.

in a secret proceeding. By the end of the day, most of the dissidents who had been arrested prior to the trial were released.¹⁷⁸

On December 17, Constantino Durán was sentenced to four years internment at a “correctional” labor center. Victorino Cuesta, president of the Municipal Tribunal, stated to the government press agency *Prensa Latina* that Constantino Durán was convicted on a charge of “dangerousness” under Articles 72 and 73 of the Penal Code because “he persists in associating with people who display antisocial conduct and constantly violates the norms of peaceful coexistence in society.” According to independent journalists contacted in Havana by *El Nuevo Herald* in Miami, State Security officials threatened Noris Durán, Constantino Durán’s mother, with reprisals if she spoke to foreign reporters.¹⁷⁹

XII. HEIGHTENED REPRESSION INTO 1999

The wave of detentions and threats continued through the first months of 1999, while in February, just prior to the trial of the four leaders of the *Grupo de Trabajo de la Disidencia Interna* (GTDI), Internal Dissidence Working Group, the government adopted a new law which established stiffer penalties for dissident and independent journalistic activities.

On January 6, State Security officials in Havana detained four journalists affiliated with *Habana Press*—Jesús Díaz Loyola, Lázaro Rodríguez Torres, Jorge Olivera and María del Carmen Garro Gómez—as well as Javier Troncoso of the *Confederación de Trabajadores Democráticos de Cuba* (CTDC), Democratic Workers Confederation of Cuba, and Estrella García Rodríguez of the *Partido Pro-Derechos Humanos de Cuba*, Party for Human Rights in Cuba. Before releasing them, the officials warned them to stay away from the Havana court where the appeal of Lázaro Constantino Durán’s conviction was to be heard the following day, saying to them, “We will use whatever kind of force against you.”¹⁸⁰

In mid-January, more than a dozen dissidents and independent journalists were jailed or held under house arrest in Havana for up to three days to prevent them from

¹⁷⁸ Bordón Gálvez, Orlando. “Condenado a tres años opositor habanero,” *CubaPress* (Havana: 16 December 1998), published on 16 December 1998 by *Cuba Free Press*: www.cubafreepress.org/art. Noguerras, Olance. “Nueva oleada de arrestos contra disidentes cubanos,” *El Nuevo Herald* (Miami, FL: 17 December 1998).

¹⁷⁹ Noguerras, Olance. “Condenan a opositor bajo cargos de ‘peligrosidad’,” *El Nuevo Herald* (Miami, FL: 18 December 1998).

¹⁸⁰ Olivera, Jorge. “Amenazas de golpes y prisión contra periodistas independientes,” *Nueva Prensa Cubana*, published in *Diario Las Americas* (Miami, FL: 8 January 1999).

attending a commemoration of the birthday of Martin Luther King, Jr. convoked by the *Fundación Lawton de Derechos Humanos*, Lawton Human Rights Foundation. Among those arrested were Dr. Oscar Elías Biscet, director of the foundation, and María de los Ángeles Amaro, director of the *Unión de Periodistas e Escritores Cubanos Independientes* (UPECI), Union of Independent Cuban Journalists and Writers.¹⁸¹ Also detained were Odalys Curbelo of *CubaPress*, Ana María Ortega Jiménez of the CTD and Migdalia Rosado of the *Fundación Lawton*.¹⁸²

In the last week of January, more than a dozen dissidents and independent journalists were briefly jailed and threatened by State Security agents in Havana to prevent their participation in a procession to mark the first anniversary of the Pope's Mass in the capital. The procession, ultimately blocked by the government from taking place, had been organized by the *Fundación Lawton*, and many of those arrested had been detained two weeks earlier at the time Martin Luther King's birthday.¹⁸³ The arrest of Dr. Elías Biscet marked the tenth time he had been detained and threatened in the previous four months.¹⁸⁴

According to the Committee to Protect Journalists, at least eleven independent journalists were temporarily detained and threatened in January alone. Along with those held in Havana, also arrested were Pedro Argüelles Morán, *CubaPress* correspondent in the central eastern province of Ciego de Avila; Hirán González, *CubaPress* correspondent in the southern central province of Cienfuegos; and Jesús Joel Díaz Hernández, executive director of the *Cooperativa Avileña de Periodistas Independientes* (CAPI), Avileña Cooperative of Independent Journalists, in Ciego de Avila. Díaz Hernández, aged 24, was arrested on January 18 and the following day was tried and convicted on a charge of "dangerousness." He was sentenced to four years in prison, which brought to four the number of independent journalists enduring long-term incarceration.¹⁸⁵

In mid-February, around a dozen dissidents and independent journalists were briefly detained or visited by State Security officials in Santiago de Cuba who warned

¹⁸¹ Sánchez, Juan Antonio. "Seguridad del estado arresta a opositores," *CubaPress* (Havana: 15 January 1999), published on 15 January 1999 by *Cuba Free Press*: www.cubafreepress.org/art.

