

CASTRO'S BRUTAL CRACKDOWN ON DISSIDENTS

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CASTRO'S BRUTAL CRACKDOWN ON DISSIDENTS

WEDNESDAY, APRIL 16, 2003

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 2 p.m., in Room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Vice Chairman of the Committee) presiding.

Mr. SMITH OF NEW JERSEY. This hearing of the Committee on International Relations will come to order, and good afternoon.

Even some of the most outspoken leftists, who once saw something in Fidel Castro to admire, now admit that Castro's unbridled cruelty, thirst for blood and extreme paranoia are indefensible. Writing in the Spanish newspaper, *El Pais*, Nobel Prize winner Jose Saramo, a Portuguese Communist and close friend of Castro said a few days ago, and I quote,

"Cuba has won no heroic victory by executing these three men, but it has lost my confidence, damaged my hopes and robbed me of illusions."

Without anything that resembles due process, three alleged ferry hijackers were killed by firing squad in Cuba on Friday, while others got long jail terms.

Illusions, as Castro lover Jose Saramo only now acknowledges, often persist despite overwhelming evidence to the contrary. Nowhere has this been more evident than in the case of Castro's Cuba.

Despite decades of credible reports of widespread egregious violations of human rights, including pervasive use of torture and vicious beatings of political prisoners by the Cuban Government, some have clung to indefensibly foolish illusions of Castro's revolution.

Despite the fact that the Cuban government systematically denies its people the freedoms of speech, press, assembly, and association, and severely restricts workers' rights including the right to form independent trade unions, some have, nevertheless, clung to illusion.

Despite the fact that Castro maintains an unimaginably vast network of surveillance by the thugs in his secret police and by the Committee for the Defense of the Revolution (CDRs)—neighbors spying on neighbors—some continue to embrace illusions about Cuba.

In his book, *Against All Hope, a Memoir of Life in Castro's Gulags*, Armando Valladares, a courageous and amazing man who spent 22 years in Cuban prisons, wrote,

"The government of Cuba and the defenders of the Cuban Revolution denied that the incidents that I recount in my book ever happened. Castro's sympathizers, who were more subtle, said the incidents I described were exaggerations. And there were others, well-meaning, who simply could not bring themselves to believe that such horrors, crimes and torture existed in the political prisons of Cuba."

Armando Valladares goes on to say,

"My response to those who still try to justify Castro's tyranny with the excuse that he has built schools and hospitals is this: Stalin, Hitler, and Pinochet all built schools and hospitals, and like Castro, they also tortured and assassinated opponents. They built concentration and extermination camps and eradicated all liberties, committing the worst crimes against humanity."

Mr. Valladares concludes,

"Unbelievably, while many non-governmental organizations like Amnesty International and America's Watch have denounced the human rights situation in Cuba, there has been a continuing love affair on the part of the media and many intellectuals with Fidel Castro."

That love affair—that illusion—finally, at long last, crashed and burned with the onset of the current crackdown on dissent. Judging by their official declarations, even France and the European Union seem to have had enough. And newspaper editorials throughout the country, indeed the world, finally, at long last, are on the same page. *The Los Angeles Times* editorial on March 28th, for example, reflects the new emerging consensus, and I quote them briefly:

"After years of calling for liberalized relations with Cuba, this editorial page must now urge American policymakers to hit the brakes. This month Fidel Castro threw up a roadblock that cannot be ignored: He sicced his political police on about 90 journalists, political dissidents, union activists and the people who had made the mistake of privately lending books by such authors as Vaclav Havel and George Orwell."

With the world's attention riveted on Iraq, the Castro dictatorship indeed has moved with sickening speed to arrest, try, convict and sentence to draconian jail terms approximately 80 of Cuba's bravest and brightest. Among these are 28 independent journalists and 40 Varela project workers.

The Varela Project, as we know, named after a 19th century antislavery, proindependence priest by the name of Felix Varela, was a petition to the National Assembly simply asking for a nationwide referendum calling for basic human rights, an amnesty for political prisoners, private enterprise and election law reform to facilitate free and fair elections.

On May 10, 2002, about a year ago, more than 11,000 signatures were initially submitted, easily exceeding the constitutionally prescribed number of 10,000. Castro, however, responded by orchestrating his own petition drive that said that Cuba's socialist system could not be changed, leading the rubber-stamp National Assembly to declare Cuba's socialist system as "irrevocable." And so within the last few days, Luis Enrique Ferrer Garcia of the Christian Liberation Movement got 28 years, a jail term that is believed to be the harshest.

We will hear testimony from Ramon Antunez, leader and co-founder of the Christian Liberation Movement, during the second panel.

Let me mention a few others who have been unjustly sentenced. Omar Rodriguez Saludes, an independent journalist known to ride his bicycle to news conferences, he got 27 years. Hector Palacios, one of the other key figures promoting the Varela project, 25 years. Oscar Espinosa Chepe, who wrote critical articles about the Cuban economy for the Internet, got 25 years. The President of the Independent United Confederation of Cuban Workers, Pedro Pablo Alvarez, 25 years. Economist Morta Beatriz Rogue and journalist Raul Rivero each got 20 years. Ricardo Gonzalez Alfonso, an editor of *De Cuba* magazine, he got 20 years, and the list sadly goes on and on.

For its part the Bush Administration has made its deep and abiding concern for the political prisoners and the protection of elemental human rights in Cuba abundantly clear. On April 10th, Secretary of State Colin Powell said,

"In recent days the Cuban government has undertaken the most significant act of political repression in decades. We call on Castro to end this despicable repression and free these prisoners of conscience."

Secretary Powell goes on to say,

"The U.S. and the international community will be unrelenting in our insistence that Cubans who seek peaceful change be permitted to do so."

In like manner, as evidenced by the passage of H. Res. 179 last week, Congress has demanded the immediate release of all political prisoners and supports the right of the Cuban people to exercise fundamental political and civil liberties. Amazingly, the vote on Congressman Ros-Lehtinen's resolution was 414 to 0, with 11 Members voting present.

By way of contrast, I would point out on April 2001, I sponsored a resolution, H. Res. 91, calling on the U.N. Human Rights Commission in Geneva to condemn Cuba's human rights abuse and appoint a Special Rapporteur for Cuba. While it passed, there was a disturbing number of negative votes. That vote was 347 to 44, with 22 voting present. So Congress, as evidenced by the difference of those votes, it seems to me, is also getting it and getting it right.

Before turning to our distinguished witnesses, I would like to make a final point. The Castro regime has been trying to peddle the big lie that the United States somehow provoked this crack-down. Nothing could be further from the truth.

Castro's disinformation network claims that America's top foreign service officer in Cuba, Jim Cason, had contact with dissidents in Havana. Yeah. So what? He was doing his job. This, they now say, was an affront that forced the regime to respond.

Let me make it very clear, and I know I speak for both sides of the aisle, Democrats and Republicans, we absolutely reject this absurd and ridiculous assertion. Jim Cason is a competent, seasoned and highly respected career diplomat who, along with our staff at the Interests Section of Havana, are routinely subjected to harassment by Cuba's State Security apparatus.

Shifting the blame simply won't work. Fidel Castro, his brother Raul and numerous leaders of Cuba's dictatorship are directly responsible for crimes against humanity, past and present. Someday these oppressors will be held to account, and the people of Cuba will live in freedom.

[The prepared statement of Mr. Smith of New Jersey follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Even some of the most outspoken leftists, who once saw in Fidel Castro something to admire, now admit that Castro's unbridled cruelty, thirst for blood and extreme paranoia are indefensible.

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Despite the fact that Castro maintains an unimaginably vast network of surveillance by the thugs in his secret police and Committees for the Defense of the Revolution (CDRs)—neighbors spying on neighbors—some continue to embrace bogus perceptions—illusions about Cuba.

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"The government of Cuba and defenders of the Cuban Revolution denied that incidents that I recount (in the book) ever happened. Castro sympathizers, who were more subtle, said the incidents I described were exaggerations. And there were others, well meaning, who simply could not bring themselves to believe that such horrors, crimes and torture existed in the political prisons of Cuba."

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With the world’s attention riveted on Iraq, the Castro dictatorship has moved with sickening speed to arrest, try, convict and sentence to draconian jail terms—most ranged between 15–25 years—approximately 80 of Cuba’s bravest and brightest. Among these are 28 independent journalists and 40 Varela project workers.

(The Varela Project, named after a 19th century anti-slavery, pro-independence priest Felix Varela, was a petition to the National Assembly seeking a nationwide referendum calling for basic human rights, an amnesty for political prisoners, private enterprise and election law reform to facilitate free and fair elections.

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Shifting the blame simply won’t work. Fidel Castro, his brother Raul and numerous leaders of Cuba’s dictatorship are directly responsible for crimes against humanity past—and present. Some day these oppressors will be held to account and the people of Cuba will live in freedom.

Mr. SMITH OF NEW JERSEY. I would like to yield to my good friend and colleague, the Chairman of the Commerce, Justice and State Subcommittee on the Appropriations Committee, Frank Wolf.

Mr. WOLF. Thank you, Mr. Chairman, for allowing me to participate in this hearing on the brutal crackdown of dissidents and other human rights activists by the Castro regime. Human rights violations should not be tolerated anywhere around the world, and especially not in Cuba, only 90 miles off our shores, a country where so many of our citizens in Florida and elsewhere have a personal interest.

There is no doubt this is a heartbreaking issue for Cuban Americans and others committed to human rights, and so I want to commend you, Mr. Chairman, for your initiative.

I want to make clear my support for the Administration regarding its Cuba policy. As you know, I wanted to go to Cuba. Congressman Smith and I had made a request to go to Cuba earlier this year, several weeks ago, but were unable to get the necessary visas because of the timing with the outbreak of the war in Iraq.

What we are doing to foster democracy in Cuba and to speak out about brutal treatment of dissidents should inspire anyone with conscience. That is why I was deeply saddened, and by particularly the two of you sitting right up there, on the Administration's unfortunate and shocking decision not to sponsor a resolution critical of China's human rights records at the current meeting of the U.N. Commission on Human Rights in Geneva. This is a profound disconnect and a disgrace, quite frankly, almost one of the most disgraceful things I have seen this Administration do, between what we are doing in Cuba and where we are unwilling to do on China.

This decision not to file a resolution in Geneva, Mr. Craner, who has the position with regard to human rights, damages America's credibility and standing among the Chinese people and others around the world.

Even worse, Mr. Holmes, it sends the wrong message to China's new leadership that the United States really does not care about the detention, arrest, and torture and mistreatment of ordinary Chinese citizens by their government.

Even as a symbolic gesture, the United States should have introduced a resolution condemning China's violation of basic human rights. There is today in China no rights to freedom of expression, association and assembly, thought, conscience, religion and belief, much less due process rights and judicial proceedings that meet even minimal international standards.

That is not my judgment, but the judgment of the State Department's own *Human Rights Report of 2002*. This report, which originated from our witnesses' department, documents 144 pages of scathing details about the kind of state-sanctioned and state-sponsored abuse directed against political dissidents, religious believers, labor activists and alleged separatists in Xinjiang and Tibet and North Korea, asylum seekers, as well as the use of psychiatric imprisonment.

The State Department's report documents all of this. Let me cite a few examples from the report which will make clear to anyone that despite some token steps taken to address international concerns about its human rights record, China's human rights record

throughout the year remains poor, and the—if I could get both of your attention, please. Mr. Holmes, I will get your attention, please. Can I get your attention, please?

Mr. HOLMES. I am taking notes.

Mr. WOLF. Well, I will share the statement with you, and we will have a lot more questions on this.

China's human rights record throughout the year remained poor, and the government continued to commit numerous and serious abuses. That is a quote. As one of the authors of the International Religious Freedom Act, I have deep-rooted interests and concerns about this fundamental freedom that we enjoy in this country.

Here are some of the examples from the *Human Rights Report*. The Chinese government continues to arrest Catholic bishops and priests, Protestant pastors and evangelicals for practicing their faith or worshipping outside government control. Based on the latest reports provided me, there are approximately 50 bishops—one, I believe, who was sent to jail for serving holy communion to Congressman Chris Smith at one time—50 bishops of the underground Roman Catholic church in China either arrested, or under house arrest, or under strict surveillance or in hiding. These and other religious minorities are routinely harassed, beaten and tortured, and yet you are not sponsoring a resolution in Geneva.

The Chinese government also has intensified its crackdown on the people of Tibet, stealing the very soul and culture of Tibet. Monks and nuns continue to be beaten, imprisoned and sometimes killed. I was in Tibet with a Tibetan monk. When we went into the monasteries, they told us of the brutality in the prisons and the monks and nuns that are beaten and abused in that prison. The Dalai Lama has been exiled for years, and his successor, the Panchen Lama, has been stolen away, jailed with his family, and replaced by a puppet of the People's Republic of China.

If you recall, Mr. Craner, immediately after your departure from Beijing December of last year, the Chinese executed Lobsang Dhondup, a Tibetan who was found guilty of being a separatist. Just after you left, just after you met with him, and just after you came back, he was killed.

At the same time, a very important and influential Lama, Tenzin Deleg Rinpoche, was imprisoned for life, for life, to be associated with Lobsang. The key point here was that the state was given assurances that these people would be given a lengthy judicial review, and that was rejected.

The Chinese government also continues to persecute Muslims in the western portion of the country, and nobody speaks out for the Muslims, at least not those in China. Especially troubling are actions taken by the Chinese first in July 1999 to dissolve Falun Gong and to arrest its leaders.

I had seven town meetings in my district last week, three on Friday, four on Saturday. Every town meeting the Falun Gong and other Chinese dissidents came to tell us of the persecution that their people are having to go through. All day long it came out at every single town meeting, and you deny and don't even have the courage to file a resolution there in Geneva.

A massive crackdown followed and which continues to this day as hundreds remain imprisoned, and thousands are sent without

judicial review to reeducation through labor camps. The government labeled Falun Gong a cult and thus outside the purview of protected state-controlled religious organizations.

That is just in the area of religious freedom. Other examples are really important. North Korea refugees, hiding in northeast China, whose only crimes consist of trying to escape a brutal regime, systematically starving them into submission, and not only repatriated back to North Korea, but bounties are put on their head to hunt them down.

Mr. Craner, you told me that history shows the treatment of the North Koreans may be one of the most abusive things that we see coming out of the Chinese government, and yet you do not file a resolution in Geneva. The Chinese government has a thriving business of harvesting and selling transplant human organs from prisoners. They will take your blood type. They will shoot you. They will go into a prison, and they will find an organ that you can then donate—that person will have to donate.

China maintains a system of gulags, slave labor camps, as large or if not larger than those in the Soviet Union. China sold missiles and chemical weapons technologies to Iran, sold missile-related components to Syria, advanced missile and nuclear weapon technology to Pakistan, and, as we recently discovered in Iraq, even sold weapons to Saddam Hussein. Do you remember the night of terror at the Kuwait shopping center? A Chinese-made missile hit the shopping center. China sold \$1.2 billion in arms to military rulers in Burma who seem to be following the low road from their own human rights as Burmese opium makes its way through the veins of American teenagers.

I realize, Mr. Chairman, that this hearing is about the mistreatment of Cuban dissidents, and it is not my purpose here to deflect from that important function. As I mentioned, I strongly support the Administration's Cuba policy. My hope is that this hearing will shed some light on the human rights conditions in Cuba. But the problem is that there is no consistency of policy between what we are doing in Cuba and what we should be doing in China. There is no consistency between our rhetoric and our actions. If it is wrong in Cuba to jail dissidents, why isn't it wrong for the Chinese to be doing the same?

Ronald Reagan once said that the rights we enjoy of life and liberty and the pursuit of happiness are rights that are covenants, as Ronald Reagan said, that we have made not only with ourselves, but with all of mankind. That is why this Congress, this Committee, especially this Administration, must stand up for the values of freedom and democracy not only in Cuba, but in China and around the world.

We should always, always publicly as well as privately, sometimes publicly is more important than privately, to be on the side of those fighting for freedom and not stand with the oppressors and side deals or private deals whereby things won't be raised. The hundreds, if not thousands, of political and religious prisoners in China are counting on Congress and the Administration to speak out for them. Just be cautious that you don't go the way of the Clinton Administration that started out very aggressive on human rights and was against PNTR and changed in midstream. Speaking

out may be the only thing that saves their lives or wins their freedom. That is why the Administration should be clear and unequivocal in its condemnation of China's grave human rights.

Instead, by its action at the U.N. Commission, we have basically abdicated our leadership in human rights by making morally compromised and politically calculated decisions. That is why we are here today with very little progress to show on China.

Just imagine, Mr. Chairman, for a moment, that you are a Catholic priest or bishop, you are imprisoned for saying mass or administering the sacraments, you have been beaten or tortured or denied food or forced to endure back-breaking labor. And Mr. Smith and I were in Beijing Prison No. 1 and saw the conditions that these people have to live in. This was all done for your practicing of what your conscience and your faith to the Good Lord dictates that you have to do.

Imagine, then, that priest just heard about the action or the lack of action by the United States which caved to Chinese pressure against such a resolution, only the third year since 1990 that the United States has not introduced the China resolution. Just imagine how demoralized that priest would feel. You must have talked to Natan Scharansky when he told you how he felt when people spoke out for him or how demoralized he felt when people did not speak out for him.

I will leave you with this question: Just what is the message that the U.S. is sending to the Catholic priest, Protestant pastor, Buddhist monk, Muslim person in that northwest portion, still in jail by the Administration's decision not to introduce a resolution condemning China for the human rights abuses? What exactly is the message to a prodemocracy student or labor activist? And what about the timing of your decision as you called around to Members of Congress who had an interest on this late Friday afternoon, well after the Congress has adjourned for its recess.

With that, Mr. Chairman, I yield back the balance of my time. I hope you and I can still make our journey to Cuba and try to speak out for those who are being persecuted in Cuba, but also to maintain a consistency that wherever persecution of people's rights take place, whether it be in China, whether it be in Iraq, whether it be in Saudi Arabia, whether it be in Cuba, we are consistent in speaking out.

With that, I yield back the balance of my time.

Mr. SMITH OF NEW JERSEY. I thank my friend for yielding back and for his very strong statement, because human rights are indivisible, as we know. They do not know boundaries, and even though the focus of this hearing is on Cuba, obviously where anyone, male or female, regardless of age, regardless of their ethnicity or their religious belief, if they are attacked, if they are tortured, we have to speak with one voice, consistently in their favor. So I thank my friend for his very, very powerful and eloquent statement.

I would like to welcome to our Committee—they are not strangers to this Committee at all, very fine people—Secretary Lorne Craner, who was sworn in as Assistant Secretary of State for Democracy, Human Rights and Labor on June 4, 2001. Mr. Craner, prior to his appointment, was the President of the International

Republican Institute, IRI, since 1995. He coordinates in his position at Human Rights, Labor and Democracy U.S. foreign policy and programs that support the promotion and protection of human rights and democracy worldwide. Secretary Craner received a Master's Degree in National Security Studies at Georgetown University and a Bachelor of Arts from Reed College.

Our next witness will be Kim Holmes. Dr. Holmes was sworn in as the Assistant Secretary of State for the Bureau of International Organization Affairs on November 21, 2002. In this position Dr. Holmes is responsible for the development and implementation of U.S. policy in the United Nations, its specialized and voluntary agencies and certain other international organizations. Dr. Holmes holds a doctorate and a master's degree from Georgetown University.

Then we will hear from J. Curtis Struble, who assumed the position of Acting Assistant Secretary of State for the Bureau of Western Hemisphere Affairs on November 22nd of 2002. He was previously the Principal Deputy Assistant Secretary for the Bureau. He holds a Bachelor of Arts Degree in Russian History and Slavic Languages from the University of California at Berkeley.

And our final witness for this panel is Karen Harbert-Mitchell. Ms. Harbert-Mitchell is a Deputy Assistant Administrator for Latin America and the Caribbean at the U.S. Agency for International Development, USAID. Her primary responsibility is developing and implementing foreign assistance programs for Latin America and the Caribbean. Ms. Harbert-Mitchell received a degree in International Policy Studies and Political Science from Rice University in Houston, Texas. Welcome, Ms. Harbert-Mitchell.

And if you could begin, Secretary Craner.

STATEMENT OF THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE

Mr. CRANER. Mr. Chairman, thank you very much for the invitation to testify here today. I want to commend you for holding this hearing, especially in recess, draw attention to the situation in Cuba. I have a short oral statement and a longer written one I would like to submit for the record.

We have been talking about other regions of the world, and I did want to start in a region other than Cuba. In Iraq yesterday, near the 4,000-year-old Ziggurat of Ur in the cradle of civilization, a man arose at a meeting of his countrymen and countrywomen. He said that now is not the time to ask what our country—he is talking about Iraq—can do for us. Rather, we must ask what we can do for our country.

Later in the day, over 100 Iraqi men and women, some who had stayed in Iraq all these years, some of them returning from exile, some Sunnis, some Kurds, some Shia, all agreed that Iraq must be democratic, must be Federal, and must respect the role of women and the rule of law.

South of Iraq, Qatar this week announced plans for elections to a new legislature, plans that allow women to run and vote. Qatar joins Bahrain, Oman and Morocco in permitting democratic elections open to women and men for new parliaments. All these

events occurred in a region where for decades some have despaired for democracy, for human rights and for pluralism. But democracy is beginning to take hold in the Middle East, a land half a world away from here.

Unfortunately we need look only on our doorstep for a country that is stuck in a time warp and regressing. At the same time that the Iraqi people are founding their democracy, the sole survivor of totalitarianism in this hemisphere, the dinosaur dictatorship of Fidel Castro, moved brutally to repress political dissent amongst its citizens.

Beginning in mid-March, the government of Cuba has sought to decapitate the democratic opposition and the strongest voices of independent expression on the Island, arresting 77 people on spurious charges of subversion and treason and sentencing them to long prison terms in secretive and summary trials. Prominent targets included independent journalists such as Raul Rivero, independent economists like Maria Beatriz Roque, and a number of other independent librarians and labor leaders. Twenty of those arrested have supported the Varela Project, a peaceful and constitutional call for a national referendum that had obtained over 11,000 signatures and international praise and recognition.

Many of these prisoners of conscience face charges of collaboration with diplomats at the U.S. Interests Section in Havana. Like American and other diplomats around the world, Jim Cason and his colleagues work to promote peaceful and democratic change, provide information about our country, and encourage and strengthen fundamental and internationally acknowledged human rights standard and norms. Only Cuba and a diminishing number of its totalitarian counterparts could tremble at the threat of library books and free access to the Internet, and label them subversion.

In Cuba, a reporter's office files, including envelopes of press clippings, become evidence of treason. This brutality and repression is nothing new. Systematic violations of fundamental freedoms have long been the hallmark of the Cuban regime. These violations were cataloged in the State Department's annual *Country Reports* released this year on March 31. They have been denounced by a wide range of independent international organizations, including Amnesty International, Human Rights Watch and Reporters Without Borders.

This egregious act of political repression is an admission of failure by the Cuban regime. It is an expression of fear directed at the most basic and peaceful expressions of independent thought, at journalists, librarians and even economists. The regime has sought to characterize members of this movement as the mercenaries of a foreign power, to call the natural demand for freedom treason. It is the ordinary citizens of Cuba, like the ordinary citizens of Iraq, who are finding the individual strength to look past years of repression, to strive for a democratic future and voice their desire for a peaceful transition to a better life.

We must continue to support that effort wherever and whenever we can, whether through our outreach to ordinary Cubans or in partnership with like-minded international members of the international community, as we are doing today in Geneva. Thank you.

Mr. SMITH OF NEW JERSEY. Secretary Craner, thank you very much for your testimony.

[The prepared statement of Mr. Craner follows:]

PREPARED STATEMENT OF THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE

Mr. Chairman, Members of the Committee, you are to be commended for holding this hearing to spotlight the recent crackdown in Cuba. The Committee's continuing interest in the situation in Cuba is particularly well timed and welcome, given the growing international concern over the efforts of the repressive regime to stifle independent voices and a growing demand for democracy.

Thank you for the opportunity to testify before you today. I want to address two issues, first the worsening human rights situation in Cuba, and second the growing democratic movement in Cuba.

At the same time U.S. forces moved to liberate the people of Iraq from a brutal regime, the sole survivor of totalitarianism in this hemisphere—the dinosaur dictatorship of Fidel Castro—moved to brutally repress political dissent among its citizens. Beginning on March 18, the Government of Cuba has sought to decapitate the democratic opposition and the strongest voices of independent expression on the island, arresting over 100 persons on spurious charges of subversion and treason and sentencing 75 to long prison terms in secretive and summary tribunals. Prominent targets included independent journalists such as Raul Rivero, independent economists like Maria Beatriz Roque, and a number of independent librarians and labor leaders. Twenty of those arrested had supported the Varela Project, a peaceful and constitutional call for a national referendum on political and economic reforms in Cuba that had obtained over 11,000 signatures and international praise and recognition.

Many of these prisoners of conscience faced charges of collaboration with diplomats at the United States Interest Section in Havana. They were called traitors for their courage in speaking to official Americans such as Jim Cason. Like his predecessors, as chief of the Interest Section, Jim does in fact talk to independent Cuban citizens: an activity hardly worthy of comment, much less alarm, in a free and democratic society but a direct threat to the iron control of information under a dictatorial regime. Like American and other diplomats around the world, Jim and his colleagues work to promote peaceful and democratic changes, provide information about our country, and encourage and strengthen fundamental—and internationally acknowledged—freedoms. Only Cuba, and a diminishing number of its totalitarian counterparts, could tremble at the “threat” of library books and free access to the Internet, and call them subversion. In Cuba, a reporter's office files, including envelopes of newspaper clippings, become evidence of treason.

It can be no surprise to any of us that much of the evidence in these so-called trials was provided by agents of the Cuban intelligence service who had successfully infiltrated the Cuban opposition. The fact that government agents successfully infiltrated the Cuban democratic movement is testimony to the regime's fear of this movement, and the resources it is willing to bring to bear in its efforts to intimidate its citizens, to control information, and to stifle freedom of thought and expression. The brave men and women confronted with these betrayals cannot have been surprised either, knowing the very real threat peaceful dissent and independent thought pose to an authoritarian regime. It is testimony to their true courage that this knowledge did not sway or intimidate them. Indeed, this action of the Cuba regime against its own citizens is a stark example of Castro's failure to silence dissent, to establish “revolutionary legitimacy”—legitimacy of any kind, for that matter. It is further proof of a failed and empty regime.

This brutality, this repression, is nothing new. Systemic violations of fundamental freedoms have long been the hallmark of the Cuba regime, violations denounced by a wide range of independent international organizations including Amnesty International, Human Rights Watch, and Reporters Without Borders, and recognized in the State Department's annual Country Report on Human Rights Practices released on March 31.

Ironically, at the same time as the secretive trials and convictions of these political prisoners—many facing prison terms of twenty years or more for the non-violent exercise of their right to freedom of expression and association—Cuba sits on the United Nations Commission on Human Rights in Geneva. A team of representatives of that regime attends the current session, working to block condemnation of their own and other repressive regimes. This team is accepted despite what the NGO

Human Rights Watch characterized as the flouting of fundamental human rights norms, despite their indifference to that same Commission's 2002 resolution and rejection of the High Commissioner's personal representative, and despite worldwide outrage at the latest brutal crackdown.

Secretary Powell was not alone when he called for an end to the repression in Cuba and insisted that Cubans who seek peaceful change—and basic human rights and freedoms—be permitted to do so. His call has been echoed by many others: the European Union, U.N. High Commissioner for Human Rights Sergio de Mello, and prominent figures across the world, including more than 300 artists, intellectuals, and politicians—Gunter Grass, Pedro Almodovar, and Mario Vargas Llosa among them—who recently published a letter protesting the recent arrests. Even the French and Portuguese Communist Parties spoke out against the repression, while the Catholic Bishops in Cuba—who must operate cautiously in the best of times—issued a statement “profoundly lamenting” the arrests of Cuban citizens for “thinking and acting differently than the official ideology.” Despite the bluster and threats of Cuban officials, three Latin American countries (Costa Rica, Peru, and Uruguay) have drafted another resolution on the human rights situation in Cuba, and many other countries at the Commission have voiced their support and their outrage at the recent wave of arrests and trials of political dissidents, and at the summary trials and executions of three ferry hijackers this past week.

This egregious act of political repression is an admission of failure by the regime, an expression of fear directed at the most basic and peaceful expressions of independent thought—at journalists, librarians, even economists. The regime has sought to characterize members of this movement as the mercenaries of a foreign power, to call the natural demand for freedom “treason.” It is the ordinary citizens of Cuba—like the ordinary citizens of Iraq—who are finding the individual strength to look past years of repression, to strive for a democratic future and voice their desire for a peaceful transition and a better life. We must continue to support that effort wherever and whenever we can, whether through our outreach to ordinary Cubans or in partnership with like-minded members of the international community.

I would like to conclude by stressing that promotion of democracy is and will continue to be a central, defining element of our foreign policy. We will continue to use all available bilateral and multilateral tools at our disposal to combat threats to democracy and to institutionalize democratic reforms toward a stable Western Hemisphere.

Mr. SMITH OF NEW JERSEY. Dr. Holmes.

STATEMENT OF THE HONORABLE KIM R. HOLMES, ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL ORGANIZATION AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. HOLMES. Thank you, Mr. Chairman, for holding this hearing on Cuba and its brutal crackdown on democracy activists. I have a longer statement that I would like to submit for the record with your permission.

Mr. SMITH OF NEW JERSEY. Without objection, yours and all of the other witnesses who have a longer version, their statements will be made a part of the record.

Mr. HOLMES. Thank you, sir.

This is a timely issue and one that my office is seized with. And given that the Cuban government began this wave of arrests even as the United Nations Commission on Human Rights was opening in Geneva, I think is particularly troubling about what it means for the future of freedom and democracy in Cuba. Cuba's arrest of more than 100 democracy activists, journalists and economists, the closed summary proceedings used to convict over 75 of them, and the excessive sentences, all of these are an outrage. Cuba's actions rightly deserve the review they are receiving in America and around the world and from you and from many in this hearing.

As you are aware, the arrest followed searches of activists' homes that sometimes lasted for up to 10 hours, that began after a gov-

ernment radio broadcast attacking the head of our Interests Section and the outreach efforts of our diplomats in Cuba.

These actions are an affront to article 19 of the Universal Declaration of Human Rights, which declares, and I quote, "Everyone has the right to freedom of opinion and expression."

They also are an affront to article 9, which states that, and I quote, "No one shall be subjected to arbitrary arrest, detention or exile."

Cuba, it must be remembered, was one of the nations voting in the United Nations General Assembly to adopt that declaration in 1948.

In contrast, the Castro regime has already formally rejected a visit by the personal representative of the U.N. High Commissioner for Human Rights as called for in last year's Commission on Human Rights resolution. All of these distressing reminders of the regime's lack of respect for human rights and fundamental freedoms are meant to deal a blow against the democratic opposition. While they may slow the march of freedom in Cuba, they will never quell the Cuban people's desire for freedom, for liberty; nor will they impede its ultimate arrival.

The United States does not hesitate to speak out against Cuba's suppression of human rights. We issued a strong statement on March 19th expressing our outrage over the arrests and calling for the immediate release of those detained. The White House issued a strong statement of condemnation on March 26th.

On April 1st, Ambassador Jeane Kirkpatrick, who was heading our delegation to the Commission on Human Rights, delivered our Item 9 statement in which she called the arrest, "a glaring challenge to the Commission," an indication of increasing repression by Castro's regime, and—I also continue to quote—"a brazen attempt to intimidate the growing number of Cuban citizens who dare assert their desire for more freedom."

On April 10th, Secretary of State Powell called for the release of these prisoners of conscience, as you mentioned, Mr. Chairman. Again, on April 14th, Ambassador Kirkpatrick clarified for the Commission during the deliberations on defenders of democracy why Cuba's actions are repressive violations of human rights. And just yesterday Secretary Powell challenged the nations of the world, the 34 Western Hemisphere nations in the Community of Democracies who signed a set of basic principles regarding democracy, and particularly those nations that will vote on the Cuba resolution, to take note of Cuba's outrageous actions toward people who merely express their desire for freedom.

The United States has also asked the European Union to join with us in publicly deploring Cuba's actions, and on March 26th the European Union issued a strong statement condemning the Cuban repression and demanding the release of these prisoners of conscience.

Most notably at this year's Commission, the resolution to deal with Cuba's persistent violations of human rights norms was introduced by three Latin American countries, by Peru, Uruguay and Costa Rica. We firmly support and applaud their initiative to try to address this blight on human rights in our hemisphere. Their resolution urges the government of Cuba to adhere to the 2002 res-

olution and allow a visit by the High Commissioner for Human Rights' personal representative.

As we have done in the past, we have cosponsored this year's resolution on Cuba. We had worked hard to strengthen it, but there is strong resistance to changing the wording. While the original resolution itself may not have the language we had hoped to achieve, it nevertheless is still a slap in the face for Castro and his regime from his own neighbors.

Given Cuba's continuing defiance of the Commission, the United States warmly welcomes the effort of Latin American members of the Commission to force their neighbor to improve its human rights record, and we believe the best approaches to dealing with the egregious human rights abusers like Cuba are initiatives in which the relevant regional group takes ownership of the calls for reform.

We also actively collaborated with other countries on strategies to ensure that a resolution on Cuba would pass, sending a clear message to the government of Cuba that it would remain under the scrutiny of the world community. The important point is that we sought to ensure that the personal representative of the U.N.'s High Commissioner on Human Rights has a mandate to report on the situation in Cuba.

Historically there is a precedent for our concern that a resolution on Cuba passes. As you will recall, in 1987, Cuba was able to win a no-action motion on text submitted by the United States by a vote by 19 to 18 with 6 abstentions. We prefer a resolution and a personal representative of the High Commissioner to any of the alternatives.

Our delegation at the Commission on Human Rights will continue to make crystal clear our very strong opposition to Cuba's violation of human rights, and we will call upon other like-minded delegations to do the same.

As I prepared this statement, we had expected a vote on Cuba to take place this morning, but, as you know, it did not happen. We should know the outcome of the voting tomorrow. But let me assure this Committee in the meantime that the Congress—and also ensure the Congress, Americans and the people of Cuba that in the Commission and in every forum the United States will continue to shine a spotlight on human rights abuses in Cuba in order to bring them to an end.

Thank you very much, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Thank you, Dr. Holmes, very much. [The prepared statement of Mr. Holmes follows:]

PREPARED STATEMENT OF THE HONORABLE KIM R. HOLMES, ASSISTANT SECRETARY,
BUREAU OF INTERNATIONAL ORGANIZATION AFFAIRS, U.S. DEPARTMENT OF STATE

ON CUBA'S RECENT CRACKDOWN ON DEMOCRACY ACTIVISTS AND THE RESOLUTION IN
THE 2003 COMMISSION ON HUMAN RIGHTS

I want to thank you, Mr. Chairman, for holding this hearing on Cuba and its brutal crackdown on democracy activists. This is a timely issue and one that my office is seized with, given that the Cuban government began this wave of arrests even as the United Nations Commission on Human Rights was opening in Geneva. It is especially timely in that the Commission opened discussions today on a resolution on Cuba.

Cuba's arrests of more than 100 democracy activists, journalists, and economists, the closed summary proceedings used to convict over 75 of them, and the excessive

sentences are an outrage. Cuba's actions rightly deserve the rebuke they are receiving in America and around the world.

As you are aware, the arrests followed searches of activists' homes that sometimes lasted up to ten hours. They began after a government radio broadcast attacking the head of our Interests Section and the outreach efforts of our diplomats in Cuba.

These actions are an affront to Article 19 of the Universal Declaration of Human Rights, which declares that, "Everyone has the right to freedom of opinion and expression." They also are an affront to Article 9, which states that, "No one shall be subjected to arbitrary arrest, detention, or exile." Cuba, it must be remembered, was one of the nations voting in the United Nations General Assembly to adopt the Declaration in 1948.

