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CONSIDERATION OF THE REPORT OF THE MISSION WHICH TOOK PLACE
IN CUBA IN ACCORDANCE WITH COMMISSION DECISION 1988/106

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Chapter I

MANDATE, ESTABLISHMENT AND ACTIVITIES OF THE GROUP

A. Decision 1988/106

1. At its 56th meeting, on 10 March 1988, the Commission on Human Rights without a vote took the following decision:

"The Commission on Human Rights, having regard to the invitation of the Government of Cuba, decided:

(a) to accept the invitation that the Chairman and five members of the Commission, appointed following regional consultations, should visit Cuba in order to observe the human rights situation;

(b) that the Chairman of the Commission, together with the five other members of the mission, should prepare a report to be submitted for consideration by the Commission, which would decide on the manner in which the report was to be examined."

2. This report is being submitted to the Commission on Human Rights pursuant to the above-mentioned decision, with the aim of informing the Commission of the group's observations on the human rights situation in Cuba. Chapter I details the group's activities before, during and after its visit to Cuba. Chapter II covers the constitutional and legal aspects of human rights in Cuba. Chapters III and IV set out the group's observations on civil and political rights and on economic, social and cultural rights respectively. Chapter V contains the final considerations. The report also includes a set of annexes which form an integral part of it.

B. Establishment of the Group

3. Through a press release dated 31 May 1988, the Chairman of the Commission on Human Rights at its forty-fourth session announced the membership of the group which would visit Cuba pursuant to decision 1988/106. The group, under the chairmanship of Ambassador Alioune Sene, from Senegal, in his capacity as Chairman of the Commission on Human Rights, was composed, after regional consultations, of the following members: Ambassador J. Sefi Attah, from Nigeria, representing the African Group; Ambassador Todor Dichev, from Bulgaria, representing the Eastern European Group; Under-Secretary for Foreign Affairs José D. Ingles, from the Philippines, representing the Asian Group; Ambassador Michael J. Lillis, from Ireland, representing the Group of Western European and others States; and Ambassador Rafael Rivas Posada, from Colombia, representing the Latin American Group.

C. Preliminary activities

4. On 9 June 1988 the Chairman of the group met with the Permanent Representative of Cuba to the United Nations Office at Geneva for the purpose of coordinate the group's visit. The Permanent Representative of Cuba expressed the wish of his Government to co-operate with the group in the fulfilment of its mandate. The Chairman of the group proposed tentatively that the visit take place between 18 and 24 September 1988. On 4 July 1988 on the initiative of the Permanent Representative of Cuba, the Chairman met in

Geneva with Deputy Minister for External Relations of Cuba, Mr. Raúl Roa Kouri. The Deputy Minister reiterated the wish of his Government to co-operate with the group; furthermore he expressed the agreement of the Government of Cuba with the dates proposed by the Chairman. He also emphasized his Government's views that it was for the group to determine in complete freedom the details of its visit and he repeated that the group could meet whomever it wished and go wherever it wanted. He nevertheless stated that the Cuban Government wished to submit a proposed programme of work that included a list of government officials and representatives of mass organizations whom, in the Government's view, the group should meet during its visit. In addition, the Cuban Government proposed a list of institutions that might be visited. Among the officials the Government suggested that the group should interview were the Minister for External Relations, the Minister of the Interior, the Minister of Justice, the President of the Supreme Court of Justice, the Attorney-General, the Director of Prisons and the Chief of the Department of State Security. The institutions suggested for visits included the National Assembly of People's Power, various educational centres, hospitals and prisons (including Combinado del Este, Boniato, Women's Prison, etc.). The Deputy Minister further suggested that the group should interview representatives of mass organizations, including the Communist Youth Organization and the Federation of Cuban Women. Annex I to this report contains a note reflecting the proceedings at this meeting.

5. On the request of the Government of Cuba the Chairman of the group met once again with the Deputy Minister for External Relations in Geneva on 25 July 1988 prior to the opening of the first meeting of the group.

6. After the adoption of the decision by the Commission on Human Rights and while the process of choosing members of the group was under way, private individuals and organizations communicated to the Commission their views on various aspects of the human rights situation in Cuba. The information from private individuals and organizations thus received consisted of reports and publications; some organizations, including the Labour Commission for Human Rights in Cuba, based in Miami, the Madrid Office of the Cuban Committee for Human Rights, the United States Mission to the United Nations Office at Geneva and the Cuban Political Imprisonment Organization, transmitted information on individual cases. The group's Chairman, in his capacity as Chairman of the Commission on Human Rights, interceded with the Cuban Government, calling for a prompt solution to some of these cases on purely humanitarian grounds. The letters sent by the Chairman were delivered to Ambassador Carlos Lechuga Hevia, the Permanent Representative of Cuba to the United Nations Office at Geneva, and were dated 17 June 1988 (6 cases), 30 June 1988 (9 cases) and 14 July 1988 (10 cases). On 1 September 1988 ^{*}/ the Chairman submitted an additional case. The Cuban Government informed the Chairman orally that 10 cases were under study, 8 had the authorization to enter or leave the country, 5 were momentarily forbidden from abandoning Cuba and 3 had no difficulties to leave the country if they so wish.

7. Following consultations with the members, on 29 June the Chairman convened the first meeting of the group, to be held in Geneva from 25 to 29 July 1988. At the same time, he requested the Commission's secretariat to prepare the following documents for that meeting: a summary of the principal human rights provisions in the Cuban Constitution and Penal Code; a list of

international human rights conventions ratified by Cuba; a list of documents relating to the human rights situation in Cuba received by the group up to 30 June 1988 from Cuban and foreign non-governmental organizations; a list of all individual cases referred to in material received by the secretariat; a list of persons or entities wishing to be heard by the group; and a list of private individuals and organizations who had requested the group's assistance in solving specific problems. */

D. First meeting of the Group (Geneva, 25-29 July 1988)

8. At its first meeting, the group discussed the scope of the mandate it had been given by the Commission on Human Rights and the criteria it would use to observe the human rights situation in Cuba. In this respect, it agreed by consensus that the Universal Declaration of Human Rights and the international instruments relating to human rights ratified by Cuba would constitute the fundamental bench-mark for its observations (see annex II). The members of the group also discussed the programme of work, in the light of the proposal made by the Government of Cuba. They decided, in addition, to grant equal time and opportunities to the governmental sector and the non-governmental sector and to set aside, within their programme, the necessary time for visits to places of interest. All these decisions were taken by consensus, a procedure which the group agreed to follow in future.

9. Similarly, the group reviewed the material received and the documents mentioned above. It also took the opportunity to exchange views on the principal provisions of the Cuban Constitution and Penal Code involving human rights in Cuba. It went on to discuss a number of matters concerning its visit and took the following decisions:

(1) To send the Government of Cuba a selection of documents received by the group from Cuban and foreign non-governmental organizations in order that the Government might, if it so wished, express its opinions on them to the group (see annex III). Among those documents were several sent by non-governmental organizations and individuals in Miami including lists of some 2,000 cases and letters of allegations of human rights said to have occurred in earlier years. These allegations referred to right to life, integrity, security, individual liberty and privacy; political and religious freedoms; judicial protection of rights and public freedoms; and the right to education. These documents were transmitted by letter dated 29 August 1988. The group did not receive any written comments from the Cuban authorities on these documents; during interviews with the group, however, the authorities provided information on various aspects.

(2) To send the Government of Cuba a note containing its principal questions about the possible effect on human rights of certain constitutional and penal provisions and to ask for comments, if possible for the group's next meeting, to be held from 12 to 15 September 1988.

*/ The documents are available for consultation, in the secretariat's files.

(3) To approve a provisional programme of work for the visit, which, after a lengthy exchange of ideas, was drawn up on the basis of the principle of accommodating the wishes of each member of the group, without giving anyone priority over anyone else. Applying that principle, the group decided to extend its visit, agreeing that it should take place from 16 to 25 September 1988. The group also agreed to send a member of the secretariat to Cuba a few days before its arrival, so as to prepare details of the visit and to make arrangements for individuals and organizations that might request interviews with the group or submit testimony to it. The group also agreed that its second meeting before the visit to Cuba would be held in Geneva from 12 to 15 September 1988 and that, in the course of the meeting, it would receive any human rights organizations wishing to address it.

(4) To agree that the Chairman would be the only person authorized to make statements to the mass communication media in connection with the group's mandate.

(5) To send the Government of Cuba a communiqué announcing the group's visit, for appropriate publication in the Cuban press as from 10 August 1988. The text of the communiqué was transmitted to the Permanent Representative of Cuba to the United Nations by letter on 4 August 1988. The communiqué began by reproducing decision 1988/106 in full. It went on to list the members of the group and give the dates of its visit. It concluded by stating that any organizations or persons interested in supplying information or to meet the group could contact the secretariat through the UNDP office in Havana before 10 September 1988. The full text of the communiqué will be found in annex IV.

10. During this first preparatory meeting, on 28 July 1988 the group invited the Permanent Representative of Cuba to the United Nations Office at Geneva, who was informed of its decisions and with whom it exchanged views on various aspects of the visit. The group requested and obtained guarantees from the Government of Cuba that no reprisals would be taken against persons testifying before it. For his part, the Ambassador of Cuba undertook to send to his Government, as soon as he received them, the documents selected by the group and the note it had prepared about the implications on human rights of certain Cuban constitutional and penal provisions. He further undertook to communicate to his Government the dates of the visit and the group's programme of work and to request that the communiqué announcing its visit should be reported in the principal media. The group emphasized the need for the said communiqué to be published in the press in due time prior to the visit. (See annex V).

11. After the group had sent to the Cuban Government the letter dated 4 August 1988 containing its request to publicize the above communiqué, the secretariat contacted the Resident Representative of UNDP in Havana, for the purpose, of co-ordinating the publication of the communiqué. Shortly afterwards, the secretariat was informed by the Ministry for External Relations that the Government of Cuba would, through its Permanent Representative in Geneva, consult the Chairman of the group on how often the communiqué was to be published. After informal consultations with the participation of members of the group, the newspaper Granma published a notice on 27 August 1988 reporting the announcement by the Deputy Minister for External Relations of the group's visit to Cuba. The text of the notice will be found in annex VI.

E. Second meeting of the Group (Geneva, 12-15 September 1988)

12. On 12 September 1988, before its second meeting, the group's Chairman had a meeting in Geneva with Cuba's Deputy Minister for External Relations at the latter's initiative, with whom he arranged details relating to the group's visit. In the course of its second meeting, the group heard statements by representatives of Amnesty International and the New York City Bar Association on the results of their working visits to Cuba. Delegations from both organizations visited Cuba in 1988 at the invitation of the Government of Cuba, to study the human rights situation. The group also received testimony from eight representatives of the Task Force for Human Rights, based in Miami, two representatives of the association Women for Human Rights Inc., and one representative of the Spanish section of the Cuban Committee for Human Rights, based in Madrid. These three organizations reported alleged violations of human rights relating to the right to life, integrity, security, individual liberty and political and religious freedoms.

F. The visit to Cuba (16-25 September 1988)

13. The group, accompanied by five members of the staff of the Centre for Human Rights, six interpreters, two sound engineers and a press officer, arrived at José Martí airport in Havana early in the morning of 16 September 1988 and was met by the Deputy Minister for External Relations of Cuba, Mr. Raúl Roa Kouri. Both the Deputy Minister and the group's Chairman made statements to the press. In the afternoon of the same day the group was received in person by Mr. Isidoro Malmierca, Minister for External Relations, who stated that, in the view of the Cuban authorities the mandate of the group was to observe the situation of human rights in Cuba. During its stay in Cuba, the group met Dr. Fidel Castro Ruz, President of the Council of State (25 September). It was also received by Mr. Carlos Rafael Rodríguez, Vice-President of the Council of State (25 September), and other senior government officials, in particular those responsible for sectors directly related to human rights. Thus, the group met Mr. José A. Fernández, Minister of Education, and Mr. Fernando Vecino Alegret, Minister of Higher Education (19 September); Mr. Julio Teja, Minister of Health (20 September); Gen. José Abrantes, Minister of the Interior (22 September); Mr. Juan Escalona Reguera, Minister of Justice (22 September) and Mr. Francisco Linares Calvo, Minister of Labour (23 September). It also met representatives of the legislature and the judiciary, the former including Mr. Luis Méndez Morejón, Secretary-General of the National Assembly of People's Power and seven other members (17 September); and the latter including Mr. Raúl Amaro Salup, President of the Supreme Court (22 September). On the same day it also met Mr. Ramón de la Cruz Ochoa, Attorney-General of the Republic; representatives of the Cuban Union of Jurists, headed by Mr. Carlos Amat Torres, President of the Union; the National Directorate of Bufetes Colectivos (Associated Lawyers' Offices), headed by Mr. Emiliano Maurela Porto; and Mr. José Felipe Carneado and Mr. Carlos Aldana Escalante, the Communist Party officials responsible for religious affairs and for information and culture respectively.

14. The group also met officials of the Housing Institute (20 September) and leaders of the following mass organizations: National Co-ordinating Organization for the Committees for the Defence of the Revolution (CDR) (21 September), Federation of Secondary School Students (FEEM), Federation of University Students (FEU), Union of Communist Youth (UJC) and Cuban Union of Journalists (23 September). In addition, the group had the opportunity to hear and talk with the President of the Cuban Radio and Television Institute (23 September).

15. At a meeting held on 18 September the group exchanged views with prominent figures in the world of Cuban arts and culture invited by the Union of Writers and Artists of Cuba. It also met directors of the principal newspapers, periodicals and television and radio stations, namely Granma, Bohemia, Juventud Rebelde, Trabajadora, TeleRebelde and Radio Rebelde (23 September). This meeting was also attended by the Dean of the Faculty of Journalism in the University of Havana and the President of the Cuban Union of Journalists.

16. During its stay in Havana the group visited educational institutions, hospitals, a Committee for the Defence of the Revolution, a detention centre, and a prison. The educational institutions visited included the José Antonio Echeverría Advanced Political Institute, the San Antonio de los Baños Secondary School, the International Cinema School (19 September) and the Cesáreo Fernández Díaz Primary School (20 September). The hospitals visited included the Hermanos Ameijeida Hospital and the Psychiatric Hospital (20 September). The group also visited the Armando Parra Committee for the Defence of the Revolution (No. 5) in the municipality of 10 de Octubre, and the Villa Marista (Headquarters of the Department of State Security and Holding Centre for interrogation of State Security prisoners) and the Combinado del Este prison, where it talked with nine prisoners chosen by the group during its visit (21 September).

17. The group travelled outside Havana on two occasions. On the first occasion (17 September), at the suggestion of the Government of Cuba, it visited the Isla de la Juventud, where it was met by local officials and the Minister of Education, who accompanied the group on a visit to a school for Namibian children, where these and children of other nationalities attending other schools on the Isla de la Juventud gave a musical performance. The group also visited the old Isla de Pinos prison, now converted into a museum.