¹⁸² De Céspedes, Oswaldo. "Se recrudece represión en La Habana," *Cooperativa de Periodistas Independientes, CPI* (Havana: 14 January 1999) published on 14 January 1999 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁸³ Curbelo, Odalys. "Nueva ola de arrestos en la capital," *CubaPress* (Havana: 27 January 1999), published on 27 January 1999 by *Cuba Free Press*: www.cubafreepress.org/art.

¹⁸⁴ Noguerras, Olance. "Arrestan a activistas de la Fundación Lawton," *El Nuevo Herald* (Miami: 25 January 1999).

¹⁸⁵ Committee to Protect Journalists. "Letter from The Committee to Protect Journalists to President Castro" (New York: 3 February 1999), www.cpj.org/protests/99ltrs/cuba3feb99.html.

them to stay away from a Latin American Catholic Bishop's conference being held in that eastern city and threatened them with violent reprisals and long-term imprisonment. Among those detained and threatened were Rolando Bestart Favart of the *Biblioteca Independiente Pedro Luis Boitel*, the Independent Library Pedro Luis Boitel; Marilyn Lahera of *Santiago Press*; Mirna Riverón of the *Biblioteca Independiente René Eduardo Chibás*, Independent Library René Eduardo Chibás, and the *Agencia de Prensa Libre Oriental* (APLO), Eastern Free Press Agency; Santiago Santana of APLO; and José Vidal Cros and Luis Enrique Ferrer of the *Movimiento Cívico Cristiano Pro Derechos Humanos, Patria, Independencia y Libertad*, Christian Civic Movement for Human Rights, Fatherland, Independence and Liberty.¹⁸⁶

In mid-February, the Cuban National Assembly rubber-stamped a new law, the *Ley de Protección de la Independencia Nacional y la Economía de Cuba*, Law for the Protection of National Independence and the Economy of Cuba. Also known as Law No. 88 or, among dissidents, the *Ley Mordaza*, Gag Law, it appeared to augur a period of even greater repression against dissidents and independent journalists. Among its provisions, the law establishes prison terms from two to five years for “anyone who...collaborates in any way with foreign radio or television stations, newspapers, magazines or other mass media with the purpose of...destabilizing the country and destroying the socialist state.” Prison terms increase to three to eight years if such collaboration is “carried out for profit.”¹⁸⁷

Law No. 88 also calls for prison terms of seven to fifteen years for “anyone who...carries out any action aimed at hindering or hurting economic relations of the Cuban state.” Further, it sets penalties of three to eight years for those “who accumulate, reproduce or spread material of subversive character from the government of the United States, its agencies, dependencies, representatives, officials, or from any other foreign entity.” It also provides for terms of between three and eight years for “anyone who...directly or through third parties, receives, distributes or participates in the distribution of financial, material or other resources, from the government of the United States, its agencies, dependencies, representatives, officials or private entities.”¹⁸⁸

The National Assembly also passed new legislation which sharply toughened penalties, up to and including death sentences, for crimes such as drug-trafficking,

¹⁸⁶ Santana, Santiago. “Arrestos y amenazas en Santiago de Cuba,” *Agencia de Prensa Libre Oriental*, APLO (Santiago de Cuba: 15 February 1999) published on 16 February 1999 by *CubaNet*: www.cubanet.org/oldies.html.

¹⁸⁷ Oppenheimer, Andres. “Cuba: back to darkness,” *Miami Herald* (Miami, FL: 18 March 1999).

¹⁸⁸ Oppenheimer, Andres. “Cuba: back to darkness,” *Miami Herald* (Miami, FL: 18 March 1999).

pimping, illegal possession of arms and violent robberies. The new penalty of life imprisonment also was introduced for certain crimes—for example, the smuggling of illegal emigrants in cases where violence is used or where people’s lives are put at risk. Previously, under the Cuban Penal Code, the maximum prison term for criminal offenses was 30 years.¹⁸⁹

The four leaders of the *Grupo de Trabajo de la Disidencia Interna* (GTDI)—Vladimiro Roca Antúnez, Marta Beatriz Roque Cabello, Félix Antonio Bonne Carcasés and René Gómez Manzano—were finally put on trial on March 1, 1999, nearly twenty months after they has been imprisoned. The four had been charged the previous September with “sedition,” -- a “crime against state security” which under Article 100 of the Penal Code explicitly includes nonviolent opposition. The government prosecutor asked for sentences of between five and six years in prison. The four had consistently rejected government offers to go into exile rather than face trial. In the days before the trial, at least 100 dissidents, including human rights activists and independent journalists, were temporarily held in detention centers or placed under house arrest in an evident attempt to prevent them from campaigning on behalf of those being tried, or from attending or reporting on the proceedings. Cuban rights monitors said that it was the largest anti-dissident round-up since the break-up of the *Concilio Cubano* in February 1996.¹⁹⁰