In contrast, the Castro regime has already formally rejected a visit by the Personal Representative of the UN High Commissioner for Human Rights, as called for in last year's Commission on Human Rights resolution.

All of these distressing reminders of the regime's lack of respect for human rights and fundamental freedoms are meant to deal a blow against the democratic opposition. While they may slow the march of freedom in Cuba, they will never quell the Cuban people's desire for liberty nor impede its ultimate arrival.

The United States does not hesitate to speak out against Cuba's suppression of human rights. We issued a strong statement on March 19 expressing our outrage over the arrests and calling for the immediate release of those detained. The White House issued a strong statement of condemnation on March 26.

On April 1, Ambassador Jeane Kirkpatrick, head of the U.S. delegation to the CHR, delivered our Item 9 statement in which she called the arrests "a glaring challenge to the Commission," an indication of increasing repression by Castro's regime," and a "brazen attempt to intimidate the growing number of Cuban citizens who dare assert their desire for more freedom."

On April 10, Secretary of State Powell eloquently called for the release of these prisoners of conscience.

On April 14, Ambassador Kirkpatrick clarified for the Commission, during deliberations on Defenders of Democracy, why Cuba's actions are repressive violations of human rights.

And just yesterday, Secretary Powell challenged the nations of the world, the 34 Western Hemisphere nations in the "Community of Democracies" who signed a set of basic principles regarding democracy, and particularly nations that will vote on the Cuba resolution, to take note of Cuba's outrageous actions toward people who merely express a point of view.

The United States had also asked the European Union to join with us in publicly deploring Cuba's actions. On March 26, the EU issued a strong statement condemning the Cuban repression and demanding the release of these "prisoners of conscience."

Most notably, at this year's Commission, the resolution to deal with Cuba's persistent violations of human rights norms was introduced by three Latin American countries—Peru, Uruguay and Costa Rica. We firmly support and applaud their initiative to try to address this blight on human rights in our Hemisphere. Their resolution urged the Government of Cuba to adhere to the 2002 resolution and allow a visit by the High Commissioner for Human Rights' Personal Representative.

As we have done in the past, we have co-sponsored this year's resolution on Cuba. We had worked hard to strengthen it, but there is strong resistance to changing the wording. While the resolution itself may not have the language we hoped to achieve, it nevertheless is still a slap in the face for Castro and his regime from his own neighbors.

Given Cuba's continuing defiance of the Commission, the United States warmly welcomes the efforts of the Latin American members of the Commission to force their neighbor to improve its human rights record. We believe the best approaches to dealing with egregious human rights abusers like Cuba are initiatives in which the relevant regional group takes ownership of the calls for reform.

We also had actively collaborated with other countries on strategies to ensure that a resolution on Cuba would pass, sending a clear message to the Government of Cuba that it would remain under the scrutiny of the world community. The important point is that we sought to ensure the Personal Representative of the UN's High Commissioner on Human Rights had a mandate to report on the situation in Cuba.

Historically, there is precedent for our concern that a resolution on Cuba passes. In 1987, Cuba was able to win a no-action motion on text submitted by the United States by a vote of 19-18-6. We prefer a resolution and a personal representative of the High Commissioner to any of the alternatives.

Our delegation at the CHR will continue to make crystal clear our very strong opposition to Cuba's violations of human rights. And we will call upon other like-minded delegations to do the same.

As I prepared this statement, we expected the vote on Cuba to take place this morning. As you know, it did not happen. We should know the outcome of the voting tomorrow.

Let me assure this committee, the Congress, Americans, and the people of Cuba that, in the Commission and in every forum, the United States will continue to shine a spotlight on human rights abuses in Cuba to bring them to an end.

Mr. SMITH OF NEW JERSEY. Mr. Struble.

STATEMENT OF THE HONORABLE J. CURTIS STRUBLE, ACTING ASSISTANT SECRETARY, BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. STRUBLE. Thank you, Mr. Chairman, for convening this Committee today to discuss the Cuban government's harsh crackdown against Cuban citizens seeking a peaceful transition to democracy on the Island.

As you noted in your testimony, Mr. Chairman, we are witnessing the most serious act of political repression in the hemisphere in decades. We greatly appreciate your leadership and the action of the House of Representatives in their overwhelming bipartisan support for the freedom-loving Cuban people as exemplified most recently in the passage of House Resolution 179. I am sure that if the Cuban people could speak freely, they would extend to you and your colleagues their thanks for the symbol of support for their aspirations for human rights.

Since March 19th, the Cuban government has carried out its most significant act of repression in decades, arresting over 100 opposition and independent civil society members. Dissidents were imprisoned for writing "counterrevolutionary articles," for running independent libraries, and for belonging to "illegal" groups of independent journalists.

Poet and journalist Raul Rivero was one of many arrested. Fifty-seven-year-old Rivero was sentenced to 20 years for "mercenary activities and other acts against the independence and territorial integrity of the Cuban state." Following sentencing, his wife lamented to the press, "This is so arbitrary for a man whose only crime was to write what he thinks. What they found on him was a tape recorder, not a grenade."

The Cuban regime has already sentenced more than 75 such peaceful members of Cuba's civil society to lengthy prison terms in secret summary trials. Castro has long tried to argue that there is no authentic opposition, only that created by the U.S. Government working through the United States Interests Section in Havana. The regime has sought to blame us for its actions, saying that the U.S. Interests Section (USINT) support for the opposition provoked the Cuban regime and crossed red lines. In fact, as you noted, Mr. Chairman, USINT's activities are a logical and incremental progression of our contact with Cuba's growing civil society. Castro's argument asserts arbitrary boundaries that place absurd limitations on the activities of diplomatic personnel.

The real reason that the Cuban security apparatus acted now is because the home-grown opposition is losing its fear of the regime, and it is growing in strength and credibility. Oswaldo Paya's insist-

ence on peaceful change and his use of the right of petition won him support at home and abroad. Backing for the Varela Project grew exponentially in 2002, and Varela organizers constitute a nationwide political organization.

Other civil society groups such as the Asamblea and Todos Unidos seek to create nationwide organizations with political reform agendas. The Catholic Church in Cuba spoke out in late February, denouncing the “vengeful state” and attacking the Cuban government’s political, economic and educational policies. The regime recognized that there was a nascent independent civil society taking place, and it moved to crush it.

The scope and nature of the repression reveals this intent. Paya was not arrested, but his subordinates throughout Cuba were. Prominent independent journalists have been sentenced. Cuba’s most prominent independent labor leader, Pedro Pablo Alvarez, was given 25 years. The Asamblea was left leaderless with the detention and sentencing of Morta Beatriz Rogue to 20 years’ imprisonment.

Oscar Elias Biscet, an Afro-Cuban Catholic who advocates peaceful resistance to the regime, received 25 years. This repression goes well beyond the 1996 dismantlement of the Concilio Cubano structure. The intimidation factor clearly increased as the regime announced the draconian sentences of up to 28 years. And yet Paya, whose international stature provides him with protection, has called upon all people of goodwill to let their voices be heard and denounce the repression. Moreover, the five other leading human rights activists still at liberty courageously released a communique denouncing the Cuban government’s actions.

The Cuban government hoped that world attention would be distracted by the war in Iraq. However, numerous human rights organizations, governments and media outlets have expressed their condemnation of the repression. You will have noted the Secretary’s very strong statement, which my colleagues have referred to, and which followed two earlier department statements on this act. The U.N. High Commissioner for Human Rights raised the arrests with the Cuban Foreign Minister. The EU denounced the detentions and termed those sentenced “prisoners of conscience.”

And a number of governments in this hemisphere, to include Mexico, Canada, Chile and Nicaragua, have also condemned these acts.

The Inter-American Commission on Human Rights issued a statement calling for a halt to the wave of repression. A similar statement by the U.N. Educational, Scientific and Cultural Organization expressed concern over this serious infringement of rights.

The Cuban decision to initiate this crackdown just as the annual meeting of the United Nations Commission on Human Rights was getting underway in Geneva underscores the Castro regime’s complete disregard for human rights and fundamental freedoms. However, this is nothing new. The government of Cuba has yet to accept a visit from the personal representative of the U.N. High Commissioner on Human Rights, as called for in last year’s resolution. We are hopeful that the international community will once again condemn the human rights situation in Cuba by adopting the Cuba resolution, which my colleague Dr. Holmes referred to.

For our part, we continue to execute the President's policy of encouraging a rapid, peaceful transition to democracy in Cuba. Our work with truly independent Cuban civil society helped us move toward that goal. Castro's repression will not change our focus or diminish our energy.

The President outlined a flexible and innovative new policy in May 2002, his Initiative for a New Cuba. This initiative presents the Cuban regime with a challenge to undertake political and economic reforms. Should such reforms be enacted, this Administration is prepared to work with Congress to change the embargo and the travel restrictions. Unfortunately Castro's reaction was the most sweeping repression of peaceful dissent in Cuba in decades. Our dedication to helping the Cuban people remains undiminished.

Mr. Chairman, I would like to end my testimony with a question, one that admittedly I can't answer. Perhaps the representatives of the Cuban Interests Section, who may be here today witnessing and ironically participating in the democratic process that the Castro regime denies its own people, can answer it. What is the Castro regime afraid of? Perhaps it is the fear of its own demise or the fear of international isolation, or perhaps the fear of facing and admitting to its own failures, or fear of the realization that is with all bankrupt dictatorships, the Cuban regime is sliding into historical irrelevance.

This is a question that ultimately I cannot answer. However, there is one thing I am sure of, Mr. Chairman. The Cuban people have lost their fear of their repressive apparatus that is the Cuban regime. They are not afraid, and they will continue their work. And the United States will stand with them working toward a common goal, a rapid, peaceful transition to democracy. Thank you, sir.

Mr. SMITH OF NEW JERSEY. Mr. Struble, thank you very much for your testimony.

[The prepared statement of Mr. Struble follows:]

PREPARED STATEMENT OF THE HONORABLE J. CURTIS STRUBLE, ACTING ASSISTANT SECRETARY, BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE

Thank you, Mr. Chairman, for convening this Subcommittee today to discuss the Cuban government's harsh crackdown against Cuban citizens seeking a peaceful transition to democracy on the island. We are witnessing the most serious act of political repression in the hemisphere in decades. We greatly appreciate the House of Representatives' overwhelming bipartisan support for the freedom-loving Cuban people, as exemplified most recently in passage of House Resolution 179. I'm sure that if the Cuban people could speak freely they would extend to you and your colleagues their thanks for this symbol of support for their aspirations to regain their human rights.

Since March 19, the Cuban government has carried out its most significant act of political repression in decades, arresting over 100 opposition and independent civil society members. Dissidents were imprisoned for writing "counter-revolutionary articles," running independent libraries, and belonging to "illegal" groups of independent journalists. Poet and journalist Raul Rivero was one of many arrested. Fifty-seven year-old Rivero was sentenced to 20 years for "mercenary activities and other acts against the independence and territorial integrity of the Cuban state." Following sentencing, his wife lamented to the press, "This is so arbitrary for a man whose only crime was to write what he thinks. What they found on him was a tape recorder, not a grenade." The Cuban regime has already sentenced more than seventy-five such peaceful members of Cuba's civil society to lengthy prison terms in secret, summary trials.

Castro has long tried to argue that there is no authentic opposition, only that "created" by the U.S. Government working through the United States Interests Sec-

tion (USINT) in Havana. The regime has sought to blame us for its actions, saying that USINT support for the opposition “provoked” the Cuban regime and crossed “red lines.” In fact, USINT’s outreach activities are a logical and incremental progression of our contacts with Cuba’s growing civil society. Castro’s argument asserts arbitrary boundaries that place absurd limitations on the activities of diplomatic personnel.

The real reason that the Cuban security apparatus acted now is because the homegrown opposition is losing its fear of the regime and growing in strength and credibility. Oswaldo Payá’s insistence on peaceful change and his use of the right of petition won him support at home and abroad; backing for Project Varela grew exponentially in 2002, and Varela organizers constitute a nationwide political operation. Other civil society groups, such as the “Asamblea” and “Todos Unidos” seek to create nationwide organizations with political reform agendas. The Catholic Church in Cuba spoke out in late February, denouncing the “vengeful state” and attacking the Cuban Government’s political, economic, and educational policies. The regime recognized that there was a nascent independent civil society taking shape, and moved to crush it.

The scope and nature of the repression reveals this intent. Payá was not arrested, but his subordinates throughout Cuba were. Prominent independent journalists have been sentenced. Cuba’s most prominent independent labor leader, Pedro Pablo Alvarez, was given twenty-five years. The “Asamblea” was left leaderless with the detention and sentencing of Marta Beatriz Roque to twenty years’ imprisonment. Oscar Elias Biscet, an Afro-Cuban Catholic who advocates peaceful resistance to the regime, received twenty-five years. This repression goes well beyond the 1996 dismantlement of the “Concilio Cubano” structure. The intimidation factor clearly increased as the regime announced the draconian sentences of up to twenty-eight years. Yet Payá—whose international stature provides him protection—has called upon all “people of good will” to let their voices be heard and denounce the repression. Moreover, five other leading human rights activists still at liberty courageously released a communiqué denouncing the Cuban Government’s actions.

The Cuban government hoped that world attention would be distracted by the war in Iraq. However, numerous human rights organizations, governments, and media outlets have expressed their condemnation of the repression. You will have noted the Secretary’s very strong statement on the arrests of these prisoners of conscience, which followed two earlier Department statements on this act of repression. The UN High Commissioner for Human Rights raised the arrests with the Cuban Foreign Minister. The EU denounced the detentions and termed those sentenced “prisoners of conscience.” A number of governments in this hemisphere, including Mexico, Canada, Chile, and Nicaragua, have also condemned these acts. The Inter-American Commission on Human Rights issued a statement calling for a halt to the “wave of repression.” A similar statement by the UN Educational, Scientific, and Cultural Organization (UNESCO) expressed concern over this “serious infringement of rights.”

The Cuban decision to initiate this crackdown just as the annual meeting of the United Nations Commission on Human Rights (UNCHR) was getting underway in Geneva underscores the Castro regime’s complete disregard for human rights and fundamental freedoms. However, this is nothing new. The Government of Cuba has yet to accept a visit from the Personal Representative of the U.N. High Commissioner for Human Rights—a visit called for in last year’s UNCHR Cuba resolution. We are hopeful that the international community will once again condemn the human rights situation in Cuba by adopting a 2003 UNCHR Cuba resolution, again calling on the Government of Cuba to accept a visit by the High Commissioner’s Personal Representative for Cuba.

For our part, we continue to execute the President’s policy of encouraging a rapid, peaceful transition to democracy in Cuba. Our work with truly independent Cuban civil society helped us move toward that goal. Castro’s repression will not change our focus or diminish our energy. The President outlined a flexible and innovative new policy in 2002, his Initiative for a New Cuba. This Initiative presents the Cuban regime with a challenge to undertake political and economic reforms. Should such reforms be enacted, the Administration is prepared to work with Congress to change the embargo and the travel restrictions. Unfortunately, Castro’s reaction was the most sweeping repression of peaceful dissent in Cuba in decades. Our dedication to helping the Cuban people remains undiminished.

Mr. Chairman, I would like to end my testimony with a question, one that admittedly I can’t answer. Perhaps the representatives of the Cuban Interests Section who I suspect are here today, witnessing and ironically participating in the democratic process that the Castro regime denies to its own people, can answer it. What is the Castro regime afraid of? Perhaps it is the fear of its own demise? Or fear

of its international isolation? Or perhaps fear of facing and admitting to its own failures? Or fear of the realization that as with all bankrupt dictatorships, the Cuban regime is sliding into historical irrelevance?

This is a question that ultimately I cannot answer. However, there is one thing that I am sure of, Mr. Chairman. The Cuban people have lost their fear of the repressive apparatus that is the Cuban regime. They are not afraid, and they will continue their work. And the United States will stand with them, working toward a common goal: a rapid, peaceful transition to a democratic and free Cuba.

Mr. SMITH OF NEW JERSEY. Ms. Harbert-Mitchell.

STATEMENT OF KAREN HARBERT-MITCHELL, DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR LATIN AMERICA AND THE CARIBBEAN, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Ms. HARBERT-MITCHELL. Thank you, Mr. Chairman. I ask that my full testimony be included for the record.

Mr. SMITH OF NEW JERSEY. Without objection, it will be part of the record.

Ms. HARBERT-MITCHELL. Thank you for the opportunity to testify at this important and timely hearing on behalf of the United States Agency for International Development. These are historic times when many millions of people in another part of the world far away, long subject to dictatorship, have just begun to taste the fruits of freedom. However, 90 miles off our shore, the Cuban people are not yet free.

The latest Castro regime atrocities against the Cuban people have awakened the consciousness of free people everywhere. One hundred peaceful Cuban citizens with courageous conviction for freedom of thought and expression of fundamental human rights have been charged as a threat to the regime. Seventy-five now face extended prison terms, while three others who sought a better life elsewhere were executed by a firing squad at dawn. The Castro regime defended these barbaric measures as necessary to protect national security.

President George Bush, the Secretary of State, the U.S. Agency for International Development Administrator, the Chief of Mission in Havana and scores of U.S. political luminaries have all denounced in the strongest terms these outrageous actions.

The European Union, Amnesty International, Human Rights Watch, international labor unions, Nobel Prize winners, newspapers, all of these have joined their voices in collective denunciation, but denunciations are not enough. As President Bush has said, we must greatly increase our efforts to promote a rapid, peaceful transition to democracy in Cuba.

Authorized by section 109 of the Cuban Liberty and Democracy Solidarity Act of 1996, USAID has taken seriously the charge to build solidarity with Cuba's human rights activists, give voice to Cuba's independent journalists, help develop their independent libraries, defend the rights of Cuban workers, and provide direct outreach to the Cuban people. These programs give voice and strength to the repressed and provide moral support to the courageous. These programs are overt. They are transparent, as witnessed by our presence here today.

On May 20th last year, President Bush announced his Initiative for a New Cuba. USAID is proud to be a part of this effort. Just

as we did in Poland, Hungary, Czechoslovakia, South Africa, Chile, Nicaragua and elsewhere, we will strengthen our current efforts to promote a peaceful transition to democracy in Cuba by increasing the flow of accurate information on democracy, human rights and free enterprise to, from and within the Island. We have also designed a scholarship program to make real the President's vision for providing an educational leg up for Cubans, as he articulated in his Initiative for a New Cuba.

Cuba's human rights activists have developed national and international-level networks to press the regime for democratic change. The Castro regime's latest crackdown sought to silence this growing call for change, but the regime cannot silence the Cuban people, because thousands of new voices throughout the Island now call for a democratic change, and their numbers are increasing every day.

USAID pledges to redouble its efforts to build solidarity with Cuba's human rights activists, responding with alacrity for their requests for books, videos, shortwave radios and other means of information and communication.

USAID has provided more than 120,000 pounds of food and medicine to the families of political prisoners and other victims of repression inside Cuba. We will strive to increase that support. For accepting this humanitarian assistance, people who are deprived of jobs, income and medical care are called by the Cuban government "the paid agents of imperialism." Contrary to the Cuban government's allegations, USAID is not providing cash to any activist, person or organization within Cuba.

The Castro regime imprisoned dozens of independent journalists, but many will still find ways to send to the outside world their reports of deteriorating economic conditions, human rights violations and the conditions inside Cuba's prisons. Many others will continue to report from elsewhere on that imprisoned Island. No one believes that imprisonment will silence the voices of Raul Rivero and other brave Cuban journalists. Over the past several years, USAID grantees have published more than 18,000 articles by Cuba's independent journalists. We will increase our efforts to publish their reports and to distribute them in hard copy on the Island. We will continue to provide Cuba's independent journalists with books, videos, training materials and any other information that they themselves request.

The Castro regime has imprisoned independent librarians for the alleged crime of lending books to their neighbors. Books by Martin Luther King, Vaclav Havel, Jose Marti, and other alleged subversives are the evidence. USAID has provided Cuba's independent libraries and the Cuban people directly with more than 1.7 million books, brochures and other materials. We will increase this flow of information to the growing numbers of libraries throughout Cuba, and we will especially increase the circulation inside the Island by independent Cuban writers.

The Castro regime has also imprisoned independent Cuban labor leaders. USAID will continue to work with free unions worldwide to put pressure on the Cuban government to respect workers' rights and to allow the development of independent unions inside Cuba. These programs are all demand-driven. These programs are

not dreamed up within the United States Government or AID and thrust upon the Cuban people. They are instead a direct response to requests from people on the Island.

The Castro regime has confiscated equipment, materials and other things the Cuban people need to obtain information. This will not deter courageous Cubans from expressing independent points of view, nor will it dissuade us from decreasing our outreach to the Cuban people. On the contrary, we will increase our programs to provide people with books, videos, radios, anything that they can use to listen to international radio broadcasts from around the world, including the Voice of America, Radio Marti, the BBC and Radio Netherlands.

The Cuban government has denounced this as a "violation of Cuban national sovereignty" and as "an introduction of contra-band." What is the regime afraid of? Why are they afraid of a shortwave radio? What does it want to hide from the Cuban people?

In conclusion, the actions of the Castro regime this past month, as well as over the past decade, show they are desperate, they are afraid, and they have chosen to resort to practices and punishments unacceptable to civilized people in this century. But the Castro regime is gradually losing its grip on the Cuban people, and someday soon this regime will end. It will end because the Cuban people will, with a united voice, demand democratic change. We pledge to increase our efforts to promote that change as rapidly and as peacefully as the future permits.

Thank you for this opportunity, and I know that news of the support of this Congress will somehow penetrate Castro's prison walls and reach those who deserve it most. Thank you, Mr. Chairman.

[The prepared statement of Ms. Harbert-Mitchell follows:]

PREPARED STATEMENT OF KAREN HARBERT-MITCHELL, DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR LATIN AMERICA AND THE CARIBBEAN, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. Chairman, I want to thank you for the opportunity to testify at this important hearing on behalf of USAID. As you know Assistant Administrator Adolfo Franco wishes he could be here today. These are historic times, when many millions of people in another part of the world—long subject to dictatorship—have begun to taste the fruits of freedom.

However, the Cuban people are not yet free. The latest Castro regime atrocities against the Cuban people—the mass arrests and summary executions—have awakened the consciousness of free people everywhere. One hundred peaceful Cuban citizens with courageous conviction that freedom of thought and expression are fundamental human rights have been charged as a threat to the regime. Seventy-five now face extended prison terms, while three others who sought a better life elsewhere were executed by a firing squad at dawn. The Castro regime defended these barbaric measures as necessary to protect national security.

President George Bush, Secretary of State Colin Powell, USAID Administrator Andrew Natsios, the U.S. Chief of Mission in Havana, Jim Cason, and scores of US political luminaries have all denounced, in the strongest terms, these outrageous actions.

The European Union, Amnesty International, Human Rights Watch, international labor unions, Nobel Prize laureates, and newspapers around the world have joined their voices in collective denunciation.

But denunciations are not enough. As President Bush has said, we must greatly increase our efforts to promote a rapid, peaceful transition to democracy in Cuba. The U.S. Agency for International Development (USAID), through its Cuba Program, pledges increased effort and support to these vital voices of freedom.

Authorized by Section 109 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, USAID has funded action programs—by U.S. universities

and non-governmental organizations—to build solidarity with Cuba’s human rights activists, give voice to Cuba’s independent journalists, help develop Cuba’s independent libraries, defend the rights of Cuban workers, and provide direct outreach to the Cuban people. These programs are overt and transparent, as witnessed by our presence here today.

Since our first grant to Freedom House in the summer of 1996, USAID has taken seriously the charge to promote a peaceful transition to democracy in Cuba, by increasing the flow of accurate information on democracy, human rights, and free enterprise to, from, and within the island. These programs give voice and strength to the repressed and provide moral support to the courageous.

On May 20th of last year, President Bush announced his Initiative for a New Cuba. The President said, “Our plan is to accelerate freedom’s progress in Cuba in every way possible, just as the United States and our democratic friends and allies did successfully in places like Poland, or in South Africa. . . .” The President also said “Our government will offer scholarships in the United States for Cuban students and professionals who try to build independent civil institutions in Cuba, and scholarships for family members of political prisoners. . . .”

USAID is proud to be part of this effort. Just as we did in Poland, Hungary, Czechoslovakia, South Africa, Chile, Nicaragua and elsewhere—we will strengthen our current efforts in support of Cuba’s human rights activists, independent journalists, independent librarians, independent labor unions, and to bring hope and information to the Cuban people. We also have designed a scholarship program to make real the President’s vision for providing an educational leg-up for Cubans, as articulated in his Initiative for a New Cuba. We will be announcing that program in the coming weeks.

Over the past seven years, Cuba’s human rights activists have developed national and international level networks to press the Cuban regime for democratic change. The Castro regime’s latest crackdown, imprisoning scores of these activists, sought to silence the growing call for change. But the regime can not silence the Cuban people, because thousands of new voices throughout the Island now call for democratic change, and their numbers are increasing every day.

USAID pledges to redouble our effort to build solidarity with Cuba’s human rights activists—responding with alacrity to their requests for books, videos, short-wave radios, and other means of information and communication. Since 1997, USAID grantees have worked with solidarity committees around the world to call for international support for Cuba’s peaceful activists. USAID has also provided more than 120,000 pounds of food and medicine to the families of political prisoners and other victims of repression inside Cuba. We will strive to increase this support. For accepting this humanitarian assistance (food and medicine) people deprived of jobs, income and medical care are called by the Cuban government “the paid agents of imperialism.” Contrary to the Cuban government’s allegations, USAID is not providing cash payments to any activists, persons or organizations within Cuba.

The Castro regime last month imprisoned dozens of independent journalists. But many will still find ways to send to the outside world their reports of deteriorating economic conditions, human rights violations and the conditions inside Cuba’s prisons, and many others will report from elsewhere on that imprisoned island. No one believes that imprisonment will silence the voices of Raul Rivero and other brave Cuban independent journalists. Over the past several years, USAID grantees have published via the internet more than 18,000 articles by Cuba’s independent journalists. We will increase our efforts to publish their reports, and to distribute them in hard copy on the island. And we will continue to provide Cuba’s independent journalists with the books, videos, training materials, and other information they request.

The Castro regime has imprisoned many independent librarians, for the alleged “crime” of lending books to their neighbors. Books by Martin Luther King, Václav Havel, Jose Martí, and other alleged “subversives” are the evidence. USAID has provided Cuba’s independent libraries and the Cuban people directly with more than 1.7 million books, brochures, newsletters and other informational materials. We will increase this flow of information to the growing numbers of independent libraries throughout Cuba, and we will especially increase the circulation inside the Island by independent Cuban writers.

The Castro regime has also imprisoned independent Cuban labor leaders. USAID will continue to work with free unions world-wide to put pressure on the Cuban government to respect workers’ rights, and to allow the development of independent unions inside Cuba.

The Castro regime has confiscated books, newsletters, video cassettes, video recorders, laptop computers, short-wave radios and other materials the Cuban people need to obtain independent information. However, this will not deter courageous Cu-

bans from expressing independent points of view nor will it dissuade USAID from increasing its outreach efforts to the Cuban people. On the contrary, USAID will increase its programs of outreach to the Cuban people, to provide them with more books, videos, and short-wave radios with which they can listen to international radio broadcasts from around the world, including Voice of America, Radio Marti, the BBC, and Radio Netherlands. USAID has already provided the Cuban people with more than 7,000 short-wave radios. The Cuban government has denounced this as a "violation of Cuban national sovereignty" and as "introduction of contraband." Why is the regime afraid of a short-wave radio? What does it want to hide from the Cuban people?

The actions of the Castro regime this past month, as well as over the past decade, show they are desperate and afraid, and choose to resort to practices and punishments unacceptable to civilized people in this century. But the Castro regime is gradually losing its grip on the Cuban people. Some day soon, this regime will end. It will end, because the Cuban people will, with a united voice, demand democratic change.

We pledge to increase our efforts to promote that change, as rapidly and as peacefully as the future permits. Thank you for this opportunity and I know that news of the support of this Congress will somehow penetrate Castro's prison walls and reach those who deserve it most.

Mr. Chairman, with that I conclude my testimony and am pleased to answer any questions that you and other Committee Members may have this afternoon.

Thank you.

Mr. SMITH OF NEW JERSEY. Ms. Harbert-Mitchell, thank you very much for your testimony and for all of your good work on behalf of the suffering inside of Cuba's gulag, which unfortunately has turned that entire island nation into a gulag where fear dominates. And, as a matter of fact, the words—the admonishment—of Pope John Paul II to live life without fear certainly penetrated the hearts and minds of so many people, but the secret police and Cuba's thugs continually try to change that equation. So I thank you for the hope that you bring to the people of Cuba.

I think USAID in its very tangible transference of food and intellectual stimulants like books, magazines, newspaper articles, and as you mentioned the works of Dr. Martin Luther King and others. To construe that to be subversive is the height of hypocrisy and lunacy, and yet the Cuban dictatorship does that, and does so brazenly. So I thank you for the work that you do.

I do have a question, Ms. Harbert-Mitchell. You mentioned in your testimony that 120,000 pounds of food and medicine went to the families of political prisoners. We know that very often the very means of obtaining a livelihood, of eating, putting food on the table is deprived to those families who are dissidents, and when the breadwinner, so to speak, is hauled off to prison, the family is left to languish. Could you elaborate a little bit on that, as well as what the plans are to beef that up to help them to survive?

Ms. HARBERT-MITCHELL. Well, Mr. Chairman, as you rightly point out, the plight of prisoners themselves is despicable on the Island. Fortunately, some of these independent journalists have been able to get reports out, and I hope they will continue to get reports out about the situation inside Cuba's prisons. They are routinely abused and denied medical attention. The families of these prisoners are isolated. They are deprived of the opportunity to work, to provide for their families, and deprived or prohibited from getting medical care.

We are in some small way able to offer food and medicine to these folks to keep them going. There is a growing demand, obviously, by the growing number of people that find themselves im-

prisoned. We will continue to look for ways to increase that program as the demand unfortunately increases.

Mr. SMITH OF NEW JERSEY. I appreciate that.

Secretary Craner, in the *Country Reports of Human Rights Practices* released on March 31st, particularly with reference to Cuba, there was a tremendous amount of reporting on the use of torture, beatings, sexual torture, sexual abuse, and we all know that the ICRC, the International Committee for the Red Cross, has not been permitted into the prison since at least 1989. The estimate in the report is between 230 and 300 political prisoners, and while we are outraged over this recent crackdown, none of us can forget for a moment those who continue to languish inside of Cuba's gulags as we speak. Now their ranks sadly have been swelled by this recent crackdown.

Do we have any information, current, as to how the recent detainees and the recently sentenced political prisoners are being treated? Are there any reports—I know it is only days old—of mistreatment, or are we awaiting that information?

Mr. CRANER. The short answer is we are awaiting the information. I would not expect it to be any better than the treatment accorded to other dissidents over the years, which, as you outlined, is regularly brutal. And I would expect the newly arrested, especially those who have come to some prominence and who have tried to exercise their democratic rights, will be especially brutally treated.

Mr. SMITH OF NEW JERSEY. Let me also point out that in the report it was made clear that prisoners at times die for lack of medical attention, or they get sick. Dr. Biscet, as we all know, has a very severe problem with infection in his teeth, and anybody who has ever had a severe infection or a cavity that became infected knows the extreme pain. He has lost his molars, and he is in the process of—Secretary Craner?

Mr. CRANER. That is why it is especially important that you are holding this hearing and that we always name names no matter what country we are talking about. It is clear in Communist countries that people whose names are highlighted by outside countries, whether it be the United States or the Europeans or Latins or otherwise, that in general they take on a greater value to the regime. While they still may be brutally treated, they are often not allowed to die for that reason.

Mr. SMITH OF NEW JERSEY. Let me just ask—mention was made of the European Union—Mr. Struble, I think it was you or Dr. Holmes—March 26th they issued a strong, powerful statement about prisoners of conscience, and I read that statement and was encouraged by it. Part of the problem that I have, and I know Mr. Wolf—Chairman Wolf shares this, is that especially with our work with the OSCE—I chair the Committee on Security and Cooperation in Europe and have frequent contact with parliamentarians from each of the 54 countries that make up the OSCE, and I am very often discouraged that while they rhetorically are concerned about political prisoners, it very often stops there. And we know that the EU, as well as Canada, trades with Cuba. They have a very robust trading relationship. They also have part of that pact, at least on paper, some kind of linkage to human rights. Every 6

months there is supposed to be a review, and I think it is a pro forma review.

Do you harbor any hope that now, given this most recent draconian crackdown, that the EU will reevaluate its relationship with Cuba and say, look, we did it with apartheid in South Africa, and I voted for those sanctions that were imposed on the apartheid regime in South Africa. Why don't we isolate this brutal dictatorship and say, you have got to make changes, or else your lifeline economically will be cut off? Do you see any hope that the EU might listen to that now at this late stage that there has been this crackdown?

Mr. STRUBLE. Well, Mr. Chairman, I am not the department's preeminent expert on the European Union, but I will note that we have an opportunity every 6 months, as we review the waiver provisions of the Helms-Burton legislation under title 3, to assess our efforts at building and strengthening a coalition with countries in the European Union to promote the cause of human rights and political liberties in Cuba. Our assessment is, as documented in the most recent waiver, that our cooperation with the Europeans on this remains very good.

There had been some discussion among Europeans about the possibility of extending the benefits of the Cotonou preferential trade pact to Cuba. The issue was whether the Cubans would have to demonstrate before—as our President's policy is—before they receive benefits that they are improving their practice on human rights and political activities. I think this most recent crackdown has moved sentiment in Europe very strongly in the direction of requiring that the Cubans demonstrate before that they are going to improve human rights.

Mr. SMITH OF NEW JERSEY. Let me just ask, on the issue of the resolution at the Geneva Human Rights Convention that is underway, the Commission, I was there when Armando Valladares was our ambassador, again, a former political prisoner, back in 1988, when he had some stunning successes in finally getting that very often human rights dead body to wake up and look at the abuses that are occurring in Cuba.

We know that the Rapporteur—over the years when he has been empowered by the U.N. to go—has not been permitted access, and I know that the language is in flux right now in Geneva. Our hope, and I think I speak for many Members of Congress, is that we get a good strong resolution out of Geneva, notwithstanding some of the rogue nations that make up its membership.

Can you give us some insights as to what is happening right now? My understanding is that tomorrow there will be a vote, and my hope is, all of our hopes are, is that the language will be strong and that our Latin friends who are on the Commission will not look to dilute it. It seems to me that this is a time to put away differences on what is the best means to express our concern—that is to say, embargoes and sanctions—as opposed to clearly articulating our extreme displeasure, our outrage at what has gone on.

Mr. HOLMES. Mr. Chairman, we share the concern that you had that the Cuban resolution language would appear in the Commission would be as strong as possible. We have also cheered, as I said in my opening statement, that a number of Latin American coun-

tries have decided to propose the language which I think gives a particularly powerful message. It is not just the United States, but it is Cuba's own neighbors who are delivering the message that the behavior of the Cuban government is simply unacceptable. I think this is an important consideration in terms of whatever tactical approach that we take to try to make sure we have a win on the resolution. We think a win or a victory is very important in sending the signal to the Cuban people that, in fact, the world is watching, and that the majority of the people in the countries of the world agree.

So for that reason, we believe that we will try to pursue as strong language as best we could, but we are mindful of the need to have a victory on the resolution at the end of the day.

Mr. CRANER. If I can, I think your last question and this question kind of come together. For many years the issue of Cuba was viewed around the world as something between the United States and Cuba, and the central issue was the embargo. Some years ago, in the previous Administration, they began an effort to change the terms of the debate. The fact that we are able to get some of the Europeans to come along with us some of the time is significant. Also, the fact that the new Latin democracies, many of which were transitions to democracy 20 years ago, are beginning to take this on as a multilateral issue is not only encouraging for us, but also it has been discouraging for Mr. Castro. He had a fit of anger last year when the Latins moved the CHR resolution that, while it was not as strong as some of us would have liked, passed. When that resolution was passed by the Latins, that meant something to him, and I think it further isolated him in the world, I think that is what he deserves.