18. On the second occasion (24 September) and on its own initiative, the group travelled to the province of Pinar del Río, where it met provincial officials. It visited the provincial prison, known as "Cinco y Medio", where it talked with two common prisoners and one counter-revolutionary prisoner, and at the República de Chile Agricultural Production Co-operative, where it had a wide-ranging informal talk with the Co-operative's leaders and members, and afterwards visited their premises. On the same day, the group split up for the second and last time during its visit to Cuba. One of the resulting subgroups talked with the Provincial Social Welfare and Assistance Commission, while the other talked with provincial representatives of the Federation of Cuban Women. The other occasion on which the group split up was when Ambassadors Lillis and Dichev were asked by the group to receive communications that some political prisoners wanted to convey to it in Combinado del Este Prison. In the late afternoon, the group received oral testimony from 10 persons from Ciudad Sandino and written testimony from some 40 other persons.

19. In addition to all these activities, and in strict conformity with its earlier decision to divide its time equitably between the governmental and non-governmental sectors, the group received non-governmental organizations at the Hotel Comodoro in Havana, where it was staying. These were the Cuban Committee for Human Rights, represented by its Vice-President, Mr. Gustavo Arcos Bergnes, and by the heads of the sectoral sub-committees on Education, Art and Letters and on Public Health represented by Mr. Sebastián Arcos (son); the Commission for Human Rights and National Reconstruction, headed by Mr. Elizardo Sánchez Santa Cruz (17 September), the Allied Human Rights and National Reconciliation Organizations, headed by Mr. Julio Soto Angurel (17 September); the Asociación Naturista Vida, represented by Mr. Orlando Polo and Mrs. Mercedes Pérez Lorénte (17 September); and the Asociación Pro-Art Libre (Free Arts Association), headed by Mr. Armando Araya García and Ms. Rita Fleitas Fernández (22 September). The group also invited the leaders of the Cuban Ecumenical Council, headed by Reverend Raúl Suárez Ramos (17 September) and the Catholic Episcopal Conference (23 September) to meet with the group, at which the Conference was represented by its President Monsignor Jaime Ortega, Archbishop of Havana, Monsignor José Siro González, Bishop of Pinar del Río and Monsignor Carlos Manuel de Céspedes, Director of the Secretariat of the Episcopal Conference. In all, the group received testimony from more than 30 official representatives of non-governmental organizations.

20. The group also received oral testimony from approximately 50 persons. The group was obliged to take steps to ensure that, as far as possible, all persons requesting a meeting were duly heard and their cases appropriately recorded. Individual and collective testimony received by mail was also recorded and filed, together with testimony given in person. This was done by organizing a reception system which operated permanently throughout the visit. In addition to direct testimony from the 87 persons it interviewed, more than 30 of whom represented non-governmental organizations, with the co-operation of the United Nations Development Programme office in Havana and the secretariat, the Secretariat on behalf of the group also received written testimony from approximately 1,600 persons. Annex VII gives the names of these persons with an indication of their complaints. */

21. On 25 September, the day of its departure, the group was received separately by Dr. Fidel Castro Ruz, President of the Council of State, and Mr. Carlos Rafael Rodríguez, Vice-President of the Council of State. The latter answered the principal questions which had arisen during the group's visit concerning various aspects of human rights in Cuba and any other questions the group wished to ask him. For his part, President Fidel Castro received the group at the Presidential Palace and, after conversing with the group, entertained it to a working luncheon, in which members of the group exchanged opinions with him and with the Vice-President of the Council of State, other senior Cuban officials present, and intellectuals and leaders of mass organizations the group had met in the course of its visit.

22. On the afternoon of the same day, the group held a meeting in which it took a number of decisions relating to the preparation of the preliminary draft of the report to be discussed at its next meeting. It agreed that the meeting would be held in Geneva from 5 to 9 December 1988 and tentatively established that the report would be approved at a meeting to be held from 23 to 27 January 1989. The group also decided to send the following communications:

(1) Letter to the Cuban Ministry of the Interior requesting, on humanitarian grounds, a solution to the problems preventing the temporary or final entry or departure of approximately 65 persons. (See the text of the letter in annex VIII. The list of the 65 persons is to be found in annex IX.

(2) List sent to the Cuban Deputy Minister for External Relations containing the names and addresses of all persons who contacted the group during its stay in Cuba. The letter, dated 11 October 1988, pointed out that the list was transmitted with the assurances given by the authorities that no difficulties would be created for any of those persons because they had contacted the group. The full text of the letter will be found in annex X.

(3) Letter to each of the persons who contacted the group in Cuba, together with the non-governmental organizations which offered to co-operate. This letter, dated 18 October 1988, was sent through the United Nations Development Programme office. In it the group said it would do everything in its power to ensure that the cases in question were examined and dealt with by the competent authorities. The text of the letter will be found in annex XI.

23. At the end of the group's visit and before it returned from Cuba, the Chairman gave a press conference, at which he was accompanied by the other members of the group. The Chairman summarized the group's activities during its visit and answered questions from journalists. Throughout the visit, a member of the secretariat informed the press every day of the group's activities. On his return to Geneva, the Chairman gave a press conference.

24. The logistic preparations requested by the secretariat on behalf of the group were made by the Cuban authorities. Security measures connected with the group's activities in Cuba were handled by the Cuban authorities. The Cuban Government also made itself fully responsible for the group's transport in Cuba. The group itself bore the cost of its travel to Cuba and of its board and lodging.

G. Third meeting of the Group (Geneva, 5-9 December 1988)

25. During its third meeting, in Geneva, the group discussed the preliminary draft of its report to the Commission on Human Rights, took note of the communications received since its return from Cuba, and decided:

(1) To meet again from 16 to 20 January 1989 to examine the revised draft of the report.

(2) To transmit to the Cuban authorities the written testimony received by the group, except where the persons submitting the testimony requested that it should not be transmitted, together with the documents provided by non-governmental organizations and a transcription of the interviews (87 in all) held by the group directly with individuals and representatives of Cuban non-governmental organizations. The text of the letter dated 13 December 1988 may be found in annex XII.

(3) To take note of the communication of 14 November 1988 from the Cuban Government signed by the Ministry of Interior in answer to the letter dated 23 September 1988 from the Chairman of the group requesting the Cuban Government to intervene on humanitarian grounds to allow 49 cases (involving 65 persons) to leave the country. According to the Cuban Government's reply, 41 of these cases (involving 50 persons) have a favourable result with the Cuban migratory regulations. 18 of them (involving 22 persons) have all the paper in order but have not yet received the corresponding visa from the receiving country. Finally 8 cases (involving 15 persons) can not leave the country for the time being. The latter are not indefinitely forbidden to travel abroad but according to existing regulations they must wait an appropriate period of time because of military service reasons, because they are doctors or because of other reasons. (See the full text of the letter in annex IX).

(4) To communicate orally to the Permanent Representative of Cuba in Geneva allegations of reprisals that the Government was said to be taking against 14 persons who spoke with the group in Cuba. (See annex XIII).

26. On 8 December 1988, the group spoke with the Permanent Representative of Cuba to the United Nations and stated, through the Chairman, the group's intention to send him all the documentary information gathered in Cuba, for the purpose of obtaining the Government's comments. The Ambassador of Cuba regretted that he had not received such information earlier, for in view of the short space of time between delivering the information and the next meeting of the group it would be very difficult for his Government to comment appropriately on all the material with which it was being provided. The Chairman told him that the drafting and approval of the report did not depend on receipt of the Cuban Government's reply. He also drew the attention of the authorities to allegations from Cuba that reprisals were being taken against persons who provided the group with testimony. On this matter, the Ambassador of Cuba said that nobody had suffered reprisals as a result of contacting the group, but it should also be borne in mind that the fact of having contacted the group in no sense afforded immunity under the Cuban legal system.

H. Fourth meeting of the Group (Geneva, 16-20 January 1989)

27. The group continued its examination of the draft report for the Commission for Human Rights; in addition it took note of a note verbale from the Government of Cuba dated 9 January 1989 (see annex XIV) to which it agreed on a reply (see annex XV). Finally the group decided to re-convene on 20 February 1989.

I. Fifth meeting of the Group (Geneva, 20-21 February 1989)

28. At its fifth meeting the group adopted the present report.

Chapter II

CONSTITUTIONAL AND LEGAL ASPECTS OF HUMAN RIGHTS IN CUBA

29. As has already been mentioned in chapter I, on 29 August 1988 the group sent to the Cuban Government, *inter alia*, a note containing a series of questions about certain constitutional and legal provisions relating to its mandate. The note began as follows:

"At its first preparatory meeting, the group considered the need to establish the terms of reference for the performance of its task, namely, to monitor the situation of human rights in Cuba and to report thereon. The group agreed that its terms of reference must be the Universal Declaration of Human Rights and the international conventions to which Cuba is a party.

In the course of its first preparatory meeting, the group held a preliminary discussion on the possible impact of a number of Cuban constitutional and penal provisions on human rights. Several questions were asked on this subject and it was deemed useful to transmit them to the Government of Cuba, in the form in which they were asked, in order to receive such comments as the Government might wish to make, if possible before the forthcoming meeting of the group on 12 September.

The group wishes to emphasize that the questions which follow are aimed at establishing the consequences for human rights of the implementation of the provisions under consideration, and in no way seek to call their legality in question. That is a matter for the Cuban people itself to determine."

30. Because of their relevance to the human rights situation in Cuba, the questions asked by the group and the references made to them by the Cuban authorities during its visit to Cuba are transcribed in this section. In drafting it, as in all its activities, the group bore in mind the agreement reached at its first meeting whereby the Universal Declaration of Human Rights and the international human rights' conventions ratified by Cuba would be its basic frame of reference in observing the human rights situation in Cuba. The themes to which the group's questions presented to the Government relate are as follows: personal freedom; administration of justice; freedom of movement and right of asylum; citizenship; religious freedom, freedom of expression and freedom of the press; freedom of assembly and association; and freedom of education. In addition, the note referred to two subjects of a general nature which are presented in the final part of this section: limits set on the rights recognized by the Constitution and states of emergency. The questions which were not answered or commented on by the Cuban authorities may be found in annex XVI. The opinions expressed by the Legal Commission of the Cuban Committee for Human Rights on the Constitution and the Penal Code may also be found in annex XVII.

A. General considerations

31. In a long meeting with the group, at which the Attorney General also participated, the Minister of Justice made a general reference to the provisions referred to in the note of 29 August 1988 and fundamentally to the framework within which the provisions should be construed. For this reason, before presenting the questions asked by the group and the comments on them made by the group's various interlocutors, we shall outline the general views expressed by the Minister of Justice.

32. The Minister of Justice maintained that during the past 30 years Cuba had been besieged and had been the victim of all kinds of aggression by the United States. Initially the aggression had been of an economic, political and diplomatic nature, but when it had proved insufficient to topple the régime established in 1959 and to reverse the changes promoted by the régime, recourse was had to military aggression. This had culminated in the unsuccessful Bay of Pigs invasion in April 1961, but had dragged on for five years or so until the final defeat of the counter-revolutionary bands which, with financial backing and support from the United States, had been operating in Cuban territory, causing destruction and death. Once external military aggression had been defeated, Cuba had had to deal with various epidemics which had formed part of a campaign of biological aggression and affected not only the health of the population, but also agriculture and stock-breeding. The Minister submitted a report on this subject for consideration by the group (see annex XVIII). This report lists the epidemics that affected Cuba during the period 1971-1981. They included, *inter alia*: dengue; haemorrhagic dengue; epidemic haemorrhagic conjunctivitis; African wine fever; apparent lumpy skin disease in cattle; cane rust; and blue mould. According to the report, the various epidemics reflected the possibility that a wide range of aetiological agents might well have been used as part of a biological attack against Cuba. He said that in the early 1980s, there had been renewed threats of military aggression against Cuba, as a result of which Cuba had been obliged to devote increasing resources to national defence, a policy which had affected its development plans. As a result of that effort, Cuba was now able to mobilize an army of 3 million soldiers within 30 minutes. As might be expected, said the Minister, that had discouraged any attempt at invading Cuba. That was the context in which the Revolution had had to develop, and the Cuban constitutional and legal system represented a response to that context. It had been imposed on Cuba from abroad and had in no way been created or promoted by Cuba. He called for an end to the prevailing hostility and the creation of a climate of understanding and sympathy, which was what Cuba needed in order to overcome the obstacles to its development.

33. The Minister of Justice emphasized that it was impossible to understand the Cuban constitutional and legal system outside the context he had described. The legal régime was based on the Constitution, as approved on 15 February 1976 in a referendum in which 5.7 million voters had participated, 97.2 per cent of them voting in favour of the text of the Constitution. As to the new Penal Code which had entered into force in April 1988, he said that it represented a considerable step forward in relation to the previous Code of 1979. In the new Code, many offences and crimes had been decriminalized and fines had been introduced for 80 per cent of offences as an alternative to deprivation of liberty, with the aim of reducing the prison population. That

process had begun in 1984, when the Council of State had decided to grant freedom to many detainees awaiting trial and to set up a procedure for reviewing sentences, since many persons had been sentenced to extremely lengthy terms of imprisonment. Since the entry into force of the new Penal Code and pursuant to the principle of retroactivity when it was beneficial to the defendant, 20.000 prisoners had been released and the prison terms of a further 12.000 had been reduced. In addition, since 1985 conditional release had been granted to prisoners who had served at least half of their sentence. As to crimes against State security, he said that the harshness and severity of penalties had been maintained as a deterrent, and that it was not a legal phenomenon but rather a political position. At the present time, there were only four detainees awaiting trial for activities detrimental to State security. Although in practice crimes against State security were few in number, it was, he said, advisable to maintain the harshness of the relevant penalties in view of the size and power of the enemy. The harshness of the penalties was in keeping with the magnitude of the threat facing Cuba and with the blockade it was confronting, and would be maintained for as long as the United States continued to consider the possibility of reversing the revolutionary process. That process was irreversible, and the best way of demonstrating that was from a position of strength. The death penalty itself, which he personally did not favour, could be deleted from the Penal Code only when there was a change in the unfavourable external circumstances affecting Cuba.

B. Specific aspects

34. The following paragraphs contain the questions put by the group and the relevant comments made by the Cuban authorities during the visit of the group. The text of the Constitution of Cuba is contained in annex XIX; the text of the articles of the Penal Code to which the questions of the group refer are in annex XX.

1. Administration of justice (Constitution, arts. 5, 88 (ch) and (h), 122 and 131, and Universal Declaration of Human Rights, arts. 10 and 11)

35. In connection with article 5 of the Cuban Constitution, the note of 29 August 1988 asked:

"What are the implications for the organization and functioning of the Powers of the State, and especially the Judicial Power, of the fact that the Communist Party constitutes the 'leading force of society and the State'? How is the leadership of the Communist Party expressed in relation to the organization and functioning of the State and what is the framework within which its leadership is exercised?"