The trial lasted for one day and diplomats from ten nations and several dozen foreign journalists who tried to attend were blocked by police cordons. According to the few family members of the four dissidents who were allowed inside the court, the government prosecutor portrayed the accused as U.S.-paid “counter-revolutionary” saboteurs, an allegation the four have repeatedly denied.¹⁹¹ The court handed down convictions against all four on March 15. It sentenced Vladimiro Roca to five years in prison, René Gómez Manzano and Félix Antonio Bonne Carcasés to four years, and Marta Beatriz Roque Cabello to three-and-a-half years.¹⁹²

¹⁸⁹ Fletcher, Pascal. “Cuban parliament passes tough anti-crime law,” *Reuters* (Havana: 16 February 1999).

¹⁹⁰ Amnesty International. *Urgent Action* (London: EXTRA 31/99, 3 March 1999). Cawthorne, Andrew. “Cuba ends trial of dissidents amid big crackdown,” *Reuters* (Havana: 2 March 1999).

¹⁹¹ Cawthorne, Andrew. “Cuba ends trial of dissidents amid big crackdown,” *Reuters* (Havana: 2 March 1999).

¹⁹² Snow, Anita. “Cuba sentences 4 dissidents to jail,” *Associated Press* (Havana: 15 March 1999).

XIII. LIMITED FREEDOM FOR THE CATHOLIC CHURCH

In a statement issued on the occasion of the 50th Anniversary of the Universal Declaration of Human Rights in December 1998, Cardinal Jaime Ortega said:

A man who is not assured of his social rights is denied his dignity as a person, as is a man who is not guaranteed the rights of physical and moral integrity and personal, civil and political freedoms.¹⁹³

As in September 1998, however, neither the Cuban Catholic Church nor the Vatican made any public statements regarding the trials or crackdowns against dissidents during the last weeks of 1998. The absence of a response underscored the care taken by Catholic authorities in the last half of the year not to antagonize the Cuban government, as well as the apparent priority they gave to consolidating the limited freedoms to conduct pastoral work granted by the government since the Pope's visit.

In the first half of 1998, the Cuban Catholic Church used the papal visit to expand publication of a number of parish newsletters. Some of these addressed issues such as democracy and civil society, although in a generally low-key manner. Some priests went a step further and posted the Universal Declaration of Human Rights on their parish bulletin boards.¹⁹⁴ Within months, however, it appeared that the Cuban government was drawing a line against actions by priests with political overtones. In mid-April, Rev. Patrick Sullivan, the only U.S.-born priest in Cuba, stated that the government was forcing him to leave the country because he had promoted democracy and human rights in his parish in the north-central province of Villa Clara. He said that he believed the government wanted to "warn other foreign priests of their enormous power to renew or not renew visas." Sullivan's parish newsletter was edited by a former political prisoner and Sullivan himself had spoken out to foreign visitors and journalists, saying that he opposed Cuba's lack of democracy as well the U.S. economic embargo.¹⁹⁵

The Cuban government claimed that it was not behind Sullivan's departure, that it was an internal matter of the Cuban Catholic Church. However, the head of the Capuchin Order in Cuba confirmed to *Reuters* that he had been personally informed about the government's decision to order Sullivan out of Villa Clara and not renew his visa. One Western diplomatic source stated that government pressure on Sullivan to leave was

¹⁹³ Rivero, Raúl. "Disidente preso y en ayuno," *El Nuevo Herald* (Havana: 9 December 1998).

¹⁹⁴ Fainaru, Steve and Ribadeneira, Diego. "Hunger Strikers Call for Change," *Boston Globe* (Boston, MA, Cuba: 22 January 1998).

¹⁹⁵ Tamayo, Juan O. "My Eviction is a Warning to Cuban Church, U.S. Priest Says." *Miami Herald* (Miami, FL: 14 April 1998).

obvious.¹⁹⁶ According to unnamed Cuban Catholic Church sources cited by the *Miami Herald*, a second foreign priest subsequently left Cuba under pressure from the government.¹⁹⁷ In August, authorities at the international airport in Havana questioned two Italian members of a Catholic religious order who had traveled to Cuba to participate in religious events and warned them not to return to the country.¹⁹⁸