Mr. SMITH OF NEW JERSEY. Mr. Wolf.

Mr. WOLF. Thank you, Mr. Chairman.

How many prisoners are in prison today in Cuba, both in the recent crackdown and those that have been in there for a period of time?

Mr. STRUBLE. Congressman Wolf, more than 100 people have been arrested in the recent crackdown, and I believe 78 of them have already been sentenced. I don't have the number of the total prison population, but I would be very pleased—

Mr. WOLF. Do we have the names of every individual who is in prison today? That should be very easy to get.

Mr. STRUBLE. The political prisoners?

Mr. WOLF. All political prisoners, dissidents, religious freedom prisoners, journalists; not prisoners that are in there for pickpocketing or something minor, but human rights prisoners. Do we have the list, the names?

Mr. STRUBLE. I believe that we have definite information on around 80 of the people who have been arrested in the most recent crackdown, but I am not certain we have the names of all political prisoners.

Mr. WOLF. I would ask the Administration to get the names and bios of every prisoner who is in prison today for human rights violations. It should be on the Internet. There should be a Cuban Web page for people to access to see who is on the list if people want to pray for those individuals, if people want to write to their fami-

lies. There should also be a list of the prisons that they are in so that we can send letters to them, that we can write to the prison warden. You should also list the prisons, the prison wardens and their families so we can bombard and bombard and bombard.

That was the model used in the Soviet Union when political prisoners were in prison, we wrote to the individual. We wrote to the warden. We wrote to their families. I would like to see the Administration put on the Internet a Web page of all the people who are in prison today. Let us not forget those that have been in there 6, 7, 8, 9 years before. Two different categories. Names and bios and everything about them. Can we get the Administration to do that?

Mr. STRUBLE. Indeed thank you for the suggestion, and I will undertake to do that and post it on my Bureau's Web page on the State Department site.

Mr. WOLF. And it should be disseminated to all of the newspapers here in the United States, if you could do that.

How effective is Radio Marti? Is it getting any better now?

Mr. STRUBLE. One of the things that the President undertook with his Initiative for a new Cuba on May 20 of last year was to make an effort to improve the quality and reach of Radio Marti, and there have been a number of steps taken toward that end. Since the President provided that direction, we have a new director. There is more sports programming, there is more news programming. One of the comments that Jim Cason has made as he has traveled around the Island is the real hunger for information that he has noted on the part of the people he meets and their appreciation for these improvements in Radio Marti.

Mr. WOLF. With satellites, though, why is the Cuban government able to jam? Is there some new technology that we could be using whereby they could not jam?

Mr. STRUBLE. I don't know. I will have to ask that question of someone with technical background and get back to you, Congressman.

[The information referred to follows:]

QUESTIONS FOR THE RECORD SUBMITTED TO THE HONORABLE J. CURTIS STRUBLE, ACTING ASSISTANT SECRETARY, BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE, BY THE HONORABLE FRANK WOLF, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA, AND MR. STRUBLE'S RESPONSES

Question:

Can we get the names and bios (of Cuban political prisoners)?

Response:

Please see the attached list of political prisoners and prisoners of conscience. It provides the name, date of arrest, charge, and sentence imposed on 223 political prisoners from years past,¹ as well as 77 others detained March 18–26, 2003. The list was compiled by the internationally respected Cuban Commission of Human Rights and National Reconciliation, headed by noted long-time opposition leader Elizardo Sanchez, in conjunction with a number of other human rights groups. Bios of prisoners are available.

[Following is an excerpt from an Amnesty International report available at: <http://web.amnesty.org/library/Index/ENGAMR250172003>. This excerpt describes the major dissident groups and gives a short synopsis of the case of each of the 75 detainees, designating them all as prisoners of conscience.]

¹This information was supplied, and is available on file with the Committee on International Relations, but is not reprinted here.

INDIVIDUAL CASE SUMMARIES: THE FACES OF THE DISSIDENT MOVEMENT

The 75 dissidents caught up in the crackdown represent all facets of the dissident movement in Cuba. They include longtime activists, some well-known and some less so. Below are summaries, based on past Amnesty International work and the available information, of their backgrounds and involvement in the dissident movement. Where available, the summaries conclude with an overview of the accusations against them in the trial documents. The text box includes descriptions of some important initiatives in the recent history of peaceful dissent in Cuba, which may be helpful in tracing the activities of some of the individuals targeted in the crackdown.

The case summaries below have been arranged alphabetically. The 75 individuals described were all arrested in the March crackdown, and have subsequently been sentenced to harsh prison terms following summary trials. Amnesty International considers them to be prisoners of conscience, detained solely for the peaceful exercise of fundamental freedoms.

The information contained in these summaries is current as of this document going to print.

The **Concilio Cubano**, Cuban Council, was a forum of some 140 unofficial groups including human rights groups, political opposition groups, and groups of journalists, lawyers, women, young people, economists, engineers, ecologists and trade unionists. It was established in October 1995 to work for political change through peaceful means. Its aims included an amnesty for political prisoners; respect for the Constitution; fulfillment of Cuba's international human rights obligations; lifting of labour restrictions; and movement towards more free and open direct elections.(98)

Concilio Cubano members were subjected to a government crackdown in late 1995 and early 1996; a planned national meeting scheduled for 24 February 1996 was eventually banned by the authorities.(99) Scores of people were arbitrarily detained; though most were released shortly thereafter, four were sentenced to prison terms and were considered prisoners of conscience by Amnesty International.

The **"Todos Unidos,"** "All Together" movement of dissident groups was formed in the runup to the 1999 Ibero-American Summit. Their Joint Declaration on the occasion of the Summit was, over the next years, signed by a growing number of individuals representing a significant number of dissident groups across the island. In March 2001, 117 "Todos Unidos" signatories issued a proclamation in favour of the Proyecto Varela referendum movement (see below), and "Todos Unidos" members were instrumental in gathering signatures and support for Proyecto Varela. In December 2002, the "Todos Unidos" movement released a series of Proposals for measures to resolve the crisis, including a range of economic, labour, social and legal measures to reform national life.

The **Proyecto Varela** is a petition for referendum on legal reform which seeks greater personal, political and economic freedoms, as well as amnesty for political prisoners. It is led by Oswaldo Payá Sardiñas, of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, and signatures were collected by a broad range of organisations. In March 2002 project organisers reported having collected the 10,000 signatures constitutionally required to hold a referendum; these were submitted to the National Assembly. In December 2002 Oswaldo Payá received the European Union's top human rights award, the Sakharov Prize, named after the late Soviet dissident.

Activists for the Proyecto Varela have been subjected to threats, short-term detention, summons, confiscation of materials and other forms of harassment by State Security agents; several of the initiative's leaders were arrested in the recent roundup.

1. Nelson Alberto Aguiar Ramírez, aged 57, is president of the unofficial Partido Ortodoxo de Cuba, Cuba Orthodox Party, and a member of the recent initiative, *Asamblea para Promover la Sociedad Civil*, Assembly to Promote Civil Society. He is an electrician by profession, and has been involved in activities critical of the government for a number of years. In one example, in December 1999 he was detained during a mass arrest of dissidents aimed at preventing them from participating in celebrations commemorating the 10 December anniversary of the Universal Declaration of Human Rights.

He was detained on 20 March 2003,(100) and his house was carefully searched, with a number of documents reportedly confiscated. The prosecution claimed that he had been involved in anti-governmental activities since the 1990s, that he had received funds from the US government and that he had been a member of the unofficial *Confederación de Trabajadores Democráticos de Cuba*, Confederation of Democratic Workers of Cuba, since 2000.

Nelson Aguiar was charged under articles 6.1 and 11 of Law 88.(101) He received a 13-year sentence.(102) He is currently serving his sentence in Boniato provincial prison in Santiago de Cuba.

2. Osvaldo Alfonso Valdés, aged 38, is president of the unofficial *Partido Liberal Democrático*, Liberal Democratic Party. He has been a member of the “*Todos Unidos*,” “All Together” movement, and the steering committee of the *Proyecto Varela* initiative.

Osvaldo Alfonso was arrested on 18 March 2003. The verdict against him referred to his alleged ties to the United States Agency for International Development, USAID:

The accused ALFONSO VALDES was called to the US Interests Section in Havana by a USAID functionary to verify whether he was receiving the aid destined for them, in money, equipment, books and other materials, to promote and develop their work.(103)

The verdict also states that

Equally, the accused ALFONSO VALDES, PALACIOS RUIS [sic] and CANO RODRÍGUEZ wrote and signed on 19 December 2002 in Havana a document called ‘Cuba: proposals for measures to solve the crisis,’ created by the union of different illegal organisations called ‘Todos Unidos.’ The document was disseminated abroad, a clear means of implementing the measures established by the Helms Burton law to increase the US blockade against Cuba, as the proposals in the two texts are very similar.(104)

This document, which was available on a number of websites, is described in the textbox at the beginning of this section. It proposed a number of economic, labour, social and legal measures to reform national life.

Osvaldo Alfonso was convicted under article 91 of the Penal Code, with “*actos contra la independencia o la integridad territorial del Estado*,” “acts against the territorial independence or integrity of the state,” as well as under articles 4.1, 4.2a-b, 6.1, 6.2a-b, 7.1, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 10 and 11 of Law 88.(105) The trial verdict claimed that he had confessed to some of the activities of which he had been accused, and he received an 18-year sentence. The prosecution had asked for a life sentence for him.(106) He is currently being held in Guanajay prison, Havana province.

3. Pedro Pablo Alvarez Ramos, 55 years old, is President of the unofficial *Consejo Unitario de Trabajadores Cubanos (CUTC)*, United Cuban Workers Council. The CUTC is affiliated with regional and international labour bodies such as the *Central Latinoamericana de Trabajadores (CLAT)*, Latin American Workers Office, and the *Confederación Mundial de Trabajadores*, World Confederation of Labour. He served as a vice delegate in the 1995–96 *Concilio Cubano* initiative, and became involved with the *Proyecto Varela* in 2002.

Pedro Pablo Alvarez has been subjected to harassment and detention for his trade union activities since at least 1996. He was put under house arrest, summoned and interrogated on a number of occasions, during waves of mass arrests or harassment of *Concilio Cubano* activists.(107)

He was again detained in August and October 2000, apparently in relation to his work in preparing the first CUTC congress, planned for 20–21 October. Several other trade union members and dissidents were arrested with him on 13 October, and other leaders of the CUTC were visited and threatened with arrest should they attend the CUTC conference. He was subsequently held in detention for over three months, during which time he was formally charged with resisting arrest in November 2000.(108) He was released on 26 January 2001. The trial verdict indicated that he did not have a prior criminal record.(109)

On the morning of 19 March 2003 Pedro Pablo Alvarez’ house was searched, and all the books of the private library there, the ‘*Biblioteca sindical Emilio Máspero*,’ were confiscated. He received a 25-year sentence under article 91 of the Penal Code(110) and is currently imprisoned in the *Prisión Provincial de Ciego de Avila*, Ciego de Avila Provincial Prison (called “*Canaleta*”).

4. Pedro Argüelles Morán, 55 years of age, is a member of the *Cooperativa de Periodistas Independientes*, Cooperative of Independent Journalists. He is also a member of the *Comité Cubano Pro Derechos Humanos*, Cuban Committee for Human Rights, in Ciego de Avila. Neither organisation has been recognised by the Cuban authorities.

Pedro Argüelles has reportedly been harassed periodically for his activities since 1997, including through threats, warnings and short term detentions.(111)

Pedro Argüelles was sentenced under articles 6.1, 6.3b, 7.1, 7.3 and 11 of Law 88 to 20 years’ imprisonment.(112) He is currently being held in the provincial prison in Santa Clara.

5. Víctor Rolando Arroyo Carmona, aged 52, is vice-president of the unofficial group *Foro por la Reforma*, Forum for Reform, as well as a member of the unofficial *Unión de Periodistas y Escritores Cubanos Independientes (UPECI)*, Union of Independent Cuban Journalists and Writers.

In January 2000 Víctor Arroyo was sentenced to six months' imprisonment, reportedly for buying, with money sent by exile groups in Miami, toys for distribution to disadvantaged children.(113) The arrest took place during a period of clampdown on dissidents, in the aftermath of the 1999 Ibero-American Summit in Havana. He was released on 20 July 2000, and continued his activities, in spite of reported incidents of harassment.

Víctor Arroyo was arrested on 18 March 2003. On 5 April 2003 he was convicted of criminal activity under article 91 of the penal code and sentenced to 26 years in prison.(114) The text of the verdict noted, among other accusations against him, that he had been awarded the Hellman/Hammet human rights prize by Human Rights Watch. Although Víctor Arroyo lives and was tried in Pinar del Río, on the west end of Cuba, he has been transferred to the other end of the island and is currently being held in the provincial prison in Guantánamo.

6. Mijail Barzaga Lugo, aged 35, was reportedly detained on 20 March 2003, and charged with infractions under articles 4.1, 4.2b, 7.1 and 7.3 of Law 88.(115) He was sentenced to 15 years.(116)

According to the trial verdict, Mijail Barzaga had worked as an 'independent journalist' and was paid by US government funds:

It has been proved that the accused Mijail Barzaga Lugo, in 2002, wrote, as an 'independent journalist' in different websites like Cubanet, Cubaliberal and Payolibre (the first of which is financed by the North American government agency USAID), different articles of a subversive and counterrevolutionary type, with the obvious objective of their being used in campaigns to discredit the Cuban socialist state.(117)

Mijail Barzaga was tried in Havana, but is being held in the provincial prison in Santa Clara province.

7. Oscar Elías Biscet González, 41 years old, president of the unofficial *Fundación Lawton de Derechos Humanos*, Lawton Human Rights Foundation, has been detained over two dozen times in the past. In one instance, he was arrested on 3 November 1999 and served a three year sentence, charged with 'insult to the symbols of the homeland,' *'ultraje a los símbolos de la patria,'* 'public disorder,' *'desorden público,'* and 'incitement to commit an offence,' *'instigación a delinquir.'* During his imprisonment he was considered by Amnesty International to be a prisoner of conscience.(118) He was released on 31 October 2002 from a maximum security prison in Holguín province, and reportedly gave a press conference denouncing prison conditions a short time afterwards.

On 6 December 2002 Oscar Biscet was re-detained with 16 other dissidents after they attempted to meet at a home in Havana to discuss human rights.(119) When police prevented them from entering the home, Oscar Biscet and the others reportedly sat down in the street in protest and uttered slogans such as "long live human rights" and "freedom for political prisoners." The group was then arrested, though most of them were released shortly afterwards.

In spite of the fact that he was already in detention during the crackdown, Oscar Biscet was tried together with a number of dissidents who were arrested in March. He was sentenced under article 91 of the Penal Code to 25 years in prison.(120) Although he lives and was tried in Havana, he is currently imprisoned in Kilo 5 1/2 prison in Pinar del Río province.

8. Margarito Broche Espinosa, aged 45, was reportedly tried and fined after trying to leave the country illegally in 1992, and was said to have been harassed on several occasions in recent years.

He was arrested on 18 March 2003. According to the trial verdict, after his own attempt at leaving the country, Margarito Broche founded a group called *Asociación Nacional de Balseros, Paz, Democracia y Libertad del Centro Norte de Cuba*, the National Association of Rafters, Peace, Democracy and Liberty of North Central Cuba. The group was accused of having as its aims

To render homage to boat people who went missing or were returned [to Cuba] following attempts to leave the country secretly, and through this, to sabotage the migration accords signed between the governments of Cuba and the United States, creating a favourable atmosphere for the North American authorities to violate those accords and to search for justifications for toughening its policies against our people.(121)

Margarito Broche received a 25-year sentence under article 91 of the penal code.(122) He is currently being held in Guanajay prison in Havana province.

9. Marcelo Cano Rodríguez, 38 years old and a medical doctor, is National Coordinator of the unofficial *Colegio Médico Independiente de Cuba*, Cuban Independent Medical Association, an association of medical professionals around the island. He is also a member of the unofficial *Comisión Cubana de Derechos Humanos y Reconciliación Nacional (CCDHRN)*, Cuban Commission for Human Rights and National Reconciliation.

Marcelo Cano was arrested on 25 March 2003 in Las Tunas, reportedly as he was investigating the arrest of another March detainee, Jorge Luis García Paneque. He had no previous criminal record. The activities which the prosecution cited against this human rights defender included visiting prisoners and their families as part of his work with the CCDHRN, and maintaining ties to the international organisation *Médicos sin Fronteras*, Doctors without Borders.(123)

Marcelo Cano was tried and convicted under article 91 of the Penal Code and articles 4.1, 4.2a-b, 6.1, 6.2a-b, 7.1, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 10 and 11 of Law 88 to 18 years in prison.(124) Although he lives and was tried in Havana, he was transferred and is serving his sentence in the *Prisión Provincial de Ciego de Avila*, Ciego de Avila Provincial Prison (called “Canaleta”).

10. Juan Roberto de Miranda Hernández, aged 57, is vicepresident of the unofficial *Colegio de Pedagogos de Cuba*, Teachers College of Cuba. He has reportedly been harassed and detained numerous times in the past for being involved in activities critical of the government.

On 7 September 1998 he was detained for three days during the most significant crackdown on anti-government activism since the January 1998 visit of the Pope to Cuba. The arrest occurred when he was taking part in a demonstration outside the court where another activist, Reinaldo Alfaro García, was being tried.(125) He was again briefly detained following a demonstration outside the trial of dissident Mario Julio Viera González in November 1998;(126) harassment against him and his family reportedly continued in subsequent years.

Following his March arrest, Roberto de Miranda received a 20-year sentence under the state security provisions of article 91 of the Penal Code.(127) The prosecution had requested a sentence of 25 years.(128)

The trial verdict contained one sentence regarding supposed links between Roberto de Miranda and an individual said to be connected to Alpha 66, a US-based Cuban exile group which has admitted carrying out violent attacks in Cuba in the past. However, aside from the assertion itself, there was no substantive information or evidence provided, and no accusation that Roberto de Miranda had plotted, encouraged or engaged in violent behaviour. As with the other cases, the activities for which he was tried appeared to amount to peaceful exercises of freedom of association and expression, for example the following:

In 1996 he created the illegal and counterrevolutionary College of Independent Teachers of Cuba, of which he named himself head. He also dedicated himself to intentionally and maliciously criticising the objectives of the Cuban education system, and tried to minimise the achievements in this area of our revolutionary process.(129)

For this reason Amnesty International considers that based on the available information, Roberto de Miranda, like the others tried following the crackdown, is a prisoner of conscience. He is currently imprisoned in Agüica prison, in the municipality of Colón in Matanzas province, though he was reportedly sent briefly to a military hospital on 20 April with heart problems. He also reportedly suffers from high blood pressure and kidney ailments.

11. Carmelo Agustín Díaz Fernández, 65 years old, is a member of the unofficial *Unión Sindical Cristiana Cubana*, the Christian Cuban Workers Union, and president of the also unofficial *Agencia de Prensa Sindical Independiente de Cuba (APSIC)*, the Independent Union Press Agency. He is the Cuban correspondent for the Venezuelan magazine *Desafíos*, and his articles have also appeared on a number of websites. He has been reportedly harassed and threatened with imprisonment for his work as a journalist and trade unionist.

Carmelo Díaz was sentenced to 16 years under article 91 of the Penal Code.(130) He is currently being held in Guanajay prison in Havana province.

12. Eduardo Díaz Fleitas, aged 51, belongs to a number of groups in his province of Pinar del Río, including the unofficial *Movimiento 5 de Agosto*, 5 August Movement. A farmer by profession, he reportedly worked for the state as a young man, but joined the opposition movement at the beginning of 1990s. Since then, he

has been subjected to regular harassment, including summons, interrogations, house searches and periods of detention.

On 10 November 1999 he was arrested together with another activist at a demonstration that had begun in Dolores Park, in the run-up to the IX Ibero-American Summit.⁽¹³¹⁾ During the march the pair were reportedly injured by government supporters in the presence of the international press. After more than three months in detention, during which time he reportedly suffered medical problems and was moved to a military hospital, Eduardo Díaz was sentenced to a year's restricted freedom and house surveillance on 25 February 2000 for "desorden público," or public disorder.

Eduardo Díaz was convicted under articles 4.1, 4.2a-b, 6.1, 6.3a-b, 7.1, 7.3 and 11 of Law 88, and received a 21-year sentence.⁽¹³²⁾ According to the trial verdict,

It is known by everyone in the area that he directs an opposition group of so-called 'human rights,' carrying out activities and meetings, using our national flag and showing posters asking for freedom for political prisoners and prisoners of conscience, in a frank challenge to the judicial, political and social system.⁽¹³³⁾

He is serving his sentence in Villa Marista, the headquarters of the Department of State Security.

13. Antonio Ramón Díaz Sánchez, 40 years old, is a member of the unofficial *Movimiento Cristiano Liberación*, Christian Liberation Movement, and has been active in the *Proyecto Varela* initiative. He is an electrician by profession.

Antonio Díaz was given a 20-year sentence for infractions under article 91 of the Penal Code.⁽¹³⁴⁾ This was the sentence requested by the prosecution.⁽¹³⁵⁾

Although he lives and was tried in Havana, he has reportedly been transferred to the provincial prison of Holguín at the other end of the island to serve his sentence.

14. Alfredo Rodolfo Domínguez Batista, is also a member of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, and has been involved in the *Proyecto Varela* initiative in Las Tunas province.

He was arrested on 19 March, tried and sentenced to 14 years. He began serving his sentence in "El Típico" provincial prison in Las Tunas, with four other men arrested in the crackdown. However, they were all transferred, reportedly after they had staged a protest in the prison. Alfredo Rodolfo Domínguez is now being held in Holguín provincial prison.

15. Oscar Manuel Espinosa Chepe, aged 62, is a former employee of the National Bank of Cuba. He also worked for the Cuban government as economic counsellor for the Cuban Embassy in Belgrade. Later, after expressing criticism of government policies, he became a journalist reporting on economic and other matters.

Since being detained Oscar Espinosa has suffered health problems. He is believed to be suffering from a liver condition, a thoracic hernia, persistent hyper-tension and weight loss. On 20 April he was transferred to a military hospital, though his family maintains that medical treatment was withheld.⁽¹³⁶⁾

Oscar Espinosa was convicted under article 91 of the Penal Code and articles 4.1, 4.2a-b, 6.1, 6.2a-b, 7.1, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 10 and 11 of Law 88 to 20 years in prison.⁽¹³⁷⁾ He was accused, among other activities, of "having a regular program on Radio Martí called 'Talking with Chepe,' where he gave distorted information on the Cuban economy."⁽¹³⁸⁾

Oscar Espinosa lives and was tried in Havana but has been transferred to Guantánamo provincial prison in eastern Cuba to serve his sentence. His health problems reportedly continue, and he was said to have again been taken to hospital in late May.

16. Alfredo Felipe Fuentes is a member of the *Consejo Unitario de Trabajadores Cubanos (CUTC)*, United Cuban Workers Council, and other organisations. He is said to have been active in collecting signatures for the *Proyecto Varela* initiative in Artemisa, Havana province, where he lives.

Alfredo Felipe was reportedly sentenced to 26 years. He is being held in Guamajal prison in the municipality of Santa Clara.

17. Efrén Fernández Fernández, age 54, is secretary of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, and was active in the *Proyecto Varela* signature drive in Havana.

Efrén Fernández was convicted of state security violations under article 91 of the Penal Code and sentenced to 12 years.⁽¹³⁹⁾ The prosecution had requested 15 years.⁽¹⁴⁰⁾ He was tried in Havana and is serving his sentence in Guanajay prison in Havana province.

18. Juan Adolfo Fernández Sainz, 54 years old, is a trained English language translator, and reportedly worked in this field first with official structures and then with unofficial groups. He is also a journalist with the unofficial agency *Patria*, Fatherland.

In July 2002, the Cuban government reportedly denied him and three other dissidents permission to leave the country to participate in a seminar “Cómo democratizar Cuba desde dentro,” “How to democratise Cuba from within,” at the European Parliament in Strasbourg, France.

Adolfo Fernández was found guilty of infractions under articles 4.1, 4.2b, 7.1 and 7.3 of Law 88.(141) He was sentenced to 15 years imprisonment,(142) and has been transferred from Havana to the prison in Holguín province, eastern Cuba.

19. José Daniel Ferrer García(143) is an active *Proyecto Varela* supporter and regional co-ordinator for the *Movimiento Cristiano Liberación*, Christian Liberation Movement, in Santiago Province.

José Daniel Ferrer has reportedly been detained and harassed on numerous occasions for his work. He was briefly detained in November 2000 together with other dissidents, apparently to prevent them from attending the trial of fellow dissidents. On 22 January 2002, he and other *Proyecto Varela* activists were said to have been forced from the bus in which they were travelling and beaten by the police. Referring to the incident and to his *Proyecto Varela* work, he told a US-based reporter, “we’re for peaceful change as allowed under our Constitution. We aren’t breaking any laws by collecting those signatures, and they know it. They know it.”(144)

José Daniel Ferrer was sentenced to 25 years. The prosecution had reportedly requested the death sentence for him. He is serving his sentence in Kilo 5 1/2 prison in Pinar del Río in western Cuba, though he lives and was tried in Santiago de Cuba, at the other end of the island.

20. Luis Enrique Ferrer García, aged 27, is the brother of José Daniel Ferrer García. He also is a member of *Movimiento Cristiano Liberación*, Christian Liberation Movement.

Luis Enrique Ferrer has been harassed and detained on numerous occasions. In December 1999 he was reportedly sentenced to 6 months’ restricted freedom for his refusal to pay a fine which he claimed was imposed upon him unfairly.

During his trial, Luis Enrique Ferrer’s family members were said to have been denied access to the court room, instead having to wait in the corridor. At the end of the trial, members of the public were said to have insulted and displayed physical aggression against the family members, reportedly pushing Luis Enrique Ferrer’s mother to the floor.

Luis Enrique Ferrer was sentenced to 28 years’ imprisonment. He was transferred from “El Típico” provincial prison in Las Tunas to Combinado del Este, reportedly after being involved in a protest with other activists caught up in the March crackdown.

21. Orlando Fundora Alvarez, 47 years old, is president of the unofficial *Asociación de Presos Políticos ‘Pedro Luis Boitel,’* or ‘Pedro Luis Boitel’ Political Prisoners Association. His wife, Yolanda Triana, is director of a private library and is also an active dissident. Orlando Fundora reportedly lived in the US for a period after the 1980 Mariel boatlift. He was accused of illegal entry into Cuba on 27 July 1991 and sentenced to two years’ imprisonment. He was released in 1993.

Orlando Fundora and his wife have reportedly been subjected to frequent harassment in recent years, including short-term detention and interrogation. Their house has reportedly been attacked by unknown assailants.

Following his March arrest, Orlando Fundora was tried and sentenced under article 91 of the Penal Code to 18 years in prison.(145) He is being held in Combinado del Este prison in Guanabacoa municipality in Havana province. Since his detention, there have been concerns for his health, as he is said to suffer from hypertension and heart problems.

22. Próspero Gáinza Agüero is the delegate for Holguín province of the unofficial *Movimiento Nacional de Resistencia Civil ‘Pedro Luis Boitel,’* ‘Pedro Luis Boitel’ National Civil Resistance Movement.

Próspero Gáinza reportedly took part in a number of activities critical of the government, and in 2002 was said to have been briefly detained for his participation in a protest by members of his group to demand to release of a detainee charged with ‘public disorder.’

He was detained on 18 March 2003, and believed to have been charged under Law 88, on the basis of ‘subversive’ activities and material found during a search of his house. He was tried in Holguín on 3 April 2003 and shortly after, sentenced to 25

years in prison. He is serving his prison sentence in Boniato provincial prison in Santiago de Cuba, and is said to be in poor health.

23. Miguel Galván Gutierrez is 38 years of age. He was born and lives in the town of Güines, Havana province, and is an engineer by profession. He has reportedly written articles for the unofficial press agency Havana Press and served as president of the unofficial *Colegio de Ingenieros y Arquitectos de Cuba*, College of Engineers and Architects of Cuba. He is also the area coordinator for *Proyecto Varela*.

In recent years Miguel Galván was reportedly harassed on numerous occasions, including through interrogation and short term detention. He was arrested on 18 March 2003, reportedly charged under Law 88 and Article 91 of the Penal Code and sentenced to 26 years in prison. He is serving his prison sentence in Agüica prison in the municipality of Colón in Matanzas province. Miguel Galván is said to be physically handicapped due to the effects of a past traffic accident, and his family has reportedly expressed concerns for his health.

24. Julio César Gálvez Rodríguez, aged 58, lives in Havana and works as a journalist. In 2001, he was allegedly sacked from the official radio stations *Radio Ciudad de La Habana* and *Radio Cadena Habana* for collaborating with the unofficial organization Cuba Free Press.

He reportedly continued his unofficial journalism work and was detained on 19 March 2003. He was sentenced under articles 4.1, 4.2b, 6.1, 6.3b, 7.1, 7.3, and 11 of Law 88, to a penalty of 15 years' imprisonment.⁽¹⁴⁶⁾ Although he is resident and was tried in Havana, he was transferred to the provincial prison in Santa Clara to serve his sentence. There are concerns for his health, as he is reported to suffer from high blood pressure.

25. Edel José García Díaz, 57 years old, worked as director of an unofficial press agency in Havana, and reportedly took part in a workshop on journalistic ethics held just before the crackdown.

According to reports Edel José García was harassed repeatedly during 1997, 1998 and 1999, including through short term detention, interrogation and official warnings.

Edel José García was convicted under articles 4.1, 4.2b, 6.1, 6.3b, 7.1, 7.3, and 11 of Law 88 and received a sentence of 15 years.⁽¹⁴⁷⁾ He was accused of writing articles about, among other topics, the poor physical condition of a school building in Havana, "accompanying this article with a photo of the state of this installation."⁽¹⁴⁸⁾ He is being held in Boniato provincial prison in Santiago, on the other side of the island from his home.

26. José Luis García Paneque, 38 years of age, lives in the province of Las Tunas. He is a plastic surgeon by training and a member of the unofficial *Colegio Médico Independiente de Cuba*, Cuban Independent Medical Association. He has also been involved in journalism, as director of the independent news agency *Libertad* and member of unofficial *Sociedad de Periodistas*, Journalists' Society, "*Manuel Marquez Sterling*." He was also reportedly involved in the Proyecto Varela initiative as well as directing a private library. In 2002, he was reportedly arrested and detained together with other journalists, but was later released.

José Luis García was detained on 18 March 2003. Following a search of his house, materials, correspondence and medical equipment were reportedly confiscated. He was said to have been charged and tried under Law 88 and Article 91 of the Penal Code, and given a 24-year sentence, even though the prosecution had called for a lesser sentence of 18 years. He is being held in Villa Clara prison, having reportedly been transferred from "El Típico" provincial prison in Las Tunas following a protest with other prisoners arrested in the March crackdown.

27. Ricardo Severino Gonzales Alfonso, 53, is president of the unofficial *Sociedad de Periodistas "Manuel Marquez Sterling"*, "*Manuel Marquez Sterling*" Journalists' Society, and correspondent in Cuba of the international nongovernmental organization Reporters Without Borders. He also has a private library called the 'Jorge Mañach' Library in his home.

Ricardo Gonzales has been detained on many occasions. In October 1997 he was reportedly arrested for distributing reports of alleged human rights violations in the Santa Clara area. He was released without charge after two days but warned that if he did not stop writing such articles, he would have to choose between imprisonment and exile. Amnesty International believed him to be a prisoner of conscience.⁽¹⁴⁹⁾

In 2001, Amnesty International received reports that he had been detained on 16 February, allegedly to prevent a seminar entitled "Ethics and Journalism" from

being held in the library of which he is director. On that occasion, as on similar occasions on 22 February and 15 July 2001, he was apparently released after being questioned for several hours.

Ricardo Gonzales was arrested on 18 March and sentenced to 20 years' imprisonment under article 91 of the Penal Code.(150) The prosecution had called for life imprisonment, on charges that he was responsible for "aggressive and untrue publications against the Cuban Government." (151) The sentence document stated that:

"he wrote this type of information for the *Fundación Hispano Cubano Americana*, Cuban American National Foundation, based in Spain, for which he received sums of money from its president, Orlando Fondevila, who is of Cuban origin, he managed to get his articles, which were subversive and misleading in nature with regard to the Cuban system, published in various newspapers and magazines such as *Encuentros en la Red* and Reporters Without Borders, among others, from whom he received sums of money for his articles." (152)

Ricardo Gonzales is serving his sentence in Kilo 8 Provincial Prison in the province of Camagüey despite the fact that he lives with his family in the city of Havana.

28. Diosdado González Marrero has been an activist for several years and has been detained on several occasions. In January 2000 he was considered a prisoner of conscience by Amnesty International when he was detained during the government crackdown on dissidents during the Ibero-American Summit held in Havana in November 1999.(153) On that occasion he spent over six months in prison.

Diosdado González, who was arrested at the end of March, was reportedly convicted under Law 88. He is serving a 20-year sentence in Kilo 51/2 Prison in the province of Pinar del Río. According to his family, he is being held in solitary confinement in a punishment cell from which he is only taken out for one hour a day to get some sunlight. He is also reportedly only allowed to receive restricted visits from members of his family.

29. Léster González Pentón, 26, is a member of the *Movimiento pro Derechos Humanos Razón, Verdad y Libertad*, Reason, Truth and Freedom Human Rights Movement, and delegate of the *Confederación de Trabajadores Democráticos de Cuba*, Cuban Confederation of Democratic Workers, in Santa Clara. Neither group has been recognized by the authorities.

Léster González had suffered police harassment in the past. For example, on 5 August 2002 state security officials apparently prevented him from leaving his house to stop him from participating in events organized by dissidents. In addition, on 9 July 2001 he was said to have been questioned by police and threatened with imprisonment if he did not work, despite the fact that he had reportedly been sacked from his job as a baker because of his activities with the *Confederación de Trabajadores Democráticos de Cuba*.

Léster González was arrested on 18 March and sentenced to 20 years' imprisonment for breaching article 91 of the Penal Code.(154) He is serving his sentence in Boniato Provincial Prison, in the municipality of Santiago de Cuba.

30. Alejandro González Raga is 45 years old and lives in Camaguey. According to reports, he is a journalist and helped to collect signatures for the *Proyecto Varela*, Varela Project.

Alejandro González was sentenced to 14 years' imprisonment for breaching article 91 of the Penal Code.(155) He is serving his sentence in "Canaleta" Provincial Prison in the municipality of Ciego de Avila.

31. Jorge Luis González Tanquero, 32, is reportedly a member of a group called *Movimiento Independentista Carlos Manuel de Céspedes*, Carlos Manuel de Céspedes Independence Movement, which is not recognized by the authorities. He also helped to collect signatures for the *Proyecto Varela* in Las Tunas.

Jorge Luis González was arrested on 19 March 2003 and has reportedly been sentenced to 20 years' imprisonment. He is being held in Guanajay Prison in Havana Province.

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

According to the *Movimiento Cristiano Liberación*, Leonel Grave de Peralta was reportedly subjected to harassment in September 2002 when his home was besieged by members of the *Brigadas de Respuesta Rápida*, Rapid Response Brigades.(156)

Leonel Grave de Peralta was tried at the same time as other members of the *Movimiento Cristiano Liberación*. The alleged basis of the charge against him was

that he had been involved in activities related to the *Proyecto Varela*. He was reportedly sentenced to 20 years' imprisonment for breaching Law 88. He is imprisoned in Kilo 5½ Prison in Pinar del Río.

33. Iván Hernández Carrillo is 32 years old. He reportedly belongs to several groups: he is a member of the *Partido por la Democracia* "Pedro Luis Boitel," "Pedro Luis Boitel" Democracy Party, has worked as a journalist for several agencies, including the "Patria", "Fatherland", agency, and has a private library in his house in the province of Matanzas.