36. Commenting on this question, the Minister of Justice said that the Communist Party was indeed the leading force of Cuban society and as such established the general outlines of national development and the guidelines to be followed in the economic, social and cultural spheres. In addition, it directed foreign policy; it helped to enhance the revolutionary conscience of the people; it prepared the masses for ideological confrontation with their enemies; and it organized the defence of the Fatherland on the basis of the concept of a war that involved the entire people. The Party did not instruct

the courts what to decide since, in accordance with article 125 of the Constitution, judges exercising their judicial function were independent and owed obedience only to the law. The Party did not give orders to judges but, through the National Assembly, approved the laws which judges were required to enforce. He maintained that it was the National Assembly and not the Party that elected the judges. For that reason, it was not correct to say that the courts were subject to the dictates of the Party. In that connection, he emphasized, Cuba respected existing international provisions and the basic principles of the independence of the Judiciary.

37. As regards the powers of the Council of State, the note asked: "Is the power of the Council of State to 'place, if necessary, a general and binding interpretation on existing laws' not inconsistent with the principle that the interpretation of laws is the responsibility of the Judiciary?"

38. In connection with the power of the Council of State to interpret existing laws, the Minister of Justice said that in certain cases the Council did indeed clarify the content of certain laws and then transmit its opinion to the Supreme Court and the Attorney-General. That function was performed by the Council of State only in exceptional circumstances as in 1984 for example, when a legal interpretation by the Council had been instrumental in the release of persons awaiting trial, thereby reducing the prison population.

39. On the same topic the note asked: "What do the 'instructions of a general character' that the Council of State may give to the courts through the Governing Council of the People's Supreme Court consist of?"

40. During his interview with the group, the President of the Supreme Court said that the independence of the Judiciary was not at variance with the provisions of article 88 (h) of the Constitution. In that connection, the State Council had, he said, confined itself to laying down the general outlines of penal policy, but it had never issued instructions relating to the judicial function of the courts. As to the procedure for the election of judges, they were at present elected by the competent people's assemblies for a term of 5 years; the possibility of extending the term to 10 years was under consideration.

41. In connection with the functional independence of the courts, the note asked: "What does the 'functional independence' of the courts vis-à-vis any other State Power comprise and how is this compatible with the subordination of the courts to the National Assembly of the People's Power and to the State Council?"

42. The Minister of Justice stated that functional independence was one of the basic principles of the independence of the Judiciary, as had been agreed in 1985 by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Consequently, Cuban courts were not subordinate to any authority, with the exception of the highest organ of the State, which was responsible for electing members of the Supreme Court. That principle of the subordination of the Judiciary to the Legislature also applied at the provincial and municipal levels, where the corresponding Assemblies elected members of the Provincial and Municipal Courts. Nevertheless, in terms of their functioning, the courts were governed by their respective organizational laws and in the performance of their judicial function were subordinate only to the law.

43. In connection with the relationship between the Office of the Attorney-General and the other State Powers, the note asked:

"Could not the subordination of the Office of the Attorney-General of the Republic to the National Assembly of the People's Power and to the Council of State possibly prevent the former from independently exercising its functions when the Executive and Legislature are involved?"

44. During his meeting with the group and in connection with this question, the Attorney-General said that the subordination of the Office of the Attorney-General to the Legislature was only general in character and thus did not relate to the specific cases in which that Office was involved. That subordination to the general policy of the National Assembly - and of the Council of State when the Assembly was not in session (Constitution, art. 87) - was logical and understandable, since the Office of the Attorney-General did not constitute an entity alien to the State and was not situated above it. He said that, among other things, subordination was reflected in the election every five years of the Attorney-General and his two Deputy Attorneys-General by the National Assembly, the highest organ of State authority, from which the other powers of the State derived and to which the Office of the Attorney-General was required to report. It reported to the Assembly annually; its report related not to specific cases in which the Office had been involved, but to the overall state of criminality and observance of the law throughout the country.

2. Freedom of movement (Penal Code, arts. 215, 217 and 218, and Universal Declaration of Human Rights, arts. 13 and 14).

45. As to acts jeopardizing diplomatic immunity, the note asked:

"Is an attempt to enter, or entry into, premises covered by diplomatic immunity punished if the diplomatic mission in question is willing to admit the person attempting to enter, or succeeding in entering, its premises?"

46. The Minister of Justice stated that Cuba respected the right of asylum and authorized persons seeking asylum to leave the country. During recent years, however, few persons had sought asylum in Cuba. What the Government did not accept was illegal entry into embassies, a practice which had in many cases resulted in the death of guards protecting various embassies. Many ordinary criminals had chosen to leave the country in that way, only to be welcomed as heroes abroad. Cuba refused to grant such persons political status and to adopt a practice that outsiders were trying to impose on it.

3. Right of citizenship (Constitution, art. 32 (c), and Universal Declaration of Human Rights (art. 15))

47. On the right of citizenship, the note contained the following questions:

"Why do persons who 'on foreign territory conspire or act in any way against the people of Cuba and its socialist and revolutionary institutions' lose Cuban citizenship (Constitution, art. 32, para. (c))? What is meant by acting 'against the people of Cuba and its institutions'? What type of procedure exists for declaring the loss of citizenship by a Cuban abroad? Does the latter have any right of defence in such a procedure?"

48. Commenting on this question, the Minister of Justice said that that provision was a consequence of Cuba's recent historical experience. For many years, groups of Cuban counter-revolutionary in the United States had engaged in all kinds of activities intended to harm Cuba. However, despite the existence of that provision there had not so far been a single case in which loss of citizenship had been ordered.

4. Religious freedom, freedom of opinion and expression and of the press (Constitution, arts. 41, 52 and 54; Penal Code, art. 204; Universal Declaration of Human Rights, arts. 2, 18 and 19)

49. In connection with article 41 of the Constitution, the group asked the following question: "Is there any reason why this provision does not prohibit discrimination on grounds of belief or opinion?"

50. The Communist Party official responsible for religious matters said the reason why the Constitution did not explicitly provide for non-discrimination on grounds of religious belief was that no cases of religious intolerance had ever occurred in Cuba. Freedom of conscience and religion was not a problem of tolerance, but a civil right. The Minister of Justice pointed out that, although article 41 of the Constitution did not prohibit discrimination on religious grounds no person had in fact ever been punished for holding a particular religious belief. He acknowledged however, that some foreign priests had in the past been expelled from Cuba for engaging in counter-revolutionary activities. In connection with conscientious objection, the Communist Party official responsible for religious matters observed that all Cuban Constitutions had set forth the citizens' obligation to defend their country, and, therefore, to perform military service.

51. With regard to freedom of speech and of the press, the group asked the following questions:

"What is meant by the fact that freedom of speech and freedom of the press are recognized as 'consistent with the purposes of socialist society'? Does it mean that these freedoms are recognized only when citizens hold opinions that are consistent with 'the purposes of socialist society'? If this is the case, on the basis of what criteria is the consistency of an opinion with 'the purposes of socialist society' established and who is responsible for establishing such consistency?"

52. The Vice-President of the Council of State said that article 8 of the Constitution set forth the purposes of socialist society, which were to carry out the will of the working people; to guarantee the liberty and the full dignity of man, the enjoyment of his rights, the exercise and fulfilment of his duties, and the full development of his personality; to consolidate the ideology and the rules of coexistence and conduct appropriate to a society free from the exploitation of man by man; to ensure educational, scientific, technical and cultural progress; and to protect the constructive work of the people and the property and wealth of the socialist nation. In accordance with the same article, the socialist society guaranteed: employment opportunities for every citizen; adequate means of subsistence for every disabled person; medical attention for every sick person; schooling, food and clothing for every child; the opportunity to study for every young

person; and access to studies, culture and sports for everyone. The socialist society also worked to ensure that no family would be without adequate housing. He concluded by saying that article 12 of the Constitution referred to the principles of proletarian internationalism and the combative solidarity of peoples, principles which the Republic of Cuba espoused.

53. Concerning article 54 of the Constitution, the group asked the following questions:

"Who determines when religious faith or belief is contrary to 'the Revolution' and on the basis of what criteria, and what is meant by 'the Revolution' in this constitutional provision? If freedom of conscience is recognized and guaranteed, why is an act that for religious reasons is in conflict with, or in opposition to, 'the Revolution' declared illegal and punishable?"

54. The Communist Party official responsible for religious matters said that there was no contradiction between article 54 of the Constitution and article 18 of the Universal Declaration of Human Rights, although he admitted that there were problems with certain religious groups owing to their conscientious objection to military service. Those problems had been resolved in a practical manner. Thus, members of the Seventh Day Adventist Church, who objected to carrying and firing weapons, were used as drivers or health workers during military service. The 14,000 Jehovah's Witnesses in Cuba were demanding to be exempted from military service. Although the Government did not recognize their demands, it did not generally summon them for military service or it made them serve in youth work camps.

55. Regarding the offence of defamation of institutions, the note contained the following question:

"Could not this provision discourage potential critics of the institutions of the Republic and of the political, social and mass organizations from expressing their opinions on those organizations, on the grounds that they might be deemed to be disparaging to, or disrespectful of, the organizations in question?"

56. During his meeting with the group, the Communist Party official responsible for cultural and information matters explained that there was no Ministry of Information in Cuba, and that the Communist Party was accordingly responsible for those matters. The media were all official and belonged to the State. Concerning the enjoyment of the right to freedom of opinion and expression, he assured the group that there were no political watchdog units monitoring the newspapers and that newspaper editors were responsible for determining editorial policy. The Communist Party official responsible for religious matters said that the access of religious entities to radio, television and the other media was limited, although occasionally religious leaders were interviewed and eminent visiting members of various churches received.

57. The Deputy Editor of the newspaper Granma explained to the group that the exercise of freedom of the press by journalists must be understood in the context of the Revolution, in the sense that opinions at variance with the Communist Party's political line were not given preferential treatment in his newspaper, and therefore the newspaper did not serve as a vehicle for the regular expression of such opinions. More explicitly, the President of the Union of Journalists said that Cuba and the Revolution could not be attacked in the name of freedom of the press; accordingly, the Cuban media did not allow any scope for opinions tending to destroy the achievements of the Revolution.

5. Freedom of assembly, expression and association (Constitution, arts. 7 and 53; and Universal Declaration of Human Rights, art. 20)

58. Concerning the rights set forth in article 20 of the Universal Declaration of Human Rights and their implementation in Cuba, the group asked the following questions:

"May the rights of assembly, expression and association (Constitution, art. 53) be exercised solely through the social organizations and mass organizations recognized, protected and promoted by the State (Constitution, art. 7)? If an organization's application for registration is rejected, what options remain open for persons who wish to exercise their right to associate freely? Are any judicial remedies available? What are the criteria used to approve or reject an application for association? Might this provision limit the options of association, especially political options, and therefore of assembly and expression of persons who do not wish to exercise their rights of association, assembly and expression necessarily through the mass social organizations recognized, protected and promoted by the State? If this is the case, would the channels for political participation be reduced to those organizations which are promoted by the State, thereby eliminating the possibility of the emergence of organizations opposed to the régime?"

59. The Minister of Justice stated that, three years previously, the National Assembly had adopted the Associations Act, which stipulated that associations must be registered and set forth the requirements for their functioning.

6. Freedom of education and conscience (Constitution, arts. 37, 38 (a), (b), (c) and (d), and 39, and Universal Declaration of Human Rights, art. 26)

60. Concerning article 38, paragraphs (a), (b) and (c) of the Constitution, the note stated the following:

"These paragraphs stipulate that education policy shall be based on a specific conception of the world ('the scientific conception ... established and developed by Marxism-Leninism') and shall seek to ensure that the generations to come receive a communist education, and that educational establishments shall be organized by the State. Can parents, exercising the rights to freedom of education and conscience, give their children a different education from that promoted by the State?" With regard to articles 37 and 39 of the Constitution, the note asked:

"Is not the fact that parents are obliged to bring up their children 'for life in socialist society' and 'in the communist spirit' inconsistent with the rights to freedom of education and conscience?"

61. During his meeting with the group, the Minister of Higher Education maintained that Cuba did have a specific ideology, philosophically based on Marxism-Leninism, which gave the Revolution its socialist character. He believed it was important to educate the generations to come in those principles, but not in a dogmatic fashion.

62. The Minister of Higher Education stated that, although Marxism-Leninism was contained in school curricula, students were not discriminated against for holding different views. Under article 50 of the Constitution, education was free of charge and so gave every young person the opportunity of pursuing studies in accordance with his abilities, the requirements of society, and the needs of economic and social development. That right was also ensured for adults, through technical and vocational education, job training in enterprises and State entities, and higher education courses for workers. The schools taught co-existence in a spirit of solidarity and friendship, free of any form of racial discrimination. The Academic Register had been changed in 1984 with the deletion of the chapter on pupils' religious beliefs, which was considered inappropriate in practice. Marxism was studied in secondary school (grades 11 and 12) when pupils were 17 and 18 years of age. With regard to article 26, paragraph (3), of the Universal Declaration of Human Rights, which established the prior right of parents to choose the kind of education that shall be given to their children. The Minister said that that provision was not at variance with Cuban legislation since, in his view, freedom of opinion was exercised, at times to excess, by young people in classrooms, and that in any case parents preserved that right concerning their children at home.

7. Limit on all freedoms recognized by the Constitution (Constitution, art. 61, and Universal Declaration of Human Rights, arts. 29 and 30)

63. Regarding article 61 of the Constitution, the note said the following:

"Article 61 provides that the freedoms recognized may not be exercised 'against the existence and purposes of the socialist State, or against the decision of the Cuban people to build socialism and communism'. What is meant by 'purposes of the socialist State' and by 'the decision of the Cuban people to build socialism and communism'? Would this provision make it possible to ignore the freedoms and rights provided for in the Constitution and the laws if their exercise was contrary to the 'purposes of the socialist State' or to the 'decision of the Cuban people to build socialism and communism'?"

64. Discussing the scope of article 61 of the Constitution, the Vice-President of the Council of State reaffirmed that civil rights could not be exercised to the detriment of the objectives set forth in articles 8 and 12 of the Constitution.

8. States of emergency

65. Finally, the note asked the following questions about states of emergency:

"Does the fact that neither the Constitution nor the other laws provide for states of emergency and specifically establish the freedoms which under the states of emergency would be temporarily curtailed or suspended indicate that existing Cuban legislation comprises the necessary mechanisms to confront an emergency situation? If this is the case, what are these mechanisms and what are the limits imposed on the State as regards the curtailment or temporary suspension of freedoms in an emergency situation?"

66. The Minister of Justice informed the group that a standing commission of the National Assembly was currently drafting a Defence Act which would set forth the mechanisms applicable to emergency situations. Unfortunately, the new law would not be able to change the Draconian articles which existed in the Penal Code. The reasons for that were political in nature and had to do with external factors affecting Cuba's situation. In conclusion, he said that if Cuba ceased to defend itself, its enemies would not fail to take advantage of it.