The Cuban Catholic Church offered no comment to foreign journalists inquiring about the Sullivan incident. During the next few months, though, the Church did seem to be trying to test the limits of the government's tolerance. *Palabra Nueva*, New Word, a publication of the archdiocese of Havana, published a letter from a prisoner denouncing abuses in Cuban jails, as reported by the independent *Nueva Prensa Cubana*, New Cuban Press.¹⁹⁹ In early May, Cuban Cardinal Jaime Ortega granted an unprecedented interview to an independent Cuban journalist, Jesús Zúñiga of the *Cooperativa de Periodistas Independientes* (CPI). Ortega stated that the Church could "mediate a change in Cuba... We are directing our efforts to create an independent political space in order to unite a people so sadly divided."²⁰⁰ In early June, Cardinal Ortega voiced frustration at the continued lack of concessions from the government, stating:

In general, in the life of the nation as well as with reference to relations with the Church, one could have the impression that the Pope's visit to Cuba has been like a parenthesis that opened and closed without major effect.²⁰¹

A week later, the Cuban bishops met with the Pope at the Vatican for an evaluation of the results of the papal visit. Prior to the meeting, an unnamed Vatican source said:

There are several issues the Cuban government has not complied with... a greater opening, a general political amnesty and greater space so the Church can participate in the communications media and other social

¹⁹⁶ Cawthorne, Andrew. "Cuba Denies Forcing U.S. Priest Out Of Parishes," *Reuters* (Havana: 13 April 1998).

¹⁹⁷ Tamayo, Juan O. "Pope summons Cuba's bishops as church-state relations stall," *Miami Herald* (Miami: 31 May 1998).

¹⁹⁸ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 16 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

¹⁹⁹ Rodríguez Saludes, Omar. "Violan Derechos De Reclusos en Cuba," *Nueva Prensa Cubana* (NPC), published in *Diario Las Americas* (Miami: 30 April 1998).

²⁰⁰ Zúñiga, Jesús. "Entrevista al Cardenal Jaime Ortega," *Cooperativa de Periodistas Independientes* (CPI), published on 4 May 1998 by *CubaNet*: www.cubanet.org/oldies.html.

²⁰¹ Alfonso, Pablo. "Cardenal lamenta lentitud de Cuba," *El Nuevo Herald* (Miami: 5 June 1998).

areas. The world is opening to Cuba, but Cuba is not opening to the world, as the Pope requested.²⁰²

After the meeting, however, the Pope sounded more conciliatory, stating:

I have appreciated the gestures Cuban authorities made after my return to Italy. I hope to see in them...the first steps of its willingness to create the legal and social spaces so that Cuba's civil society can grow in autonomy and participation.²⁰³

At the end of June, the Pope sent to Cuba Cardinal Pio Laghi, head of the Vatican body responsible for Catholic teaching around the world. During a four-day stay, the papal envoy encouraged Catholic teachers not to be discouraged by the government's refusal to allow church-run schools, and to use "informal methods" to spread the Catholic Church's message. He stressed the beneficial influence of Catholic teaching, and took pains to say that it was something "the lay state need not fear."²⁰⁴ Nevertheless, Fidel Castro declined to meet with him, even though Catholic Church officials had led journalists traveling with the Cardinal to believe that such a meeting was expected. Cardinal Laghi was the only foreign dignitary who visited Cuba in 1998 and was not received by Fidel Castro.²⁰⁵

Whether Castro's snub of Cardinal Laghi was designed to send a specific signal to the Vatican and the Cuban Catholic Church, how Catholic authorities may have interpreted such a signal, and whether there were any behind-the-scenes negotiations either during or after the Cardinal's visit, remained unclear. But during the last half of the year, there was a discernible pattern in church-state relations. The Vatican and the Cuban Catholic Church backed away from making overtly political appeals regarding democratic reforms or human rights in Cuba, while the Cuban government granted more concessions toward the pastoral work of the Church.

As noted in Section VIII, the government in September permitted the Cuban Church to carry out the largest public procession since the Pope's visit, and also allowed Cardinal Jaime Ortega to address worshippers on state-run *Radio Musical Nacional*, a minor station which usually plays classical music. In the last two months of 1998, the

²⁰² Alfonso, Pablo. "Pope, Cuban bishops to evaluate island's progress," *Miami Herald* (Miami: 27 May 1998).

²⁰³ Galloni, Alessandra. "Pope welcomes change in Cuba since trip, urges more," *Reuters* (Vatican City: 9 June 1998).

²⁰⁴ Cawthorne, Andrew. "Papal envoy urges religious education in Cuba," *Reuters* (Havana: 29 June 1998).