According to reports received by Amnesty International, Iván Hernández has been repeatedly subjected to harassment involving short-term detention, searches and being called in for questioning. For example, he was apparently visited by police officers on two occasions in January 1997, arrested in February 1997 and again arrested in November 1999. On 23 June 2002 he was said to have been arrested with other members of his group to prevent them from attending a meeting of the "Pedro Luis Boitel" Democracy Party in the municipality of Perico.

He was arrested on 18 March 2003. The evidence submitted against him at his trial included a computer allegedly sent from the United States and invoices for moneys said to have been received by the private library. Witnesses for the prosecution stated that cars belonging to the diplomatic corps had visited his home. Iván Hernández Carrillo was sentenced to 25 years' imprisonment on the basis of articles 4.1, 4.2a-b, 6.1, 6.3b, 7.1, 7.3 and 8.2 of Law 88.(157) He is being held in Holguín Provincial Prison.

34. Normando Hernández González, 32, from the province of Camagüey, is the director of the *Colegio de Periodistas Independientes*, College of Independent Journalists. He has been subjected to harassment on many occasions over the past few years: in February and March 2001, for example, he was reportedly detained and released several miles from his home on at least two occasions, and on 8 March 2002 members of the police apparently threatened to imprison him for his journalism work. He has also reported other types of harassment as well, including that his telephone has been cut off since 15 June 2002 despite having paid the required bills.

Normando Hernández was arrested on 24 March 2003. According to reports, on the day of his arrest the police confiscated documents permitting him and his wife to leave Cuba.

According to the verdict, the activities for which Normando Hernández has been convicted include writing articles on various issues relating to daily life. He was accused of the following activities, among others:

He prepared one hundred and sixteen reports for the ill-named Radio 'José Martí', some of which were untrue and others tendentious, with the aforementioned aim of creating conditions in which our national integrity would be put at risk, reports which were transmitted by those radio stations and monitored in Cuba, and in which he attacked the health system [and] the education provided in this country, questioned the justice system, tourism, culture, agriculture, fishing. . . . (158)

Normando Hernández was sentenced to 25 years' imprisonment for breaching article 91 of the Penal Code.(159) He is being held in Boniato Provincial Prison in the province of Santiago de Cuba.

35. Juan Carlos Herrera Acosta, 36, is a member of the *Movimiento Cubano de Jóvenes por la Democracia*, Cuban Movement of Young People for Democracy, and the *Asociación de Presos Políticos 'Pedro Luis Boitel'*, 'Pedro Luis Boitel' Political Prisoners Association.(160) Neither organisation has been recognised by the authorities. He also works as a journalist in the province of Guantánamo.

Between September 1997 and 2001, Juan Carlos Herrera had served a four-year prison sentence in Combinado de Guantánamo Prison for trying to leave the country illegally. On that occasion he was reportedly held in a punishment cell with no light because of his activities in defence of prisoners' rights and for refusing to cooperate with the prison's re-education program.(161)

He was detained on 19 March 2003 and later tried together with Manuel Ubals González. Despite being accused of having links with 'Comandos F-4,' a Miami-based organization which has reportedly claimed to have committed acts of violence in Cuba, no evidence of this or that they had acted violently or incited others to use violence was presented. The activities for which they were convicted in the verdict appear to have been peaceful in nature and related solely to the exercise of fundamental freedoms. According to the information it has received, Amnesty International believes that the two men, like the other dissidents arrested in March, are prisoners of conscience.

Juan Carlos Herrera was sentenced to 20 years' imprisonment for breaching articles 4.1, 4.2a-b, 6.1, 6.3b, 7.1, 7.3 10 and 11 of Law 88.(162) He is serving his sentence in Boniato Provincial Prison in the municipality of Santiago de Cuba.

36. Regis Iglesias Ramírez, 33, is a member of the *Movimiento Cristiano Liberación*, Christian Liberation Movement, in Havana. He has been involved in work related to the *Proyecto Varela*. According to the prosecution, he had no previous convictions.(163)

Regis Iglesias was arrested at the end of March and tried on 3 April. He was sentenced to 18 years' imprisonment under article 91 of the Penal Code.(164) He is serving his sentence in Kilo 8 Provincial Prison in the municipality of Camagüey.

37. José Ubaldo Izquierdo Hernández runs the private "Sebastián Arcos Bergnes" Library and works as a journalist for an agency called "*Grupo Decoro*."

José Ubaldo Izquierdo has reportedly been a victim of harassment on several occasions. On 8 March 2002, for example, he was apparently arrested when he was on his way to participate in an event connected with International Women's Day and that same night his house was stoned by unknown individuals. On 4 December 2002 he was said to have been threatened with imprisonment if he attended festivities in honour of the Virgin of Santa Bárbara in Güines, Havana province. When he was returning home from the event on his bicycle, he was hit by a car, reportedly suffering injuries to his abdomen and legs.

José Ubaldo Izquierdo was arrested at the end of March, tried in the San Antonio Provincial Court on 3 April and sentenced to sixteen years' imprisonment. He is serving his sentence in Kilo 5½ Prison in the municipality of Pinar del Río.

38. Reinaldo Miguel Labrada Peña, aged 40, is a member of the *Movimiento Cristiano Liberación*, Christian Liberation Movement. He has been involved in the work around the *Proyecto Varela* initiative.

Reinaldo Labrada was arrested on 19 March in Las Tunas. The prosecution reportedly sought a ten-year sentence. He was sentenced to six years, the shortest sentence imposed on any of the dissidents arrested during the crackdown. He was transferred from "El Típico" Provincial Prison in Las Tunas following a protest with other activists arrested in the March crackdown, and is being held in the provincial prison in Guantánamo.

39. Librado Ricardo Linares García, 42 years old, is president of the unofficial *Movimiento Cubano Reflexión*, Cuban Reflection Movement, in the town of Camajuaní, Villa Clara province. He is an engineer by training and, after reportedly being expelled from the Communist Party in 1992 for calling for economic reforms, has been involved in dissident activities for a number of years.

Librado Linares was harassed, arrested and fine several times in the crackdown against Concilio Cubano activists in late 1995 and 1996.(165) In November 1999, he was reportedly detained for several days to prevent him from taking part in activities around the *Cumbre Iberoamericana*, the Inter-American Summit in Havana.(166)

He was arrested on 18 March 2003, and a number of items including a bicycle were reportedly confiscated from his house by the agents who searched it. He was tried in Villa Clara, where he was sentenced to 20 years in prison under article 91 of the penal code. (167)

The trial verdict accused Librado Linares and the four other men from Villa Clara province with whom he was tried of using human rights work as a front for alleged counterrevolutionary activities such as meetings, conferences and seminars:

They acted in agreement, meeting to take organizational measures on how to carry out their struggle against the Revolution, sheltering behind the facade of simple human rights defenders.(168)

Librado Linares is incarcerated in Combinado del Este prison in the municipality of Guanabacoa, Havana province.

40. Marcelo Manuel López Bañobre, is 39 years old and a tugboat captian by profession. He joined the *Comisión Cubana de Derechos Humanos y Reconciliación Nacional (CCDHRN)*, Cuban Commission for Human Rights and National Reconciliation, after the 1994 sinking of the "13 de Marzo" tugboat.(169) later becoming its spokesman. He was initially involved in tracking the detentions of other dissidents as the crackdown began. At the time, he wrote

The wave of searches, confiscations and especially detentions that began on March 18 is the most serious I have witnessed . . . at the Cuban Commission for Human Rights and National Reconciliation, where I am spokesman, we are busy trying to establish lists of those detained and their whereabouts. It is not easy; people are afraid to speak up because they do not know their own rights,

and also simply because transportation is a nightmare, there are constant blackouts and the telephone is virtually useless.(170)

By the time the article was printed, Marcelo López had been detained. He was arrested on 25 March 2003 on the street in Havana. He was tried on 4 April along with five other dissidents, including his CCDHRN colleague and fellow human rights defender Marcelo Cano Rodríguez.

Marcelo López was convicted under article 91 of the Penal Code and articles 4.1, 4.2a-b, 6.1, 6.2a-b, 7.1, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 10 and 11 of Law 88 to 15 years in prison.(171) He is currently held in Guanajay prison in Havana province.

According to the trial verdict, Marcelo López was penalised for his association with Amnesty International and other international human rights organisations:

The accused MARCELO MANUEL LOPEZ BANOBRE carries out activities as 'spokesman and secretary' of the illegal Cuban Commission for Human Rights and National Reconciliation, dedicating himself to sending information to international organisms like Amnesty International and Human Race [sic], notifying them of people given the death penalty in this country, but without explaining the motive for its imposition. This distorts the information, making the penalty look like extrajudicial assassination by the Cuban State, which helps condemn our country before the Human Rights Commission in Geneva.(172)

Marcelo López was also accused of "approaching the families of those condemned to death so that they will address the aforementioned international organisations."(173)

The Cuban authorities are well aware of Amnesty International's work on the death penalty; as recently as 18 April 2003, for instance, Foreign Minister Felipe Pérez Roque read extensively from an Amnesty International report on the use of the death penalty in the United States during his press conference on the results of the Human Rights Commission vote in Geneva.(174) As such, the authorities are aware that Amnesty International opposes the death penalty in all cases, regardless of the 'motive for its imposition,' and that questions of alleged distortion of case information are irrelevant to the organisation's response to death sentences, in any country where they occur.

Amnesty International is deeply disturbed that allegations of contact with this organisation are viewed as grounds for Cuban authorities to sanction human rights defenders. Ironically, Cuban officials have repeatedly cited Amnesty International's work on human rights violations by the US and its allies to support their accusations against these countries.(175)

41. Héctor Fernando Maseda Gutierrez, 60, is reportedly an engineer and physicist by profession. Since becoming involved in dissident activities, he has written many articles, especially on history, economy and culture, which have been published in different sites.

Héctor Maseda has been repeatedly harassed for his activities. He was reportedly detained as part of a sweep at the beginning of September 1997, while in May 2000 he was threatened with prison if he attended a conference on the theme of 'culture and globalisation.'

Héctor Maseda was arrested at his house on 18 March 2003, and some of his journalistic writings, a type writer, a fax and books were confiscated. He was convicted under article 91 of the Penal Code and articles 4.1, 4.2a-b, 6.1, 6.2a-b, 7.1, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 10 and 11 of Law 88, and sentenced to 20 years in prison.(176)

In the trial he was accused, among other activities, of "maintaining relations with the International University of Florida, which receives funds from USAID, that is, from the US government, for subversion in Cuba."(177)

Héctor Maseda is currently being held in Manacas prison in the municipality of Manacas.

42. José Miguel Martínez Hernández, aged 39, is from Quivicán in Havana province. He is an area representative for the unofficial political group *Movimiento 24 de Febrero*, 24 February Movement. He has been active with the *Proyecto Varela* and has a private library, the "General Juan Bruno Zayas" library, in his house.

José Miguel Martínez has reportedly been harassed and detained on a number of occasions in connection with his activism. In one example, in June 2001 he was said to have been taken into custody by state security agents and driven out of Quivicán for interrogation. He was later released.

After being arrested in March, José Miguel Martínez was tried and sentenced to 13 years' imprisonment. He is currently being held in Kilo 8 prison in Camagüey municipality.

43. Mario Enrique Mayo Hernández, 38, is a lawyer by profession. He has worked as a journalist, publishing articles in a number of media, and is the director of the unofficial press agent “Félix Varela” in Camagüey.

In November 2000 Mario Enrique Mayo was reportedly visited in his house by a state security agent, who threatened him and insisted that he give up his dissident activities.

Mario Enrique Mayo was arrested on 19 March and tried in Camagüey. The trial verdict refers to a number of ‘counterrevolutionary’ articles Mario Enrique Mayo allegedly wrote, covering topics such as health care, prison conditions, and the situation of families of political prisoners. He is accused of doing so with the intention of “creating in this way the conditions necessary for our country to be condemned in the Human Rights Commission, and consequently creating conditions favourable for a ‘humanitarian’ intervention into our territory.”(178)

Mario Enrique Mayo was sentenced to 20 years in prison under article 91 of the Penal Code.(179) He is currently being held in the provincial prison in Holguín.

44. Luis Milán Fernández is reportedly a medical doctor by profession. He is a member of the unofficial *Colegio Médico de Cuba*, Cuban Medical Association.

In June 2001 he and his wife, also a doctor, signed a document called ‘*Manifiesto 2001*,’ calling among other measures for recognition of fundamental freedoms in Cuba. Together with other health professionals they carried out a one-day hunger strike to call attention to the medical situation of detainees and other issues.

Luis Milán was reportedly sentenced to 13 years in prison. He is currently being held in the provincial prison of Ciego de Avila (called “*Canaleta*”).

45. Nelson Moliné Espino, 38 years old, is president of the unofficial *Confederación de Trabajadores Democráticos de Cuba*, Confederation of Democratic Workers of Cuba, and a member of the unofficial *Partido 30 de noviembre*, 30 November Party.

Nelson Moliné had previously been harassed by the authorities for his activities. In May 2002, for instance, he was reportedly called into the local police station in San Miguel del Padrón, Havana province, and threatened with arrest if he did not give up his trade union work.

On 20 March 2003 Nelson Moliné’s home was searched and he was detained. The indictment states that at his home “many books and magazines containing subversive material”, “*múltiples libros y revistas de contenido subversivo*”, were found. The indictment also claims that he “mixes with people dedicated to subversive activity, and leads a comfortable life due to the monetary rewards of his subversive activity,” “*Se relaciona con personas dedicadas a la actividad subversiva, y lleva un modo de vida holgado por las cuantiosas entradas monetarias derivadas de la actividad subversiva.*”(180)

Nelson Moliné was convicted on the basis of article 91 of the Penal Code to 20 years’ imprisonment.(181) He is currently being held in Kilo 8 prison in Pinar del Río municipality, a distance which reportedly makes it difficult for his wife and four year old daughter to visit. He is reportedly suffering from ill health due to rapid weight loss and low blood pressure.

46. Angel Juan Moya Acosta, aged 38, is president of the *Movimiento Opción Alternativa*, Alternative Option Movement, in Matanzas province, as well as a member of the *Consejo Nacional de Resistencia Cívica*, National Council of Civic Resistance, both organisations which have not been recognised by the authorities. He was active in the “*Todos Unidos*,” “All United” umbrella movement.

Angel Moya has been imprisoned several times in the past and has previously been considered to be a prisoner of conscience by Amnesty International. He was detained on 15 December 1999 after participating in a peaceful demonstration to celebrate the 51st anniversary of the Universal Declaration of Human Rights, and was eventually released without having been tried.(182) In December 2000 he was sentenced to one year’s imprisonment and 10 years’ confinement to his home province, Matanzas, charged with “disrespect,” “*desacato*.” The sentence was reportedly imposed because, in the course of a mass celebrated at his home in November 2000, prayers were said for political prisoners and prisoners of conscience, including calls for them to be amnestied. He was released on 4 December 2001.(183)

Angel Moya was arrested in the March crackdown and tried on 7 April in the Tribunal Popular de 10 de Octubre, *10 October Popular Tribunal*, in Havana. He was found guilty and sentenced under article 91 of the Penal Code to 20 years in prison.(184) He is currently held in the Holguín provincial prison.

47. Jesús Miguel Mustafa Felipe, aged 58, is a member of the *Movimiento Cristiano Liberación (MCL)*, Christian Liberation Movement. He was involved in col-

lecting signatures for the *Proyecto Varela* in his home town of Palma Soriano, Santiago de Cuba province.

Jesús Mustafa had been detained on 17 December 2002 along with Robert Montero Tamayo, after they went to a police station to find out about the detention of fellow MCL member, Ramuel Vinajera Stevens. Both men were released a few days later but on 19 February 2003 they were tried and sentenced to 18 months' imprisonment, charged with "disobedience," "*desobediencia*" and "resistance," "*resistencia*." Amnesty International wrote to the Cuban authorities about these events but did not receive a reply.

Jesús Mustafa was apparently tried again in the context of the March crackdown. He is reported to have received a 25-year sentence, after the prosecution had requested a life sentence. He is currently held in Combinada del Este prison in Havana province.

48. Félix Navarro Rodríguez, 49 years old, is a member of the unofficial *Partido Solidaridad Democrática*, Democratic Solidarity Party, in Matanzas province and works as a journalist. He was reportedly fired from his position as a school headmaster in the city of Perico in 2001 after being arrested in connection with dissident activities. He has reportedly been active in the *Proyecto Varela* campaign and the "*Todos Unidos*" umbrella movement.

Félix Navarro has been subjected to harassment and detention for his dissident activities since at least 1992. According to reports he was detained in December 1992 for putting up pro-democracy posters on the street, and in November 1996 he was taken for questioning for activities such as not paying his union dues and having an issue of the US-published "*El Nuevo Herald*" newspaper at work. He was reported to have been detained briefly in November 1999, and again in September 2001 for participating in a commemoration of two political prisoners who were said to have died in custody. In February 2002 he was apparently briefly detained again; during the search of his house, State Security agents reportedly confiscated materials for the *Proyecto Varela* initiative.

Félix Navarro was arrested in the March crackdown and tried in Matanzas. The activities on which his conviction was based included the following: "he received, among other things, leaflets and literature; the latter was proved by the confiscation of aggressive and corrosive writings and printed material from his house." (185)

Félix Navarro was sentenced to 25 years under articles 4.1, 4.2a-b, 6.1, 6.3b, 7.1, 7.3 and 8.2 of law 88.(186) He is being held in Guantánamo provincial prison.

49. Jorge Olivera Castillo, 41, a former national television editor, is director of the unofficial Havana Press agency. The agency's articles have been featured on the US-based *Nueva Prensa Cubana*, New Cuban Press, website.

Jorge Olivera has been repeatedly detained and harassed during the course of his reporting activities. He was said to have been expelled from his house in the Lawton neighbourhood of Havana in February 1997 in retribution for his contacts with foreign press, and arrested in September 1997 after trying to cover the trial of dissident Maritza Lugo Fernández in the municipality of Playa, Havana province. In the weeks preceding the Ibero-American Summit in Havana in November 1999, President Castro reportedly mentioned Jorge Olivera and other journalists by name during a television broadcast, accusing them of counterrevolutionary activities.

Jorge Olivera was convicted under articles 4.1, 4.2b, 6.1, 6.3b, 7.1, 7.3, and 11 of Law 88 and received a sentence of 18 years.(187) Though he was tried in Havana, he was transferred to the other extreme of the island to begin serving his sentence in a prison in Guantánamo province.

50. Pablo Pacheco Avila, 31, works for the unofficial agency *Cooperativa Avileña de Periodistas Independientes (CAPI)*, Avileña Cooperative of Independent Journalists, in Ciego de Avila.

Pablo Pacheco has been subjected to harassment in the past. In one example, in November 2002 he was reportedly detained for six hours after attempting to video police officers ill-treating two women, and in March 2002 he was reportedly detained for the third time in a month for providing news coverage on the meeting of an unofficial group.

He was sentenced under articles 6.1, 6.3b, 7.1, 7.3 and 11 of Law 88 to 20 years imprisonment.(188) He is currently being held in Agüica prison in the municipality of Colón in Matanzas province. He is reportedly suffering from high blood pressure and migraines, for which he is said to have received some treatment.

51. Héctor Palacios Ruiz, aged 61, is director of the unofficial *Centro de Estudios Sociales*, Centre of Social Studies, and secretary of the reporting committee of the "*Todos Unidos*," "All United," coalition.

Héctor Palacios is a well-known and longstanding figure among Cuban dissidents, and has been considered by Amnesty International to be a prisoner of conscience following arrests in 1994, 1997 and 1999. In August 1994, he was among a group of activists targeted for arrest in the wake of violent clashes between police and protesters who had gathered on the Havana shore following a spate of attempted armed hijackings of local ferries.⁽¹⁸⁹⁾ In January 1997, when he was president of the unofficial *Partido Solidaridad Democrático (PSD)*, Democratic Solidarity Party, and member of *Concilio Cubano*, Cuban Council, he was detained and sentenced to 18 months imprisonment for “disrespect,” “*desacato*,” following an interview with a German television station in which he criticised the Cuban government. He was released in February 1998 following Pope John Paul II’s visit to Cuba.⁽¹⁹⁰⁾

Héctor Palacios was detained on 20 March 2003 and subsequently tried in Havana. He was convicted under article 91 of the Penal Code and articles 4.1, 4.2a-b, 6.1, 6.2a-b, 7.1, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 10 and 11 of Law 88 to 25 years in prison.⁽¹⁹¹⁾ The prosecution had called for life imprisonment.⁽¹⁹²⁾

Hector Palacios was accused, among other activities, of

having in his home one of the so-called independent libraries, a program created at the request of the already mentioned organisations based in Miami that financed this project with money received by USAID, in other words the United States government, the majority of the books sent being subversive and counterrevolutionary. ⁽¹⁹³⁾

Héctor Palacios is currently imprisoned in Kilo 5½ prison in Pinar del Río province. His wife, Gisela Delgado Sablón, was reportedly refused permission to visit him in May and threatened with imprisonment if she participated in public demonstrations on his behalf.

52. Arturo Pérez de Alejo Rodríguez is president of the unofficial organisation *Frente Escambray de Derechos Humanos*, Escambray Human Rights Front. He was also involved in the *Proyecto Varela* initiative in Villa Clara province. In January 2003, he was said to have been briefly detained for handing out copies of the UN Declaration of Human Rights.

Arturo Pérez de Alejo was arrested on 18 March 2003. He was tried, found guilty and sentenced to 20 years in prison. He is currently imprisoned in Kilo 5½ prison in Pinar del Río province.

53. Omar Pernet Hernández, 57, lives in Placetas in Santa Clara province and is a leader of the unofficial *Movimiento Nacional por los Derechos Humanos*, National Movement for Human Rights, “*Mario Manuel de la Peña*.” He is active in a number of other organisations and in the *Proyecto Varela* in the area.

Omar Pernet Hernández received a 25 year sentence under article 91 of the penal code.⁽¹⁹⁴⁾ The accusations upon which he was convicted included

carrying out subversive activities through denunciations of supposed human rights violations in Cuba, which were disseminated by counterrevolutionary stations based in the territory of the United States of North America [sic], such as the mis-named Radio Martí, Radio Mambi and “La Poderosa,” that have as their only objective to provoke the North American government into intensifying its aggressive policy towards our country.⁽¹⁹⁵⁾

Omar Pernet Hernández is imprisoned in Guanajay prison in the province of Havana.

54. Horacio Julio Piña Borrego, aged 36, lives in Sandino in the province of Pinar del Río. He has been involved with the *Proyecto Varela* for the region as well as being a provincial delegate for the *Partido Pro Derechos Humanos en Cuba*, Party for Human Rights in Cuba, which is affiliated with the Sajarov Foundation. He had been briefly detained by security forces in May 2001.

He was arrested on 19 March 2003, during the wave of arrests. He was tried and convicted under articles 4.1, 4.2a-b, 6.1, 6.3a-b, 7.1, 7.3 and 11 of Law 88.⁽¹⁹⁶⁾ He received a 20-year sentence and is currently being held in the Pinar del Río provincial headquarters of the Department of State Security.

55. Fabio Prieto Llorente lives on the Isla de Pinos and works for the island’s unofficial news agency, *Agencia de Prensa Independiente de Isla de Pinos*.

Fabio Prieto Llorente was involved in independent journalism since at least November 1999. He was said to have received regular visits, threats and warnings from police and other security agents to discontinue his activities. In January 2002, he was briefly detained, and harassment reportedly continued throughout that year.

He was arrested on 18 March 2003, tried and sentenced to 20 years in prison. As of this writing he is being held in Guanajay prison in Havana province.

56. Alfredo Manuel Pulido López, 42, lives in Camagüey. He worked as a journalist for the unofficial news agency *El Mayor* in Camagüey. In addition, he was reportedly a member of the *Movimiento Cristiano Liberación* and was involved in *Proyecto Varela* activities.

Alfredo Pulido was arrested on 18 March 2003. He was sentenced to 14 years in prison under article 91 of the Penal Code.(197) He was transferred from his home province and is currently being held in Combinado del Este prison in the municipality of Guanabacoa, Havana province.

57. José Gabriel Ramón Castillo(198) is said to be a trained teacher. He is the director of the unofficial *Instituto Independiente Cultura y Democracia*, Independent Culture and Democracy Institute, based in Santiago de Cuba. He also works as an independent journalist and has had articles and news items published in a variety of websites include CubaNet. He was repeatedly subjected to persecution and harassment by the authorities from the beginning of his involvement in these activities.

José Gabriel Ramón was detained on 19 March 2003 and tried in the first week of April 2003. He was convicted and sentenced to 20 years in prison. He is currently being held in the provincial prison in Santa Clara.

58. Arnaldo Ramos Lauzerique, 60 years of age, lives in the city of Havana and is a member of the *Instituto Cubano de Economistas Independientes*, the Cuban Institute of Independent Economists. He is also a member of the umbrella group *Asamblea para promover la sociedad civil*, Assembly to promote civil society.

After being detained during the wave of arrests in March 2003, he was tried under article 91 of the Penal Code. He received a sentence of 18 years.(199) He is being held in the provincial prison in Holguín.

59. Blas Giraldo Reyes Rodríguez, aged 46, lives in Sancti Spiritus. He is a member of the steering committee of the *Proyecto Varela* in Sancti Spiritus and director of a private library located in his residence.

Following his arrest in March 2003, he was tried and sentenced to 25 years in prison. He is being held in Agüica prison in the municipality of Colón in Matanzas province.

60. Raúl Rivero Castañeda is a 57-year-old poet and journalist. He was founder, and serves as director, of the unofficial press agency *Cuba Press*.

Raúl Rivero has been detained and threatened many times in the past. For example, in January 1996 he was detained for one day and threatened with imprisonment if he did not stop his work with *Concilio Cubano*, of which *Cuba Press* had just become a member.(200) In February 1996 he was again detained, in a roundup of *Concilio Cubano* activists.(201) In July 1997 he was detained, following an article he wrote about dissident Vladimiro Roca, and he was again arrested in August 1997.(202) In March 1999 after Law 88 came into force, Raúl Rivero was reportedly interrogated for three hours. The officers reportedly told him that he would be one of the first to whom the new law would be applied if he did not stop his journalistic work.(203)

Raúl Rivero was detained on 18 March 2003 and tried on 4 April 2003, along with journalist Ricardo Severino González.

Raúl Rivero was accused under article 91 of the Penal Code. The indictment accused him of carrying out unspecified "*actividades subversivas encaminadas a afectar la independencia e integridad territorial cubana*," "subversive activities, aimed at affecting the territorial independence and integrity of Cuba." It also stated that he disseminated "*falsas noticias para satisfacer los intereses de sus patrocinadores del gobierno norteamericano*," "false news to satisfy the interests of his sponsors of the North American government." (204)

He was found guilty and received a 20-year sentence.(205) The trial verdict highlighted his contacts with international organisations:

The accused RIVERO CASTANEDA, in addition to the facts already described, from 2000 began disseminating information via the *Encuentro en la Red* webpage belonging to the International Press Society. [The information] was all of a nature destabilising to the Cuban state.(206)

The verdict also accused him of working as a paid correspondent for *Agence France Presse* and of having contacts with the international organisation Reporters without Borders.

Raúl Rivero is currently being held in the provincial prison of Ciego de Avila (called "*Canaleta*").

61. Alexis Rodríguez Fernández, aged 33, is a member of the *Movimiento Cristiano Liberación*, Christian Liberation Movement. He was involved in the *Proyecto Varela* initiative.

Alexis Rodríguez had been detained several times in the past. For example, when he was municipal delegate of the unofficial group *Movimiento de Jóvenes Cubanos por la Democracia*, Movement of Cuban Young People for Democracy, he was reported to have been temporarily detained on 14 October 1997. In January 2002, after collecting signatures for the *Proyecto Varela* he was attacked and threatened, reportedly by plain clothes state security agents, and later abandoned in a remote area.

Alexis Rodríguez was arrested in the March crackdown and tried in early April. He was sentenced to 15 years' imprisonment and is currently imprisoned in Agüica prison in the municipality of Colón in Matanzas province.

62. Omar Rodríguez Saludes, aged 37, is director of the unofficial *Nueva Prensa* news agency. In addition to reporting, he is also a photographer.

He has been arrested several times in the past. In December 1998, he was among a group of dissidents apparently detained to prevent them from taking part in activities to commemorate the anniversary of the Universal Declaration of Human Rights.(207) He was also said to have been detained in February and November 1999 and November 2000. On 17 January 2002 he was temporarily detained after reporting on a meeting between a visiting Spanish official and some dissidents. He was reportedly interrogated for several hours and told that his work was illegal and counter-revolutionary.

In 2002 he is reported as telling *The New York Times*, "We know the risks we are taking . . . The risk is even in our homes. The government knows what we do and it watches. They know our lives better than we do." Due to restrictions on freedom in Cuba, he said that he had never seen the webpage that runs his photographs, or seen the photos themselves except as negatives. "I am a blind photographer," he stated.(208)

Omar Rodríguez was convicted on the basis of accusations such as "he photographed places that, because of the state they were in, gave a distorted image of Cuban reality, and he sent them to be published in the foreign, mainly counterrevolutionary, press."(209)

Omar Rodríguez was convicted under state security charges in article 91 of the Penal Code and given a penalty of 27 years.(210) The prosecution had argued for a sentence of life imprisonment.(211) He is imprisoned in Kilo 8 prison in Camagüey municipality.

63. Marta Beatriz Roque Cabello, aged 57, has been recognised by Amnesty International as a prisoner of conscience in the past. She is an economist who heads the unofficial *Instituto Cubano de Economistas Independientes*, Cuban Institute of Independent Economists. She is also the head of the *Asamblea para promover la sociedad civil*, Assembly to promote civil society, an umbrella organization of dissident groups created in October 2002 to call for democracy and greater respect for freedoms.

Marta Beatriz Roque previously served out a 3½ year prison sentence following her arrest on 16 July 1997.(212) She was sentenced along with three other members of the *Grupo de Trabajo de la Disidencia Interna para el Análisis de la situación Socio-Económica Cubana*, Internal Dissidents' Working Group for the Analysis of the Cuban Socio-Economic Situation. They were all charged with "*otros actos contra la seguridad del estado*," "other acts against state security" (Article 125 (c) of the Cuban Penal Code) in relation to a charge of "*sedición*," sedition (Art 100 (c) of the Cuban Penal Code). Their arrest took place one month after a press conference attended by foreign press during which they criticised an official discussion document and gave journalists a copy of their own critique of the document, entitled "*La Patria es de Todos*," The Homeland is for Everyone. The latter document advocated peaceful democratic changes in the country. She was released on 23 May 2000. The other three members were released later, and have not been re-arrested in the recent crackdown.

Marta Beatriz Roque was most recently arrested on 20 March 2003.

The indictment against her charges that she carried out unspecified "*acciones dirigidas a subvertir el orden interno del Estado Cubano, provocar su desestabilización y la pérdida de su independencia, actividades por las que recibió cuantiosos recursos monetarios del Gobierno de Los Estados Unidos*", "activities aimed at subverting internal order of the Cuban State, provoking its destabilisation and the loss of its independence, activities for which she received substantial monetary funds from the US Government." It also states that she had links with the head of the US Interests Section, James Cason, who paid visits to her house.(213)

Marta Beatriz Roque was found guilty, among other activities, of having

Created a website on a North American internet server, for use by the self-proclaimed Institute of Independent Cuban Economists 'Manual Sanchez Herrero,'

which she used to put out propaganda articles and work that disfigured the economic reality . . . for the execution of the abovementioned activities, the incriminated Roque Cabello received enough financing and considerable material assistance, fundamentally from the United States Agency for International Development. (214)

The prosecution requested a life sentence.(215) She was convicted under article 91 of the Penal Code and received a 20-year sentence.(216) She is currently being held in Manto Negro Prison in the municipality of La Lisa, Havana province.

64. Omar Moisés Ruiz Hernández, aged 56, is a journalist for the unofficial *Grupo de Trabajo Decoro*, Decoro Working Group.

Previously Omar Rodríguez was vice delegate of the *Partido Solidaridad Democrática*, Democratic Solidarity Party, in Villa Clara. During this time he was reportedly arrested several times, for example in January and March 1996. Similarly, he was said to have been summoned and interrogated in October 1997. Such harassment was ongoing as he continued to carry out his activities.

Omar Ruiz Hernández was sentenced to 18 years under article 91 of the penal code.(217) He is currently being held in Guantánamo provincial prison.

65. Claro Sánchez Altarriba, 49, is a member of the unofficial *Movimiento de Jóvenes Cubanos por la Democracia*, Movement of Cuban Young People for Democracy, in Santiago de Cuba. He had suffered some prior harassment for his activities, including a short-term detention and a fine in October 2002.

Claro Sánchez was detained on 19 March 2003. He was tried and was sentenced to 15 years in prison under articles 4.1, 6.1 and 7.1 of Law 88.(218) He is imprisoned in Kilo 8 prison, Camagüey municipality.

66 and 67. Ariel and Guido Sigler Amaya were detained on 18 March 2003. (Their brother Miguel is also in prison, as mentioned in the chapter below, and is facing a range of charges apparently relating to different incidents.) Ariel and Guido Sigler are both members of the unofficial *Movimiento Opción Alternativa*, Alternative Option Movement, in Matanzas Province.

The Sigler brothers have been detained and harassed several times in the past. They were declared prisoners of conscience by Amnesty International following their detention in December 1999 after participating in a peaceful demonstration to celebrate the 51st anniversary of the Universal Declaration of Human Rights.(219) Guido was released in July 2000 and Ariel in August 2000.(220) Most recently, in December 2002 Ariel and Guido were detained along with Oscar Elías Biscet and 14 other dissidents after they attempted to meet at a home in Havana to discuss human rights. Ariel and Guido were later released.(221)

Ariel Sigler Amaya, 39, received a 20-year sentence under articles 4.1, 4.2a-b, 6.1, 6.3b, 7.1, 8.1, 8.2, 8.11 of Law 88.(222) He is being held in the Ciego de Avila provisional prison, 'Canaleta.' Guido, aged 46, was like Ariel sentenced to 20 years in prison under articles 4.1, 4.2a-b, 6.1, 6.3b, 7.1, 8.1, 8.2, 8.11 of Law 88.(223) He is currently imprisoned in Combinado del Este prison in Guanabacoa municipality, Havana province. Family members have reported that both men are being held in solitary confinement. There are concerns about their health, particularly that of Guido, and the family has requested that he receive specialised medical attention for a prostate condition.

68. Ricardo Silva Gual is a medical doctor and a member of the *Movimiento Cristiano Liberación*, Christian Liberation Movement. He has reportedly suffered a number of forms of harassment related to his activities.

Ricardo Silva was detained on 18 March 2003 and was reportedly sentenced to 10 years' imprisonment under articles 4.1 and 6.1 of Law 88. He is currently being held in the Guantánamo provincial prison.

69. Fidel Suárez Cruz, 33, is a farmer and a member of the unofficial *Partido Pro Derechos Humanos en Cuba*, Party for Human Rights in Cuba, in Pinar del Río. He also heads the private library "San Pablo."

In 2000 he was sentenced to six months' restricted freedom for "desobediencia", "disobedience," for fishing in a restricted area; however, in December 2000 this sentence was reportedly changed to imprisonment after he was arrested for carrying out peaceful political activities. He was also believed to have been detained in 1999.

Fidel Suárez was arrested on 18 March 2003 and subsequently tried on 3 April at the *Tribunal Provincial*, Provincial Court, in Pinar del Río. He was convicted under articles 4.1, 4.2a-b, 6.1, 6.3a-b, 7.1, 7.3 and 11 of Law 88 and sentenced to 20 years in prison.(224) He is being held at Agüica prison in Matanzas province.

70. Manuel Ubals González, 34, is President of the unofficial *Consejo por la Libertad de Cuba*, Council for the Freedom of Cuba. He lives in Guantánamo province.