Chapter III

CIVIL AND POLITICAL RIGHTS

A. Right to life, integrity, security, individual liberty and privacy

1. Right to life (art. 3 of the Universal Declaration of Human Rights)

67. During the group's meeting with the Minister of the Interior, he informed it that he was not aware of cases of enforced or involuntary disappearance and assured it that, since 1982, only one person had been shot for offences against State security. He added that, in Cuba, there were no death squads or anti-riot troops. He said that the death penalty has been maintained for a number of offences against State security; the Ministry of Justice is responsible for expressing an opinion on a death sentence by the Supreme Court, the sentence being transmitted to the Council of State with an indication whether or not the request for a reprieve, which is made automatically, should be granted; the Council of State is required to decide by consensus; and, in practice, the death penalty is now almost never enforced, since, although the aggression by the United States - which accounted for the need for recourse to the death penalty in extreme cases - is still continuing, it has declined in intensity and taken a different form. The Minister of Justice recalled that, in the 1960s, courts had been set up that applied the death penalty and that, although he himself was opposed to it, he understood the political need to maintain it as long as the foreign aggression was still going on. For his part, the Minister for Foreign Affairs was emphatic in stating that enforced or involuntary disappearances do not occur in Cuba. The President of the Council of State reminded the group that, during the revolutionary war, persons who had fallen into the hands of the rebel forces had been handed over to the International Red Cross. He said that respect for the lives of its opponents has characterized the conduct of the Revolution from its beginnings until the present day.

68. In one of the letter handed to Ambassadors Dichev and Lillis in Combinado del Este, it is stated that 13 political prisoners were executed by firing squad in La Cabaña between 1980 and 1987 1/. In written testimony presented to the Secretariat on behalf of the group, a witness stated that three persons had been machine-gunned to death when trying to take refuge in the Embassy of Venezuela 2/. The Secretariat on behalf of the group received written testimony in which reference is made to the assassination of two persons in 1962 and one in 1985, the disappearance of three persons between 1964 and 1974 and the shooting of two others in 1963 and 1965 3/. The names of the persons to whom this complaints refer are found in annex XXI.

2. Right to physical integrity (Right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment) (art. 5 of the Universal Declaration of Human Rights)

69. The group took up this subject with the Minister of Interior and his Vice-Minister, who is also chief of the Department of State Security, and with the Vice-President of the Council of State. The group in addition visited the detention centre Villa Marista, the Combinado del Este prison in Havana and the Provincial prison of Pinar del Río, known as "Cinco y Medio". These last two visits were organized on the request of the group who also indicated to

the Cuban authorities its wish to visit other prisons, among them El Moro, La Cabaña and Quivicán. The group was informed by the Minister for External Relations that three prisons were closed and therefore the group decided to visit Villa Marista. During the interview of the group with prisoners in Combinado del Este, the Secretariat on the instruction of the group took possession of the individual and collective communications prepared by inmates. In the course of its visit the group selected nine detainees who it interviewed in a room made available by the authorities for the purpose 4/. Accordingly, during its visit to Cuba the secretariat on behalf of the group received a total of 137 complaints of torture, cruel, inhuman or degrading treatment of punishment.

70. In his conversation with the group, the Minister of the Interior admitted that a number of detainees or prisoners had in the past been beaten, but the persons responsible had been punished. He said there are no cases of torture and his instructions to the various prisons are very precise concerning respect for the physical integrity, security and dignity of detainees or prisoners. He assured the group that, if any of those rights were violated today, the official responsible would immediately be punished by the Attorney-General. Thus, 6 persons were punished in 1986 and 3 in 1988 in violation of the rights of prisoners; in addition, in 1987, disciplinary measures were taken against 8 persons and, in 1988, against 15. Among the officials punished, he mentioned the case of the Governor of "Kilo 7" Prison in Camagüey, who was removed from his post.

71. During its visit to Villa Marista, the Deputy Minister of the Interior and Chief of the Department of State Security explained to the group that Villa Marista is a detention centre for persons under investigation for alleged offences against State security and Headquarters of the Department of Security of State. He said that the number of persons held on such charges has declined considerably in recent years, abductions and acts of terrorism being the main offences in this area. He stated that, in 1988, only 15 persons were charged in the courts with offences against State security, and not counting those accused of unlawfully leaving the country. He said that, of the persons awaiting trial, only four had been accused of trying to leave the country. None of them was at Villa Marista and that at that time there was no other detainee held there. He further explained that a person could be held at Villa Marista, with the full knowledge of his relatives, for a maximum of 30 days. If a detainee showed signs of mental disturbances, he was immediately sent to the psychiatric hospital for observation for a maximum of 30 days, after which he was returned to his place of origin if his condition was normal. During its visit to the main parts of Villa Marista, the group noted that the cells were empty, that they measured about 4 x 4.5 metres and that there were four bunks in each. It further noted that the cells had no windows, were in good condition and had recently been painted. The group also visited the sick-bay and saw the closed-circuit television monitoring system at Villa Marista.

72. In Combinado del Este, the main prison in Cuba, the group was informed by the chief of the Directorate General of the prison service of the characteristic of this prison. In regard to the disciplinary measures applied therein, the director general indicated that there was an area for disciplinary security known as "Destacamento 47" in which detainees could be kept for a period of up to 21 days, during which time they are denied certain

prison benefits such as visits and the use of the conjugal area. According to his statement, "Destacamento 47" is used to isolate detainees whose lives are threatened for reasons of aggression or other problems. In regard to detainees known as "plantados", the Director General indicated that they are not subject to sanctions or other disciplinary measures for refusing to wear prison uniforms and this constituted an example of tolerance and respect of the dignity of the person.

73. On arrival at the prison the Chairman of the group requested the prison authorities to provide a room to interview nine detainees. The authorities agreed to this request and while the room was being prepared the group toured the main installations of Combinado del Este, visiting in particular the Hospital and the "Destacamento 47" (also referred to by the detainees as "Rectángulo de la Muerte" o "Pizzería"). The group observed that in this punishment cell the lighting and the sleeping facilities were not the same as in the rest of the prison. It noted also that the Hospital was well equipped. The group was informed of the existing facilities for conjugal visits and the authorities showed the room where such visits take place. The group observed that one of the prison buildings was empty for reconstruction; the authorities explained that as a result, there was some overcrowding in those sections which were in use. After its tour of the prison, the group returned to the administration area of Combinado del Este and interviewed eight political detainees known as "plantados" and one common prisoner selected by the group during the course of its visit to the prison. The eight detainees explained that they were part of a group of 22 persons who were serving long sentences of from 20 to 30 years for political offences 5/. Three "plantados históricos" stated that they had been subjected to ill-treatment and bad detention conditions, as well as subjected to punishment for refusing to wear prison uniform. The authorities were not present during the interviews and the group utilized interpretation facilities provided by United Nations personnel.

74. The Secretariat on behalf of the group received documents handed over by the Cuban Committee for Human Rights and by two political prisoners 6/ on alleged inspection of political prisoners on 30 May 1988, two days after they had found 15 microphones in their cells which they removed. The text of these communications is annexed to this report (see annex XXII). According to these sources, the incident was followed by two successive hunger strikes. They stated in addition that two other political prisoners in Combinado del Este 7/ declared a hunger strike in support of the humanitarian action of the group of detainees. The authors of these documents stated that on Sunday, 11 September 1988 the political detainees were transferred from Building No. 1 to the fourth floor of Building No. 2 and their personal belongings were taken away.

75. After the visit to Combinado del Este prison, the group requested Ambassadors Dichev and Lillis to return to the prison to receive written documents from one detainee. The Cuban authorities agreed to make the necessary arrangements to permit Ambassadors Dichev and Lillis, as requested, to meet alone with the detainee in a room in the Administration Building of the prison. Since no interpreters were present, it was agreed that Ambassador Lillis would act as interpreter. The prison authorities allowed the detainee

to carry with him the documents that he wished to give the group. After receiving the documents, Ambassadors Dichev and Lillis handed them to the Secretariat. In the packet of communications there was one from 22 detainees pertaining to the Presidio Político Cubano */ in which physical and psychological torture is alleged to have been applied as a principal weapon by the State Security to force a detainee to talk. The types of torture alleged to have been applied in Cuban prisons consist inter alia of the following: confinement in cold rooms, sensory deprivation, immersion in a pit latrine, intimidation with dogs and mock executions; hitting the detainees, forced labour in the Isle of Pines and in concentration camps; overcrowding in collective cells and special detention cells called "gavetas", use of deafening sound from loud speakers during hunger strikes; depersonalization of the detainee by total nudity in punishment cells; denial of water to detainees on hunger strike; presenting prisoners naked in front of their relatives in order to force them to accept the political rehabilitation plan; withdrawing medical care for indefinite periods and forcing persons condemned to death to carry their own coffin and to dig their own grave before being shot.

76. The same document refers to occurrences said to have taken place in Cuban prisons in an effort to hide various forms of ill-treatment. Among the new measures reference is made to the release and transfer of several detainees; the elimination of windowless cells, permanent punishment areas, and areas lacking light and ventilation; the modification of the system of prisoners' visits, from one visit by one relative every three or six months, with the prisoners behind a double grill, to visits by several relatives every three weeks, without grilles, and from three-hour conjugal visits once a year to one visit every three months; the modification of the timetable for release into the yard for fresh air, which was previously dependent on the wishes of the military section chief (usually every three or four weeks), to two two-hour yard visits a week; a ban on the carrying of weapons and the striking of prisoners by guards; improvements in the quality, variety and quantity of prison food; alterations to Destacamento 47; the institution of a system whereby prisoners have to chant revolutionary slogans several times a day; and the collection of bed linen, prison clothing, boots and towels in the store at Combinado del Este, to be distributed to prisoners before the group's visit.

77. During its visit to Pinar del Río, the group met prison authorities and toured the buildings of the provincial prison and was informed that it can accommodate 600 prisoners, the present prison population being 527, of whom only 1 has been convicted for offences against State security. The Governor of the prison referred to the health care provided, the prisoners' conditions of detention and the system of rehabilitation and re-education, which places great emphasis on work. At that prison, most prisoners work and receive a normal wage. He also said that the United Nations Standard Minimum Rules for the Treatment of Prisoners are respected in Cuba (See annex XXIII). The group noted that the facilities were in good condition, with recently painted walls, and on two occasions it heard groups of prisoners chanting revolutionary slogans. Lastly during its visit to the prison, the group selected three prisoners and interviewed them on their own. One of them in delicate health said that he had received satisfactory medical treatment in the prison Hospital at Combinado del Este. Another expressed his wish to be transfer to a prison in Havana. The third, a counter-revolutionary detainee, said that he was receiving satisfactory treatment.

78. In his statement to the group, the Chairman of the Commission for Human Rights and National Reconciliation 9/ said that he was tortured in the early 1960s, when he was sentenced to imprisonment after being expelled from the University of Havana as part of the so-called "revolutionary offensive", in which dozens of university teachers and hundreds of students were expelled for political reasons. He was arrested again in 1980, and referred to the poor conditions at the two administrative detention centres and three prisons at which he was held. Another witness 10/ who said that he had served a long sentence as a political prisoner told the group he was ill-treated because he demanded a special status for political prisoners. He also said that, for lack of proper medical care, he had had peritonitis.

79. During its visits to the two prisons the group noted that a large number of prisoners were black. On this point, the Vice-President of the Council of State acknowledged that the number of blacks in the prison population is disproportionate in relation to their number within the Cuban population as a whole, for, even today, despite the substantial achievements of the Revolution in this regard, blacks are in a majority in the poorest strata of society. He said that this situation is by no means the expression of a policy of racial discrimination, but a left-over from the past which the régime is still trying to combat. The Minister of the Interior told the group that the general policy in penitentiaries is to rehabilitate prisoners through work and that about 85 per cent of the population in Cuban prisons work. Prisoners who work receive the same wages as other workers doing the same kind of job. The Minister of Labour added that the rehabilitation of prisoners does not end with their release; the State makes efforts to ensure the complete reintegration of former prisoners in working life, but this is not always easy, as they tend to be socially rejected. Of the prisoners released in 1988, 92 per cent found jobs. He said that it was a high figure, given the fact that, up to that point in 1988, 20,000 prisoners had been released. The Minister of the Interior told the group that, in recent months, the number of counter-revolutionary political prisoners 11/ had dropped from 458 to 145. Following the visit, the group was informed by the Government of Cuba that the number of counter-revolutionary prisoners had dropped to 121. 12/

3. Right to privacy (art. 12 of the Universal Declaration of Human Rights)

80. The national leader of the Committees for the Defence of the Revolution (CDRs), accompanied by the leaders and members of Armando Parra CDR No. 5 at the meeting with the group, explained that the objectives of the CDRs are to defend the socialist order and to encourage co-operation and solidarity among people living on the same block. They said that the CDRs constitute the basic organization of the revolutionary people acting to defend their achievements and that, in a spirit of co-management, they help to secure the Revolution's economic and social goals. For example, they drew attention to the key role played by the CDRs in the implementation of health policies, especially as far as prevention is concerned, and in vaccination campaigns, hygiene and health education. They declared that membership is free and there is no discrimination against people who are not members. They affirmed that participation is very high and, in Havana, covers 85 per cent of the population over 14 years of age. They went on to emphasize that the CDRs do not interfere with people's privacy and family life and that they respect everyone's freedom.

81. One representative of the Catholic Episcopal Conference said that the CDR's know about the activities of persons who practise their religion as well as about their friends and relations and about other aspects of the private life of believers. He added that the CDRs sometimes suggest that a mother should not send her children to catechism, since it could well cause problems.

82. The group and the Secretariat on behalf of the group received complains from individuals to the effect that the CDRs interfered with their privacy or to the effect of being insulted, of attacks against their homes and even physical assault, at the instigation of the CDRs and reportedly against those who wanted to leave the country in 1980, during or surrounding the so-called "Mariel exodus" events. Lastly, the group received some complaints of alleged tampering with mail or telephones. With regard to these events, known as "acts of repudiation", the Minister of Justice said that they had occurred spontaneously and reflected the population's antagonism towards those who wanted to leave the country. He claimed that, in many cases, the authorities had to intervene in order to prevent excesses.

B. Political and religious freedoms

1. Freedom of movement within one's own country (art. 13 (1) of the Universal Declaration of Human Rights)

83. In a document sent to the group, 13/ the Cuban Committee for Human Rights maintains that there are three major restrictions on the exercise of this right in Cuba. The first affects citizens living in the "captive towns" in Pinar del Rio (Ciudad Sandino, Briones, Montoto and López Peña) and neighbouring villages, such as Fomento, Cumanayagua, Condado and Habananilla. As a result of the outbreaks of rebellion in the Escambray area in the early 1960s, many peasant families accused of collaborating with rebels were banished from the area. Shortly afterwards, the men were assigned to the construction of the so-called "captive towns", where they would go to live with their families three years later. The Committee states that, since then, the families have lived under the surveillance of the Ministry of the Interior in a concealed form of imprisonment. Because of the group's visit, this régime was ended. According to the Committee, the second restriction on freedom of movement in Cuba affects persons who wish to visit the towns of Boquerón and Taimanera in Guantánamo Bay, where there is a United States naval base. The Committee says that the third restriction on freedom of movement in Cuba is the requirement laid down in article 33 of the Regulations concerning Identity Cards and Registration of Addresses (Act No. 1278 of 1974) whereby anyone transferring from one locality to another to take up residence, or changing abode, is obliged to appear before the competent authorities within three days following arrival. These regulations, according to this document, also provide that persons travelling to another part of the country for more than 30 days must present themselves to the nearest Committee for the Defence of the Revolution, which directly informs the Ministry of the Interior.