²⁰⁵ Rousseau, Denis. "Castro y la Iglesia forcejean con educación," *Agence France Presse* (Havana), published in *El Nuevo Herald* (Miami: 2 July 1998).

government also granted visas to about 19 foreign priests and a similar number of religious workers and decreed Christmas as a permanent public holiday. However, the government continued to deny a number of specific requests made by the Catholic Church—including the freedom to open its own schools, operate a radio station and import a printing press—and it continued to deny permission for *Caritas*, the Roman Catholic Church’s humanitarian relief agency, to operate autonomously.²⁰⁶ Moreover, students who professed religious beliefs continued to be stigmatized by other students and teachers and those who brought Bibles or other religious materials to school were disciplined.²⁰⁷

On Christmas day, Cardinal Ortega was given fifteen minutes of radio time, again on state-run *Radio Musical Nacional*, to make his second broadcast address since the papal visit. The Cardinal urged listeners to preserve the day as one of faith and free from commercialization, but did not allude to the crackdown against dissidents during the previous weeks.²⁰⁸ At the same time, though, the Vatican seemed to signal frustration at the lack of greater change in Cuba when it appointed Dagoberto Valdés, a lay worker and editor of the Pinar de Río-based *Vitral*, the most outspoken church publication in Cuba, to the Pontifical Commission on Justice and Peace, a worldwide organization focusing on respect for rights.²⁰⁹ A month later, upon the anniversary of the Pope’s visit, Orlando Marquez, a spokesman for the Cuban Conference of Bishops, stated, “There are people who say the church is discontented with what has been achieved in the past year. But the church doesn’t aspire to a rapid pace of change, just the gradual improvement of relations with the state.”²¹⁰

²⁰⁶ Rice, John. “Cuba declares Christmas a holiday,” *Associated Press* (Havana: 1 December 1998). “Cuba approves entry of 19 more Catholic priests,” *Reuters* (Havana: 18 November 1998).

²⁰⁷ U.S. Department of State. *Country Reports on Human Rights Practices for 1998* (Washington, DC: 26 February 1999), p. 16 of the Internet edition of the Cuba country report: www.state.gov/www/global/human_rights/1998_hrp_report/cuba.html.

²⁰⁸ Fletcher, Pascal. “Cardinal says Christmas Day brought joy to Cuba,” *Reuters* (Havana: 25 December 1998).

²⁰⁹ Johnson, Tim. “Cuban church speaking out on sensitive issues,” *Miami Herald* (Miami, FL: 31 January 1999).

²¹⁰ Johnson, Tim. “Cuban church speaking out on sensitive issues,” *Miami Herald* (Miami, FL: 31 January 1999).

INDEX

A

Agencia de Prensa Cuba Verdad.....	21
Agencia de Prensa Sindical Independiente de Cuba	21
Agencia Libertad.....	19, 21
Agencia Lux Info Press	21, 39
Alfaro García, Reinaldo	4, 15, 16, 26, 31, 32, 41, 42, 43
ALFIN.....	15, 31
Alianza Juvenil Cristiana	19
Alianza Nacional de Agricultores Independientes de Cuba	25, 26, 27
ANAIC.....	25, 26, 27
Ángeles Amaro, María de los.....	48
Angeles González, María de los.....	35
Antúnez, Amaya.....	14
APSIC	21
Archbishop of Santiago de Cuba.....	9
Arcos Bergnes, Gustavo.....	12
Arrests	4, 32
Asociación Nacional de Balseros - Paz, Democracia y Libertad	39
Asociación por la Lucha Frente a la Injusticia Nacional.....	15, 31
Association for the Struggle Against National Injustice	15, 31
Association of Independent Cuban Educators.....	28, 37, 44, 46
Atencio de la Rosa, Esperanza Micaela	24
Avileña Cooperative of Independent Journalists.....	21, 48

B

Bahamas.....	38
Baños Rodríguez, Dany Leivis.....	38
Béjar, Jorge	27
Bejuquera de Filipinas	27
Bestart Favart, Rolando	34, 49
Biblioteca Independiente	19, 20, 34, 49
Biblioteca Independiente Pedro Luis Boitel	20, 34, 49
Biblioteca Independiente René Eduardo Chibás	49
Biblioteca José Maceo	20
Biscet, Dr. Elías	29, 43, 45, 46, 48
Bonne Carcasés, Félix Antonio.....	5, 24, 42, 50
BPIC	16, 19, 32, 37
Brigadas de Respuesta Rápida	27, 28, 34, 37, 46
Buró de Prensa Independiente de Cuba	16, 19, 32, 37, 38
Butari Park.....	45, 46