In 1994 he was reportedly sentenced to three years' correctional work with internment for "*salida ilegal del territorio nacional*," "illegal exit from the national territory."

Manuel Ubals was detained on 20 March 2003 and subsequently tried on 3 April at the Provincial Court in Guantánamo province.

Although he, with Juan Carlos Herrera, was accused of links with '*Comandos F-4*,' a Miami-based organisation that, according to the information received, claims to have committed acts of violence in Cuba, there is no evidence given of such a link. Neither were Manuel Ubals and Juan Carlos Herrera accused of acting violently or inciting others to violence. The activities described in the verdict, on the basis of which they were convicted, amounted to the peaceful exercise of fundamental freedoms. Based on the information available, therefore, Amnesty International considers these two men, like the other dissidents tried after the recent crackdown, to be prisoners of conscience.

Manuel Ubals was sentenced to 20 years under articles 4.1, 4.2a-b, 6.1, 6.3b, 7.1, 7.3 10 and 11 of Law 88.(225) He is imprisoned in Agüica prison, in the municipality of Colón in Matanzas province.

71. Julio Antonio Valdés Guevara,(226) aged 52, is director of the private library of an unofficial group, *Unión de Activistas y Opositores "Golfo de Guacanayabo"*, Union of Activists and Opponents "Gulf of Guacanayabo," in Manzanillo, Granma province.

Julio Antonio Valdés was reportedly detained on 19 March 2003, tried, and sentenced to twenty years' imprisonment.

He is believed to be suffering from high blood pressure, renal insufficiency and dizzy spells and is not receiving any medication. He is reportedly being held in the *Prisión Provincial de Ciego de Avila*, Ciego de Avila Provincial Prison (called "*Canaleta*").

72. Miguel Valdés Tamayo, aged 46, is vice president of the unofficial group "*Hermanos Fraternales por la Dignidad*", Fraternal Brothers for Dignity. At the time of his detention he was reportedly working as a television mechanic in a state run workshop in Havana province.

Miguel Valdés had previously been detained on 23 October 2002 in Havana, when he and other members of his organisation reportedly tried to light candles in a park.

He was detained on 19 March 2003, tried and sentenced under article 91 of the Penal Code to 15 years in prison.(227) He is currently in prison in Kilo 8 prison in the municipality of Camagüey. He is reportedly suffering from a number of health problems including ulcer, high blood pressure and heart problems.

73. Héctor Raúl Valle Hernández, aged 35, is vice president of the unofficial *Confederación de Trabajadores Democráticos de Cuba*, Confederation of Democratic Workers of Cuba, and an activist of the unofficial *Partido Pro-Derechos Humanos*, Pro Human Rights Party, in San José de las Lajas.

He had previously been detained and harassed on several occasions. For example, on 16 November 2002 he was reportedly detained and taken to the police station in San José, Havana, where he was interrogated and told to stop his anti-government activities.

He was reportedly sentenced to 12 years' imprisonment, charged with infringing article 91 of the penal code. He is currently being held at *Combinado de Guantánamo* Prison, some 900km from his home.

74. Manuel Vázquez Portal, aged 51, is an independent journalist for the *Grupo de Trabajo Decoro*, Decoro Working Group. His articles have been published in CubaNet and other media sites. He also is a poet.

He had reportedly been detained temporarily before for his activities, for example in November 1999.

Manuel Vázquez was arrested on 19 March 2003. He was tried and found guilty under articles 4.1, 4.2b, 6.1, 6.3b, 7.1, 7.3, and 11 of Law 88, and received a sentence of 18 years.(228) He is currently being held in Boniato provincial prison, Santiago.

75. Antonio Augusto Villareal Acosta was involved in collecting signatures for the *Proyecto Varela*. Amnesty International does not have information on his past activities. He was sentenced to 15 years' imprisonment and is currently being held in in Boniato provincial prison, Santiago.

Question:

How effective is Radio Marti? It is getting any better now?

Response:

One of the things that the President announced in the "Initiative for a New Cuba" on May 20 of last year was to make an effort to improve the quality and reach of Radio Marti. Radio Marti has indeed become a much more vibrant and listener-friendly station since then, and we are examining a number of ways to improve and expand programming and longer broadcast hours.

To give a few examples, major league baseball programming has already been added. This programming, coupled with reliable, uncensored news and information on American life between innings, can contribute to building a greater Cuban audience. Such efforts to make programming more relevant to a Cuban audience will be important as we undertake our modernization efforts.

Question:

With satellites, though, why is the Cuban government able to jam (Radio Marti)? Is there some new technology that we could be using whereby they could not jam?

Response:

Cuba has historically had a strong jamming effort against Radio Marti broadcasting. However, the Office of Cuban Broadcasting, Radio Marti's oversight body, is currently investigating ways to counter the Cuban government's ability to jam Radio Marti, including undertaking a more robust broadcast effort.

Mr. WOLF. Because that was very important in Eastern Europe behind the Berlin wall.

Are you urging some of the groups that are now going to Cuba not to go, or if they go, to at least speak out? When Congressman Smith and I asked for a visa about a month ago, we were told—and correct me if I am wrong, and correct me publicly, not for the record—that we were the only two Members of Congress who were prosanction, who were anti-Castro administration that had asked for visas, and we were having a difficult time getting them. And even the State Department said there is really not a process for you to go. Is that accurate? Were we the only two Members of Congress who were prosanctionists to ask for the opportunity to go to Cuba?

Mr. STRUBLE. I had a privilege to speaking to you. I noted that in the past, the congressional groups that have gone to Cuba have gone at the invitation of the Cuban government—

Mr. WOLF. We don't want to go at the invitation of the Cuban government.

Mr. STRUBLE [continuing]. Which tends to restrict their latitude. And we have always encouraged every Member of Congress who goes to Cuba to meet with our Interests Section and to meet dissidents.

Mr. WOLF. Do most groups meet with dissidents?

Mr. STRUBLE. I don't know if most groups do, but all groups do not, sir.

Mr. WOLF. I would suggest that every congressional delegation that goes, or any delegation, Governors who asked for trade missions, be given a list of all of the political prisoners that are in prisons and what prisons they are in, the locations, and their families and who they can contact so they are able to visit.

Was it true that Mr. Smith and I were the only two people that had asked to go and didn't go because we didn't want to be invited by Cuba? Is there another mechanism?

Mr. STRUBLE. You are correct that you are the only two who have sought to go on an independent basis without an invitation from the Cuban government and without providing the government of Cuba the opportunity to have in that way control over the program.

Mr. WOLF. Can the Administration do anything about that? When Mr. Smith and I reapply for the visas, how successful will we be to get the visas?

Mr. STRUBLE. Based on the current attitudes and action of the Cuban government, I don't think they would welcome a visit of human rights, advocates like yourself who intend to go and look around the Island and probe into these issues. So I would expect they would turn it down, which I think is a real shame.

Mr. WOLF. What kind of press coverage is this getting in Europe and in Latin America? Do you have a clipping file of what they are saying in Germany, France and the Netherlands?

Mr. STRUBLE. What I can say is that there has been an outpouring of concern and reaction on the part of nongovernmental groups in Europe and throughout Latin America; that I personally have not witnessed any action in this hemisphere that has provoked such an outcry from such groups; and that the media in Latin America, which obviously knows better, Congressman, and which oftentimes is ready to make excuses for Cuba, is increasingly not doing so in this instance. I am receiving more reports every day that the media is very forthright in condemning this repression, this move against independent journalists, against independent labor leaders, and they are not making excuses for the Castro regime.

Mr. WOLF. I have heard of the tourist apartheid. What are the top five countries having tourists visit Cuba, from where?

Mr. STRUBLE. I don't know. I will have to—

Mr. WOLF. Do you know the top one?

Mr. STRUBLE. Well, there are a very substantial number of visitors from the United States who are licensed by the Treasury Department to go and visit family members.

Mr. WOLF. Aside from them. I am talking about who are going for tourism, the beaches.

Mr. STRUBLE. Western European countries.

Mr. WOLF. Do you know if those countries are attempting to tell their people what terrible things are going on in Cuba today and they ought not visit?

Mr. STRUBLE. Well, some of those countries, such as Spain, has, in fact, taken a very strong position on what is going on in Cuba today.

Mr. WOLF. Have there been many American groups that have applied to go to Cuba since the crackdown took place?

Mr. STRUBLE. I believe—

Mr. WOLF. Business groups?

Mr. STRUBLE. I believe there has been some fall-off. There has been fall-off in travel throughout the region because this coincided with the war in Iraq. But it is too early for me to say what the medium-term impact of this crackdown is going to be on business by American groups.

Mr. WOLF. Do you have a list of all the groups that have visited there asking for trade in the last several years? Would they not have to go through you?

Mr. STRUBLE. They don't have to go through us. They go through OFAC, which is part of the Treasury Department, to get a license.

Mr. WOLF. I meant you as the Government. Could you send this list of dissidents who are in prison to all the groups that are visiting—

Mr. STRUBLE. Let me check into that.

Mr. WOLF [continuing]. Visited Cuba within the last 3 years. That pretty much does it.

I think you ought to look at the model of what went on in the Soviet Union and give it to Members of Congress and others who go, and send that to the Chamber of Commerce. I am always hearing from the Chamber of Commerce about trade, and I think they ought to know about the persecution that goes with it. And you ought to write to the head of the Chamber of Commerce and say, Congressman Wolf asked me to write to tell you these are the latest dissidents, and whatever trade groups you have going down to Cuba, would you please have people go by to the prisons and visit them.

Has there been any persecution with regard to the church lately, Protestant, Catholic?

Mr. STRUBLE. The focus has been on other civil society groups. I will check to see if there may have been also some actions against religious groups. I am not aware at this moment of action against the Catholic Church, which is the most prominent.

Mr. WOLF. The last question is, has the journalist group—there is a good journalist group—we speak out for journalists who have been arrested—have they gotten actively involved?

Mr. STRUBLE. Yes, sir.

Mr. WOLF. I have no further questions, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Mr. Wolf, thank you very much for your questions and for your consistency on human rights, because we have asked to go to Cuba, both Mr. Wolf and I, and we hope that will be forthcoming in the not too distant future.

It is my understanding that the government of Cuba is getting technical assistance from the Chinese government on how to jam our freedom broadcasts as the Chinese do for Radio Free Asia. They are sharing that expertise with Havana. So people who commit human rights abuses also want to keep silent those who would expose such abuses.

I would like to make a couple of final comments and a couple of questions. I mentioned Dr. Biscet earlier, Secretary Craner, and you were right to point out how important it is to name specific names. We know that he is being held right with two common criminals in a windowless cell. Here is a man, Afro Cuban, who is really a giant, a man who has few equals in a country where there are so many heroes. We understand he has been denied access to a Bible, and his teeth remain a serious problem. And as we all know, low-grade infections can not only contaminate the remainder of one's mouth, but lead to other very deleterious impacts and consequences.

We also know that Gonzalez Leyva and Chaviano, two individuals, dissidents, who we understand are in serious health predicaments, perhaps as low as 90 pounds in terms of their body weight because of the ongoing repression. These are current political prisoners, not the new group that has been sent, that I hope the Castro government and our friends in the European Union and the Latinos who are speaking out and others will be very specific about.

As Mr. Wolf pointed out, we have got to be specific. These are individuals, they have families, and they are being cruelly tortured and hurt by this regime.

Let me just ask Secretary Craner, besides prohibiting the travel of Cuban officials in the U.S. beyond the proscribed areas, what else has the U.S. done to hold the regime accountable for the recent crackdown? What are our efforts multilaterally? We know what is going on in the United Nations, and we do appreciate the leadership there, but also within the OAS, perhaps you might want to touch on that, Dr. Holmes, with a little more detail. Are we looking at perhaps some policy announcements on proposed regulations on remittances or academic travel or some other area where we might ratchet up the pressure on this barbaric regime?

Mr. CRANER. These are all issues that Secretary Powell and Mr. Armitage, along with other leaders in the Administration, are going to be considering in the coming days. I would tell you our diplomats overseas have been very active trying to let civil society groups in other countries know what is going on. They also publicize the names of people who are in prison.

Our best estimate is there are about 350 political prisoners in Cuba. We don't know every name, but we know quite a few names. It is difficult in these societies to get 100 percent accounting. That is what we are trying to do overseas with other countries. And as Kim and Curt will tell you in a minute, we are being very, very active in getting the EEU and the OAS engaged on this issue.

Mr. HOLMES. I will ask Curt Struble to say something about the OAS because he has been working a lot in that area. But I will say one word about the history of what we have been doing on the resolution in the Commission on Human Rights. We have been working and preparing that issue for 6 months. We talked with dozens of leaders and countries around the world at the highest levels. We have demarched capitals. We have considered this to be a priority from day one, and we are working it very hard right now. So we are trying to work this important issue through the U.N. system, but primarily through the Commission at this point, and we have a long background of preparation for that.

Mr. STRUBLE. Thank you, Mr. Chairman. While Cuba has been suspended from membership in the OAS, it is still subject to a number of the inter-American conventions. We have been working with those bodies, and a number of them have spoken out about this crackdown in Cuba. We are going to continue to do that.

The other question you asked is about a review of specific U.S. measures that might be taken. I would note that we have been doing such a review since May 20 of last year when the President announced his new initiative. And, of course, the present circumstances call for us to look at the issues again, and we are doing

so. What we have done so far in connection with the President's new initiative is to step up our outreach to civil society groups as described by my colleague Karen Harbert-Mitchell. We have also worked to make Radio Marti, as I explained to Congressman Wolf, more efficient. We have offered the Cubans talks on reinstating direct mail service, which they have turned down. We have reviewed OFAC licensing requirements on academic travel. We recently—OFAC recently, on the basis of this review, determined that it would not allow academic travel that is not associated with an accredited program because this had been abused. We have, in response to Cuban restrictions on the travel of our diplomatic personnel, introduced mirrorlike restrictions here in the United States.

So these are some of the things we have done recently, but as I say, we are continuing to look at this area.

Mr. SMITH OF NEW JERSEY. Thank you. Let me just—and thank you, unless Mr. Wolf has any further questions, just thank you for your testimony. I ask you that should we have success tomorrow in Geneva or whenever that vote takes place—and I know your thinking is there needs to be a very robust launching pad, it seems to me, for building on what the President announced last year in his initiative for Cuba. He certainly has fought the inside game here very effectively. I think people should be aware of the fact that when the Treasury-Postal bill had language in it that would have relaxed the travel ban, when the ag bill had language in it that would have relaxed the embargo to some extent, a clear and unambiguous veto was issued by the President that if either of those bills, especially the ag bill, which is very popular, crosses his desk with the offending language that weakened our ability to deal with Cuba, he would veto it.

So the President has made it very clear to the Congress where he stands, and we are all very appreciative of that. But we know that even if tomorrow the Rapporteur is empowered, let us go back. The Rapporteur 7 years was denied access, notwithstanding the importance, if you will, of the U.N. agency to go into Cuba. And I will never forget when a U.N. delegation visited back in 1988 with all these assurances from Castro that if people came forward, there would be no retaliation against them for speaking their minds. Sure enough, once the U.N. folks left, there was very significant retaliation. And then when the report was issued by the U.N. body, it was summarily rejected by Castro. So we have been there, done that, but we need to do it again.

It seems to me that we need to engage the EEU in a much more significant way than they have in the past. They have, however unwittingly, been enablers of this continued repression against the Cuban people. They think it is all about trade. It is more than trade. It is all about enabling a dictatorship to do horrific things.

I thank you deeply for your work, and I know you are getting right back to the phones. And on behalf of my colleagues on both sides of the aisle, we thank you deeply.

While our next panel is coming to the witness table, I would like to read a very brief statement that was written in *The Washington Post* by Richard Cohen, which I think serves as kind of a wake-up

call. It is Hollywood's darling, Liberals' blind spot. And this is liberal columnist Cohen saying so:

"I would like to hear some moral outrage about Castro. I would like to see the vilification of Cuban Americans ceased. They have as much right to lobby the government as do, say, Jewish Americans on behalf of Israel or Greek Americans on behalf of Greece. I would like to see anyone interrupt one of Fidel's marathon statements to ask about human rights violations."

And without objection, this statement by Mr. Cohen will be made a part of the record.

I would like to welcome our next panel of very distinguished individuals who have suffered in many cases for their beliefs, including Ramon Humberto Colas, who is currently serving as Research Associate at the Institute for Cuban and Cuban American Studies at the University of Miami in Florida. He is conducting research for two papers he is writing, "The Psychology of Cubans" and "Levels of Dependence of Cubans." He has served as a radio host, a clinical psychologist, therapist, and he has received his degree from Las Tunas Medical School and from the University of Las Villas in Cuba.

Welcome, Mr. Colas.

Our next witness is Ramon Antunez Gonzalez, who arrived in the United States in the year 2000 after suffering severe repression in Cuba. He is the cofounder of the Christian Liberation Movement together with Oswaldo Paya. He is well versed in Cuban law and labor law, and he coordinates all international affairs and activities for the Christian Liberation Movement.

Our third panelist will be Mr. Eudel Cepero Varela, who founded the Cuban Environmental Agency, which promotes environmental protection within the growing Cuban civil society. Due to his independent activities on behalf of the environment, he was denied educational opportunities. He left Cuba in 1999, and is currently serving as Environmental Assessment Manager at the Hemispheric Center of Environmental Technology at Florida International University, welcome.

And finally we have Mr. Michael Royal, who is a second-year student at the University of Virginia School of Law. He is the founder of the Human Rights Study Group, an organization to which students work on research teams to examine human rights issues and law surrounding them in foreign countries. He recently travelled to Cuba and had a chance to interview over 20 dissidents just before their arrests. Michael is a former congressional staffer and earned a bachelor of arts degree in English and philosophy from Wheaton College, Illinois in 1999.

Mr. Colas, if you could begin.

STATEMENT OF RAMON HUMBERTO COLAS, FOUNDER, INDEPENDENT LIBRARIES OF CUBA

Mr. COLAS. Mr. Chairman and Members of the Committee, in 1998, along with my wife, I founded the Independent Libraries of Cuba Project. That project is a cultural initiative that has succeeded in breaking the control over information that the Cuban government has had for four decades. I was detained on multiple

occasions in different regions of Cuba. On three different occasions I was expelled from the capital city of my country. Free reading among all Cubans. My sole crime: To promote the free reading among all Cubans.

As of 14 months ago, I now reside in the United States. The state repression carried out by the Cuban political police has driven me and my family into ignominious exile that represents a forced separation from our nation.

In Cuba, beginning on March 18, the Cuban government began to undertake a wave of repression that is without precedent and in which various political activists, journalists, librarians, defenders of human rights and of the nascent civil society suffer unjust sanctions for the simple act of defending the fundamental rights of the Cuban people. The majority of them are acquaintances of mine, some of them very dear friends.

All of them enjoy the respect of their communities for being honest and exemplary citizens. They are unpretentious patriots that exercise their right to freely express themselves and to assemble to work for political, economic and social change. They are mothers, and they are fathers. They are sons and daughters who honor their parents. They are friends and are committed to the truth. All without exception have been denied the right to work. Nonetheless, many of them are renowned professionals in the areas of medicine, such as Dr. Jose Luis Garcia Paneque and Dr. Oscar Elias Biscet; in economics, such as Oscar Espinosa Chepe and Morta Beatriz Rogue Cabello; and in law, such as Juan Carlos Gonzalez Leyva. Some of them are leading authors and poets, such as Raul Rivero. There are union leaders, such as Pedro Pablo Alvarez; teachers, such as Roberto de Mirada and Jose Ramon Gabriel Castillo; sociologists, such as Hector Palacios Ruiz; and humble laborers, such as Margarito Broche.

Unjust, inhuman and unconscionable laws have castigated them. Those of us who love liberty must preserve the spirit of justice and recognize all of their actions as heroic and dignified. All of them retain the best values of the Cuban people, and their confrontation with the government of Cuba is carried out by pacific means. Nonetheless the reaction by the authorities has been violence, ransacking, slander and imprisonment.

The economic crisis that affects the island nation and its government's incapacity to address the basic needs of the Cuban people have led those in power to concoct this round of arrests and to carry them out in an extravagant and flamboyant manner in order to instill terror and fear among the entire society. The goal of the authorities is to paralyze the peaceful prodemocracy movement in Cuba. The regime's opportunism has led it to wait for the moment in which world attention had centered its gaze on the conflict in the Middle East in order to imprison the dissidents.

It is clear that the dissident movement's effectiveness in carrying out their peaceful work has disturbed the Cuban authorities. As a reaction to the increased support gained by the key opposition reformist projects, the regime has shown its weakness and conformity with the newfound strength of this movement. That is to say, fear also shows its face at the doors of the government leader-

ship, and in order to ensure their maintenance of power, they fall back on the only tools at their disposal: Force and terror.

This wave of arrests was preceded by an unusual disinformation campaign using the official press organs with the goal of preparing public opinion for the events to come and trying to win over their support. When the police operatives took action against the dissidents, the security forces acted before a populace that was left confused by the abuses and the disproportionate use of force. Homes were ransacked, and photo cameras, videotapes, radios, typewriters, computers, fax machines, books, magazines, other documents and tools were confiscated. A biography of Martin Luther King given to Gisela Delgado Sablon by ex-President Jimmy Carter during his visit to Cuba was also confiscated by State Security to later end up destroyed in a bonfire. What can be the great danger contained in a book? With these actions the Cuban government demonstrates its permanent fear of liberty and the truth.

Its object of implicating the U.S. Government with the arrests responds to a tried and tested strategy of Castro's regime. The United States has demonstrated solidarity with the dissident movement, and this is valid because democracy means not only participation, but responsibility. It is immoral to live in liberty while turning one's back on or forgetting about the existence of an enslaved people. To say the dissident movement feeds off of the money of the United States is false. The Cuban Opposition Act was motivated by the need to extend liberty to the Cuban people. The Cuban dissidence is the result of the social unconformity of the Cuban people with a failed and inhumane political project that has sown hatred and hopelessness, fear and treachery, submission and escape, a culture of death and chaos, immorality and corruption, confiscation and envy and insecurity and apathy.

It is worthwhile to remember the words of Jose Marti, the father of the Cuban independence, who said,

"Treacherous murderer, ungrateful to God, and enemy of mankind, it is he who, with the pretext of leading the new generations, teaches them an isolated and absolute number of doctrines and predicates hatred before the sweet message of love."

The dissident movement is legitimate and authentically Cuban. To imply it was created by the United States Interests Section in Havana is racist, since it means that Havana underestimates its own people to such an extent as to believe that they are not capable of struggling for their own liberty. The repressive wave against the government's own citizenry, that is to say against the average Cuban, under the pretext of combating drug trafficking and delinquency, the summary arrests and execution of three youths will never be justified. Those excesses demonstrate Fidel Castro's desperation in the face of an opposition movement that represents the desire for change of all Cubans.

We must not permit what is taking place in Cuba to continue. The vociferous rejection of the recent arrests and executions that traditional friends and allies of Castro from different parts of the world have made public in recent days is the best publicity and most clear denunciation of those crimes, because it is a crime against humanity to act by force against innocent people that have

never taken up arms or thought about changing the reality of their nation through violent means. In none of the summary trials was presented any evidence of bombs, guns, chemical or biological weapons, plans to take over military bases or to assassinate another Cuban. Instead they found the Universal Declaration of Human Rights, the Varela Project, many books and pencils with which to write the truth, and above all the will for each member of the opposition to fight for democracy in Cuba.

The regime in Havana deserves the most profound condemnation. Let us look to Cuba and its suffering masses. International solidarity can save the great majority of those who have chosen to fight for the democracy and liberty of the Cuban people from tragedy.

To the American people in this hour of national suffering, we request your sincere solidarity with the people of Cuba which, with valor and honor, carry out a peaceful struggle for liberty. At this moment American solidarity is more important than it ever has been, and to all those who may question the end of this historic battle, we may find, in the words of George Washington, the father of the American independence, the certitude of victory when one defends a just cause: Liberty, when it begins to take root, is a plant of rapid growth."

Thank you.

MR. SMITH OF NEW JERSEY. Thank you for your eloquent statement.

[The prepared statement of Mr. Colas follows:]

PREPARED STATEMENT OF RAMON HUMBERTO COLAS, FOUNDER, INDEPENDENT
LIBRARIES OF CUBA

Mr. Chairman and Members of the Committee:

In 1998, along with my wife, I founded the Independent Libraries of Cuba Project. That project is a cultural initiative that has succeeded in breaking the control over information that the Cuban government has had for four decades. I was detained on multiple occasions in different regions of Cuba. On three different occasions I was expelled from the capital city of my country. My sole crime: to promote the free reading among all Cubans. As of fourteen months ago, I now reside in the United States. The state repression, carried out by the Cuban political police, has driven me and my family into an ignominious exile that represents a forced separation from our nation, our family, and our friends.

In Cuba, beginning on March 18th, the Cuban government began to undertake a wave of repression that is without precedent, and in which various political activists, journalists, librarians, defenders of human rights and of the nascent civil society, suffer unjust sanctions for the simple act of defending the fundamental rights of the Cuban people. The majority of them are acquaintances of mine. Some of them are very dear friends.

All of them enjoy the respect of their communities for being honest and exemplary citizens. They are unpretentious patriots that exercise their right to freely express themselves, and to assemble to work for political, economic, and social change. They are mothers and they are fathers. They are sons and daughters who honor their parents. They are friends that are committed to the Truth. All without exception have been denied the right to work. Nonetheless, many of them are renowned professionals in the areas of medicine, such as Dr. Jose Luis Garcia Paneque and Dr. Oscar Elias Biscet, in economics, such as Oscar Espinosa Chepe and Marta Beatriz Roque Cabello, and in law, such as Juan Carlos Gonzalez Leyva. Some of them are leading authors and poets, such as Raul Rivero. There are union leaders such as Pedro Pablo Alvarez; teachers such as Roberto de Mirada and Jose Ramon Gabriel Castillo; sociologists such as Hector Palacios Ruiz. And humble laborers such as Margarito Broche. Unjust, inhuman, and unconscionable laws have castigated them. Those of us who love liberty must preserve the spirit of Justice and recognize all of their actions as heroic and dignified. All of them retain the best values of the Cuban people and their confrontation with the government of Cuba is carried out

by pacific means. Nonetheless, the reaction by the authorities has been violence, ransacking, slander, and imprisonment.

The economic crisis that affects that island nation and its government's incapacity to address the basic needs of the Cuban people have led those in power to concoct this round of arrests and to carry them out in an extravagant and flamboyant manner in order to instill terror and fear among the entire society. The goal of the authorities is to paralyze the peaceful pro democracy movement in Cuba.

The regime's opportunism has led it to wait for the moment in which world attention had centered its gaze on the conflict in the Middle East in order to imprison the dissidents.

It is clear that the dissident movement's effectiveness in carrying out their peaceful work has disturbed the Cuban authorities. As a reaction to the increased support gained by the key opposition reformist projects, the regime has shown its weakness and inconformity with the newfound strength of this movement. That is to say, fear also shows its face at the doors of the government leadership, and in order to ensure their maintenance of power they fall back on the only tools at their disposal: force and terror.

This wave of arrests was preceded by an unusual disinformation campaign using the official press organs with the goal of preparing public opinion for the events to come and trying to win over their support. When the police operatives took action against the dissidents, the security forces acted before a populace that was left confused by the abuses and the disproportionate use of force. Homes were ransacked, and photo cameras, videotapes, radios, typewriters, computers, fax machines, books, magazines, other documents and tools were confiscated. A biography of Martin Luther King, given to Gisela Delgado Sablon by ex-President Jimmy Carter during his visit to Cuba was also confiscated by state security to later end up destroyed in a bonfire. What can be the great danger contained in a book? With these actions the Cuban government demonstrates its permanent fear of Liberty and the Truth.

Its object of implicating the U.S. government with the arrests responds to a tried and tested strategy of Castro's regime. The United States has demonstrated solidarity with the dissident movement and this is valid because democracy means not only participation, but responsibility. It is immoral to live in liberty, while turning one's back on, or forgetting about the existence of an enslaved people. To say that the dissident movement feeds off of the money of the United States is false. The Cuban opposition act motivated by the need to extend liberty to the Cuban people. The Cuban dissidence is the result of the social unconformity of the Cuban people with a failed and inhumane political project that has sown hatred and hopelessness. Fear and treachery. Submission and escape. A culture of death and chaos. Immorality and corruption. Confiscation and envy. Insecurity and apathy.

It is worthwhile to remember the words of Jose Marti, the father of the Cuban independence, who said: "Treacherous murderer, ungrateful to God, and enemy of mankind, it is he who, with the pretext of leading the new generations, teaches them an isolated and absolute number of doctrines, and predicates hatred, before the sweet message of love."

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We must not permit what is taking place in Cuba to continue. The vociferous rejection of the recent arrests and executions that traditional friends and allies of Castro from different parts of the world have made public in recent days is the best publicity and most clear denunciation of those crimes. Because it is a crime against humanity to act by force against innocent people that have never taken up arms or thought about changing the reality of their nation through violent means. In none of the summary trials was presented any evidence of bombs, guns, chemical or biological weapons, plans to take over military bases, or to assassinate another Cuban. Instead, they found the Universal Declaration of Human Rights, the Varela Project, many books, pencils with which to write the Truth, and above all the will of each member of the opposition to fight for democracy in Cuba.

The regime in Havana deserves the most profound condemnation. Let us look to Cuba and to its suffering masses. International solidarity can save the great majority of those that have chosen to fight for the democracy and liberty of the Cuban people from tragedy.

To the American people, in this hour of national suffering, we request your sincere solidarity with the people of Cuba, which, with valor and honor, carry out a peaceful struggle for liberty. At this moment, American solidarity is more important than it ever has been. And to all those who may question the end of this historic battle, we can find in the words of George Washington, the father of the American independence, the certitude of victory when one defends a just cause: "Liberty, when it begins to take root, is a plant of rapid growth."

Thank you.

Mr. SMITH OF NEW JERSEY. Mr. Antunez.

**STATEMENT OF RAMON ANTUNEZ GONZALEZ, LEADER OF
CHRISTIAN LIBERATION MOVEMENT**

Mr. ANTUNEZ. Good afternoon. I want to thank this Committee for having invited me to present my testimony. My name is Ramon Antunez. I live with my family in Miami, and I was an attorney in Cuba. Together with Oswaldo Paya Sardinias and other compatriots, I had the honor of founding the Christian Liberation Movement in 1988. I arrived in the United States 2 years ago. I was forced to leave my country due to the intense repression that I was subjected to by the Cuban State Security apparatus.

I want to begin by telling you that the Cuban government has disseminated the myth that the Cuban people meekly accepted Communist rule. This is false. The Cuban Revolution triumphed on January 1, 1959. The struggle against the Castroite revolution began the next day. Many of the same men who struggled for the triumph of the Cuban Revolution began to struggle against it when they realized that Castro was establishing a dictatorship. They went into the mountains and into the underground. However, the strategy of confronting one revolution with another failed. With the help of the Soviet Union and its Eastern European satellites, the Castro regime was able to establish one of the most efficient repressive systems in the Western Hemisphere.

I will provide you just one instance. Entire peoples were transferred to different parts of the Island. Thousands of men and women were either executed, imprisoned for long years in Cuba for their opposition to communism; others left for exile and continued the struggle through different means. However, the dream of freedom neither died in Cuba nor was lost in exile.

I am part of that generation of Cubans who had to grow up in Cuba without renouncing their dream of freedom. My father was a political prisoner. Many members of my generation, inspired by events in Eastern Europe and by the leadership of men such as Martin Luther King, Jr., and Gandhi, embraced nonviolent struggle as a means of resistance against a dictatorship which gave the people only two options, socialism or death. This is quite ironic, for these two words are synonymous.

People are once again being executed by firing squads in Cuba today. The terrible sound of the firing squads has tormented freedom-loving Cubans for 44 years. More than 80 members of the democratic nonviolent opposition have been sentenced to 1,454 years as a result of unjust laws and trials. The government has turned judges into accomplices of these misdeeds. These judges have become enforcers of the regime and not upholders of justice.

Freedom and democracy, human rights, civil society, religious freedom, these are the demands of the men and women who today

make up the Cuban opposition movement. These principles, just like the Cuban men and women who uphold them, weren't imported into Cuba. They spring from the needs of the people in the Island. These principles have been ratified by the thousands of men and women who have signed the Varela Project.

The Castroite dictatorship has recently stated by means of its Foreign Minister that the Varela Project is of "foreign manufacture." This is a lie. I was there in Cuba in 1996 when a small group of young Cubans began to search for ways of struggling within the existing socialist legality. I was there when the Varela Project was born, conceived of Cuban minds and named after Father Felix Varela, the humble priest and teacher whom Cubans call the father of their nationality and I was there in 1998 when the idea for the project was first made public, when we began to gather signatures inspired by the words of Pope John Paul II, who in Havana called on Cubans to lose their fear and to be protagonists of their own history. Thousands of citizens who were also born in Cuba signed this project. By doing so, they have risked repression, being fired from their jobs, harassment of their families; in other words, that the regime decides to make life impossible for them in their own country. I know very well what this is like because it happened to me.

We Cubans want true change toward freedom and democracy in our country. We aspire to a profound transformation of our political reality, and we want this change to take place in Cuba, among Cubans, and through peaceful means. We Cubans can achieve freedom. Members of the opposition are in prison today because they have shown the people how to achieve true freedom.

Cubans have the right to struggle for their rights. We only ask the people of the United States, who have their freedom, to extend their solidarity to us. Thank you.

[The prepared statement of Mr. Antunez follows:]

PREPARED STATEMENT OF RAMON ANTUNEZ GONZALEZ, LEADER OF CHRISTIAN
LIBERATION MOVEMENT

Good afternoon. I want to thank this Committee for having invited me to present my testimony.

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Their supposed crime was that they had aided the Escambray freedom fighters.

Thousands of men and women were either executed or imprisoned for long years in Cuba for their opposition to Communism. Others left for exile and continued the struggle through different means. However, the dream of freedom neither died in Cuba nor was lost in exile.

I am part of that generation of Cubans who had to grow up in Cuba without renouncing their dream of freedom. My father was a political prisoner. Many members of my generation, inspired by events in Eastern Europe and by the leadership of men such as Martin Luther King, Jr. and Gandhi, embraced nonviolent struggle as a means of resistance against a dictatorship which gave the people only two options, socialism or death. This is quite ironic, for these two words are synonymous.

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And I was there in 1998, when the idea for the Project was first made public, when we began to gather signatures, inspired by the words of Pope John Paul II who in Havana called on all Cubans to lose their fear and to be protagonists of their own history. Thousands of citizens who were also born in Cuba signed this project. By doing so they have risked repression, being fired from their jobs, harassment of their families, in other words, that the Regime decides to make life impossible for them in their own country. I know very well what this is like, because it happened to me.

We Cubans want true change towards freedom and democracy in our country. We aspire to a profound transformation of our political reality. And we want this change to take place in Cuba, among Cubans, and through peaceful means.

We Cubans can achieve freedom. Members of the opposition are in prison today because they have shown the people how to achieve true freedom.

Cubans have the right to struggle for their rights. We only ask the people of the United States, who have their freedom, to extend their solidarity to us.

Thank you.

Mr. SMITH OF NEW JERSEY. Thank you very much for your very fine statement and for sharing it with the Committee today. It is very helpful as we move forward from this Committee and continue our work to have heard the comments that you have made. And I do appreciate your leadership and your testimony.

And I would like, Mr. Cepero, if you could begin your testimony.

STATEMENT OF EUDEL CEPERO VARELA, CUBAN DISSIDENT

Mr. CEPERO. Lamentably, we were brought here today to this forum by the latest acts of repression by the Cuban dictatorship. Facing nonviolent democratic change, the dictatorship has been driven by internal weakness and a growing national civic movement to imprison more than 70 key Cuban civic leaders in conditions that would horrify inmates in the worst maximum security prisons in the United States. The statistics in this case do not lie and serve to expose the unjust and lengthy imprisonment of members of Cuba's national civic movement: 12 condemned to 25 years; 24 condemned to 20 years; individual cases ranging from 26 years and up to 28 years, and cumulatively adding up to over 1,400 years in prison for them. These Cubans have not committed any crime. They are poets, teachers, journalists, librarians, accountants, doc-

tors, writers, engineers, people of faith, teenagers, the elderly, family men, wives, sons and daughters.