84. In Pinar del Rio, the group received 10 persons claiming to represent an unspecified number of peasants who are allegedly being held in what they called "captive towns" by decision of the administrative authorities. It was said that many of them were involved in counter-revolutionary activities in Escambray in the early 1960s. Although many of them were eager to return to

their original lands or leave the country, they never obtained the necessary permits. They nevertheless stated that, in recent months, they have been orally advised that they are free to change their place of residence, although they have so far been denied permission to leave the country. Other testimony submitted to the group refers to restrictions imposed by members of the State security agencies on freedom of movement in Cuba, especially during certain holiday periods. For example, it is reportedly forbidden to draw close to hotels in Havana and to establish relations with foreigners, something which can lead to a police record that the person concerned is a danger. Other witnesses stated that it is impossible to use certain hotels, shops and restaurants, to which access can be had only through possession of foreign currency, which in any case is prohibited.

2. Freedom to enter and leave the country of which one is a national
(art. 13 (2) of the Universal Declaration of Human Rights)

85. The group raised this topic with the President and the Vice-President of the Council of State and with the Minister of Justice and the Minister of the Interior. It also received through the Secretariat documentation from the Cuban Committee for Human Rights as well as complaints by 1,183 persons (out of the over 1,600 received) who claim that it is difficult to leave the country either temporarily or permanently or for relatives to visit Cuba. (See annex VII).

86. The President of the Council of State told the group that, generally speaking, his Government grants authorization so that people who want to leave the country can do so, the idea being that nobody should stay in Cuba by force. However, he said that there are some exceptions to this rule, including professionals and scientists, former officers in the Armed Forces, persons in possession of military secrets, deserters or their relatives, and young persons liable to military service. He went on to mention that, apart from these persons, there are many others who have permission to leave the country, but not the relevant visa, and the responsibility for this situation lies not with Cuba, but with the United States, the country to which most emigrants wish to go. He urged the United States and Western European countries to display a readiness to solve this problem and issue visas to all persons who want to leave Cuba.

87. The Vice-President of the Council of State said that a total of 35,000 Cubans have left the country in the past six years (1983-1988). He said that, between January and September 1988, the number of people who had left amounted to 5,932, a figure that was in any case low in view of the existing agreement whereby 20,000 Cubans would be allowed to leave for the United States each year. The failure in arriving at that figure has to do with non-compliance with the agreement by the United States. He remarked that the current emigration figures and even the annual goal of 20,000 were not particularly high, especially since Fortune magazine pointed out that, in 1986 alone, 66,000 persons had emigrated from Mexico, 32,000 from Taiwan and 30,000 from the Dominican Republic. He also said that there were few cases of family reunification outstanding and they mainly concerned persons who deserted while they were abroad on official duties and are now calling for their relatives. He considered that, for humanitarian, not legal, reasons, it would be appropriate to ask the Cuban Government to review these cases.

88. The Minister of Justice stated that unlawful emigration was part of a political game forced on Cuba by the United States. He said that, whenever the United States wanted to create a problem for Cuba, it stopped granting visas to Cubans who wish to emigrate, thus compelling many of them to leave the country unlawfully. Until a month previously, there had been two flights a week to Miami, for people emigrating, and they had been discontinued so as to create a certain climate in the country at the time of the group's visit. The Minister of the Interior recognized that emigration policy had become somewhat more flexible and could be made still more so. He expressed the hope that a new administration in the United States would show itself willing to enter into a dialogue, because dialogue would make it possible to improve the present situation greatly, both in that regard and in others.

89. In the same document 13/ given to the group the Cuban Committee for Human Rights refers to the measures taken by the Government to prevent those wishing to leave the country from doing so and the "punishment" that is imposed on persons who do leave, so as to deter potential candidates for emigration. It states that professionals and specialists are required to have a "release card" from the Ministry for which they work, but, in many cases, it is difficult to obtain. Young persons aged 16 to 27 are also prohibited from leaving, inasmuch as they are fit to perform military service. Persons authorized to emigrate have to leave behind their bank accounts and property. The Committee also claims that the procedure of marking with a special stamp the identity cards of people wishing to leave the country has recently been reintroduced. As confirmed by many of the individuals who testified to the group, this stamp has a harmful effect, in both civil and employment terms, on anyone who has it on his identity card.

90. In another document 14/ the Committee says that the most frequent changes in the situation of an individual applying for permission to leave the country are the loss of employment or a change of category; expulsion from an educational institution; the cooling of relations with some relatives and friends; increased surveillance by the Committee for the Defence of the Revolution and the political police; and the risk of being accused of constituting a "danger" (estado de peligrosidad). It claims that individuals who are prevented from leaving also have to face the hostility of persons who support the régime and describe them, among many other things, as unpatriotic, scum, a disgrace and anti-social.

91. A representative of the Episcopal Conference of the Catholic Church referred to the problems involved in entering and leaving Cuba, stating that it was urgently necessary to overcome the existing difficulties, since they caused a great deal of distress and suffering. They expressed the view that people leaving the country ought not to have to leave for good, as at present. They also called for better opportunities for communication between people who stay in Cuba and those who go abroad.

92. Three doctors from Camagüey 15/ said they did not support the régime and had submitted their applications to leave the country many years ago. The Immigration and Aliens Office requires them to submit the "release cards" from the Ministry of Health, the very cards the Ministry has repeatedly refused to issue to them. They said they were recently arrested by the police on two occasions, allegedly for traffic offences. They affirmed, however, that they

were arrested because of their intention of meeting the group and they said they were afraid of being arrested again for the same reason. Another witness, 16/ a former officer in the revolutionary army, said that he was wrongly punished for improper conduct and subsequently expelled from the Communist Party and other posts. When he tried to leave the country, he was captured and then sent to Combinado del Este, where he served his sentence side by side with common criminals. Since he has left prison, the possibility hangs over him that he will have a police record stating that he is a danger. Another witness, 17/ who said that he is a musician and composer, has been without work for more than eight years and, owing to his political dissidence and his desire to leave the country, it is impossible for him to obtain a job. He said that he has been threatened and is afraid of reprisals that might be taken against him. One mother 18/ said that she has been trying for years to leave the country in order to join her husband. Despite all her efforts, she has always met with rejection from the Immigration and Aliens Office, which, for no apparent reason, refuses to grant her permission to leave. She also denounced the corruption that exists in matters relating to the issue of exit permits.

93. The group also received testimony from two other mothers who are unable to leave the country. One 19/ said that she has been awaiting permission to emigrate in order to join her husband. Previously, the "Interconsul" office, which was closed down in February 1986, had demanded a large sum of money to obtain the exit permit. She recounted in detail the many efforts made, the promises received and the successive occasions on which her expectations were frustrated. She added that one of her daughters, overcome with despair, tried to commit suicide. Another mother who appeared before the group 20/ said that, for years, both she and her son had been trying to leave the country in order to join her husband. Finally, she obtained permission, but her son did not, since he had reached the age when he was liable to military service. She said that her son has been receiving psychiatric treatment for the past four years and that she cannot find work.

94. Two persons said that they were arrested on the high seas on 19 April 1988 when trying to leave the country unlawfully. 21/ They said that they were taken to Villa Marista, where for 36 days they were held in isolation in windowless cells with no opportunity whatsoever to see their lawyers. They said that, physically, they were treated properly, but that the psychological treatment was degrading, since they witnessed scenes of ill-treatment of fellow prisoners. They stated that, since being released on bail, it has been impossible for them to find work, for which reason they want to leave the country.

95. The group received the oral testimony from a young woman, six months' pregnant 22/ who alleged that she had been ejected from the house in which she had lived with her husband, when he had quite legally left the country. She stated that the house had belonged to her husband and there had been no reason for her eviction and still less for the confiscation of the property of the marriage partnership.

96. The persons mentioned in paragraphs 92 to 95 are among the 1,183 out of the over 1,600 received.

3. Right of asylum (art. 14 of the Universal Declaration of Human Rights)

97. As stated in chapter II, para. 46, the Minister of Justice said that Cuba respected the right of asylum and authorized persons seeking asylum to leave the country. During recent years, however, few persons had sought asylum in Cuba. What the Government did not accept was illegal entry into embassies, a practice which had in many cases resulted in the death of guards protecting various embassies. Many ordinary criminals had chosen to leave the country in that way, only to be welcomed as heroes abroad. Cuba refused to grant such persons political status and to adopt a practice that outsiders were trying to impose on it.

98. The group received testimonies about limitations to the free exercise of the right of asylum. It was stated that the diplomatic missions in Havana are heavily guarded by the police, so that free access to them is denied. A particularly close watch is kept by the police on Latin American embassies, since most Latin American countries recognize the right of asylum. A witness 23/ representing the Cuban Committee for Human Rights referred to the failure of the Cuban Government to honour agreements with many persons who had taken refuge in the embassies of Peru and Venezuela, agreements by which it undertook to give them permission to go abroad once they left the embassy premises. He said that many persons who left the embassies under safe conduct were subsequently arrested and sent to prison. Another witness (see note no. 2) reported the fatal machine-gunning of three persons who tried to take refuge in the embassy of Venezuela between 1980 and 1984 and stated that, since 1980, Antonio Armenteros has been denied a safe conduct to leave that embassy.

4. Freedom of conscience and religion (art. 18 of the Universal Declaration of Human Rights)

99. The situation with regard to freedom of conscience and religion in Cuba was discussed by the group with the Head of the Religious Affairs Office of the Communist Party, the Vice-President of the Council of State and the Head of the Information and Cultural Affairs Office of the Communist Party, as well as with representatives of the Episcopal Conference of the Catholic Church and the Ecumenical Council of Cuba. The group also received from the Cuban Committee for Human Rights a document entitled "Legal coercion and religious freedom in Cuba" (see annex XXIV). Finally the Secretariat on behalf of the group received written allegations of violations of religion freedom of 81 persons (see annex VII).

100. The Head of the Religious Affairs Office of the Communist Party informed the group that his Office was established in January 1985 in order to improve relations between the State and the different churches, particularly the Catholic Church. He said that, in the years immediately after 1959, there had been an acute confrontation between the State and the Catholic Church because religious belief tended to be equated with counter-revolutionary militancy. This was due to the fact that the Catholic Church was then closely tied to the old political order and, accordingly, it vigorously opposed the new régime. He claimed that this identification of the Catholic Church with counter-revolutionary forces reached its peak in April 1961, at the time of the mercenaries' landing at Playa Girón. The difficulties were exacerbated by

enemies opposed to the process who sought to divide the people into those who were with the Church and those who were with the Revolution. It was precisely against this background that religious property was confiscated and religious faith declared to be incompatible with revolutionary activism. He added that, fortunately, the situation has now been overcome, although there are still some restrictions on practising religion which are likely to disappear. He admitted that religious denominations have limited access to television, radio and the other media, although there are interviews with religious leaders from time to time and Cuba often receives important visitors from different churches. He also pointed out that, if the various churches were offered space in the media, the Government would not have enough for its own social campaigns. Lastly, he stated that Cuba today has over 800 Protestant churches with some 1,000 ministers, while the Catholic Church has 500 churches. He could not say, however, just what the total number of believers was, as statistics were inadequate, but, if the baptismal registers were taken as a basis, there were millions of Catholics in Cuba, representing some 15 to 20 per cent of the total population. The Catholic Episcopal Conference put the figure at 60 per cent of the population. Nevertheless, according to the Head of the Religious Affairs Office of the Communist Party, only 80,000 to 90,000 Catholics attend religious services, while the figure for Protestants is 75,000 to 80,000. In conclusion, he said that the most widespread religion in Cuba is santería, Afro-Christian syncretism.

101. The Vice-President of the Council of State recognized that the Cuban Government does not encourage religious vocations, but said this does not mean there is any religious persecution in Cuba. He admitted that a Catholic cannot teach in a primary school, although he can work in other areas, such as medicine. He said it is not common for a Catholic to hold an executive position in the Party or the State. In his opinion, the problem lies to a large extent in the popular reaction against the various religious denominations, which is sometimes expressed in spontaneous acts of intolerance, an outcome of the lack of understanding of the religious phenomenon.

102. The Head of the Information and Cultural Affairs Office of the Communist Party said that publications by religious sects are intended for the sects themselves and that religious information is not given radio or television time or space in the press. He did add, however, that such opportunities could be provided in the future, in the process of the return to normal in Church-State relations, provided the churches concern themselves with spiritual, and not worldly, matters.

103. The President of the Catholic Episcopal Conference told the group that, since 1985, when the Office of Religious Affairs of the Communist Party was established, there have been major advances in relations between the Catholic Church and the State. The phase of a return to normal relations began some 10 years ago, before which there were two earlier phases, one of fierce confrontation and another during which the Catholic Church resigned itself to the revolutionary status quo. He added that the period of confrontation began when the new régime explicitly stated its desire to establish socialism in Cuba. From then on, because of the Church's opposition to that political programme, it lost the chance to go on teaching in schools and suffered from a fall in the number of priests and nuns; there were 200 priests left in Cuba,

while the number of nuns declined from 2,800 to 230. That had come about through the expulsion of many members of religious orders, including a bishop, and the voluntary emigration of others, because of the restrictions on church activities. He also claimed that, during the 1960s, at the time Church-State relations were at their most difficult, Catholics found their civil rights restricted in work places, schools and the mass media. Some 10 years ago, a process of contact and dialogue was initiated between Church and State, leading to a new stage in their relations. This move towards a return to normal was reflected in the way bishops were able to raise with the authorities complaints from their parishioners about various situations in which they suffered occupational, political or academic discrimination on religious grounds. The State started to listen to these complaints and to deal with them, thus creating a better climate in relations with the Catholic Church. Lastly, he regretted the fact that the improvements which had taken place in the Catholics' situation had been achieved only through concessions, not as a result of the recognition of legitimate rights.

104. The Catholic Episcopal Conference referred to the difficulties still encountered by the Church in exercising its right to freedom of worship and to the subtle discrimination still suffered by believers. Among other difficulties, they mentioned the lack of access to the media, whether press, radio or television, although the Holy Father himself had called for freedom in that area; the fact that the Church had not been able to get back the schools and colleges it had had before the establishment of the new régime; the lack of access to education under the present educational system; and the inadequate number of Catholic priests (some 225) in relation to the population of Cuba, although they admitted that some foreign priests have started to arrive to perform pastoral duties for the Catholic Church. They added that religious believers do not form part of the Party, which in their view is discriminatory, since they are thus excluded from the decision-making process in Cuban society.

105. The group also received 5 of the 7 members of the Executive Committee of the Ecumenical Council, which represents 54 Protestant churches and ecumenical movements and institutions, and they stated that the group's visit was taking place at the best time in relations between their churches and the State, which were no longer beset by the difficulties dividing Christians and Marxists in the 1960s, when the former were anti-Communists and the latter open enemies of the Christians. They said that their churches can meet without any problems and hold services on their own premises and that many of them have their own publications, as in the case of the Presbyterian Church, although they have problems in distributing the material they publish. They added that the Protestant churches give religious education on their own premises and at holiday camps for young people and that their ministers encounter no difficulties in visiting parishioners who are sick or have problems, although they said they have no access to the media. They also claimed that there is no contradiction between the Christian education given in the churches and in believers' homes and the Marxist education given in schools, since atheism is not an objective of the Revolution and Marxism-Leninism is taught only in the last two years of pre-university studies. They said that students do not have to accept the materialistic view of the world and are free to decide whether or not to have religious beliefs.