C

Caibarién.....	13, 38, 39
Camagüey	9
Camp, Alfredo Denis	20
CAPI.....	48

Carcacés Batlle, Daisy	18
Caritas	5, 33, 54
Castillo, Pedro Pablo	16
Castro, President Fidel	1, 2, 5, 9, 10, 11, 15, 23, 33, 34, 53
Castro, Raúl	9
CCDHRN	3, 11, 12, 22
CCPDH	12, 13, 14, 17
CDR	28, 29, 34, 37
Centro de Estudios Sociales	21
Centro-Norte Press	15
Céspedes, Carlos Manuel de	4, 21, 26, 32, 46, 48
Chamber Ramírez, Jesús	42
Chretien, Prime Minister Jean	3, 24, 42
Christian Civic Movement for Human Rights, Fatherland, Independence and Liberty	18, 49
Christian Liberation Movement	17
Christian Youth Alliance	19
Ciego de Avila	21, 48
Club de Ex-Presos Políticos Gerardo González	8, 15, 41
Club de Presos y Ex-Presos Políticos de Santiago de Cuba	20
Club of Ex-Political Prisoners Gerardo González	8, 15, 41
Club of Political Prisoners and Former Political Prisoners of Santiago de Cuba	20
CNP	15
CNPP	12
Cobre Virgin of Charity	4, 32
Coizeau Rizo, Julio César	15, 41
Colás, Ernesto	46
Colás, Ramón Humberto	19, 46
Colegio de Pedagogos Independientes de Cuba	28, 37, 44, 46
Colegio Médico Independiente de Cuba	37
Colegio Médico Independiente de Santiago de Cuba	8, 37
Comisión Cubana de Derechos Humanos y Reconciliación Nacional	3, 11, 12, 22
Comité Cubano de Opositores Pacíficos	32, 37
Comité Cubano Pro Derechos Humanos	12, 13, 14, 17
Comité de Amigos del Club de Ex-Presos Políticos	8
Comité de Madres por la Reunificación Familiar	19
Comités de Defensa de la Revolución	28, 34, 37
Commission on Human Rights of the Christian Democratic International	14, 24, 35
Committee of Cubans in Peaceful Opposition	32, 37
Committee of Friends of the Club of Ex-Political Prisoners	8
Committee of Mothers for Family Reunification	19
Committees for the Defense of the Revolution	28, 34, 37
Communist Party of Cuba	2, 3, 28, 30, 43, 45
Concilio Cubano	2, 3, 13, 17, 18, 23, 50
Confederación de Trabajadores Democráticos de Cuba	17, 32, 45, 47
Consejo Unitario de Trabajadores Cubanos	21, 22
Constantino Durán, Lázaro	46, 47
Cooperativa Avileña de Periodistas Independientes	21, 28, 48
Cooperativa de Periodistas Independientes	4, 20, 21, 32, 37, 46, 48, 52
Cooperativa Independiente Progreso I	26, 27
Cooperativa Independiente Progreso II	26
Cooperativa Transición	26, 27
Cooperatives	21, 26, 37, 48
Coordinadora Nacional de Presos Políticos	12
Corriente Socialista Democrática	17
CPI	4, 20, 21, 32, 37, 46, 48, 52

Criminal Code	5, 19, 28, 31, 42, 47, 50
Cruz Cano, Milagros	44, 46
CTDC.....	17, 32, 45, 47
Cuban Catholic Church.....	1, 5, 6, 16, 33, 51, 52, 53
Cuban Committee for Human Rights	12, 13, 14, 17
Cuban Conference of Bishops.....	54
Cuban Foreign Ministry	11, 43
Cuban Human Rights and National Reconciliation Commission	3, 11, 12, 22
Cuban prison system	11, 23, 39
CubaPress	13, 15, 20, 21, 22, 27, 28, 29, 30, 34, 35, 36, 38, 39, 41, 45, 46, 47, 48
Cuesta Morúa, Manuel.....	17
Cueto.....	38
Curbelo Marrero, Roger.....	27
Curbelo, Odalys	48
CUTC.....	21, 22
CUV.....	21

D

Debate Abierto	20
Declaración de Oriente	18
Declaration of the East.....	18
Delgado Sablón, Gisela.....	21
Democratic Socialist Current	17
Democratic Solidarity Party.....	13, 15, 16, 17, 19, 20, 21, 31, 37, 41
Democratic Workers Confederation of Cuba.....	17, 32, 45, 47
Diario Las Americas	22, 29, 34, 39, 47, 52
Díaz Loyola, Jesús	34, 47
Dini, Lamberto	24
Dissidents.....	2, 3, 4, 11, 12, 13, 14, 15, 17, 23, 32, 35
Durán, Noris.....	47

E

Eastern Democratic Front	18
Eastern Democratic Platform	18, 19
El Observador	22
Escobal Rabeiro, Vicente.....	39
Escobedo Yasell, María Antonia Carcacés	18
Estiu, Monsignor Pedro Meurice	9
Exile.....	35

F

Family members.....	19
Farmers	25
Feminist Forum of Allied Democrats.....	18
Ferrer García, José Daniel.....	20
First Independent Inter-Cooperative Meeting	26
Followers of Chibás Movement	8
Followers of Chivás Movement	8
Foro Abierto.....	17
Foro Feminista de Aliadas Democráticas.....	18