Cuban national hero Jose Marti said an army of ballots has more power than an army with weapons, referring to elections in the United States a century ago. There is no room for doubt that in Cuba today there is a growing national civic movement that is thousands strong. It is precisely that army of ballots now in Cuba made known to the world by more than 11,000 citizens who lost fear signing the Varela Project. The dictatorship knows that those ballots have already multiplied to 30,000 even with all the ongoing repression and can easily multiply into the millions that it fears. The army of ballots terrorizes Castro, and for that reason repression, imprisonment and firing squads are the order of the day.

The dictator fears both truth and freedom, but this time the difference is that the caudillo cannot take on the role of victim, but is exposed as the victimizer of the Cuban people. Castro declared a war of ideas, but he dares not challenge opponents who do not espouse his ideas in the realm of spoken or written word, but rather has to rely on censorship, repression and prison as the only means with which he can win. His war of ideas is in actuality a war on ideas.

One should remember that the dictatorship bombards the Cuban people day after day with its 2 national television stations, 14 provincial television stations, 5 national broadcast radio stations, more than 14 radio stations in the provinces and dozens more in the municipalities, all of them knowingly broadcasting half truths and outright lies. Cumulative broadcasts of all these government outlets totals hundreds of hours and for which there is no lack of resources while Cubans suffer prolonged power outages. In addition, the 3 national newspapers and 14 provincial papers are all property of the Cuban Communist Party of which Fidel Castro is the head.

Confronting this immense state media monopoly used by the dictatorship without limits nor respite to misinform the Cuban people are independent journalists, many of which are today condemned to long prison sentences, armed solely with their courage, the truth, a pen and, in a few cases, with scarce resources, such as hand-held recorders, cameras and computers.

One of the independent journalists that today the regime is trying to disqualify is Pedro Arguelles Moran, to whom I owe thanks. In 1994, when the dictatorship did not allow me to leave Cuba to earn an academic degree in Holland, Pedro did not hesitate in denouncing what had taken place in a detailed report to the U.N. Human Rights Commission and denounced the actions of the government over Radio Marti. Pedro Arguelles Moran is a licensed surveyor, married, 58 years old, founder of the Cuban Committee for Human Rights in Ciego de Avila. Since 1991, he has confronted the dictatorship using nonviolent means. In 1996, he was sentenced to 6 months for disobedience. Detained and interrogated on numerous occasions, neither warnings nor threats of years in prison were able to deter him from what he always considered to be his duty.

One day he told one of his colleagues: This is my destiny. You have sons, daughters, and parents, but I do not. I am prepared for prison. Today, sentenced to 20 years, Pedro finds himself behind bars, engaging in civil disobedience, solely wearing his underwear,

demanding that he be housed separately from common criminals. It is these men and women that the dictatorship fears even when it jails them.

What to do in the face of this new wave of repression that seeks to frustrate the desires of the Cuban people to live in democracy and to have their human rights respected? How will this latest crackdown affect the future reconciliation of the Cuban nation and the manner in which crimes of the past should be judged? There is no easy or brief answer to these questions. Nevertheless, the weakness of the dictatorship is clear. It fears freedom of expression, it fears the free market, it fears human rights, it fears having its ideas challenged. It fears the morale of its opponents. It fears the growing national civic movement. And the regime is willing to sacrifice foreign investments, the lifting of economic sanctions, and international condemnation to crack down on this movement.

There is no other way to end but asking for solidarity with those who today suffer in Castro's prisons, demanding unconditional freedom for all political prisoners, and support for the growing aspirations of the Cuban people for democracy as embodied in this national civic movement. Long live a free Cuba. Thank you.

Mr. SMITH OF NEW JERSEY. Mr. Cepero, thank you very much for your testimony.

[The prepared statement of Mr. Cepero follows:]

PREPARED STATEMENT OF EUDEL CEPERO VARELA, CUBAN DISSIDENT

Good afternoon, and thank you for this opportunity to speak.

Only a grimly efficient machinery that imposes terror, misery, and fear is capable of maintaining totalitarian regimes in power. In the case of Cuba this machinery is symbolized in the personality of Fidel Castro. Lamentably, we are brought here today to this forum by the latest acts of repression by the Cuban dictatorship. Facing non-violent democratic change the dictatorship has been driven by internal weakness and a growing national civic movement to imprison more than seventy key Cuban civic leaders in conditions that would horrify inmates in the worse maximum security prisons in the United States..

The statistics in this case do not lie and serve to expose the unjust and lengthy imprisonment of members of Cuba's national civic movement: Twelve condemned to 25 years; Twenty four condemned to twenty years; Individual cases ranging from 26 years and up to 28 years and cumulatively adding up to over one thousand four hundred years imprisonment for them. Who has Fidel Castro incarcerated? The dictatorship's partisan media decries these prisoners of conscience with all sorts of vile epithets, but who are these threats to Fidel Castro's four decade and counting dictatorship: poets, teachers, journalists, librarians, accountants, doctors, writers, engineers, people of faith, teenagers, the elderly, family men, wives, sons and daughters.

Cuban national hero José Martí said "an army of ballots has more power than an army with weapons" referring to elections in the United States a century ago. Their is no room for doubt that in Cuba today there is a growing national civic movement that is thousands strong. It is precisely that "army of ballots" now in Cuba made known to the world by more than eleven thousand citizens who lost their fear signing the Varela Project and that the dictatorship knows that those ballots have already multiplied to thirty thousand even with all the ongoing repression, and can easily multiply into the millions that it fears.

The "army of ballots" terrorizes Castro and for that reason, repression, imprisonment, and firing squads are the order of the day. The dictator fears both truth, and freedom, but this time the difference is that the caudillo cannot take on the role of victim but is exposed as the victimizer of the Cuban people.

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five national broadcast radio stations, more than fourteen radio stations in the provinces, and dozens more in the municipalities all of them knowingly broadcasting half truths, and outright lies. Cumulative broadcasts of all these government outlets totals hundreds of hours and for which there is no lack of resources, while Cubans suffer prolonged power outages. In addition the three national newspapers and fourteen provincial papers are all property of the Cuban Communist Party of which Fidel Castro is the head.

Confronting this immense state media monopoly used by the dictatorship without limits nor respite to misinform the Cuban people are independent journalists, many of which are today condemned to long prison sentences, armed solely with their courage, truth, a pen, and in a few cases with scarce resources such as a hand held recorder, cameras, or computers that have managed to make it through the dictatorship's customs.

One of the independent journalists that today the regime is trying to disqualify for not having graduated from one of their universities is Pedro Argüelles Moran to whom I owe thanks. In 1994 when the dictatorship did not allow me to leave Cuba to earn an academic degree in Holland, Pedro did not hesitate in denouncing what had taken place in a detailed report to the U.N. Human Rights Commission and denounced the actions of the government over Radio Martí.

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One day he told one of his colleagues: "This is my destiny, you have sons, daughters, and parents, but I do not. I am prepared for prison." Today sentenced to twenty years Pedro finds himself behind bars engaging in civil disobedience (solely wearing his underwear) demanding that he be housed separately from common criminals.

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There is no other way to end but asking for solidarity with those who today suffer in Castro's prisons demanding unconditional freedom for all political prisoners and support for the growing aspirations of the Cuban people for democracy as embodied in this national civic movement.

Long Live a Free Cuba.

Mr. SMITH OF NEW JERSEY. And I would like to ask our final panelist in this round, Mr. Royal, if you would proceed.

**STATEMENT OF MICHAEL ROYAL, UNIVERSITY OF VIRGINIA
LAW STUDENT RECENTLY RETURNED FROM MEETING WITH
CUBAN DISSIDENT LEADERS LATER JAILED**

Mr. ROYAL. Thank you very much, Mr. Chairman and Congressman Wolf. I am glad to be with you today to speak about the plight of Cuba's struggling civil society. I am a student at the University of Virginia Law School and Director of the Human Rights Study Project, a student organization through which I and several other students traveled to Cuba last month to research freedom of expression issues there.

On this research trip, we had the rare opportunity to meet with over 20 members of the political opposition in their homes just days before the crackdown in which some of them were to be arrested.

I would endeavor to share with you a peek into the lives of just a few of these courageous people, and in a way personalize the shocking numbers that we have all read in the news.

Because I was looking in particular at the growing independent library movement, I will focus my remarks today on several librarians who were caught in the crackdown. And I am particularly pleased to be sitting next to Mr. Colas, whom I have read about on many occasions. So I am honored to be sitting next to him, and I think my remarks will probably overlap a little bit with his.

The independent library movement, as you have heard, is a cultural phenomenon that has developed in the last 5 years in which people lend out books from private, uncensored collections in their homes. At least 15 such libraries were seized last month.

This first picture which I think shall come up in just a moment—this first picture is of Víctor Rolando Arroyo, an independent librarian and journalist in the town of Pinar del Rio, who was active in the Varela Project. He wrote for the Union of Independent Cuban Journalists and Writers and published stories, often critical of the Cuban government, on the United States-based Web site CubaNet, because he was not allowed to publish articles in his own country. For his work, he earned a Hellman-Hammett grant by Human Rights Watch.

Arroyo has spent 27 months of the last 7 years in jail as a result of what he and international human rights organizations consider politically motivated charges. In 2000, he was convicted of hoarding under article 230 of the Cuban Penal Code when he was caught with a stock of children's toys which he had used money from Cuban exile groups to buy. He was in the process of distributing these toys to children in his community. Six months in jail was his punishment.

This time, Arroyo's crimes were writing news stories and running a private library, and his sentence is 26 years in prison. The laws under which he was sentenced were the 1999 Law for the Protection of the Cuban National Independence and the Economy, Law 88, which punishes those whose actions are interpreted as supporting the Helms-Burton law, and the law that criminalizes Acts Against the Independence or Territorial Integrity of the State, Penal Code, Article 91.

These laws target the expression and dissemination of dissenting political opinions, which are invariably labeled "subversive." The application of these laws against Arroyo and others cannot be squared with any true commitment to the Universal Declaration of Human Rights, Article 19, of which speaks to the right to freedom of opinion and expression.

This next picture shows Mr. Arroyo's office, and as you can see, it is his bedroom. The diskettes on his bed contain news stories. Incidentally, there have been reports that his bed was also confiscated, for what reason I am not sure.

Arroyo was the second person in his western region to begin an independent library, and when I interviewed him last month, he said 18 were now operating in Pinar del Rio, and 10 to 12 more were on the brink of opening.

This picture shows his library, which was confiscated by state agents last month. And this picture that you are looking at now shows the incriminating subversive materials.

I asked Arroyo if his community was supportive of his work. "Yes," he said. "Books are expensive and, to a great extent, unavailable." His library had almost 6,000 books, and 950 of them were in circulation when we spoke. He was working on a children's literature section and had just received a large shipment of children's books. "Many times books don't come back," he said. "People fall in love with them or feel that they need them or pass them on to others." He said he had found books from his library in faraway places because they had been passed from one person to another. And he said he even knew of government officials who were borrowing books through friends.

When I asked him about the policy at public libraries that restricts most Cubans from reading controversial literature, he said, "People hide things for a reason."

Indeed, Mr. Castro has now tried to hide Víctor Rolando Arroyo, and there must be a good reason.

This next slide shows another couple that we met, Gisela Delgado and her husband Héctor Palacios. In 2001, Gisela became the Director of the young Independent Library Movement when there were only 25 establishments in the country. She has grown it since then to over 100 libraries in 2 years. These libraries range from 700 books to 7,000. She became a member of the opposition in 1988 when she was only 22 years old. Why? "Because," she said, "I did not want a future in exile, and yet I could not passively accept this Cuba that I lived in."

The next slide shows—this slide here shows part of the library that she manages in her home. A thousand of her books were taken from these shelves last month by State Security agents. The most popular book in her library: George Orwell's *Animal Farm*. She warned me, almost prophetically, that despite the gains that civil society had made in recent years, the forces of suppression could sweep through at any time. "These books could be taken," she said.

Indeed, her husband Héctor Palacios has had more than books taken away. He has had 25 years taken away, according to the sentence he has been given. Palacios is the Director of the Center for Social Studies and an important leader in the Varela project. He has been detained by authorities over 80 times and imprisoned long-term twice before for political and speech-related activities.

As we sat in his living room, which you can see in this picture, I asked him what it was like to live in a Cuban prison. He said that 50 people would live in a cell the size of that room and not see the light of day for 2 years.

Because I am almost out of time, I am going to go ahead and skip down to my final paragraph.

These thoughts and images are intended to convey to you a fuller sense of the struggle to gain some of the basic civil and political rights in Cuba, and to put faces on the suffering that is happening there. There is a time to be outraged, and this is it. I would hasten to add, though, that I do not believe that this recitation of unfortunate and awful circumstances, in and of itself, necessarily and inevitably lends support to any one course of action or implies the su-

periority of any one possible policy toward Cuba. I do not pretend to have the policymaking expertise shared by other members on your panels today, but I would simply offer as a final thought that the justified outrage that we feel should on some level be separated from the reconsideration of what the most effective policy toward Cuba might be, both for United States interests and for the interests of freedom and prosperity within that troubled island nation.

Thank you very much.

[The prepared statement of Mr. Royal follows:]

PREPARED STATEMENT OF MICHAEL ROYAL, UNIVERSITY OF VIRGINIA LAW STUDENT
RECENTLY RETURNED FROM MEETING WITH CUBAN DISSIDENT LEADERS LATER JAILED

Thank you, Mr. Chairman and Members of the Committee.

I am glad to be with you today to speak about the plight of Cuba's struggling civil society. I am a student at the University of Virginia Law School, and Director of the Human Rights Study Project, a student organization through which I and several other students¹ traveled to Cuba last month to research freedom of expression issues.

On this research trip, we had the rare opportunity to meet with over twenty members of the political opposition in their own homes, just days before the crackdown in which some of them were to be arrested. I would endeavor to share with you a peek into the lives of just a few of these courageous people and in a way personalize the shocking numbers we have all read in the news. Because I was looking in particular at the growing independent library movement, I will focus my remarks today on several librarians who were caught in the crackdown.

The independent library movement is a cultural phenomenon that has developed in the last five years in which people lend out books from private, uncensored collections in their homes.

VÍCTOR ROLANDO ARROYO CARMONA



This is Víctor Rolando Arroyo, an independent librarian and journalist in the town of Pinar del Rio who was active in the Varela Project. He wrote for the Union of Independent Cuban Journalists and Writers and published stories, often critical of the Cuban government, on the U.S.-based news website CubaNet because he was not allowed to publish articles in his own country. For his work he has earned the Hellman-Hammett grant by Human Rights Watch.

Arroyo has spent twenty-seven months of the last seven years in jail as a result of what he and international human rights organizations consider politically motivated charges. In 2000 he was convicted of "hording" (under Article 230 of the Cuban Penal Code) when he was caught with a stock of children's toys which he had used money from Cuban exile groups to buy. He was in the process of distributing the toys to children in his community. Six months in jail was his punishment.

This time Arroyo's crimes were writing news stories and running a private library, and his sentence is 26 years in prison. The laws under which he was sentenced were the 1999 Law for the Protection of Cuban National Independence and the Economy (Law 88), which punishes those whose actions are interpreted as sup-

¹ Other students participating in the 2002-2003 Human Rights Study Project were Catherine Caouette, Sarah Cox, Azish Filabi, Claudia Gee, Lance Stern, David Vassar, and Charles Wright.

porting the Helms-Burton law, and the law that criminalizes Acts Against the Independence or Territorial Integrity of the State (Penal Code, Article 91).

These laws target the expression and dissemination of dissenting political opinions, which are invariably labeled “subversive.” The application of these laws against Arroyo and others cannot be squared with any true commitment to the Universal Declaration of Human Rights, Article 19 of which speaks to “the right to freedom of opinion and expression” including the “freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”



This picture shows his office, and as you can see, it is his bedroom. The diskettes on the bed contain news stories.



Arroyo was the second person in his western region to begin an independent library, and when I interviewed him last month, he said that 18 were now operating in Pinar del Rio, and ten to 12 more were on the brink of opening. This was his library, Biblioteca Reyes Magos, which was confiscated by state agents last month.



And these are the incriminating, subversive materials.

I asked Arroyo if his community was supportive of his work. “Yes,” he said, “books are expensive and to a great extent unavailable.” His library had almost 6,000 books, and 950 of them were in circulation when we spoke. He was working on a children’s literature section and had just received a large shipment of children’s books. “Many times books don’t come back,” he said. “People fall in love with them, or feel they need them, or pass them on to others.” He said he had found books from his library in far away places because they had been passed on from one person to the next.

I asked him how the community reacted to the presence of uncensored literature. Patrons were frightened to borrow, and still are, he said, but in recent times were coming in larger numbers. He said he even knew of government officials who were borrowing his books through friends. Literature written by Cuban exiles, scientific and technical writings, and foreign press, especially from Latin America and Spain, were popular at Biblioteca Reyes Magos.

When I asked him about the policy at public libraries that restricts most Cubans from reading controversial literature, he said, “People hide things for a reason.” Indeed, Mr. Castro has now tried to hide Víctor Rolando Arroyo, and there must be a good reason.

GISELA DELGADO SABLÓN AND HÉCTOR PALACIOS RUIZ



This is another couple we met, Gisela Delgado and her husband Héctor Palacios. In 2001, Gisela became the director of the young independent library movement when there were only 25 establishments in the country. She has grown it since then to over 100 libraries in two years. These libraries range from 700 books to 7,000.

She became a member of the opposition in 1988 when she was only 22 years old. Why? “Because,” she said, “I did not want a future in exile, and yet I could not passively accept this Cuba I lived in.”



This is part of the library she manages in her home, Biblioteca Dulce Maria Loynaz. A thousand of her books were taken from these shelves last month by State Security agents. The most popular book in her library: George Orwell’s *Animal Farm*. She warned me, almost prophetically, that despite the gains that civil society had made in recent years, the forces of suppression could sweep through at any time. “These books could be taken,” she said.

Indeed, her husband, Héctor Palacios, has had more than books taken away—he’s had 25 years taken away according to the sentence he has been given. Palacios, is the director of the Center for Social Studies and an important leader in the Varela Project. He has been detained by authorities over 80 times, and imprisoned long-term twice before for political and speech relative activities.



As we sat in his living room, I asked him what it was like to live in a Cuban prison. He said that 50 people would live in a cell the size of that room, and not see the light of day for two years.

JULIA CECILIA DELGADO GONZÁLEZ



This is another librarian who was arrested last month, though she has been released. Her name is Julia Cecilia Delgado. "People are hungry for literature on current events in Cuba," she told me, noting the irony that her patrons had to look to foreign sources for that literature.

Julia Cecilia Delgado spent the year of 2001 in jail for the crime of *desacato*, or contempt for authority, after she protested the imprisonment of a human rights activist. Nineteen dissidents were arrested that day, but only two served their full one-year term. She said she was punished for her library as well as her activism.



Her library shown in this picture, Biblioteca Gertrudis Gómez de Avellaneda, was confiscated, and intellectual freedom in Cuba has been dealt a blow because of it.

These thoughts and images are intended to convey to you a fuller sense of the struggle to gain some of the basic civil and political rights in Cuba, and to put faces on the suffering. There is a time to be outraged, and this is it. I would hasten to add, though, that I do not believe that this recitation of unfortunate circumstances, in and of itself, necessarily and inevitably lends supports to any one course of action or implies the superiority of any one possible policy towards Cuba. I do not pretend to have the expertise in the creation of foreign policy shared by other members on your panels today, but I would simply offer as a final thought that the justified outrage that we feel should on some level be separated from the consideration of what the most effective policy towards Cuba might be, both for U.S. interests and for the interests of freedom and prosperity within that island nation.

Thank you very much.

Mr. SMITH OF NEW JERSEY. Mr. Royal, thank you very much for your testimony and for bringing back those—not only those stories, but those insights that you do bring. I read your testimony earlier today and was very moved by it, and you could have read the rest of it if you had wanted to.

Let me just make a couple of points. First of all, Mr. Colas, I think in your testimony you made it very clear, I was very struck by your statement that the dissident movement is legitimate and authentically Cuban. To imply that it was created by the United States Interests Section in Havana is racist since it means that Havana underestimates its own people to such an extent as to believe that they are not capable of struggling for their own liberty.

Do you believe that there is intrinsic racism in the Castro regime?

And just one footnote. It has been my experience, because I have read much of what has been written by the dissident community, including books—Armando Valladares is just one, *Against All Hope*—and I have always been struck that the best and the brightest and certainly the bravest are those that are now in gulags, the prisons. So, to suggest that the mere presence of some diplomats, American diplomats at that, somehow has caused the fomenting of this—it is the hungering thirst for information, for knowledge, as you have pointed out, Mr. Royal. These books that are passed from one person to the next and even government officials would clearly suggest that there is a hungering thirst for knowledge of something other than the regime's propaganda that is spewed day in and day out.

But, Mr. Colas, about the racism, would you comment on that?

Mr. COLAS. Without a doubt, the Cuban regime is profoundly racist. And I myself have the proof because I have been a victim of that racist policy of the Cuban regime. I myself have been detained on numerous occasions in various Cuban provinces, and every time that they detain me, they would tell me, negro, black, you are ungrateful. If it weren't for the Cuban Revolution, you would be—and they would use an expletive that I can't repeat now. And that is something that they repeat to all dissidents of my race, and that is the best proof of their racism.

And whoever has any doubts of this should look at Fidel Castro's reaction and the images that are coming now out of Cuba. It doesn't seem like he is the President of a Caribbean country, but of any country of northern Europe. They have just assassinated three youths, three blacks.

More than 85 percent of the common criminals detained in Cuban prisons are black. Fourteen provinces have fourteen gov-

ernors of the local government; not one of them is black. Out of 14 provinces that have first secretaries of the Cuban Communist Party, only three of them are black. Out of 35 organizations or government ministries, only three of the leaders of those organizations are black. The numbers themselves demonstrate the racism in the country in which 75 percent of the population are black or mestizo.

Responding to the other part of your question, I do have to reemphasize that the Cuban dissident movement is authentic and independent, and is not dependent on the U.S. Interests Section or this government. That is an old argument tried by Castro to increase the tensions between the United States and Cuba and to seek international solidarity for his government. What hurts Castro is that within Cuba itself there has emerged a movement that erodes the foundations of his own government. It hurts him that over 11,000 Cubans have signed the Varela Project and that they have retained their desire for seeking change in their country.

I lived in an eastern provinces of the country, and every time I visited Havana, whenever it is that they didn't expel me from the city, I would visit the U.S. Interests Section; and not once did I leave with a dollar, but every time I did leave with a number of books. And when I would receive, in my home, people that worked at the U.S. Interests Section, I never once received any money, but I always received information and books.

Fidel Castro is a manipulator, and the lie is a tool that he uses to fool not only his own people, but people throughout the world, people that one would see them and think how can they be confounded by such lies.

Mr. SMITH OF NEW JERSEY. Let me ask our panelists, any of you that might want to respond, you know how many of us feel in America. What would be your message to the European community and to Canada, which obviously have a different political way of dealing with human rights abuses in Cuba? As I indicated in my earlier statement, and you have read it as well, the European community and most of the individual countries of Europe as well as our Latino friends in Central and South America have all issued statements, or most of them—Venezuela certainly has not—condemning what has happened in Cuba. What would be your message to them right now in terms of what they ought to be doing to—because what we don't want to happen, it seems to me, would be to make statements and then next week have almost human rights fatigue or compassion fatigue and empathy fatigue with those who are suffering. Their suffering goes on while we turn the page.

What would be your message to the EU, Canada, and the Latino countries?

Mr. Antunez.

Mr. ANTUNEZ. I think that the European Union lately has been broadening its focus. After many years there is debate within the Island and within the European community about the dictatorship. We would like this European Union to have a clear message: We cannot wait any longer. The people inside the prisons cannot wait any longer. It is the people who are trapped in an economic and social reality that the Cuban government cannot meet. It is time that the European Union call its functionaries together in an open

forum alongside the Cuban functionaries to explain to them exactly what they are doing and demand that international rights be respected.

Mr. CEPERO. I would like not only the countries of the European Union, but the citizenry to protest in the same manner that they are protesting today against the war in Iraq, just as strongly. And also, as an environmentalist, I would specifically like to address the Canadians who have business interests that are causing environmental damage within Cuba, specifically the Sherritt Mining Company, which is—through its nickel mine in the eastern provinces of Cuba is causing great environmental harm throughout the Island, heavy metal pollution. And this is something that needs to be addressed.

Mr. COLAS. From my perspective, I would ask them to be sensible to the suffering that is taking place now in Cuba. Here I have three fellow Cubans that, like me, suffered under this regime, and one person who visited Cuba and was able to see personally the suffering that is taking place. And I would ask them for that sensibility for the suffering that our entire people are going through.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Colas.

Mr. Antunez, did you want to respond? I thought you had an additional comment. Okay.

I do want to thank you our distinguished witnesses. Unless they have anything else they would like to add, for your very powerful statements and for the courage with which you have borne witness to the truth, paying a very dear price to your person for taking risks—going out to Cuba in Mr. Royal's case. We do thank you. It helps this Committee and, by extension, the Congress and the American people. We thank you for that testimony, and I appreciate it. We all appreciate it.

I would like to now welcome our third panel to the table. Beginning with Jose Miguel Vivanco, who is the Executive Director of Americas Division of Human Rights Watch, and is an adjunct professor of law at the Georgetown Law Center and the School of Advanced International Studies at Johns Hopkins University. He has served at the International American Commission on Human Rights at the Organization of American States, and founded the Center for Justice and International Law, a nongovernmental organization which files human rights complaints before the United Nations and the OAS. Mr. Vivanco holds a master's of law degree from Harvard University.

And our second panelist will be Mr. Frank Calzon, who is the Executive Director of the Center for a Free Cuba, an independent, not-for-profit human rights and prodemocracy organization founded in 1997. The Center promotes democratic values and a transition to democracy in Cuba. He is the author of a number of articles on Cuba, and has appeared on several television programs including the *News Hour with Jim Lehrer*. Mr. Calzon received his Bachelor of Arts Degree in Political Science from Rutgers University, which is in New Jersey, and a Master's in Political Science from Georgetown University.

Welcome, Mr. Calzon, as well to this Committee.

Next we will hear from Mr. Carlos Lauria, who is the U.S. Bureau Chief Correspondent for the largest magazine publisher in Ar-

gentina, Editorial Perfil. In this position he writes articles for several magazines including *Noticias*, the largest Spanish language news magazine. Mr. Lauria is a journalism graduate from the Universidad Catolica in Argentina.

And finally we will hear from Mr. Christopher Sabatini, who is a Senior Program Officer for Latin America and the Caribbean at the National Endowment for Democracy. From 1995 to 1997, Mr. Sabatini was a Diplomacy Fellow with the American Association for the Advancement of Science, and worked at the U.S. Agency for the International Development's Center for Democracy and Governance. As Senior Program Officer for Latin America, Mr. Sabatini oversees the National Endowment for Democracy's discretionary grant programs as well as the Endowment fund programs for its four core institutes: The International Republic Institute; the National Democratic Institute; the Center for International Private Enterprise; and the American Center for International Labor Solidarity.

If we could begin with Mr. Vivanco and then go to each of our distinguished witnesses.

**STATEMENT OF JOSE MIGUEL VIVANCO, EXECUTIVE
DIRECTOR, AMERICAS DIVISION, HUMAN RIGHTS WATCH**

Mr. VIVANCO. Thank you very much. Thank you, Mr. Chairman, for your invitation to address the Committee regarding the recent crackdown against dissidents in Cuba. I would like to submit for the record my written testimony.

Mr. SMITH OF NEW JERSEY. Without objection, your testimony and that of all of our witnesses will be made a part of the record.

Mr. VIVANCO. Thank you very much.

Human Rights Watch has monitored human rights conditions in Cuba for more than 15 years. Although severe restrictions on basic civil and political rights have been a constant in Cuba during this period, the current crackdown both in its scale and its intensity far surpasses the violations we have documented in the past. Over the past month, the Cuban government has carried out a full-scale offensive against nonviolent dissidents, independent journalists, human rights advocates, and others brave enough to challenge the government's monopoly on truth.

By its sweeping nature, the crackdown seems intended not only to repress dissident voices, but to deny the very possibility of an independent civil society in Cuba. But while the current wave of repression is extraordinary for its scope and intensity, there is nothing unusual by Cuban standards about the means by which it has been imposed.

The denial of basic civil and political rights is part of Cuban law. The country's domestic legislation tightly restricts the rights to free speech, association, assembly, and the press. Its courts lack independence and impartiality, and its criminal procedures violate defendants' right to due process of law.

The machinery of repression has been well maintained. What has varied is the government's interest in employing it. The current crackdown began on March 18, as the world's attention was focused on Iraq. Within the space of a few days, State Security agents arrested dozens of people, searching their homes and in many cases

confiscating fax machines, computers, books, typewriters, and personal papers. State-run television accused the detainees of provocations and subversive activities. Prosecutions began in early April. In 4 days of trials, from April 3rd to April 7th, 70 defendants were tried and convicted. None were acquitted. Trials were held in 13 courtrooms across the country from Havana to Pinar del Rio, from Camaguey to Guantanamo.

In due process terms, the trials were a sham. The defendants in many cases did not see their lawyers before trial, and lawyers had only the most limited time to prepare a defense. Trials were closed to outside observers, such as the United States and European diplomats and international journalists who tried to attend. Only close family members were allowed inside. The defendants included some of Cuba's most prominent and well-respected journalist, dissidents, and independent thinkers. Among them were Raul Rivero, Morta Beatriz Rogue Cavello, Ross Carabillos Vicente Rosales, Hector Palacios Ruiz.

Cuban government spokesmen condemned the defendants as mercenaries in the pay of the United States, but rather than proving conspiratorial actions, the government penalized the defendants for holding dissident views and disseminating unwelcome information. In the end, the 75 defendants received sentences ranging from 6 to 28 years of imprisonment, with an average sentence of more than 19 years. The community total of the sentence was 1,454 years in prison. Notably, the Cuban courts have not imposed such draconian sentences on such large numbers of people in more than two decades.

Last Friday, in a further display of contempt for the rule of law, the Cuban government executed three men who had tried to hijack a passenger ferry. The three were put to death in a matter of 9 days after their arrest, sufficient time for the government to hold summary trials and for the Council of the State, Cuba's highest executive body, to rubber-stamp the verdicts.

The broad range of Cubans arrested and tried, from journalists to economists to human rights activists, attest to the flowering of civil society in Cuba. Over the past year in particular, Cuban's dissident community has demonstrated growing ambition while gaining creasing increased international prominence. The organizers of the Varela Project led by dissident Oswaldo Paya, presented an important symbolic challenge to the government's intransigence in the area of political rights.

In the light of a current crackdown, United States policymakers might be tempted to freeze relations with Cuba, and, in particular, to end efforts toward lifting restrictions on trade with and travel to the Island, but to do so would be a mistake. It is time for Members of Congress to come to grips with the failure of a United States policy toward Cuba. The current crackdown, rather than eliciting an even more hard-line response, should make the defects of the U.S. Government approach all the more obvious.

Lacking any engagement with Cuba, the United States is almost powerless to influence the current situation in Havana. In the view of Human Rights Watch, there are serious flaws in the more than 40-years-old policy of isolation and embargo toward Cuba. First, it is an all-or-nothing approach aimed at overthrowing the Castro

government, which does not allow for any relaxation in response to measurable improvement in Cuban human rights practices. It therefore does nothing to encourage such improvements, instead providing Castro with a convenient justification for their repressive policies.

Second, the embargo is indiscriminate, hurting the Cuban population as a whole. By eliciting a nationalistic response from Cubans, it helps the government shift blame for the country's problems.

Third, the embargo alienates Washington's potential allies in the effort to bring about change in Cuba. For the past 11 years, it has been condemned in the General Assembly of the United Nations by an overwhelming majority. Resentment of the embargo dissuades other governments from being more vocal about Cuba's poor human rights conditions. We are seeing this phenomenon right now at this minute at the U.N. Commission on Human Rights. Many countries, despite the massive display of repression in Cuba, are hesitant to support a resolution on Cuba.

Finally, the embargo's travel ban, which only contains narrow exceptions for journalists, people with relatives in Cuba, and certain other groups, violates the rights of United States citizens by limiting their ability to share information and ideas with Cubans. As the visit of former President Jimmy Carter exemplified, United States visitors might be the emissaries of democratic values and ideas in reaching Cuba's relatively closed society.

If the goal is to improve human rights conditions in Cuba, then the embargo should be ended gradually, and the United States should opt for a concerted effort with its allies, Latin America, Canada, and the European Union, to implement a middle ground policy between ineffective isolation and in principle engagement.

Finally, I would like to draw your attention, Mr. Chairman, to the U.N. Human Rights Commission which is currently meeting in Geneva. Tomorrow the Commission will vote on a resolution on human rights in Cuba. Human Rights Watch supports a strong resolution condemning Cuba for its poor human rights record, but even aside from the resolution is the question of Cuba's continuing membership on the Commission. Cuba's 2-year term as a member of the Commission expired this year, and it is seeking another term on the U.N. body.

At the end of April, member states will choose the Commission's new and returning members. Because Latin American countries are proposing a slate of candidates including Cuba that is the same size as the number of the Commission seats allotted the region, Cuba is almost certain to be returned to the U.N. body, the U.N. Human Rights Commission. Human Rights Watch believes that in the wake of a crackdown of the scope and severity now seen in Cuba, the country's reelection to the U.N. Human Rights Commission, to the mostly high-profiled human rights body of the U.N. Human rights organization, will be a bitter defeat for human rights ideals. Thank you very much.

Mr. SMITH OF NEW JERSEY. Thank you very much for your testimony.

Mr. Calzon.

**STATEMENT OF FRANK CALZON, EXECUTIVE DIRECTOR,
CENTER FOR A FREE CUBA**

Mr. CALZON. Mr. Chairman, I am delighted to appear before the Committee today. I would like to thank both you and Chairman Henry Hyde for your many years of concern about human rights in Cuba and the issue of human rights around the world.

I would like to summarize a statement which is rather lengthy, and I hope that the whole statement could be put into the record.

Mr. SMITH OF NEW JERSEY. Mr. Calzon, without objection your full statement will be made a part of the record.

Mr. CALZON. This statement is presented on behalf of the Center for a Free Cuba, an independent, nonprofit, nonpartisan organization dedicated to the promotion of human rights on the Island. The center participates in the national debate on Cuba, but does not take a position either for or against legislation pending before the Congress.

The arrests of independent journalists, independent librarians, independent labor leaders, independent doctors and prodemocracy and human rights activists began, as it has been said repeatedly, on the eve of the war against Saddam Hussein. Fidel Castro hoped that the world's preoccupation with the war would provide cover for his crackdown and kangaroo trials. Less than a month later on April 9, 79 Cubans were sentenced in summary proceedings.

The closing of several clinics and the imprisonment of physicians for daring to provide free medical care and medicine to Cubans irrespective of their political views is particularly troubling. Among those who were detained are six physicians. Their crime, to provide vitamins and antibiotics to any Cuban regardless of political beliefs.

The Cuban authorities reported that when they were searching the home of one of the dissidents, the dissident attempted to hide packages of medicine which the government claims were used to proselytize the opposition.

The Deputy Director of Physicians for Human Rights in an article published in the *Boston Globe* on April 4, said that the "Cuban independent clinics and physicians have recently been deliberate targets of attack." Cuban doctors, the article says, "are concerned with the government's tendency to limit health facilities for Cubans, alleging that resources are shifted toward dollars-only health tourism, making medicine available only for people with foreign passports who pay with hard currency."