106. The Secretariat on behalf of the group received a total of 81 complaints of religious discrimination, mainly from members of the Jehovah's Witnesses and Seventh Day Adventists. Their principal complaints referred to their refusal to undertake military service and to work on Saturdays, respectively. Chapter II gave the comments of the Cuban authorities on the way problems with members of these churches are being dealt with. A Jehovah's Witness 24/ stated that, in 1981, his house was searched by the National Revolutionary Police, who confiscated a Bible, three copies of the Watch Tower, a book on the New Testament and two books of the sect he belongs to. Shortly afterwards, he was sentenced to 9 months' imprisonment for being in possession of clandestinely printed material, all the confiscated material being destroyed on the orders of the Municipal Court (see annex XXV for a copy of the judgement given in the case by the court of first instance). The Secretariat on behalf of the group also received the first five issues of La Religión en Cuba (Religion in Cuba), an independent publication, although it has links with the Catholic Church; it is edited by Enrique López Silva and the first issue came out in September 1987. As the publication itself states, it is evidence of the improvement in relations between the Catholic Church and the State.

5. Freedom of opinion and expression, including freedom of information
(art. 19 of the Universal Declaration of Human Rights)

107. On this subject, the group talked with the Head of the Information and Cultural Affairs Office of the Communist Party and the Vice-President of the Council of State. It also talked with leaders of the Union of Journalists and editors and directors of the main media organs. This subject was also discussed with representatives of non-governmental organizations and individuals.

108. The Head of the Information and Cultural Affairs Office of the Communist Party explained that Cuba has no ministry of information, so that the responsibility for information policy lies with the Communist Party. He said that his office does not in any way decide what information should be put out by the media: there are no units attached to the media to supervise the material they publish. It is the task of their editors and directors to decide what information they should report. He added that the group's visit coincided with a serious effort to liberalize information policy so that the people of Cuba can know about everything going on inside and outside Cuba and have an opportunity to express the widest variety of opinions through the mass media. There are at present 4 national daily newspapers and a number of provincial ones, with a total daily circulation of 1,572,000; 2 national television channels, 7 provincial and 1 international; and 5 national radio stations, 17 provincial, 31 municipal and 1 international. The press, radio and television are State-owned. He said that, in addition to the information they provide, counter-revolutionaries broadcast more than 150 hours of programmes a day from radio stations in the United States. He stated that the Government does not interfere with those broadcasts, despite the fact that the information is basically propaganda. He added that it resulted in a certain balance in information policy. It was true that there are certain restrictions on freedom of the press in Cuba; it was forbidden, for example, to put out pornography or to advocate racism or war as a means of settling disputes. As regards the possibility of religious sects having access to the media in the future, he said that it was likely as part of the return to normal Church-State relations, provided they concern themselves with the soul and not with worldly matters.

109. The Vice-President of the Council of State said that some 48 million books are published in Cuba every year, but, even so, it is not possible to publish everything that is produced, so that it is necessary to be selective. He said he saw no reason to publish counter-revolutionary authors, which in any case was not required by the Universal Declaration of Human Rights. That did not in any way mean, however, that they could not publish their books for themselves, although he discounted the possibility of their having any success in Cuba.

110. During the group's talks with the editors and directors of national media organs and representatives of the Journalists' Union, the President of the Union of Journalists said that it is not necessary to have a degree in journalism or to join the Union in order to practise journalism in Cuba. The President of the Cuban Radio and Television Institute said that, in Cuba, there are no controls of any kind on buying shortwave radios and that he knew of no cases of reprisals against persons who listen to broadcasts from abroad. With regard to the lack of information provided by the newspaper Granma on the Olympic Games, which were being held in Seoul during the group's visit to Cuba, the newspaper's Deputy Editor said the reason was lack of interest in the Games amongst the people, since Cuba was not taking part. He noted that the opposite had happened when the Pan-American Games were held in Indianapolis, precisely because there was so much interest in Cuba's participation. Other persons in charge of the media expressed the same opinion, although they assured the group that their own organs were providing basic information on the Olympics. With regard to another question put by the group to the media chiefs concerning the possibility that they might publish a press release from the Cuban Committee for Human Rights on the group's visit to Cuba, the Deputy Editor of Granma said that he had not seen the text, but that, if he received it, he would consider the possibility of publishing it, just as any newspaper editor in the world would do.

111. The group received from the Cuban Committee for Human Rights a file on freedom of expression in Cuba. * / The Committee contends that the press, radio and television are controlled by the Revolutionary Orientation Directorate of the Communist Party. Accordingly, all the media reflect the news from the same angle and they do not express any opinion that departs from the official line. This means, according to the Committee, that, if a journalist decides to express ideas, he runs the risk of losing his job, thus being doomed to a marginal existence or exile. Anyone who is dismissed is offered, apart from exile, a choice between working as a building labourer or as a gravedigger in a cemetery. Precisely because of these fears, many journalists have to resign themselves to becoming unconditional spokesmen for the régime, keeping their thoughts to themselves and forgetting that they have the ability to think. Artists who dare to expose the reality created by the Government-controlled media face the same prospects. The Committee also refers to a number of events which have marked important stages in the process of muzzling freedom of expression in Cuba: the setting up in 1963 of the now disbanded Military Production Assistance Units (UMAPs), to which people who were not unconditional supporters of the régime, including many intellectuals and artists, were sent to do forced labour; the Microfracción trial in 1968, in which a total of 40 journalists, writers and professionals were sent to

prison without any sentence and many more were reduced to the status of third-class citizens, a situation that still exists in some instances, simply because they expressed their opinions; the so-called "parametrismo" trial at the end of the 1960s against more than a hundred intellectuals and artists, defended by Dr. Aramis Tabuada, who later died in prison. (See Chapter IV, para. 148).

112. One witness 25/ said that he was convicted of the crime of enemy propaganda and sentenced in 1983 to 10 years' imprisonment for writing a critical article on agricultural prices in a Camaguey newspaper. He was released after serving four years of his sentence. In all, out of the total of over 1,600, the group received 67 complaints of violations of freedom of opinion and expression (see annex VII).

6. Freedom of assembly and association, including trade union freedom
(art. 20 of the Universal Declaration of Human Rights)

113. The Minister of Justice explained to the group that the 1985 Associations Act establishes the list of associations and lays down the requirements for their registration and functioning. He said that, at present there are 1,698 registered associations in Cuba, in addition to 183 religious denominations. The former include primarily brotherhoods, Masonic lodges and associations of foreigners. He said that the Cuban Committee for Human Rights has never submitted an application for registration with the Ministry of Justice, while the application by the Commission for Human Rights and National Reconciliation was submitted shortly before the group's arrival in Cuba and is still under review. As to the Asociación Maturista Vida, the Minister said that it has been turning into a group of speculators selling plots of land.

114. The Vice-President of the Council of State said that Cuba has a "closed-shop" system in which only one trade union, which must cover the majority of the workers, can operate in each factory. Cuban legislation thus protects the majority's right to trade union representation in the workplace. The law also protects the right of workers not to join a trade union. The Minister of Labour, for his part, told the group that 98 per cent of the workers are unionized in the Cuban Workers' Federation, which is made up of 17 national unions, by branch of activity; only 2 per cent of workers are not members, their decision is respected and there is no discrimination against them on that account. He also said that trade union unity is highly valued by the people and, hence, the workers do not feel any need to create more unions. He nevertheless pointed out that, if the workers one day decide not to maintain the present organizational structures, their demand will have to be respected. Lastly, he stated that workers in Cuba do not have any reason to go on strike, since they have all the basic services to guarantee their security and well-being.

115. The group received a document from the Cuban Committee for Human Rights and the Asociación Pro Arte Libre (Free Arts Association) requesting it to intercede with the Cuban Government to legalize four associations said to have applied for recognition by the Ministry of Justice. */ These associations are, in addition to the petitioners, the Human Rights Party and the Association of Friends of Perestroika and Glasnost. They also maintain that, for almost 20 years, the Government has marginalized the intellectuals

connected with the group known as Microfracción because they voiced their disagreement with the leadership of the Communist Party. They add that, on ideological, political or religious grounds, marginalization is the fate of young artists, as well as exponents of Cuban culture in exile, whose work is censored in Cuba. They also maintain that, despite the Associations Act, the Government has repeatedly refused to recognize non-governmental organizations; the usual course is to criticize them harshly, sometimes in defamatory terms, and the organizations involved have no opportunity to exercise any right of reply. The Government also prohibits and penalizes any oral, written or other form of expression against it (art. 103 of the Penal Code). For their part the Presidents of some non-governmental organizations, namely, the Allied Human Rights and Reconciliation Organizations, the Sendero Verde Eco-Pacifist Movement and Asociación Naturista Vida, complained to the group that the persecution and harassment to which they are being subjected by State security bodies hamper the work they are doing and place the very existence of their organizations in a very shaky position.

7. Right to political participation
(art. 21 of the Universal Declaration of Human Rights)

116. The Secretary-General of the National Assembly explained to the group the mechanisms for people's representation and participation under Cuban legislation. He said that the principles which govern political representation and participation in Cuba are the election of representatives by a free, equal and secret vote; accountability; and possible removal from office. Every electoral constituency is divided into two to eight areas, depending on its size. The inhabitants of each area are free to choose their candidate on the basis of their own proposals. Candidates must be over 16 years of age and resident in the relevant constituency; He said that there were no official candidates nor candidates supported by the Communist Party, that any person could nominate a candidate of his choice, so long as such person resided in a constituency including the possibility of nominating oneself. He added that delegates had to report periodically on pain of having their mandate revoked at any moment. In this way, the country periodically elects the 13,245 delegates who form the various Constituency Assemblies. They are not professionals, since they are not paid for exercising their functions. They must perform their elective office outside regular working hours. Delegates hold weekly meetings with the persons they represent and report on their activities twice a year. Delegates to the Constituency Assemblies elect representatives to the Municipal Assemblies, which have an Executive Committee, a standing body composed of professionals and non-professionals. The Municipal Assemblies elect delegates to the Provincial Assemblies in the proportion of one delegate per 10,000 inhabitants and for a term of two and a half year. Both delegates themselves and certain personalities whom the Assemblies see fit to nominate are eligible for election to the Provincial Assemblies. Over half the delegates in the Provincial Assemblies are at the same time delegates in the Municipal Assemblies. Lastly, the National Assembly is composed of deputies elected for five years in the proportion of one per 20,000 inhabitants. Both delegates in the Provincial Assemblies and prominent national personalities can stand as candidates for the National Assembly. Nevertheless, 57 per cent of the deputies are constituency delegates.

117. The Secretary-General of the National Assembly said that the Assembly's functions include that of electing the Council of State and, on the proposal of that body, the Council of Ministers. The National Assembly is the supreme organ of State power, since it exercises the constituent and legislative powers of the Republic. It may call for a referendum in the case of a constitutional reform and repeal Decree Laws which are contrary to the Constitution. The National Assembly also receives reports from the Council of State, the Council of Ministers, the Provincial Assemblies, the Supreme Court, the Attorney-General's Office. Like the constituency delegates, the deputies do not derive financial gain from their office, since they continue to hold their regular employment, receiving the necessary leave and subsistence allowances when engaging in activities in the Assembly. They are also protected by criminal and administrative immunity. The Council of State, for its part, is the highest representative organ of the State vis-à-vis the outside world and, during the periods when the National Assembly is not in session, it formulates decree-laws which must be approved by the Assembly during its two annual meetings. The Council of Ministers is the highest executive organ. The role of the Communist Party is to ensure that electoral processes are carried out in conformity with the Law. He recognized that a high percentage of delegates and deputies are Communist Party activists, as a logical consequence of the high regard in which the Party is held in the country. For instance, over half the delegates in the Municipal Assemblies are Communist Party activists.

118. For his part, the Vice-President of the Council of State said that the Communist Party is the force that guides society and the State, in accordance with the wishes of the overwhelming majority in the country, and that more than 97 per cent of citizens who took part in the 1976 referendum voted in favour of the Constitution. He said that only a minority is opposed to it and that it is not possible for the minority to prevail over the majority. Commenting on the watchword of the President of the Council of State, "Within the Revolution everything, outside the Revolution nothing", which was mentioned to the group on more than one occasion by the members of the Cuban Writers' and Artists' Union, the Vice-President of the Council of State said that it must be understood in the broad sense and not interpreted narrowly. He also said that the watchword did not have constitutional status. He maintained that not being in favour of the Revolution did not mean being against it. The Revolution is made up not only of revolutionaries, but also of persons who are not revolutionaries, provided that they are not opposed to it. He said that there are very few opponents of the Revolution and that the majority of the people identify with it. With regard to the mass reaction against some citizens, better known as acts of repudiation, he said that, although there had been a spontaneous reaction by the people against persons who wanted to leave the country, they had not been instigated by the Government, which had had to intervene in order to prevent the situation from deteriorating still further.

119. In a communication from the Organization of Political Prisoners dated 28 May 1988, which was received by the Secretariat on behalf of the group from the Cuban Committee for Human Rights, 46 political prisoners at Combinado del Este gave a historical account of the main violations of individual and political freedom, which, in their view, have led to the gradual installation of a totalitarian régime in Cuba. The text of the communication is found in

annex XXVI. In another document handed to the Secretariat in the presence of the group (see annex XXVII) 22 political prisoners affirm that following the institutionalization of the regime, the people are obliged to go to the polls to vote, not for a candidate for the Presidency nor for the Prime Minister but for candidates from their district to be delegated to the Popular Power, while the Communist Party without any participation of the people, choose the maximum leaders of the country and assume their self-given role as guiding force of society and the State.

C. Judicial protection of rights and public freedoms

120. The Attorney-General stated that one of the functions of the Attorney-General's Office is to monitor the rule of law or, in other words, to guarantee that acts by private individuals, as well as by public and private bodies, are carried out within the framework of the law. With regard to the guarantees that the law affords for the individual to question the lawfulness of an administrative act or the constitutionality of a law, the Attorney-General said that the Administrative Procedure Act provides for the remedies available in respect of administrative decisions. These include administrative remedies. In cases where the law prohibits such remedies, remedies of application for amendment and appeal, as well as complaints, may be lodged with the relevant administrative body. Such remedies are available against any administrative decision and are dealt with by the Attorney-General. When a complaint has been received by the Attorney-General's Office, an investigation is conducted and the Attorney-General then decides whether or not the rule of law has been violated. From January to September 1988, the Attorney-General's Office dealt with 2,980 complaints. With regard to the constitutionality of laws, the Attorney-General said that Cuba did not have a constitutional court and that, since there was no specialized body for the purpose, it is for the National Assembly to ensure that the laws are in keeping with the Constitution. Decree-Laws approved by the Council of State and subject to ratification by the National Assembly may be revised and amended by the Assembly if they are not constitutional. With regard to lesser-ranking laws, it is possible for the Attorney-General's Office to draw the attention of the National Assembly to their unconstitutionality. As to the remedy of habeas corpus, the Attorney-General said that it is regulated by articles 467 to 478 of the Penal Procedure Act. He also said that this procedure is little used, since between four and five applications for habeas corpus are usually submitted each year, when a detainee has not been placed at the disposal of the competent authority within the required time-limit or when a court orders a detainee's release and the execution of the order is delayed. Lastly, the Attorney-General stated that another of the obligations of the Attorney-General's Office is to guarantee the exercise of the rights and duties of prisoners. For example, from January to September 1988, the Attorney-General's Office investigated possible irregularities and shortcomings in the treatment of 7,607 prisoners.