Frank Pais November 30 th Democratic Party	34, 44
Freedom of association	8, 15, 31, 35, 37, 44, 46
Freedom of expression	2, 7, 10, 22
Frente Democrático Oriental	18
Frente Feminino Humanitario	18
Frente Oriental Vicente García	18
Frente Unido de Campesinos Libres	18, 19
Frente Unido de Repatriados Cubanos.....	18, 19
Fundación Lawton de Derechos Humanos	29, 43, 45, 46, 48

G

Gag Law	6, 49
Galán de Feria, René Narciso	19
García Chávez, Miriam	7, 32, 37, 44, 46
García Rodríguez, Estrella	47
Garro Gómez, María del Carmen.....	47
Gómez Manzano, René	5, 24, 42, 50
González Alfonso, Lázaro Raúl	20, 28, 30, 36, 45
González Linares, Oliverio	36
González Medina, José Alberto	38
González Ridón, José Orlando.....	17, 29
González, Hirán	48
González, Manuel Antonio	30
González, Ramon Noa	39
Granma.....	11, 30, 34, 36
Granma province.....	30
Grupo de Trabajo de la Disidencia Interna	5, 12, 24, 42, 47, 50
Güida de Melena.....	37

H

Habana Press.....	47
Harassment.....	27
Hernández Castellanos, Manuel Antonio	34
Hernández, Dr. José Alberto	21
Herradura	20
Holguín	30, 34
Humanitarian Feminine Front	18

I

Ibáñez Isaac, Dr. Rafael	20
IIDC	20
Illa Laguna, Humberto	18
Imprisonment	31
Independent Democracy and Culture Institute	20
Independent Journalists Cooperative	4, 20, 21, 32, 37, 46, 48, 52
Independent Library.....	19, 20, 34, 49
Independent Library René Eduardo Chibás	49
Independent Medical Association of Cuba	37
Independent Press Bureau of Cuba	16, 19, 32, 37
Independent Workers Press Agency of Cuba.....	21

Instituto Independiente Democracia y Cultura.....	20
Internal Dissidence Working Group	5, 12, 24, 42, 47, 50

J

Jackson, Jesse.....	16
Journalists	7, 21, 22, 37, 48
July 13 th Movement.....	32
Juventud Rebelde	25

K

King, Jr., Martin Luther	48
--------------------------------	----

L

La Patria es de Todos.....	42
La Virgen de Caridad del Cobre	4, 32
Labrador Arias, Jesús.....	30, 36
Laghi, Cardinal Pio	53
Lahera, Marilyn.....	49
Las Tunas	19, 21, 26, 27
Law No. 88	6, 49
Lawton Human Rights Foundation	29, 43, 48
Lawyers.....	8
Ley de Protección de la Independencia Nacional y la Economía de Cuba.....	6, 49
Ley Mordaza.....	6, 49
Leyva, Mirta.....	30
Liberty Agency	19, 21
Loma del Gato	26, 27
López Baeza, Ana Luisa	28, 35, 37
López Prendes, Luis.....	16, 32, 38
Lugo Gutiérrez, Maritza.....	45

M

Madrigal Izaguirre, Augusto	37
Manzanillo	30, 36
Marquez, Orlando	54
Martínez Purgarón, Efrén.....	46
Maturell, Jesús Rafael	20
Matutes, Abel.....	24, 42
Mazorra Psychiatric Hospital.....	44
MCL.....	17
Mella, Julio Antonio	20
Mendoza Rivero, Desi	8, 42
Mexidor Vásquez, Bertha	19
Ministry of Interior	28
Miranda Acosta, José.....	24
Miranda Hernández, Roberto de	46
Mitterand, Danielle	16
Monteagudo Sánchez, Cecilio.....	15, 16, 41, 42
Motas, Monike de	7, 18, 19, 36

Movement of Cuban Youths for Democracy	19
Movimiento 13 de Julio	32
Movimiento Cívico Cristiano Pro Derechos Humanos, Patria, Independencia and Libertad.....	18, 49
Movimiento Cristiano Liberación	17
Movimiento Cubano de Jóvenes por da Democracia	19
Movimiento Seguidores de Chibás	8
Municipal Tribunal	46, 47
Muñoz Aguilar, Nora	18
Muñoz Yllobre, Rolando	29, 46

N

National Alliances of Independent Farmers of Cuba	25, 26, 27
National Assembly of People's Power.....	17, 49
National Association of Rafters - Peace, Democracy and Freedom.....	39
National Coordination of Political Prisoners	12
New Cuban Press	22, 52
New Word.....	52
NPC	22, 52
Nueva Prensa Cubana	22, 34, 39, 45, 47, 52

O

Olivera, Jorge.....	47
Open Debate	20
Open Forum	17
Orrio, Manuel David.....	7, 18, 20, 21, 25, 37
Ortega Jiménez, Ana María.....	45, 48
Ortega, Cardinal Jaime.....	32, 51, 52, 53