Physicians for Human Rights said that Dr. Marcelo Cano Rodriguez, one of those in detention, founded in November 2001 an independent medical association, but that he still or was still waiting local registration, and he is one of several doctors in prison. Physicians for Human Rights call for the release of these Cuban health professionals whose only crime is peacefully expressing their political views and upholding the ethics of their profession. They added that they feared that more Cuban colleagues would be joining them.

And if that wasn't bad enough, we already heard that on April 11 at dawn, Castro executed three men charged with hijacking a small ferry a week earlier. No one had been reported injured in the crime. It took less than a week between the crime and the execu-

tion. I am told that the relatives of some of them went to visit them the night before, and they were told to come back the following day because they had already gone to sleep. When they came back the next day, they were already dead.

Castro, of course, and some of our friends, of course, always blame the United States. I am not one of those, as Jeane Kirkpatrick used to call them, a member of the Blame America First Club. I think Castro will always have excuses. He does not need the embargo. And I have never heard of a great nation formulating its foreign policy on the basis of denying a dictator an excuse. I think there are other bases for American foreign policy. The problem is not simply the embargo. The problem is that even some of our well-meaning friends in the human rights community continue to look at Cuba through the eyes of Cuba and Washington as if the problem was a problem between Washington and Havana. The problem has always been a problem between Cuba, the government of Cuba and the people of Cuba, and I think it is kind of unfair that every time we deal with Cuba, the Cuban people are pushed aside, and we end up playing some sort of diplomatic game about Cuba and Washington.

Neither the activities of Jim Cason, head of the U.S. Interests Section in Havana, nor U.S. policies are the reasons for Castro's activities. This is a conclusion of Professor Jaime Suchlicki, University of Miami. In a recent report, Suchlicki says: This most recent crackdown was being planned for a long time. The Iraqi war provided the timing. It should be clear by now that Fidel Castro despises opposition groups as well as any form of dissent. He tolerated them as part of his charm offensive to obtain unilateral concessions from the U.S. Government, tourism and credits.

Again, those folks who seem to believe as President Carter seems to believe—and we have a lot of respect for President Carter, but he happens to be wrong on this issue—that tourism will bring freedom to Cuba simply know very little about the history of the hemisphere or the history of Cuba.

Mr. Chairman, I was a little boy in Cuba when Batista was there, and I don't remember many tourists doing anything to help the people. The same thing happens today. Millions of foreigners have gone to Cuba in the last 40 years to enjoy Cuba's beaches, to take advantage of tourist apartheid where they stay in hotels where Cubans are not allowed, to get treated in hospitals where they receive all the medicine that Cubans do not receive, and that has not changed the regime. I think what we have—we have to wake up that not everything wrong that happens in Cuba or elsewhere in the world is a result of a policy of the United States.

I would like to add one final section, because I think I would be remiss if I would not bring to your attention something that is related to the topic today, and that is the hostile environment fostered by the Cuban government against American diplomats in Havana. We all have heard how the Cuban government tries to blame the head of the Interests Section in Havana, James Cason. And in a memorandum released by the Department of State a few weeks ago, it says that the ability of American diplomats to carry out their duties "is limited not only by restrictions, but also by things like pilfered cars, slashed tires, smashed car windows," and that,

“Cuban intelligence works to identify and exploit weaknesses.” The government of Cuba has even brought campaigns of sexual advances against American diplomats when their spouses are out of the country.

The memorandum focusing on this situation of American diplomats in Havana says that the harassment begins from the moment Americans and their belongings enter Cuba. Property is subjected to aggressive searches, damage, and arbitrary confiscation. The departure process is similarly invasive.

The report says that, one, Cuban Ministry of Interior officials engage in a range of activities designed to take a psychological and physical toll on American diplomats. Cuban agents enter U.S. employee residences to search belongings and papers, enter computers, and gather other information thought to be useful from an intelligence point of view. Vehicles are targeted. In many instances, no effort is made to hide the intrusions.

Two, harassment comes in many forms, including petty theft, unlocking doors and windows, leaving doors and windows open and air conditioners running when Americans are away, leaving not so subtle messages behind, including unwelcomed calling cards like urine and feces.

Three, all household and other employees must be hired through the government, the Cuban government-run CUBALSE. To keep their jobs, they must report to Cuban intelligence regarding their United States diplomat employers. The government officials have called these workers, “the front lines of the defense of the revolution because they can get behind enemy lines.”

This is a report from the State Department. I don’t understand why the Congress has not focused a little bit more on the plight of Americans serving the American people at the U.S. Interests Section in Havana.

I have been told that at least on one occasion the family cat of an American diplomat disappeared, and was later placed on his doorsteps with its head smashed. I think the message of the Cuban intelligence folks is very clear.

At the same time, American diplomats in Havana and its current chief of mission James Cason have earned the respect of thousands of Cubans who appreciate the professionalism and solidarity under most trying circumstances. Perhaps a Committee could at some future date ask Mr. Cason to testify about these and other matters. Thank you very much.

Mr. SMITH OF NEW JERSEY. Mr. Calzon, thank you very much for your testimony.

[The prepared statement of Mr. Calzon follows:]

PREPARED STATEMENT OF FRANK CALZON, EXECUTIVE DIRECTOR, CENTER FOR A
FREE CUBA

I am pleased to appear before the House Committee on International Relations to speak on the latest crackdown on Cuban dissidents. At the outset, I would like to thank Chairman Henry Hyde, and Congressmen Tom Lantos and Chris Smith and other Committee members for their dedication to the cause of human rights in Cuba and around the world.

This testimony is presented on behalf of the Center for a Free Cuba, an independent non-profit, non-partisan organization dedicated to the promotion of human rights in the island. The Center participates in the national debate on Cuba, but does not take a position, either for or against, legislation pending before Congress.

The arrests of independent journalists, independent librarians, independent labor leaders, independent doctors and pro-democracy and human rights activists, began on Tuesday, March 18 on the eve of the commencement of hostilities against Saddam Hussein's regime.

Fidel Castro hoped that the world's preoccupation with the war in Iraq would provide cover for his crackdown and kangaroo trials. Less than a month later, on April 9, 79 Cubans were sentenced in summary proceedings, among them at least 25 independent journalists, six doctors and 40 Varela Project activists. Most sentences ranged between 15 to 25 years and only one was less than 10 years. The highest sentence, 28 years was given to Luis Enrique Ferrer Garcia, from the Christian Liberation Movement in Las Tunas. The poet and journalist Raul Rivero, and the economist Marta Beatriz Roque were each sentenced to 20 years.

The closing of several clinics and the imprisonment of physicians for daring to provide free medical care and medicine to Cubans, irrespective of their political views, is particularly troubling. Among the materials confiscated by the police were bottles of vitamins and antibiotics. The Cuban authorities reported that when his home was being searched one of the dissidents attempted to hide packages of medicine, which the government claims the opposition uses for proselytizing purposes.

The deputy director of Physicians for Human Rights, in an article published in *The Boston Globe* on April 4 said that "Cuban independent clinics and physicians have recently been deliberate targets of attack." Cuban doctors, the article says "are concerned with the government's tendency to limit health facilities for Cubans, alleging that resources are shifted towards dollars-only 'health tourism,' making medicines available only for people with foreign passports who pay with hard currency . . ."

Physicians for Human Rights said Dr. Marcelo Cano Rodriguez founded in November 2001 an independent medical association, but that he "is still waiting local registration" and he is one of those in prison. Physicians for Human Rights called "for the release of these Cuban health professionals whose only crime is peacefully expressing their political views and upholding the ethics of their profession." Adding that they "fear that more Cuban 'colleagues' will be joining them."

And if that wasn't bad enough, last Friday, April 11, at dawn, Havana executed three men charged with the hijacking of a small ferry a week earlier in Havana Harbor. No one had been reported injured in the crime.

Castro of course blamed the United States. But as University of Miami Historian, Professor Jaime Suchlicki has said,

Neither the activities of James Cason, Head of the U.S. Interests Section in Havana, nor U.S. policies, are the reasons for Castro's activities . . . This most recent crackdown was being planned for a long time. The Iraqi war provided the timing. It should be clear by now that Fidel Castro despises opposition groups as well as any form of dissent. He tolerated them as part of his 'charm offensive' to obtain unilateral concessions from the U.S. government: tourism and credits.¹

Or, as the *Chicago Tribune* pointed out on April 9,

Whether Castro saw the war in Iraq as an opportunity, or he is growing worried that economic chaos will breed dissent, he has made a terrible misstep here. He can try to silence Cuban dissidents by hauling them off to prison, but the very act assures that their voices are heard more loudly and clearly around the world.

In fact, despite Castro's calculations, the world has taken notice. Former Czech President Vaclav Havel and more than 20 signers of the pro-democracy Charter 77 called on the Cuban government "to immediately halt repression and unconditionally release all unjustly prosecuted." They said that they "would like those jailed to know that the world thinks about them and knows about them. We wish them not to succumb to hopelessness."

AFL-CIO's president, Jack Sweeney, in a letter to Castro condemned the arrest of labor leader Pedro Pablo Alvarez and other leaders of unofficial independent labor unions. Former President Jimmy Carter expressed his deep concern. Another Noble Laureate, Portuguese writer Jose Saramago, considered one of Fidel Castro's best friends among European intellectuals, wrote in Madrid's leading daily *El Pais*: "This is as far as I go."

¹Jaime Suchlicki, "Cuba's Crackdown the Result of Internal Developments, Not U.S. Policy," Institute for Cuban and Cuban-American Studies, University of Miami, Issue 2, April 14, 2003, iccas@miami.edu

Saramago, who embraced Castro during his visit to Cuba in 1999, said that “killing three men by firing squad at dawn Friday for trying to spirit a ferry boat is unacceptable, especially since the would-be hijackers didn’t hurt anybody.” He said, “Cuba has won no heroic victory by executing these three men, but it has lost my confidence, damaged my hopes, robbed me of illusions.”

In Geneva, earlier this week, Ambassador Jeane Kirkpatrick responded to Havana’s obsession with blaming the United States. Ambassador Kirkpatrick said:

Once again the representative of Cuba spoke today of a U.S. effort to lure Cubans to the United States. He should ask himself instead why so many Cubans are so eager to leave their homes for a “strange country with a strange language. (The United States Government Delegation to the 59th Session of the United States Commission on Human Rights; 14 April 2003; Statement of the United States of America; Item 17: Defenders of Democracy)

In Washington, D.C., both the U.S. House of Representatives and the U.S. Senate have passed resolutions strongly condemning the ongoing oppression and human rights abuses of the Castro regime. In Havana, opposition leaders Gustavo Arcos, Felix Bonne, Vladimiro Roca, Rene Gomez, and Elizardo Sanchez, denounced in a joint statement the repression, while Oswaldo Paya, the recipient of several awards, including the European Union’s Sakharov Award, called on the international community to obtain the prompt and unconditional release of all Cuban political prisoners.

Editorial comment in the United States and Europe has been consistently critical. *The New York Times*, *The Wall Street Journal*, *The Washington Post*, *The Miami Herald*, the *Houston Chronicle* and many others expressed their outrage. *The Los Angeles Times* said that,

After years of calling for liberalized relations with Cuba, this editorial page must now urge American policy makers to hit the brakes. This month, Fidel Castro threw up a roadblock that cannot be ignored: He sicced his political police on about 90 independent journalists, political dissidents, union activists and people who had made the mistake of privately lending books by such authors as Vaclav Havel and George Orwell.

The Times added that “Before Congress even thinks about loosening restrictions, it should demand that Castro free those rounded up this month and demonstrate that his nation is moving toward democracy and away from totalitarianism.”

(March 28, 2003)

Many governments and international organizations, including Amnesty International, Human Rights Watch, Freedom House, the Inter-american Press Agency, and Reporters Sans Frontieres, have also condemned the crackdown. The wave of repression is an implicit acknowledgement by a corrupt regime fully aware that it has no answers to Cuba’s political, economic and social crisis. Just like Jaruzelski, Pinochet, Ceausescu, Batista, and others of the same ilk, Castro thinks he can keep his people enslaved by harassing, arresting, torturing and murdering the opposition. But just like them, Castro will not be able to crush the human spirit and the yearnings for freedom of the Cuban people.

Finally, I would be remiss if I would not take this opportunity to bring to your attention the hostile environment fostered by the Cuban Government against American diplomats stationed in Havana. In a memorandum released by the Department of State a few weeks ago it says that their ability to carry out their duties “is limited not only by restrictions by also by things like pilfered car parts, slashed tires, and smashed car windows. “ And that “Cuban intelligence works relentlessly to identify and exploit weaknesses. The GOC has even run campaigns of ‘sexual advances’ against USINT personnel when their spouses are out of the country.”

The memorandum says that “the harassment begins from the moment USINT personnel and their belongings enter Cuba. Property is subjected to aggressive searches, damage, and arbitrary confiscation. The departure process is similarly invasive.” The report says that

- Cuban Ministry of Interior officials engage in a range of activities apparently designed to take a psychological and physical toll on USINT personnel. Cuban agents routinely enter U.S. employee residences to search belongings and papers, enter computers, and gather other information thought to be useful from an intelligence point of view. Vehicles are targeted. In many instances, no effort is made to hide the intrusions.
- Harassment comes in many forms including: Petty theft, unlocking doors and windows, leaving doors and windows open and air conditioners running when

USINT personnel are away, leaving not-so-subtle 'messages' behind (including unwelcome calling cards like urine or feces) . . ."

- All household and other employees must be hired through the government-run CUBALSE. To keep their jobs, they must report to Cuban intelligence regarding their USINT employers. GOC officials have called these workers "the frontlines of the defense of the revolution" because they can get "behind enemy lines."

I have been told that at least in one occasion the family cat of an American diplomat disappeared and was later placed on their doorstep with its head smashed.

At the same time American diplomats in Havana, and its current chief of mission James Cason, have earned the respect of thousands of Cubans who appreciate their professionalism and solidarity under most trying circumstances.

Perhaps the Committee could at some future date ask Mr. Cason to testify about these and other matters. Thank you very much.

Mr. SMITH OF NEW JERSEY. And, Mr. Lauria, if you could proceed.

**STATEMENT OF CARLOS LAURIA, AMERICAS PROGRAM
COORDINATOR, COMMITTEE TO PROTECT JOURNALISTS**

Mr. LAURIA. Good afternoon, Mr. Chairman. I would like to talk first about my presentation. I am here representing the Committee to Protect Journalists. I have joined CPJ in November 2002.

I want to thank you very much for inviting the Committee to Protect Journalists to participate in this panel discussion about the Cuban government's vicious crackdown on independent journalists and political dissidents. CPJ is an independent, nonprofit organization that works to safeguard press freedom worldwide. The Americas program is closely following developments in Cuba where courts announced last week prison sentences for 28 journalists ranging from 14 to 27 years.

CPJ was founded in 1981 by a group of journalists in response to the frequently brutal treatment of our colleagues around the world by authoritarian governments and other enemies of independent journalism. CPJ protects journalists primarily by publicizing abuses against the press and by acting on behalf of imprisoned and threatened members of the media.

Furthermore, CPJ publishes articles and news releases, special reports, a biannual magazine called *Dangerous Assignments*, and one of the most comprehensive reports on abuses against the press worldwide, *Attacks on the Press*. In 2002, CPJ documented some 500 cases of media repression in more than 120 countries, including assassination, assault, imprisonment, censorship, and legal harassment.

I would like to enter *Attacks on the Press in 2002* as well as some of our alerts and protest letters on Cuba strongly condemning press freedom violations into the record.

Mr. SMITH OF NEW JERSEY. Mr. Lauria, without objection the material you just mentioned will be made a part of the record.

Mr. LAURIA. On March 18, Cuban authorities began arresting independent journalists, raiding and searching their homes, confiscating books, typewriters, research materials, cameras, computers, printers, and fax machines. Officers also took books of poetry, family pictures, and even medicine from some journalists.

The journalists' 1-day summary trials were held on April 3 and 4 behind closed doors. In several cases, the defense lawyers did not have access to their clients or only had a few hours to prepare their

cases. Foreign diplomats and journalists were barred from the courts, which were surrounded by the police and backed with government supporters. On April 7th courts around the Island announced prison sentences for journalists, as I said, ranging from 14 to 27 years.

CPJ believes that the timing of the arrests is not coincidental. The Cuban regime took clear advantage of the fact that international attention has been focused in the world on Iraq and launched an unprecedented wave of repression to stamp out a growing dissent movement.

Prominent journalists Raul Rivero and Ricardo Gonzalez Alfonso, whose trials were held on April 4, were each sentenced to 20 years in prison. The two men were accused of, among other charges, creating the journalist organization Sociedad de Periodistas Manuel Marquez Sterling and its "subversive magazine," *De Cuba*.

Rivero and Gonzalez Alfonso were tried under article 91 of the Penal Code, which imposes lengthy prison sentences or death for those who act against "the independence or territorial integrity of the state."

According to Rivero's indictment, a search of the home of the defendant resulted in the seizure, among other things, of a Sony radio, a tape recorder, a digital battery charger, a typewriter, a Sony personal laptop computer with all its accessories, and 18 envelopes containing journalistic articles.

In addition to being charged under article 91, some journalists were prosecuted for violating Law 88 for the Protection of Cuba's National Independence and Economy, which imposes up to 20 years in prison for anyone who commits "acts that in agreement with imperialist interests are aimed at subverting the internal order of the nation and destroy its political, economic, and social system."

The Cuban government has often accused independent journalists and political dissidents of being counterrevolutionaries at the service of the United States.

CPJ condemned the convictions and sent a letter to President Castro asking Cuban authorities to respect international guarantees for freedom of expression and cease harassing independent journalists.

It is clear, Mr. Chairman, that the Cuban government does not tolerate press freedom. The jailing of journalists is among the most effective strategies employed by repressive regimes to control the media. Any chance of reforming Cuba will be due to the persistence and courage of independent journalists such as those who are now imprisoned. They fully deserve the world's attention and support. Thank you.

Mr. SMITH OF NEW JERSEY. Mr. Lauria, thank you very much for your testimony.

[The prepared statement of Mr. Lauria follows:]

PREPARED STATEMENT OF CARLOS LAURIA, AMERICAS PROGRAM COORDINATOR,
COMMITTEE TO PROTECT JOURNALISTS

Honorable Ladies and gentlemen:

I want to thank you for inviting the Committee to Protect Journalists (CPJ) to participate in this panel discussion about the Cuban government's vicious crack-down on independent journalists and political dissidents. CPJ, an independent, non-profit organization that works to safeguard press freedom worldwide, is closely fol-

lowing developments in Cuba, where courts announced last week prison sentences for 28 journalists, ranging from 14 to 27 years.

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CPJ protects journalists primarily by publicizing abuses against the press and by acting on behalf of imprisoned and threatened members of the media. CPJ also publishes articles and news releases, special reports, a biannual magazine, and one of the most comprehensive reports on abuses against the press worldwide: *Attacks on the Press*. In 2002, CPJ documented some 500 cases of media repression in more than 120 countries, including assassination, assault, imprisonment, censorship, and legal harassment. I would like to enter *Attacks on the Press in 2002*, as well as some of our protest letters on Cuba, into the record.

On March 18, Cuban authorities began arresting independent journalists, raiding and searching their homes, confiscating books, typewriters, research materials, cameras, computers, printers, and fax machines. Officers also took books of poetry, family pictures, and medicine from some journalists.

The journalists' one-day trials were held on April 3 and 4 behind closed doors. In several cases, defense lawyers did not have access to their clients or only had a few hours to prepare their cases. Foreign diplomats and journalists were barred from courts, which were surrounded by police and packed with government supporters. On April 7, courts across the island announced prison sentences for the journalists, ranging from 14 to 27 years.

CPJ believes that the timing of the arrests is not coincidental: The Cuban regime took clear advantage of the fact that international attention has been focused on the war with Iraq and launched this unprecedented wave of repression to stamp out a growing dissent movement.

Prominent journalists Raúl Rivero and Ricardo González Alfonso, whose trials were held on April 4, were each sentenced to 20 years in prison. The two men were accused of, among other charges, creating the journalists' organization Sociedad de Periodistas Manuel Márquez Sterling and its "subversive" magazine, *De Cuba*. Rivero and González Alfonso were tried under Article 91 of the Penal Code, which imposes lengthy prison sentences or death for those who act against "the independence or the territorial integrity of the State."

According to Rivero's indictment, "A search of the home of the defendant resulted in the seizure, among other things of a Sony radio, a tape recorder, a digital battery charger, a typewriter, a Sony personal laptop computer with all of its accessories, and 18 envelopes containing journalistic articles."

In addition to being charged under Article 91, some journalists were prosecuted for violating Law 88 for the Protection of Cuba's National Independence and Economy, which imposes up to 20 years in prison for anyone who commits "acts that in agreement with imperialist interests are aimed at subverting the internal order of the Nation and destroy its political, economic, and social system." The Cuban government has often accused independent journalists and political dissidents of being "counterrevolutionaries" at the service of the United States.

CPJ condemned the convictions and sent a letter to President Fidel Castro asking Cuban authorities to "respect international guarantees for freedom of expression and cease harassing the independent press."

As documented in *Attacks on the Press 2002*, last year, scores of journalists in Cuba were harassed, detained, threatened with prosecution or jail, or had their freedom of movement restricted. The state security agency also tried to tarnish journalists' reputations and damage their relations with their families or colleagues. Occasionally, journalists' relatives were harassed or denied government services.

State repression is more severe in the provinces, far from the scrutiny of the Havana-based foreign news bureaus and diplomatic corps. While some independent journalists have fled the country to escape repression, others have stayed and continue to work under harsh conditions. Although independent news reports cannot circulate inside Cuba, where the government owns and controls all media outlets, independent journalists inform the Cuban community abroad and the world at large about local developments that the official press chooses to ignore.

In November 2002, Jesús Joel Díaz Hernández, who received an International Press Freedom Award from CPJ in 1999 while imprisoned in Cuba, was finally presented with his award. Díaz Hernández was sentenced to four years in prison in 1999 for "dangerousness." He was released in 2001, after an intensive campaign by CPJ and other press freedom groups, and then moved to the United States.

But journalist Bernardo Arevalo Padrón, imprisoned since 1997 for "disrespecting" President Fidel Castro and Cuban State Council member Carlos Lage, remains in

jail despite being eligible for parole since October 2000. His health has suffered as a result of his prolonged incarceration.

It is clear that the Cuban government does not tolerate press freedom. The jailing of journalists is among the most effective tactics employed by repressive regimes to control the media. Any chance of reform in Cuba will be due to the persistence and courage of independent journalists such as those who are imprisoned. They fully deserve the world's support and attention.

Thank you.

Mr. SMITH OF NEW JERSEY. I would like to ask Mr. Sabatini if you would proceed.

STATEMENT OF CHRISTOPHER SABATINI, SENIOR PROGRAM OFFICER FOR LATIN AMERICA AND THE CARIBBEAN, NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. SABATINI. Thank you very much. I would like to thank the Committee for the invitation to speak here, and although it was done at the last minute, for including me in the panel. I have a longer statement that I would like to request be submitted for the record. For this panel I am going to give a shorter statement.

I would like to talk about the crackdown and its effects on the independent labor movement inside Cuba and along with a few recommendations for next steps.

The detention and sentencing of the 75 individuals to prison sentences ranging from 6 to 28 years is only the most recent but shockingly bold example of the Cuban government's contempt for internationally recognized human rights and its desire to snuff out independent civic and political voices.

Just the sheer variety of the 75 individuals who have been sentenced demonstrates the broad popularity and roots of the independent movement. Included in the 75 individuals were 40 activists in the Varela Project, 25 independent journalists, and 8 independent labor activists. While these actions by the government represent a terrible tragedy in human terms, it is important to note that many of the organizations which these individuals led and which they participated continue. Ten or even five years ago a wave of repression of this sort would have decapitated the democratic movement in Cuba, but today these groups are diverse and strong, and their commitment to the cause remains more powerful than ever that these expressions for peaceful change cannot be extinguished so easily.

One of the groups most affected by the crackdown was the growing independent labor movement in Cuba. Eight of the 75 dissidents detained came from independent labor movements that in recent years had grown to include three major independent unions and four independent libraries dedicated to labor and labor rights. The Cuban government has dismissed them in the ILO as small groups of counterrevolutionaries that have no popular support, but the numbers tell otherwise.

In 1998, one group, the Single Council of Cuban Workers, the CUTC, one of the leading independent unions, gathered over 400 signatures of Cuban workers in a request for membership before the World Confederation of Labor. Today, the CUTC boasts over 3,500 members in 14 States, and as a result of its petition is affiliated with the World Confederation of Labor. Another independent labor organization in Cuba, the National Independent Workers'

Confederation of Cuba, CONIC, has over 1,400 member throughout Cuba, including representatives from the chemical industry, education, and health sectors. For the last 3 years, these groups have been preparing an annual report on labor rights violations under the International Labor Organization conventions, ILO conventions, to which the Cuban government is a signatory.

Cuban law establishes the official government union, the Cuban Workers Central, CTC, as the sole representative of the Cuban worker and gives the CTC sole discretion in the allocation of jobs and the negotiation of wages behind closed doors.

This monopoly over workers' rights and labor representation stands in violation of two ILO conventions, Convention 87 on the freedom of association and the right to form free labor unions, and Convention 98 on the right of workers to collective bargaining. Both of these internationally recognized rights are by the very structure of the system violated in Cuba. Such is the workers' paradise in Cuba, and for the last 3 years these independent unions have been documenting this and relaying it to the ILO.

It should not be surprising then that these groups were the target of the government's wrath in the last couple weeks. In the trials of the dissidents, the government revealed that it had sent security agents to infiltrate the independent labor movements. Two of the supposed leaders of the movements were, in fact, Cuban State Security agents sent to gather information on members and inform on their activities.

Long used as a tactic to gather information on opponents and to sow distress among the population, the infiltration of an independent labor movement demonstrated again the Cuban government's total contempt for international labor conventions and workers' rights.

As a result of their activities, eight of the leaders of the Independent Labor Movement were detained, and seven were sentenced. These included Pedro Pablo Alvarez Ramos, secretary general of the Single Council of Cuban Workers, CUTC; Ivan Hernandez Carrillo, member of the executive committee of CONIC; Carmelo Diaz Fernandez, member of the executive committee of the CUTC; Nelson Molinet Espino, secretary general of the Confederation of Democratic Workers of Cuba (CTDC); Oscar Espinosa Chepe, a member of the CUTC; and Miguel Galvan and Victor Manuel Dominguez, both of the National Center for Labor and Union Training.

The sentences handed down by the Cuban courts total over 145 years in prison for these independent labor activists, with sentences ranging from 15 to 25 years in prison. Five of the labor leaders received sentences of 20 years in prison. Given their ages, for many of these people these are, in effect, life sentences.

Yet despite the arrests, leaders have already come forward to courageously continue to fight for the rights of Cuban workers, and international support for these individuals and their situation has been impressive. All over the world national and international labor unions and federations are expressing their opposition to the repression and their solidarity with independent labor leaders.

As of yesterday the following unions have added their voices to the cries of indignation over what has occurred in Cuba: The Con-

federation of Italian Workers in Italy, the French Trade Union Confederation, the International Confederation of Free Trade Unions, the Inter-American Regional Workers Organization, the Confederation of Venezuelan Workers from Venezuela, The General Central of Guatemalan Workers, and in the U.S. the AFL-CIO and the American Federation of Teachers have both sent letters.

Just yesterday the ICFTU, the International Confederation of Free Trade Unions, presented a formal complaint before the ILO, requesting that the ILO take up in its supervisory committee a discussion of the situation in Cuba, and requested a fact-finding commission be sent to Cuba to investigate allegations of violations of freedom of expression.

In terms of recommendations, what would this mean? Very generally I would argue that the United States must be very careful in deciding on how to respond to these acts inside Cuba and the increased tension. Many observers have speculated that the Cuban government is attempting to provoke a reaction from the U.S. that could allow it to clamp down even further. Steps must not be taken to sacrifice the avenues and channels that have allowed the United States and international organizations to develop and expand contacts with independent sectors within Cuba.

At a time when the international community has demonstrated remarkable unity in denouncing these egregious acts by the regime and standing behind democratic activists, the United States should encourage foreign governments and international groups to continue their protests of the government and expand their support and solidarity for democratic leaders inside Cuba. At the same time, the U.S. should help ensure that the condemnation of the repression and solidarity is maintained well after the shock of these arrests passes.

In short, any action that could be taken needs to take as its primary purpose directly helping the democratic movement inside Cuba. Punishment of the regime or a unilateral confrontation that ignores the people inside and their struggle will only over the long term weaken Cuba's emerging democratic leadership.

To these ends, working with international partners and multilateral forums is essential. Active support by the United States for condemnation of Cuba in the U.N. Human Rights Commission will help to bring international condemnation of the regime's actions to international attention.

The ILO can also serve as an important forum. As I mentioned, the ICFTU submitted the complaint. Support for their complaint should be expanded internationally and within the U.S.

And last, the United States should also explore other actions that can be taken in other organizations and processes in which Cuba is a participant, such as the IberoAmerican Summit process.

The Castro regime has attempted to justify its actions and undermine the credibility of its groups by arguing that they are supported by the U.S. However, whatever you may think of the United States policy toward Cuba, to argue that the United States policy toward Cuba or the actions of the United States Interests Section are somehow morally equivalent to the decision by a government to crack down and arrest scores of dissidents is simply foolish.

As the international community has recognized and demonstrated, these groups are a legitimate expression of Cubans and their demands for human rights and political freedoms. With these egregious acts, Fidel Castro has managed to unite the international community in its condemnation of his regime, despite policy differences. This is a rare opportunity for collective action. The Castro government and those within his regime need to realize that despite Iraq, the world is watching, and it stands united in its solidarity with the democratic movement and desire for peaceful democratic change in Cuba. Thank you.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Sabatini. [The prepared statement of Mr. Sabatini follows:]

PREPARED STATEMENT OF CHRISTOPHER SABATINI, SENIOR PROGRAM OFFICER FOR
LATIN AMERICA AND THE CARIBBEAN, NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. Chairman and Members of the Committee:

Thank you for inviting me to testify on the human rights situation in Cuba and the recent crackdown on democratic activists. I would also like to take this time to thank the Committee's bi-partisan support for the National Endowment for Democracy which has allowed the Endowment to carry out its work.

The National Endowment for Democracy (NED) is a nonprofit, bipartisan grant-making organization created in 1983 to strengthen democratic institutions around the world through non-governmental efforts. With its annual Congressional appropriation, the Endowment makes hundreds of grants each year to support pro-democracy groups in Africa, Asia, Central and Eastern Europe, the former Soviet Union, Middle East, and Latin America. Endowment programs in the areas of labor, free-market and political party development are conducted by the NED's four core institutes: The American Center for International Labor Solidarity (ACILS), the Center for International Private Enterprise (CIPE), the International Republican Institute (IRI), and the National Democratic Institute for International Affairs (NDI). In addition to these areas, the NED has a discretionary grants program that assists pro-democracy organizations abroad doing work in areas such as: human rights, independent media and free flow of information, civic education, and participation particularly focused on women and youth.

The detention and sentencing of the 75 individuals to prison sentences ranging from six to twenty eight years is only the most recent, but shockingly bold, example of the Cuban government's contempt for internationally recognized human rights and its desire to snuff out independent civic and political voices. In presenting the evidence in the trials, the Cuban government cited as proof of defendants' treachery such innocuous possessions as a typewriter, articles published in the foreign press, laptops, fax machines and human rights materials. Only under a government scared of dissent could such items be considered subversive. There is no doubt that regardless of the timing of this crackdown, these acts are those of an intolerant government that has come to feel threatened by a growing, peaceful movement that it could not control, by a people that have overcome fear.

Just the sheer variety of the 75 individuals who have been sentenced demonstrates the broad popularity and roots of the independent movement. Included in the 75 individuals were 40 activists in the Varela Project, 25 independent journalists, and eight independent labor activists. Many of these individuals were also active doing other things such as collecting books and materials and making them available to the public in an informal library system and helping their communities. While these actions by the government represent a terrible setback in human terms, it is important to note that many of the organizations which these individuals lead or in which they participated continue. Ten or even five years ago a wave of repression of this sort would have decapitated the democratic movement. But today these groups are diverse enough and strong enough, and their commitment to the cause remains more powerful than ever that these expressions for peaceful change cannot be extinguished so easily. The expressions of support that they are receiving from international organizations and governments have also provided a source of inspiration to many of them, telling them that they are not alone or forgotten.

These expressions of protest to the government and solidarity with independent activists are one of the clearest signs of how far the democratic and human rights organizations have come after over 40 years of life under a totalitarian system. Letters to Fidel Castro protesting the detentions and the sentences have poured in from

countries from around the world such as Spain, Sweden, France, and Canada and from dozens of human rights organizations.

INDEPENDENT LABOR UNIONS:

One of the groups affected by the crackdown was the growing independent labor movement in Cuba. Eight of the 75 dissidents detained came from the independent labor movement in Cuba that in recent years had grown to include three major independent unions and four independent libraries dedicated to labor and labor rights-related information. The Cuban government dismisses these unions as small groups of counterrevolutionaries that have no popular support. But the numbers tell otherwise.

In 1998 the Single Council of Cuban Workers (CUTC), one of the leading independent unions, gathered over 400 signatures of Cuban workers in a request for membership before the World Confederation of Labor. Today the CUTC boasts over 3,500 members in 14 states, and, as a result of its petition, is affiliated with the World Confederation of Labor. Another independent labor organization in Cuba, the National Independent Workers' Confederation of Cuba (CONIC), has over 1,400 members throughout Cuba, including representatives from the chemical industry, education, and health sectors.

For the last three years, these groups have been preparing an annual report on labor rights violations under International Labor Organization (ILO) conventions to which the Cuban government is a signatory. Cuban law establishes the government union, the Cuban Workers' Central (CTC), as the sole representative of the Cuban worker and gives the CTC sole discretion in the allocation of jobs. This monopoly over workers rights and labor representation stands in violation of two ILO conventions: convention 87 on the freedom of association and the right to form labor unions and convention 98 on the right of workers to collective bargaining.

Both of these internationally recognized rights are, by the very structure of the system, violated in Cuba. Workers are not allowed under Cuban law to organize themselves into any unions other than the CTC, and attempts to do so will lead to dismissal. Cuban workers also have no control over their own labor. Instead, wages are negotiated behind closed doors. In the case of international ventures, international investors pay the government directly for Cuba labor. The Cuban government then pays the Cuban workers on average less than 10 percent of the funds received for their labor. Such is the workers' paradise in Cuba, and for the last three years independent unions have been documenting this and relaying it to the ILO.

It should not be surprising then that they were the target of the government's wrath. In the trials of the dissidents, the government revealed that it had sent security agents to infiltrate the independent labor movement. Two of the supposed leaders were in fact a Cuban state security agent sent to gather information on members and inform on their activities. (The trials revealed over four different state security agents who over the last ten years had worked undercover as independent journalists, human rights activists and labor leaders.) Long used as a tactic to gather information on opponents and to sow distrust among the population, the infiltration of an independent labor movement demonstrated again the Cuban government's contempt for international labor conventions and workers' rights.

As a result of their activities, eight of the leaders of the independent labor movement were detained and seven were sentenced. These included:

- Pedro Pablo Álvarez Ramos, Secretary General of the Single Council of Cuban Workers (CUTC);
- Iván Hernández Carrillo, member of the executive committee of the National Independent Workers' Confederation of Cuba (CONIC);
- Carmelo Díaz Fernández, member of the executive committee of the CUTC
- Nelson Molinet Espino, Secretary General of the Confederation of Democratic Workers of Cuba (CTDC);
- Oscar Espinosa Chepe member of the CUTC; and
- Miguel Galvan and Víctor Manuel Domínguez García both of the National Center for Labor and Union Training.