121. The President of the Supreme Court stated that, although there had been cases in which judges had been elected without experience and adequate legal training merely on the basis of a university degree, the situation is now changing. Since early 1988, candidates for posts of judges both in the Supreme Court and in the Provincial and Municipal People's Courts are required to have professional experience and previous practical training in associated

lawyers' offices. He also said that consideration is being given to the establishment of an Institute for the legal profession. With regard to the right of an accused person freely to choose counsel to defend him in regular proceedings, the President of the Union of Jurists said that the accused may freely choose counsel from among the members of the various associated lawyers' offices. He also said that there is an ex officio defence counsel procedure, under which the accused is offered the services of the relevant attorney. The President of the National Directorate of Associated Lawyers' Offices explained to the group that such offices exist throughout Cuban territory and are private bodies in which legal services may be freely contracted and every client is free to choose the lawyer he prefers. The fees are established in advance and are always moderate; they may even be reduced by 50 per cent in the case of poor clients. He also explained that, although there are 1,200 attorneys in such offices, there is still a shortage of lawyers in Cuba, although the situation is expected to improve, since the Social Service Act specifies that new graduates must work for three years in the associated lawyers' offices. The national representatives of the associated lawyers' offices stated that they disagreed with section 1 (Lawyers and the legal system) of the report by the New York Bar Association, which claims that defence lawyers do not defend their clients energetically enough, particularly when they are accused of political offences. (See annex XXVIII) 26/

122. A witness representing the Cuban Committee for Human Rights 27/ stated that Cuba does not have any judicial mechanism whereby an individual can exercise the right to an effective remedy in the event of a violation of his rights as a citizen. He said that in view of the non existence of a tribunal of constitutional guarantees the rights and freedoms referred to in the Constitution are not properly guaranteed. Article 26 of the Constitution does not indicate to which authority or under which procedure a remedy may be applied for in connection with an abuse of authority by a Government official and this omission is a violation of article 8 of the Universal Declaration of Human Rights. He pointed out that articles of the provisions of the Penal Procedure Act do not make it possible to hold fair and impartial judicial proceedings. In this connection, he said that articles 105, 160, 161, 245 and 258 of the Penal Code hinder the holding of a just and impartial judicial process. With regard to article 105, he said that the Attorney-General's Office was responsible for the preparatory phase. This means that it is the police who prepare the case, and not a judge, as should be the case. In regard to action for habeas corpus, he said that there are many restrictions on the exercise of the right to habeas corpus. An arrest warrant, even if arbitrary, suffices for an arrest to be lawful and for habeas corpus not to be applicable. He said that, in December 1979, more than 1,000 citizens who were arrested and accused of being dangerous were tried in Combinado del Este Prison without being able to choose their own lawyers. This procedure was maintained until 1987. In effect, he indicated that many of the judges belong to the Communist Party and, although they were not activists depended on the approval of the Party for their election. He pointed out that, under article 123 of the Constitution, the main objectives of the courts are, inter alia, the maintenance and strengthening of the socialist rule of law and the protection of the economic, social and political régime established by the Constitution. He also indicated that, under article 47 of the Penal Code, the courts determine penalties in accordance with the socialist legal conscience.

Chapter IV

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A. Labour matters and social security (arts. 22, 23 and 24 of the Universal Declaration of Human Rights)

123. On this subject, the group held talks with the Vice-President of the Council of State and the Minister of Labour and received 264 reports from persons who stated that they had lost their jobs for political reasons, particularly for applying to leave the country.

124. The Minister of Labour explained to the group that the State guaranteed to all Cubans the right to work. There was no unemployment in Cuba and the existing social security system protected mothers, children and elderly people and looked after people who were temporarily or permanently sick or injured. He told the group that the supply of labour was channelled through the so-called Offices of Labour Orientation, to which unemployed workers applied for information about employment opportunities. He mentioned that the working week was 44 hours and that annual leave amounted to 30 days. He stated that wages were set on the basis of the principle of "equal pay for equal work", and that there were also productivity incentives. Wages policy was monitored by the State Committee on Labour and Social Security, which also supervised measures of labour safety and hygiene. He explained that the Social Security Fund was financed by enterprises. In the past, the workers had contributed to pension funds, but the system had been abandoned because of the corruption it entailed. The retirement age was 60 for men and 55 for women, and there were currently over 900,000 retired people, each of whom was receiving the appropriate pension. For his part, the Vice-President of the Council of State told the group that all former prisoners had the right to work, but that it was difficult for a counter-revolutionary to retain a job because of the natural antipathy he prompted in his workmates.

125. During its visit to the Republic of Chile Agriculture and Stock-raising Co-operative in Viñales, Pinar del Río province, the group was told by the co-operative's administration about the functioning of that self-governing enterprise, which had resulted from the agrarian reform that had taken place in the early years of the Revolution. Many of the peasants who had benefited from the reform had decided to join together in agricultural and stock-raising co-operatives. Both joining and leaving enterprises of that type were voluntary actions, apart from some exceptional cases established by law. The co-operative visited by the group had been set up on 6 October 1973 with 122 peasants and about 250 hectares of land and had subsequently tripled the number of its members and increased its land area tenfold. The co-operative's administration provided information about the various crops grown and the livestock raised. It was stated that all the children in the co-operative attended school, all the families had decent housing and the workers and the members of their families had time for sports and cultural activities. The group noted the achievements of the co-operative with respect to production and to social and cultural facilities.

126. Of the individual statements received by the group, the most frequent reason for loss of employment or loss of employment category was having applied to leave the country. Other reasons were also cited by witnesses. For instance, one witness said that he had lost his job in 1977 for belonging to an unofficial Marxist study group. He stated that three years later he had again been dismissed from his new place of employment for refusing to take part in an act of repudiation of a workmate. 28/ Another witness 29/ stated that he had been mathematics teacher for 21 years and he was dismissed from his teaching post in 1983 for having circulated material that conflicts with the Cauban social ideology, classed by the UNEAC (Unión Nacional de Escritores Artistas cubanos) as deviationist, anti-Communist and anti-Soviet. (See the judgement of the Peoples Municipal Court pronounced in this case in annex XXIX). The witness claims that he only provided the work of typing up the translation of a book on Nostradamus. For the same reason he was condemned for enemy propaganda to one year's deprivation of liberty which was replaced by restricted liberty for the same period (see the judgement of the Provincial People's Court in the same annex XXIX). Another witness 30/ stated that he had been dismissed from his teaching post because of his refusal to integrate with the Revolution politically. The witness stated that he felt nervous and very frightened and asked the group to intercede on humanitarian grounds so as to enable him to leave the country.

B. Health (art. 25 of the Universal Declaration of Human Rights)

127. The group held talks on the subject with the Minister of Health and his officials and visited the Hermanos Ameijeida Hospital and the Psychiatric Hospital. During its visit to Pinar del Río province, it received information concerning public health facilities at the provincial level. It also received information from other governmental authorities, from individuals and from non-governmental organizations.

128. In his talks with the group, the President of the Council of State stated that the achievements of the Revolution in the social sphere had been outstanding and that, as a result of the efforts made by the régime in the areas of preventive medicine, mother and child care, and nutrition, his Government had saved the lives over the last 30 years of approximately 300,000 children who would not have survived if substantial changes in Cuban social policy had not been introduced. He compared the experience of Cuba in this area to that of other countries of the Third World, where as a result of the unjust international economic order many children were dying of hunger everyday. He said, metaphorically that this was equivalent to the explosion of Hiroshima bomb in the Third World every third day.

129. A comparative table of the most important public health indicators, sent to the group by the Government of Cuba 31/, is given below.

SUBJECT	1958	1987
Doctors	6 286	28 060
Dentists	250	5 923
Pharmacists	46	664
Nurses and assistants	826	53 595
Technicians and assistants	478	54 078
Number of inhabitants per doctor	1 076	367
Number of inhabitants per dentist	27 052	1 739
Family doctors	-	4 021
Hospitals	337	264
Polyclinics	52	422
Rural health centres	-	256
Maternity homes	-	135
Old people's homes	27(*)	126
Beds per 1,000 inhabitants	4.2	5.7
Medical examinations per inhabitant	1.9(*)	6.4
Dental examinations per inhabitant	0.1(*)	1.5
Rate of deaths in childbirth (per 100 thousand live births)	125.3	34.0

(*) 1963

130. To supplement this information, the Minister of Health said that average life expectancy was currently 74.6 years (as compared with 58 years in 1965 and 52 years in 1959), which placed Cuba on a level comparable with that of many developed countries. He mentioned that other achievements in the area of public health were the treatment of contagious diseases, advances in the area of nutrition and the eradication of malaria, diphtheria, tuberculosis, polio, meningitis and tetanus for children and other common infantile epidemics, with a consequent drastic reduction in the infant mortality index to 0.003. He also mentioned that those efforts with respect to health would have failed if adequate attention had not been paid to the training of future doctors, nurses and specialized technical staff. He added that Cuba currently had 21 faculties of medicine and 4 faculties of dentistry. He also stated that an original contribution to public health was the creation of the family medicine speciality, of a basically preventive nature, which enabled health professionals to get closer to the man in the street and thus involve him in the campaign against illness. He also referred to the successful results that had been achieved in transplant surgery, adding that heart, brain, liver, kidney and lung transplants had already been carried out in Cuba, which meant that it was one of the foremost countries of the world in that area. Other indications of the efforts being made by the régime in the area of health was the current encouragement to applied scientific research, especially in the spheres of genetics and tropical diseases, as well as promotion of the industrial production of medical equipment. At the end of the talks, the group submitted to the Minister of Health a document entitled "Boletín Especial. Equipo de Opinión del Pueblo. DOR. Partido Comunista Cubano. Provincia de Holguín" (Special Bulletin. Public Opinion Unit. DOR. Communist Party, Provincia de Holguín) with a view to ascertaining his opinion on it. (See annex XXX).

131. In connection with the AIDS problem in Cuba, the President of the Allied Human Rights and National Reconciliation Organizations informed the group that AIDS patients were confined against their will in a special prison and asked the group to secure the Government's authorization to visit the place. Two other witnesses criticized the way in which the Government was tackling the AIDS problem, whose existence in Cuba it had been denying until very recently. They alleged that persons suffering from the disease were being held in a place known as "Finca los Cocos" in Rancho Boyeros, where a very strict, prison-like surveillance system was in force. 32/ In its talks with the Minister of Health and the high officials in the sector, the group expressed its desire to be informed about that problem. The Deputy Minister of Health for Hygiene and Epidemiology gave a detailed account of the measures adopted by his department to deal with the AIDS problem. He mentioned, inter alia, the suspension as from August 1983 of all imports of blood or blood products; the establishment of a strict monitoring system in all the country's hospitals to detect clinical forms of the disease; and the decision to examine the general public, particularly those in high-risk sectors and people who had travelled abroad or had otherwise come into contact with foreigners. He said that the results of the examinations indicated that there were very few persons carrying the virus. Once they had been detected, the authorities decided to tackle the problem by adopting the following measures: making an analysis of all blood donated for the use of patients - two positive cases had been detected in 1988 out of 250,000 blood samples; carrying out an epidemiological study of all the cases detected; and endeavouring to prevent contagion by confining patients and the carriers of the virus. As a result of those efforts, 2.8 million persons (27 per cent of the total population and 39.4 per cent of the sexually active population) had been examined so far and 251 positive cases had been found, 39 of whom were seriously ill and 11 of whom had died. Only 0.009 per cent of the population were found positive.

132. After its talks with the Minister of Health, the group visited the transplant department of the Hermanos Ameijeida Hospital. There the group saw two patients who had recently received heart transplants. In Cuba, there had been 50 transplants to date, including 15 heart transplants and 2 heart and lung transplants. The group observed the modern facilities of the building, which had been opened two years previously, the sophisticated medical equipment available and the high level of the medical and paramedical staff working there.

133. During its visit to the Psychiatric Hospital, the group was informed that it could accommodate 4,100 patients and had facilities for daily contact between patients and their relatives. About 75 per cent of the psychiatric in-patients engaged in work, for which they received normal wages. According to the Director of the Hospital, all the patients, including those suffering from chronic illnesses, could be rehabilitated through work. He stated to prove his case that, over the last 10 years, some 5,000 chronic mental patients had been rehabilitated in Cuba. As for the capacity of psychiatric hospitals in Cuba, the Director admitted that there was a deficit of about 1,000 beds. In his opinion, most of the patients were social deviants or persons suffering from chronic and difficult neuroses. As for exogenous illnesses such as schizophrenia and manic depressive psychosis, he said that they were largely dependent on environmental factors. For that reason, he added, there were no cases of suicide or acute depression in Cuba resulting from dismissals, unemployment, racial discrimination or drug addiction.

134. The Director stated that prisoners could be sent to the Hospital for observation at the request of the courts. He said that such prisoners could not remain in the Hospital for more than 30 days and that their mental condition must be determined within that period. Mentally normal prisoners were returned to the place they had come from. The group received a complaint according to which a prisoner had recently been interned with patients regarded as violent and in unsatisfactory conditions. For this reason the group expressed its desire to visit the Carbó Servia Ward in which, inter alia, prisoners are kept under psychiatric observation. The detainee was not present in the Hospital but he was subsequently interviewed by the group in Combinado del Este prison. The Director recognized the need for more modern premises for this unit and expressed the hope that work on their construction would begin shortly.

135. During its visit to Pinar del Río province, the senior provincial authority informed the group that 23.3 per cent of the provincial budget was allocated to public health costs, and that there were 21 hospitals and polyclinics in the province with 5.4 beds for every 1,000 inhabitants and 1 doctor for every 491 inhabitants. He added that, although those two indicators meant that Pinar del Río was slightly below the national average, they were very much higher than those of most places in the third world. With regard to family doctors, he said that there were 226 of them in the province, a number that would shortly be increased by 120 new graduates.

136. Leaders of the National Co-ordinating Organization of the Committees for the Defence of the Revolution and leaders of other mass organizations and Government authorities informed the group that another unquestionable achievement of the Revolution in respect of health was having devised a system which ensured the sustenance of all Cubans through their access to a balanced diet. The latter was guaranteed by the State, which issued a Libreta de Abastecimientos (supplies book) to each family. In it was recorded, in accordance with the size of the family and the ages of its members, the staple food products to which each family was entitled. The families were able to obtain additional foodstuffs, depending on their incomes, on the "parallel market". Some witnesses expressed their dissatisfaction with the current food policy, alleging that, although it might have put an end to the hunger and destitution of many persons, it still did not provide the people with access to a richer and more varied diet.