P

Pacheco Pérez, Pedro Emilio	18
Palabra Nueva	52
Palacio Ruíz, Héctor	13, 21
Palma Soriano	20
Palmaz Rosell, Ramón	18
Parque Butari	45, 46
Partido Democrático 30 de Noviembre.....	34, 44
Partido Pro Derechos Humanos	13, 47
Partido Pro-Derechos Humanos de Cuba.....	47
Partido Solidaridad Democrático	13, 15, 16, 17, 19, 20, 21, 31, 37, 41
Party for Human Rights in Cuba	47
Pax Christi Netherlands	16
Payá Sardiñas, Oswaldo	17
PCC.....	2, 3, 28, 30, 43, 45
Penal Code	5, 19, 28, 31, 42, 47, 50
Peraza Chapeau, José Dionisio	43
Pinar del Río	20, 28, 30, 34, 38
Pineda Laurencio, Yorquis.....	37
Planes Farías, Lázaro	34
Plataforma Democrática Oriental.....	18, 19
Police	27, 36, 40, 44

Pontifical Commission on Justice and Peace	54
Pope John Paul III, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 19, 22, 23, 26, 32, 33, 34, 48, 51, 52, 53, 54	
Pozo, Eugenio	37
Prensa Latina.....	47
Primer Encuentro Inter-Cooperativas Independientes.....	26
Prisons.....	39, 40, 49
Progress I Independent Cooperative	26, 27
Progress II Independent Cooperative	26
Pro-Human Rights Party	13, 47
Proyecto Varela.....	17
PSD	13, 15, 16, 17, 19, 20, 21, 31, 37, 41

R

Radio Martí.....	27, 31
Radio Musical Nacional.....	33, 53, 54
Ramón Castillo, José Gabriel.....	20
Rapid Response Brigades	27, 28, 34, 37, 46
Recio Martínez, Juan Carlos	15, 41
Repatriates	18
Repression.....	iii, 6, 8, 21, 28
Río Noa, Barbaro del	38
Rivero Castañeda, Raúl.....	22, 35
Riverón, Mirna.....	27, 49
Robaina, Foreign Minister Roberto.....	2, 16
Roca Antúnez, Vladimiro.....	5, 42, 50
Rodríguez Abreu, Maribel	38
Rodríguez Lobaina, Néstor	44
Rodríguez Saludes, Omar	45, 52
Rodríguez Torres, Lázaro	47
Rodríguez Urrutiner, Orestes	8
Roque Cabello, Marta Beatriz.....	5, 12, 24, 42, 50
Rosado, Migdalia.....	48
Rubio Espinoza, Yaisset.....	39
Ruíz Labrit, Vicky.....	32

S

Sambra Ferrandiz, Guillermo Ismael	24
San José de las Lajas.....	26
Sánchez López, Fernando	16
Sánchez Santa Cruz, Elizardo	2, 3, 4, 11, 14, 22, 25, 32, 33, 35
Sancti Spiritus	38
Santa Clara.....	9, 13, 39, 41
Santiago de Cuba	8, 9, 10, 15, 20, 21, 22, 26, 27, 34, 35, 37, 41, 42, 48, 49
Santiago de Cuba Independent Medical Association	8, 37
Santiago Press	22, 49
Santos Méndez, Danilo	13
Santos Rosell, Maritza	14
Sistema Único de Vigilancia y Protección	28, 34
Social Studies Center	21
State security.....	40, 43
Sullivan, Rev. Patrick.....	51

SUVP	28, 34
------------	--------

T

The Homeland Belongs to All of Us	42
Toirat González, Gustavo	45
Torture	40
Transition Cooperative.....	26, 27
Troncoso, Javier.....	47
True Cuba Press Agency.....	21

U

Unified System of Vigilance and Protection	28, 34
Unión de Jóvenes Comunistas.....	45, 46
Unión de Periodistas e Escritores Cubanos Independientes	48
Union of Communist Youth.....	45, 46
Union of Independent Cuban Journalists and Writers.....	48
Unitary Council of Cuban Workers	21, 22
United Front of Free Peasants	19
United Front of Repatriated Cubans	18, 19
UPECI.....	48

V

Valdés, Dagoberto	54
Varela Project	17
Varona Díaz, Nancy de	32
Velia Blanco, Xiomara.....	20
Vicente García Eastern Front.....	18
Viera González, Mario J.	43, 44
Villa Clara.....	13, 15, 34, 38, 39, 41, 51
Villa Marista	41
Villa Roja Correspondents Union	21, 48
Virgin of Regla	32
Vitral.....	54

Y

Yaguajay	38
----------------	----

Z

Zúñiga, Jesús.....	21, 37, 52
--------------------	------------