The sentences handed down by the Cuban courts total 145 years in prison, with sentences ranging from 15 to 25 years in prison. Five of the labor leaders received sentences of 20 years in prison. Given their ages, for many of these people these sentences in effect amount to life sentences.

Yet despite the arrests leaders have already come forward to courageously continue the fight for the rights of Cuban workers. These groups are continuing to collect information for ILO reports, are gathering materials (and requesting support)

to reestablish independent labor libraries, and organize efforts to train Cuban citizens in labor rights.

International support for these individuals and their situation has been impressive. All over the world, national and international labor unions and federations are voicing their opposition to the repression and their solidarity with independent labor leaders. As of yesterday, the following unions had added their voices to the cries of indignation over what has occurred in Cuba: the Union Confederation of Italian Workers of Italy; the French trade union federation; the International Confederation of Free Trade Unions; the Inter-American Regional Workers' Organization (ORIT); the Confederation of Venezuelan Workers from Venezuela; the General Central of Guatemalan Workers (CGTC), and in the U.S. the AFL-CIO and the American Federation of Teachers.

RECOMMENDATIONS:

The U.S. must be very careful in deciding how to respond to these acts and the increased tension. Many observers have speculated that the Cuban government is attempting to provoke a reaction from the U.S. that could allow it to clamp down even further. Steps must be taken not to sacrifice the avenues and channels that have allowed U.S. and international organizations to develop contacts with the independent sectors within Cuba. At a time when the international community has demonstrated remarkable unity in denouncing these egregious acts of the regime and standing behind democratic activists, the U.S. should encourage foreign governments and international groups to continue their protest of the government and support, and avoid tactics that may undermine their support. At the same time, the U.S. should help ensure that condemnation of the repression and solidarity is maintained well after the shock of these arrests passes.

The U.S. should work in coordination with international groups to do two things:

- 1) provide help to those who have been sentenced in an attempt to gain their immediate release; and
- 2) explore new ways to demonstrate solidarity and internationally expand contacts for independent civil society groups and those in prison.

In short, any action should take as its primary purpose directly helping the democracy movement. Punishment of the regime or a unilateral confrontation that ignores the people inside and their struggle, will only, over the long term, weaken Cuba's emerging democratic leadership.

To these ends, working with international partners and multilateral forums is essential. Active support by the U.S. for a condemnation of Cuba in the UN Human Rights Commission (UNHRC) will help to bring international opprobrium to the regime. The ILO can also serve as another important forum. The ICFTU recently submitted a complaint to the ILO, citing the state infiltration of independent unions and the arrest of independent labor leaders. The U.S. and its partners should also explore other actions that can be taken in other organizations and processes in which Cuba is a participant, such as the IberoAmerican Summit process. In this case, conditions in Cuba and the recent crackdown are in flagrant violation of the Viña del Mar agreement which Cuba signed in November 1996.

Because the Cuban government prohibits independent news and information, most Cuban citizens live in a virtual informational vacuum. Citizens should be made aware of these actions and the international reactions to them so that they can realize how the international community supports their aspirations for freedom and will not stand idly by as the regime cracks down.

As we have seen, the Castro regime has attempted to justify its actions and undermine the credibility of these groups by arguing that they were supported by the U.S. But as the international community has recognized and demonstrated, these groups are a legitimate expression of Cubans and their demands for human rights and political freedom. With these egregious acts, Fidel Castro has managed to unite the international community in its condemnation of his regime. This is a rare opportunity for collective action that should be nurtured. The Castro government and those within his regime who may be waiting for change need to realize that, despite Iraq, the world is watching and it stands united in its solidarity with the democratic movement and desire for peaceful democratic change in Cuba.

Mr. SMITH OF NEW JERSEY. And I want to thank all of our panelists for the work that they do, the organizations that speak truth to power. You not only chronicle the abuses and make it very plain for all to see transparently exactly what is going on not just in

Cuba, but in other countries as well, but you speak truth to power, and that means that Castro needs to listen when information is proffered by the human rights community, and you do a great job.

You also, as you know so well, give hope to those who are suffering, who are imprisoned. The one thing—and Mr. Wolf made mention of this earlier when he mentioned Anatole Scharansky and so many others—no matter who the dissident is or the political prisoner, if they know that the nongovernmental organizations are watching, chronicling, making representation on their behalf, and hopefully governments around the world including the U.S. Congress are listening, it does engender hope within that. It is when we turn our backs on them and when—thank God, you never do that—when the NGOs turn their backs, that hope is lost.

So I want to thank you for what you do, because you do it so well.

I would like to say that—to Mr. Calzon, thank you for reminding us that Jim Cason and the rest of the diplomats in Cuba do face a very, very difficult posting. You pointed out that fecal matter, calling cards, as you called it, are left as a disgusting display on the part of Castro's security apparatus to send messages. That is only the part of it. I remember reading in Valladares' book that when he and others were in confinement, that guards above them used to drop buckets full of human excrement and urine not only creating a very unsanitary situation and a stench that was appalling, but would also be another act of degradation. And that, to some degree, is what is visited upon our own diplomats, of a certainty not to the degree that it is used or employed against those who are political prisoners.

I would just say to Mr. Vivanco that while we may disagree, I personally with you, on the means of getting there, I do believe that sanctions work, but they need to be universally applied. We need to get the European community and the Canadians to realize that unwittingly, perhaps, they are encouraging this dictatorship or being an economic lifeline for it, but I certainly respect your opinion.

I did offer an amendment in the last Congress that would have lifted the travel ban, but it had conditionality. It said that we lift the travel ban if, and only if, political prisoners are freed, so that the hard currency gleaned by the Castro regime as a result of these tourists who do go to segregated hotels—there is a tourist apartheid in Cuba, and a great deal of money has gone to the regime and it keeps them afloat. I would respectfully submit, that let the people go—you know, allow for some loosening, certainly to stop the torture. It seems to me to be a modest price for lifting that travel ban. And I would give you an opportunity to respond if you would like.

I appreciate, Mr. Sabatini, you talking about the rare opportunity. I hope it is not squandered, and again, I think this hearing, which is the beginning of a series of hearings by the International Relations Committee, and hopefully a more robust emphasis on Cuba, is that this is, as you put it, a rare opportunity. And earlier Mr. Colas talked about international solidarity being so very important. We have not had solidarity. We have had gaping holes in

our response, and it seems to me now we need to close the ranks and let Castro know that it is not business as usual anymore.

So I think you all have made very, very important contributions, and we know will continue to do so. And certainly the journalists, those who are on the frontline telling the story, whatever venue they can use to tell that story, Mr. Lauria, thank you for your testimony as well.

One question, and any response or further comment you might have. The revolution is 42 years old, as we know. The young people are indoctrinated in Castro's socialism from the very earliest years.

I held a charity hearing when Elian Gonzales was being sent back to Cuba, and we went through with detail what it is that is inculcated in these young people. And we have the dissidents and we have people who when you talk to them say, this is what I say publicly because I know that the eyes and ears of the revolution are always around me; but this is what I think privately.

What is the feeling among the people about this recent crackdown on the streets of Havana and throughout Cuba? And you mentioned, I think, Mr. Lauria—one of our witnesses mentioned that the spirit of the dissidents is growing. It is not being diminished even with this crackdown. What is the feeling among the young people in Cuba? Whoever would like to begin.

Mr. Sabatini.

Mr. SABATINI. There are two trends at work. One is more troubling, and that is a growing sense of apathy within certain sectors of Cuban society: Cuban youth who feel that they have no alternative, feel that they have no future, who at best are simply waiting for Castro to pass away. However, despite overwhelming conditions that one would think would foster apathy, there is a growing sense of activism among certain sectors, and I think the largest contributing factor has been examples—personal examples of individual dissidents inside Cuba who have—through their fortitude and by example—been able to mobilize people and demonstrate that change is possible.

And in this, actually the Catholic Church has played a very important role. There are parishes that conduct civic education workshops, conduct training for youth, that do other activities intended to mobilize youth and orient them in their civic responsibilities. This has played a very important role, and you are seeing, if you will, a new enlightenment, a rebirth in the spiritual aspect of Cuban civic life.

Mr. LAURIA. Regarding the situation of the journalist, Mr. Chairman, despite the state-controlled regime that harassed and intimidated journalists all over the country, during 2002 independent journalists gained strength, gained a lot of strength. In fact, one of the most prominent independent journalist organizations has recently launched the second edition of the magazine *De Cuba*.

So despite the situation, independent journalists gained a lot of strength during 2002, but I am afraid now that this most intense crackdown in recent years is going to have a toll on the work of journalists. You know, most of the journalists—independent journalists that remain free must be very afraid.

Mr. SMITH OF NEW JERSEY. Mr. Calzon.

Mr. CALZON. Yeah. I would like to add that young people—from the reports that we get from people that travel to Cuba—is that the rejection of the regime, if anything, among young people is perhaps even higher. Young people particularly resent tourist apartheid, the fact that if they go with a friend to a hotel, they are not allowed in while the foreigners come in; the fact that if they want to go to a beach, the foreigners go in, and they don't.

There is also a problem, as Johns Hopkins University reported late last year, of child prostitution, and Johns Hopkins made the link between the increase in tourism and the increase in child prostitution in Cuba. This is a matter that happens, of course, in many other countries. The difference in Cuba is that in Cuba we don't have an independent media or an association or a free labor movement or a civil society that could fight it. These are some of the prices that the Cuban people have been paying for these hundreds of thousands of tourists that go to Cuba not to bring inspiration and hope, but to take advantage of the misery of my people.

On the issue of embargo, I would like to make a brief comment because maybe there is a misunderstanding in the discussion. I think very few people are either for or against embargo. I think the issue is under what conditions, for what purpose shall the embargo be lifted? If the embargo is lifted so that Cuban workers could get paid \$15 a month, if the embargo is lifted so that more tourists could go to Cuba and take advantage of the Cuban people, then I am against it. But if embargo is lifted so that political prisoners are released, so that the International Committee of the Red Cross could enter not only the United States naval base in Guantanamo, but also in Cuba, then perhaps we could talk about it.

So the position is not set in concrete. It hasn't been that way for many years, and so if the Cuban government is willing to give up something in return, maybe we could discuss it. And I believe that that is also the position of many people in the Administration.

Mr. SMITH OF NEW JERSEY. Thank you.

Mr. VIVANCO. Mr. Chairman, if I may, I would like to make a couple comments about the embargo policy. First of all, I agree with you, sanctions are a perfectly legitimate tool, a useful tool of foreign policy. I also agree with you that if the rest of the world would prepare and be ready to apply the same policy, the same kind of pressure to Cuba, we might see some progress in Cuba in terms of human rights and democratization.

The trouble is that for several decades, the policy has failed to persuade the rest of the world on this policy. And as a matter of fact, every year at the U.N., this policy is subject of almost unanimous condemnation with the exception of Israel—the position of Israel and the United States Government.

So certainly what needs to be done is looking for common ground with the potential allies in Canada, in Latin America, in Europe especially, and some democratic countries in Asia and Africa to exercise concerted pressure on Cuba, on the regime, to make some steps in the right direction. I am fully convinced that without international pressure on the government, it would be very difficult to see any progress.

Now, if—with all my respect, Mr. Chairman, if the thesis, the logic, is to wait for the Cuban government to take some steps in

the right direction, to change the policy, to revise the policy, I am fully convinced that as long as Fidel Castro is ruling Cuba, you are not going to see any volunteer concession, any volunteer step in that direction. In other words, if you are going to revise the policy on the condition that Fidel Castro's government is going to take the positive steps. I don't think he will, because I think it is in his best interest to keep the status quo, to keep this world divided between the U.S., which is applying the policy of isolation, and the rest of the world, which is interested in something close to full engagement without conditions.

MR. SMITH OF NEW JERSEY. I appreciate that. And although we respectfully disagree, I would ask the question—or I think the question ought to be asked, is there any outrage, is there any degree of human rights abuse that would cause the European Union, the members that make it up, and Canada and others to realize that there is a time when sanctions are applicable? And I will mention an example.

I am the author of the human sexual traffic legislation that was signed into legislation. There was a 3-year phase-in in that bill. We name names of countries that engage in trafficking, and many of our allies, including South Korea and Israel, were on that list of tier 3 egregious violators of human trafficking with complicity with the government when that first came out.

Many of those countries, because of the scrutiny that was brought to bear by being named as violators, worked over time and did very concrete things, took very concrete measures to get off that list, including crackdown of brothels where women had been trafficked, and new laws were enacted by many of these countries.

I mention that because in the third year, this year, fiscal year 2003, there will be the application of sanctions. The President will look at those that are tier 3 violators of human trafficking and will say, now their foreign aid can be cut by the U.S. Government and must be cut. There is a waiver that the President can exercise, but there nevertheless will be that review process.

It wasn't—and I have met many of the governments in question that are on tier 3. I was amazed, almost to the point of being flabbergasted, as to how interested they were in cracking down on trafficking because there was a penalty to be paid. So long as the European Union and Canada trade in an unfettered way with the Cuban dictatorship, and they get their hard currency—and, as Mr. Calzon mentioned, that Johns Hopkins study about the government complicity in child prostitution, which is horrific, in my view, as is all prostitution, but it is particularly a heinous crime because there is money to be made there—it seems to me that where is the penalty? Cuba can at least subsist on the kind of hard currency that will be coming in because those countries are unwilling.

It seems to me that given this rare opportunity that we have with this crackdown, the true face—the ugly face of the regime having been exposed for all to see, it seems to me that begs the question why aren't we spending more time looking at the European Union and saying, wise up, you can make the difference, you can free those political prisoners and usher in a greater democracy in Cuba?

So our focus needs to be not on getting rid of sanctions, but applying them more consistently. And I say that, again, as I said earlier in the hearing, I supported sanctions against apartheid in South Africa, believing that that was so heinous that it needed a response commensurate with the crime. We need to do the same, I would respectfully submit, with Cuba. Our focus ought to be on the European Union, Canada and the Latin countries that want to say it is bad. Rhetorically they will say it is bad, but then do very little to say there is a connection.

And I have seen it myself again most recently. We did it with the Jackson-Vanik amendment with Soviet Jews, and many Soviet Jews found a place of refuge and were able to leave the Soviet Union because we linked trade with human rights. And it seems to me why do we have an exception when it comes to Cuba? We do in other places as well, but why in Cuba, especially in light of this grievous crackdown on the best and the brightest and the bravest of Cuba?

Any further comments by our panelists?

Mr. Lauria.

Mr. LAURIA. From Argentina, I would like to comment on the position of the Argentinian Government regarding the vote in Geneva tomorrow. I was astounded yesterday when I heard the news that the Argentine Government was going to abstain and not condemn human rights in Cuba. You know, Argentina 25 years ago suffered the consequences of a brutal military dictatorship. So the Argentine people know very well what the consequences of a brutal dictatorship are.

More serious in the case of Argentina is that the decision was made by a government, by a President who is going to leave power in 10 days, and the Argentine Government has condemned human rights for the past 13 years. So I think this was a very unfortunate decision by the Argentine Government.

Thank you.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Lauria.

I would like again to thank our very distinguished panelists for your outstanding work on behalf of human rights and for your patience. This has been a very long hearing, but a very enlightening hearing and a very important hearing. I thank you.

The hearing is adjourned. I ask unanimous consent before we adjourn that statements by Congresswoman Ileana Ros-Lehtinen and Lincoln Diaz-Balart be made a part of the record. Without objection, so ordered.

[Whereupon, at 5:25 p.m., the Committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE ILEANA ROS-LEHTINEN, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Nobel peace laureate, Eli Wiesel has said: “. . . to remain silent and indifferent is the *greatest sin of all* . . .”

Indifference breeds evil. Indifference is the *enemy of freedom*.

Indifference helps *cloak* the deplorable actions of tyrants.

Cuba's ruthless dictator counts on this indifference.

Taking advantage of global attention being focused on Iraq, and noting the world-wide tendency to ignore or minimize the deplorable human rights conditions in Cuba, the Castro regime launched a full-scale assault on those who are struggling to bring freedom and democracy to this enslaved nation.

Courageous men and women, such as Marta Beatriz Roque, an independent economist and leading pro-democracy advocate, are being sentenced to harsh prison terms of 20 years.

Marta Beatriz had previously spent nearly three years in prison for publishing, with three other colleagues, a paper calling for democratic reforms.

Independent journalists such as Raul Rivero, who is highlighted in the resolution before us, as the dean of the independent dissident Cuban journalists, was sentenced to 20 years.

Fellow journalists such as Ricardo Gonzalez Alfonso and Hector Maseda Gutierrez, also received 20-year sentences.

Other victims of this wave of repression include Jose Daniel Ferrer, a member of the Christian Liberation Movement, whose penalty was increased to death, per a special request by the puppet which the regime had sitting as the presiding judge.

There is also independent union labor leader Oscar Espinosa Chepe, and Manuel Vazquez Portal, Nelson Molinet Espino and Nelson Alberto Aguiar.

The list seems *endless*, as the *daunting* reality of what the dictatorship has done sinks into our consciousness.

Since March 18th, Castro's security agents have been *storming* into the homes of dissidents and other opposition leaders across the island, confiscating typewriters, books, papers and other professional and personal belongings.

Their so-called crimes? Engaging in such threatening activities as possessing and lending books by such authors as Vaclav Havel, Ghandi, and Martin Luther King, Jr.

Hector Palacios Ruiz, for example, was engaged in such “treasonous” behavior—to quote the regime—as helping to draft a document in December of last year which called for “free hiring of employees.”

He was also found in possession of books such as “Castro's Final Hour” and “A Manual for Education in Human Rights”, as well as children's games.

Everyday, more and more opposition leaders are sentenced to languish in squalid jail cells and subjected to the most inhumane and degrading treatment.

We cannot and must not be silent.

We *cannot*, and *must not*, be *indifferent* to the anguish and misery endured by the Cuban people, just 90 miles from our shores, at the hands of the *depraved* and *cruel* dictator, and his agents of *terror*.

The European Union has issued statements condemning the arrests and demanding that these prisoners of conscience be immediately released.

Amnesty International urged Cuba to release all its prisoners of conscience and reform the laws which make such detentions possible.

Human Rights Watch called on the United Nations Commission on Human Rights to “condemn these abuses and to do so strongly and unequivocally.”

Human Rights International, the American Society of Newspaper Editors and the Inter-American Press Association have all denounced the crackdown.

Newspapers such as the Houston Chronicle, the San Diego Union Tribune, and the Pittsburgh Post-Gazette have run editorials with headlines underscoring that: "Saddam and Fidel are birds of a feather";

"Crackdown in Cuba: A Reminder that Castro is Still a Tyrant"

"Castro's regime as repressive as ever"

The Los Angeles Times led its editorial by saying: "After years of calling for liberalized relations with Cuba, this editorial page must now urge American policy makers to hit the brakes."

Just today, The Washington Post ran an editorial by Richard Cohen which said: "I would like to hear some moral outrage about Castro . . . *Fidel Castro is a thug and a fool.*"

It is our turn to speak. It is time for the U.S. Congress to stand behind the Cuban people, as it has done for so many others before, and as it is doing with the Iraqi people.

The resolution before us is a strong first step.

H.Res. 179 details the sequence of events which have transpired in the last weeks, but also places particular emphasis on the plight of such political prisoners as Juan Carlos Gonzalez Leyva, a blind human rights dissident, imprisoned for over a year, whose is gravely ill, yet has been denied medical attention.

It ensures that we do not forget about Dr. Oscar Elias Biscet and others who have been condemned to perish in one of Castro's most notorious prisons—"Combinado del Este."

H.Res. 179 establishes the nexus which exists between the current wave of repression and the 59th session of the United Nations Commission on Human Rights, currently being held in Geneva.

In doing so, it takes into account the dictatorship's systematic and gross human rights violations, and its repeated demonstration of contempt for mandates issued by the UN Commission on Human Rights.

Further, it calls for a resolution to be offered and passed at the Human Rights Commission which accurately reflects this grim reality.

It seizes the opportunity which presents itself in May of this year when Cuba's membership on the Commission expires.

It does so by calling on the nations of Latin America and the Caribbean group, to oppose and deny the regime a seat on this human rights body.

Most importantly, this resolution calls for the immediate release of all Cuban prisoners of conscience.

It sends a strong, definitive message that the U.S. Congress stands with the dissidents, the independent journalists, all the pro-democracy activists, and not with their oppressor.

After more than 40 years of enslavement and subjugation, we in this body must, with a single voice, but one which will be heard around the world, speak out against the atrocities committed by the Cuban dictatorship.

As Eli Wiesel has said: "Just as despair can come to one, *only* from other human beings—*hope*, too, can be given to one only by other human beings."

Let us be that *beacon of hope* for the Cuban people. Let us support this resolution.

PREPARED STATEMENT OF THE HONORABLE LINCOLN DIAZ-BALART, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman, Thank you for giving me this opportunity to come before your Committee to testify with regard to current conditions in the enslaved island of Cuba and the need for the United States to help the people of Cuba to end their totalitarian nightmare. I would first like to thank the distinguished Chairman of the International Relations Committee, Mr. Hyde, as well as Ranking Member Lantos and all of those who have helped to highlight and update this critical issue. I especially would like to thank Chairman Christopher Smith for his unparalleled commitment to human rights and to the fight against oppression and tyranny, in Cuba as well as in everyplace where men are oppressed.

In the last few days, the Cuban tyrant, Fidel Castro, has sentenced over 75 known, peaceful, pro-democracy activists to ultimately brutal prison terms in his dungeons. In addition, after sham, summary "trials" totally devoid of due process, Castro ordered the execution of three Cubans just days after they had attempted to take a boat to freedom in the United States.

It is obvious that Castro feels that his grip on power is seriously threatened by the Cuban people's desire for freedom. Castro's rule has always been characterized

by ruthlessness; it is now based solely on absolute terror. Castro's oppression constitutes a form of terrorism that cannot continue to be allowed to exist by the international community. Terrorism committed by a state against its unarmed citizens is just as heinous and intolerable as terrorism committed by stateless gangs against states. The continuation of Castro's state terrorism against the Cuban people cannot be tolerated.

Likewise, those who do business with Castro, or seek to do so, must be on notice that they will be viewed by the democratic Cuba of the future as collaborationists of a murderous tyranny, and that their collaborationism will have serious penal consequences.

It is time for the United States to make clear that coexistence with the Castro regime is no longer an option. The Cuban people cannot continue to suffer endlessly.

ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD BY CARLOS LAURIA, AMERICAS
PROGRAM COORDINATOR, COMMITTEE TO PROTECT JOURNALISTS

[NOTE: The book, *Attacks on the Press in 2002*, by the Committee to Protect Journalists, 330 7th Avenue, 12th Floor, New York, NY 10001, <http://www.cpj.org>, is not reprinted here but is available in the Committee on International Relations' files.]

COMMITTEE TO PROTECT JOURNALISTS,
330 SEVENTH AVENUE,
NEW YORK, NY, APRIL 2, 2003.

HIS EXCELLENCY Fidel Castro Ruz,
President of Cuba,
C/o Cuban Mission to the United Nations
New York, NY 10016-2606.

Via facsimile: 212-779-1697

YOUR EXCELLENCY: The Committee to Protect Journalists (CPJ) strongly condemns the Cuban government's latest crackdown on the independent press, during which 27 journalists have been detained and await prosecution. The timing of these actions suggests that the Cuban government has taken advantage of the fact that the world's attention is focused on the U.S.-led war against Iraq.

Police began arresting the journalists on March 18, raiding and searching their homes, confiscating books, typewriters, research materials, cameras, computers, printers, and fax machines. Officers also took books of poetry, family pictures, and medicine from some journalists.

As of this week, independent journalists Jorge Olivera, Ricardo González Alfonso, Raúl Rivero, José Luis García Paneque, Omar Rodríguez Saludes, Pedro Argüelles Morán, Edel José García, José Gabriel Ramón Castillo, Julio César Gálvez, Víctor Rolando Arroyo, Manuel Vázquez Portal, Héctor Maseda, Oscar Espinosa Chepe, Adolfo Fernández Sainz, Mario Enrique Mayo, Fabio Prieto Llorente, Pablo Pacheco, Normando Hernández, Carmelo Díaz Fernandez, Miguel Galván, Léster Luis González Pentón, Alejandro González Raga, Juan Carlos Herrera, José Ubaldo Izquierdo, Mijail Barzaga Lugo, Omar Ruiz, Iván Hernández Carrillo, and Alfredo Pulido are imprisoned at jails in the State Security Department. Two other journalists, Roberto García Cabrejas and Adela Soto Alvarez, have been placed under house arrest.

Last week, relatives of detained journalists were allowed to visit them briefly, and some were told they could only speak about family matters. In most cases, officials were present during the visits.

According to CPJ sources, most journalists will be tried for violating Law 88 for the Protection of Cuba's National Independence and Economy, which imposes 20 years in prison for anyone convicted of "supporting, facilitating or collaborating with the objectives of the Helms-Burton Law [legislation that tightened the U.S. economic embargo on Cuba], the embargo, and the economic war against our people, which are aimed at ruining internal order, destabilizing the country and liquidating the socialist state and Cuba's independence."

Other journalists may also be tried for violating Article 91 of the Penal Code, which establishes 10 to 20 years in prison or death for those who act against "the independence or the territorial integrity of the State."

However, sources close to the journalists told CPJ that at least three of the 27 journalists could face life terms. Others face prison terms ranging from 15 to 30 years.

Cuban authorities routinely accuse political dissidents and independent journalists of being “counterrevolutionaries” at the service of the United States. The March 19 edition of the Cuban Communist Party daily newspaper, Granma, contained a statement linking the detainees to U.S.-sponsored “conspiratorial activities.” However, CPJ believes that these journalists have been imprisoned solely for exercising their right to freedom of expression as guaranteed by the Universal Declaration of Human Rights.

We urge Your Excellency to release all the detained journalists immediately and unconditionally and to ensure that their confiscated equipment and materials are returned to them. Furthermore, we call on the Cuban government to respect international guarantees for freedom of expression and to cease harassing the independent press.

Sincerely,

JOEL SIMON, *Acting Director*

CC:

Bruno Rodríguez Parrilla, Permanent Representative of Cuba to the United Nations
Dagoberto Rodríguez Barrera, Chief of the Cuban Interests Section, Washington, D.C.

Javier Solana, European Union High Representative for Common Foreign and Security Policy

Eduardo Bertoni, Special Rapporteur for Freedom of Expression (OAS)

American Society of Newspaper Editors

Amnesty International

Article 19 (United Kingdom)

Artikel 19 (The Netherlands)

Canadian Journalists for Free Expression

Freedom Forum

Freedom House

Human Rights Watch

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Inter American Press Association

International Center for Journalists

International Federation of Journalists

International PEN

International Press Institute

Lorne W. Craner, United States Assistant Secretary for Democracy, Human Rights, and Labor

Alain Modoux, director, UNESCO Freedom of Expression Program

The Newspaper Guild

The North American Broadcasters Association

Overseas Press Club

Reporters Sans Frontières

Sergio Vieira de Mello, United Nations High Commissioner for Human Rights

The Society of Professional Journalists

World Association of Newspapers

World Press Freedom Committee

NEWS RELEASE, COMMITTEE TO PROTECT JOURNALISTS,

CUBA: Argentine professor detained for interviewing independent journalists

New York, February 14, 2003—Cuban authorities detained Argentine journalism professor Fernando Ruiz Parra, who was researching a book about Cuba’s independent journalism movement, on February 11 and held him incommunicado. He was released on February 12 and was deported the following day.

Ruiz Parra, who arrived in Cuba on February 3 on a tourist visa, told CPJ that he was detained at around 7 a.m. at his hotel in the capital, Havana. Officials took him to a Ministry of Interior detention center in the municipality of Plaza. He had just returned from a trip to Cuba’s central provinces, where he interviewed and took pictures of several independent journalists.

Although Ruiz Parra was not mistreated, he was subjected to four interrogation sessions, lasting about two hours each, during which he was asked why he was in Cuba, why he had chosen to interview independent journalists, and if he knew them personally. The professor was also accused of violating the terms of his tourist visa by engaging in journalistic work. Cuban authorities did not report his detention to the Argentine Embassy, and he was not allowed to call embassy officials.

Argentine Embassy officials reached Ruiz Parra late in the afternoon of February 12, after his wife and friends phoned the embassy. He was released later that

evening into the custody of embassy officials and slept at the embassy. Cuban authorities returned his video and photographic cameras but confiscated his research materials, including notes, audio and videotapes, and film. On the morning of February 13, he was deported to Argentina via Panama.

Independent journalists told CPJ that Ruiz Parra had been in contact with them for two months. Ruiz Parra said that he also wanted to meet with journalists who work for the official press, as well as journalism professors at Universidad de La Habana. He had originally planned to return to Argentina on February 15.

Under Cuban immigration regulations, foreign journalists who visit the island to do journalistic work must apply for D-6 visas, which are processed through Cuban embassies abroad and granted selectively, a practice that CPJ has condemned. Cuban law further specifies that foreign media professionals who travel to the country on a tourist visa or any type of visa other than the D-6 "should abstain from practicing journalism." In recent years, CPJ has documented the cases of several foreign journalists who have been detained, deported, and had their research materials confiscated after meeting with independent journalists while traveling to Cuba on tourist visas.

"During the last three years, the Cuban government has repeatedly tried to prevent independent Cuban journalists from working with their foreign colleagues. We urge President Fidel Castro to cease this practice and allow all journalists to work freely on the island," said CPJ's acting director Joel Simon.

For more information about press freedom conditions in Cuba, visit <www.cpj.org>. CPJ is a New York-based, independent, nonprofit organization that works to safeguard press freedom around the world.

NEWS RELEASE, COMMITTEE TO PROTECT JOURNALISTS,

CPJ Condemns Convictions of Independent Cuban Journalists

New York, April 9, 2003—The Committee to Protect Journalists (CPJ) deplores the convictions of 28 independent Cuban journalists who have been detained since a crackdown began there on March 18. The journalists' one-day trials were held on April 3 and 4 behind closed doors.

On Monday, April 7, courts across the island announced prison sentences for the journalists, ranging from 14 to 27 years. According to a communiqué issued by several well-known dissidents, in several cases defense lawyers did not have access to their clients or only had a few hours to prepare their cases.

"We were deeply concerned when the Cuban government took advantage of international events to launch this crackdown on the press last month," said CPJ acting director Joel Simon. "And our concern turned to outrage when we learned that almost 30 journalists have been sentenced to lengthy jail terms for merely expressing their views."

Prominent journalists Raúl Rivero and Ricardo González Alfonso, whose trials were held on April 4, were each sentenced to 20 years in prison. The two men were accused of, among other charges, creating the journalists' organization Sociedad de Periodistas Manuel Márquez Sterling and its "subversive" magazine, *De Cuba*.

Rivero and González Alfonso were tried under Article 91 of the Penal Code, which imposes lengthy prison sentences or death for those who act against "the independence or the territorial integrity of the State."

In addition to being charged under Article 91, some journalists were prosecuted for violating Law 88 for the Protection of Cuba's National Independence and Economy, which imposes up to 20 years in prison for anyone who commits "acts that in agreement with imperialist interests are aimed at subverting the internal order of the Nation and destroy its political, economic, and social system."

The detentions of journalists and political dissidents, who are often accused of being "counterrevolutionaries" at the service of the United States, began on March 18 and continued for three days. Police raided and searched the journalists' homes, confiscating books, typewriters, research materials, cameras, computers, printers, and fax machines. The journalists are currently imprisoned in several jails administered by the State Security Department.

According to the Cuban Commission for Human Rights and National Reconciliation, a dissident organization, the following prison sentences have been announced by the courts:

Ricardo González Alfonso (20 years), Víctor Rolando Arroyo (26 years), Normando Hernández González (25 years), Raúl Rivero (20 years), Oscar Espinoza Chepe (20 years), Julio César Gálvez (15 years), Edel José García (15 years), Adolfo Fernández Saínz (15 years), Jorge Olivera Castillo (18 years), Omar Rodríguez Saludes (27

years), Manuel Vázquez Portal (18 years), Héctor Maseda Gutiérrez (20 years), Mijaíl Barzaga Lugo (15 years), Carmelo Díaz Fernández (15 years), Pedro Argüelles Morán (20 years), Pablo Pacheco Avila (20 years), Alejandro González Raga (14 years), Alfredo Pulido López (14 years), Mario Enrique Mayo (20 years), and Fabio Prieto Llorente (20 years).

According to the Miami-based news Web site *Nueva Prensa Cubana*, which posts reports filed by independent Cuban journalists, the following journalists have also been sentenced: Iván Hernández Carrillo (25 years), José Luis García Paneque (24 years), and Juan Carlos Herrera (20 years).

CPJ is still trying to determine the sentences of journalists Miguel Galván Gutiérrez, José Ubaldo Izquierdo, Léster Luis González Pentón, Omar Ruiz Hernández, and José Gabriel Ramón Castillo, all of whom face lengthy jail terms.

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NEWS RELEASE, COMMITTEE TO PROTECT JOURNALISTS,

CUBA: Independent press under siege

New York, August 7, 2002—In a fresh series of actions against Cuba's independent press corps, Cuban state security agents have harassed, detained, and threatened several independent journalists during the last 10 days.

Journalist detained

Ángel Pablo Polanco, 60, director of the independent news agency Noticuba, was detained on July 30. According to Polanco's wife, at around 11:30 a.m. that morning, seven or eight plainclothes state security agents arrived at the journalist's apartment, in the Havana municipality of Diez de Octubre.

The security agents, who said they were looking for "illegal items," thoroughly searched the apartment until 8:30 p.m., confiscating several electronic appliances, including a fax machine and a cordless phone, documents, books, money, and Polanco's passport.

Polanco, who is handicapped and can barely walk, was arrested at around 9 p.m. The security agents did not have a warrant but demanded that Polanco leave with them. When he refused, the officers lifted him, carried him away, and forced him into a car.

The journalist, who was released on August 3, told the independent journalists' association Sociedad de Periodistas Manuel Márquez Sterling that the authorities charged him with instigating others to commit the crimes of "contempt for authority" and "insulting the nation's symbols."

Polanco is now required to report twice a month to a local police station while police continue an investigation. His confiscated items have not been returned to him.

In the past, Polanco has filed news reports for the Miami-based Web sites *Nueva Prensa Cubana* and *Cubanet*. More recently, his reports have been broadcast back to Cuba over Miami-based, U.S.-government-financed *Radio Martí*.

Journalist threatened

On the morning of July 31, Jesús Álvarez Castillo, a reporter for the independent press agency CubaPress, was summoned to the local headquarters of the Department of Technical Investigations (DTI), the criminal police, in the central town of Ciego de Avila. There, the journalist was interrogated for four hours and pressured to testify about a March 4 protest at a local hospital.

On March 4, Álvarez Castillo had been trying to cover opposition protests in Ciego de Avila when police officers stopped him and applied a chokehold to him. On the way to the police station, Álvarez Castillo fainted and was taken to a hospital, where X-rays revealed he had a sprained neck.

After learning of the attack, activists Léster Téllez Castro and Carlos Brizuela Yera joined other opposition members inside the hospital to protest the assault. The demonstrators shouted anti-government slogans. Police then beat them and took them to the headquarters.

Álvarez Castillo was discharged from the hospital that same afternoon. Téllez Castro and Brizuela Yera have been imprisoned without charges since March 4.

When Álvarez Castillo was summoned on July 31, officers asked him to testify about the melee between the protestors and the police. When he told the agents that he had not witnessed the incident, they threatened to prosecute him for perjury.

Several journalists arrested

In anticipation of protests that political opponents of President Fidel Castro Ruz had called for August 5, Cuban authorities harassed and intimidated several journalists to keep them from covering the demonstrations. In the eastern province of Holguín, police detained journalist Juan Carlos Garcell for four hours and confiscated his notes. Journalists María Elena Alpízar and Isabel Rey, who live in the central province of Villa Clara, were ordered to stay at home on August 5. And in the western Isla de la Juventud Province-formerly Isla de Pinos-police detained a fourth journalist, Carlos Cerpa Maceira, for five hours.

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