137. The group received from the Cuban Committee for Human Rights a document entitled "Status and role of doctors in Cuba" (see annex XXXI), in which it was stated that doctors did not enjoy even the minimum facilities to which their important contribution to society entitled them to. The Committee alleged that doctors were obliged to work exclusively for the State, with the result that their professional freedom was restricted and they were indirectly required to obey orders from the Party organs concerning attendance at meetings, assemblies, demonstrations and so-called "voluntary labour days". The latter were, in fact, compulsory since failure to participate in them could be regarded as a sign of ideological weakness and the doctor could suffer various forms of penalty, ranging from so-called self-criticism sessions to loss of labour rights and including posting to remote areas providing scant professional stimulus, administrative penalties or expulsion from the organizations to which he belonged.

C. Housing (art. 25 of the Universal Declaration of Human Rights)

138. The group held talks on this subject with officials of the Housing Institute and with the Pinar del Rio provincial authorities. In its talks with the senior officials of the Housing Institute, the group was informed of the housing shortage that had existed in Cuba before 1959. According to the President of the Institute, there had been 1.5 million dwellings in 1959, half of which had been in very poor condition, lacking even electricity and sanitary facilities. As a result of the considerable efforts made in that sector, Cuba currently had 2.6 million dwellings, which meant that the increase in the number of dwellings since 1959 (90 per cent) was more than double the population increase (40 per cent) and that had rendered it possible drastically to reduce the shortage hanging over from the past. Priority had been given to the construction of housing in the countryside and workers' housing in the towns. The main contributors to the success achieved, the President added, had been the workers themselves. Their efforts had been channelled through the so-called micro-brigades constructoras (small building teams). He said that the housing plan provided for the construction of 47,000 new housing units in 1988, 40,000 of which would be built by the State, with the assistance of such teams, and 7,000 by peasants. He also said that to those figures should be added a further 20,000 housing units that would be built directly by their future occupants. Most of the housing units being built were prefabricated single-family units, with an average of 60 square metres per dwelling in the countryside and 70 square metres in Havana, or from 16 to 18 square metres per person. On the subject of access to housing, the President of the Institute said that the General Housing Act of 1985 had made property owners of 800,000 tenants. He concluded by saying that currently, everybody owned the dwelling he lived in and was able to transfer or bequeath it.

139. The senior authority of Pinar del Rio province told the group about the efforts made in that province in the field of housing construction, as a result of which there was currently one dwelling for every 3.9 inhabitants. Improvements in existing housing had also been considerable, particularly with regard to rural electrification. Currently, 82.9 per cent of all rural dwellings were supplied with electricity, and it was planned that the entire rural population of the province would have access to electricity by 1995.

140. The group also received complaints concerning the property of persons who had left the country. Representatives of the Cuban Committee for Human Rights stated that members of the family, including children, of persons who left the country were obliged to pay rent for the houses which had belonged to their relatives or to buy the furniture, equipment, utensils, crockery and linen left behind by them. (See para. 95, Chapter III).

D. Education (art. 26 of the Universal Declaration of Human Rights)

141. The group took up this subject with the Ministers for Education and the Minister for Higher Education, visited various educational centres including the university of Havana where it exchanged views with the leaders of the Federation of University Student (FEU), the Federation of Students of International Teaching (FEEM) and the Union of Communist Youth (UJC). During its visit to Pinar del Rio, it also received information concerning the achievements of the educational system at the provincial level. Lastly, it received oral and written information from other Government authorities, from individuals and from non-governmental organizations.

142. A comparative table of the most important educational indicators, given to the group by the Government of Cuba, is given below. 33/

SUBJECT	1958	1987
<u>Pre-school centres:</u>		
Total number of centres	37(1)	927
Final registration	2 415(1)	120 628
Number of beneficiary mothers	2 012(1)	110 779
<u>Primary education:</u>		
Schools	7 567(2)	9 617
Teachers	17 355(2)	73 874
Initial registration	625 729	936 914
Children completing the course	21 614	178 503
Scholarship holders	621(3)	29 282
Half boarders	209 294(4)	309 207
<u>Secondary education:</u>		
Schools	81	2 148
Teachers	4 571	104 741
Initial registration	88 135	1 143 137
Children completing the course	4 563	300 630
Scholarship holders	47 653(3)	494 951
Half boarders	31 538(4)	60 360
<u>Higher education:</u>		
Centres	3	35
Teaching staff	203	22 492
Initial registration	2 063	262 225
Graduates	31	27 513
Scholarship holders	-	61 655
Half boarders	-	10 024
<u>Education budget:</u>	79.4	1 650.7

- (1) 1961
- (2) Excludes private sector
- (3) 1961/62 scholastic year
- (4) 1970/71 scholastic year

143. In talks with the group, the Minister of Education supplemented the information given above and explained in detail the characteristic features of the Cuban educational system and the successful extension of its coverage. Instruction began at the pre-school stage, with the attendance of the young boys and girls at pre-school centres and nurseries. As indicated in the table, both the increase in the number of centres and the increase in registrations and the number of mothers currently benefiting therefrom, as compared with 30 years previously, revealed considerable progress in developing the educational facilities of the pre-school stage. The school-attendance stage ran from 6 to 16 years of age. The percentage of children of those ages registered was 93 per cent, the percentage rising to 98 per cent for the category of 6 to 12 years of age. The whole school system was compulsory and free of charge. The Minister added that the educational budget amounted to almost \$US 1.7 million which, in per capita terms, was well above the minimum established by UNESCO.

144. With regard to university education, the Minister of Higher Education informed the group that there had been 15,000 university students in Cuba in 1959, 35,000 in 1971 and 85,000 in 1976, whereas the current figure was 310,000, or 3 per cent of the total population. Those students were distributed among 48 higher education centres and more than half of them were also workers. He added that, if they wished to pursue specialized university studies, students had to sit examinations designed to test their knowledge and supplement their academic records. Only 50 per cent of pre-university students entered higher education, as a result of capacity problems and the requirements of Cuban society in terms of employment and professional staff. He pointed out that persons who did not enter the universities had the possibility of being trained as technicians. With regard to the Cumulative School Record, the Minister confirmed that it was a document which accompanied the pupil from primary school onwards but said that, since 1984, it had contained no mention of the pupils religious beliefs. The group requested the Minister's views on the ideological references and questions contained in the Cumulative School Record. The Minister stated that, although Marxism-Leninism featured in the curricula, there was no discrimination against students who did not share that doctrine. In the same context, he said that ideological education was of a revolutionary socialist nature, based on Marxism-Leninism, but was not dogmatic. In connection with the role of the Communist Party in higher education, the Minister stated that it concerned itself with organization and the integration of citizens in politics with the aim of making them persons of integrity and solidarity free from selfishness and materialism. He also referred to the frequent exchanges of Cuban students with students from other countries and to the absence of racist ideas in the Cuban mentality, as a result of the educational efforts made in recent decades. He concluded by referring to the internationalist assistance, both civil and military, which Cuba had furnished to the Government of Angola for more than a decade in its struggle against the aggression of the racist régime of South Africa.

145. The President of the Local Government provincial authority of the Pinar del Rio province told the group that 48.4 per cent of the province's annual budget was earmarked for education and that 26.1 per cent of the total population were engaged in study, including 17,313 university students. It should be remembered that Pinar del Rio covered about 10,861 square kilometres and had a population of 678,000, 50 per cent urban and 50 per cent rural, and that its principal resources came from agriculture and stock-raising. Those achievements were all the greater if it was borne in mind that Pinar del Rio had been one of the poorest and most backward provinces of Cuba in the past.

146. On the subject of education, the group received a document prepared by the Cuban Committee for Human Rights (see annex XXXII) in which it was claimed that a pupil lacking political and ideological integration could find his academic career and his professional future affected. The Committee stated that future students of medicine were subjected to a process of checking of their political and moral circumstances through personal interviews and surreptitious visits to the Committees for the Defence of the Revolution in the areas from which they came. It added that, at the beginning of his first year of studies, the future doctor had to swear an oath of unconditional

loyalty to the Revolution. The Committee stated that another problem affecting education in Cuba was its ideological bias, which took the form of obligatory courses in dialectical and historical materialism, political economy, scientific communism and the history of the workers' movement for university students studying all subjects. It ended by pointing out that, Marxism was taught during the last two years of instruction.

147. Two young teachers at the Havana Technical School 34/ expressed their disagreement with the ideological orientation of education in Cuba and their wish to leave the country. They also said they were afraid that their professional situation would change as a result of their interview with the group. One of them gave as another reason for wanting to leave Cuba his desire to join his father who, despite being sick, was prevented from returning to Cuba. The other witness affirmed that children of school age were evaluated on the basis of ideological considerations, such as the organizations to which they belonged and their parents' background. He claimed that children who were not "pioneers" - i.e., members of the official children's organization - were discriminated against.

E. Culture (art. 27 of the Universal Declaration of Human Rights)

148. During the group's meeting with prominent intellectuals and artists invited by the government, including in particular Alicia Alonso, Antonio Muñoz Jiménez and Roberto Fernández Retamar, the writer Miguel Barnet stated that one of the Revolution's greatest achievements had been the incorporation of broad segments of society into cultural life. He said that the efforts in the cultural field had resulted in an increase in the annual volume of books and booklets published and a growth in newspaper and magazine circulation, as well as the construction of new public libraries, museums, theatres and cultural and musical centres. He affirmed that all this had enabled the entire population to have access to culture. Jose Antonio Portuondo, too, said that all this would not have been possible without the literacy campaign of the early 1960s, which had created conditions permitting those who had not previously been able to participate in cultural life to do so. He stated that, it was precisely because it was acknowledged in Cuba that culture and the Revolution were intimately linked, that they supported the proclamation made in 1961 by the President of the Council of State and subscribed to by the intellectuals and artists, that in Cuba there was absolute freedom of expression, with no limit other than the Revolution itself, that is within the Revolution everything, against the Revolution nothing.

149. Below is a comparative table sent to the group by the Government of Cuba which illustrates the changes that have occurred in the cultural field during the last 30 years. 35/

SUBJECT	1958	1987
CULTURE AND THE ARTS		
Books published (volumes)	12 223 700(1)	37 830 200
Booklets published (volumes)	19 993 500(2)	37 830 200
Magazines published (volumes)	7 110(3)	45 827
Total newspaper circulation	332 100(4)	392 000
Films produced	60(5)	113
Cinemas for 35-mm films	545	535
Cinemas for 16-mm films	206	905
Public libraries	27(2)	328
Museums	13(3)	231
Theatres	10(2)	17
Auditoriums	29(2)	25
Cultural centres	33(6)	249
Poetry centres	10(6)	30
Art galleries	9(2)	162

- (1) 1962
- (2) 1963
- (3) 1964
- (4) 1970
- (5) 1960
- (6) 1975

150. In a document handed to the group the Cuban Committee for Human Rights maintains that in 1977 many persons were excluded from the Union of Writers and Artists of Cuba after the Union decided to change the membership cards of its members. The Committee adds that the established limits to freedom of expression were drawn by the President of the Council of State when he affirmed "with the Revolution everything, against the Revolution nothing". The Committee states that this declaration is reflected in the Constitution which, in article 38 (d) sets out the liberty of artistic reation, to the extend that such artistic activity is not contrary to the Revolution (see also para. 111 and 115, Chapter III).

151. The writer Miguel Barnet also referred to the contribution of Government policy to the development of Cuban popular culture. Regarding the Writers' and Artists' Union, he stated that its members professed various religious faiths and belonged to a wide range of aesthetic schools, and not a single one espoused socialist realism. The Union included orthodox Marxists and liberals, as well as Catholics and persons practising the "santería cubana" cult, an Afro-Christian syncretism. He pointed out that not all members of the Union were Communist Party activists, although all supported the Cuban Revolution. Ambrosio Fornet, who has responsibility for the Union's editorial policy, stated that the Editorial Board was composed of 12 members representing various branches of artistic and literary activity. After explaining the procedure followed for publication, he said that the ideological orientation of a literary work was not a factor taken into account in deciding whether to publish, although he mentioned that some restrictions did exist - for example, the Union preferred not to publish a work which presented a partial or distorted view of the Revolution. He remarked that

there was currently no administrative censorship whatever in Cuba now that the situation existing during the previous decade, when some officials had not known how to properly interpret the scope of freedom of expression, had been resolved. Abel Prieto, President of the Writers' and Artists' Union, stated that there had been no cases of Union members being expelled but merely some instances of individuals being excluded for breaching professional ethical principles, either by engaging in plagiarism or artistic mercenarism or leaving the country and betraying the Revolution. Lastly, Alicia Alonso the world famous ballerina said that, as far as music and dancing were concerned, there had never been such intensive individual or group exchanges with the outside world as at the present day.

152. Following its meeting with intellectuals and artists which took place in the restaurant "Las Ruinas", the group watched a folkloric and musical performance, reflecting the several influences at the base of Cuban culture in particular, the African, indigenous and European, specially Spanish. Under the guidance of the historian Mr. Eusebio Leal the group also visited the old city of Havana and the Capitania General today converted into a museum, and recognized by UNESCO as a part of the World Heritage Programme, where several objects of Cuban cultural heritage are exhibited.

Chapter V

FINAL CONSIDERATIONS

153. The group appointed to carry out the mission confirmed by the Commission on Human Rights decision 1988/106 wishes to record its appreciation of the co-operation provided by the Government and people of Cuba in the discharge of its mandate and for the facilities that were made available to it for its activities in Cuba.

154. The group is also grateful for the efficient and dedicated assistance provided to it by the Secretariat, under the leadership of the Secretary General and the Under-Secretary-General for Human Rights, despite the insufficiency of the resources at its disposal.

155. The spirit of international co-operation which led to decision 1988/106, based on the invitation extended by the Government of Cuba, which persisted and characterized the relationship between the group and the Cuban authorities, enabled a consensus to be preserved for the presentation of this report. The group believes that this spirit of international co-operation should, in all possible circumstances, be maintained and strengthened.

Notes

- 1/ Israel López Toledo is the author of the letter*.
- 2/ Jesús Pedro Acosta Morales*.
- 3/ The testimonies of these cases are available for consultation in the secretariat's files.
- 4/ The "plantados" (long-term political prisoners) are distinguished by their refusal to take part in rehabilitation programmes and to obey certain prison rules. The "historical plantados" have been refusing, since the late 1960s, to wear the clothing they are given in Cuban prisons. The "new plantados" have the same characteristics as the "historical" ones, except that they wear prison clothing. The names of the long-term political prisoners interviewed by the group are: Ernesto Díaz Rodríguez, Luis Zúñiga Rey, Luis Argüelles Garrido, Guillermo Gerardo Quintero Valdés, Roberto Capeiro León, Jacinto Fernández, Ramón Enrique Hernández Pars, and Rafael de Jesús Núñez Cuesta. The name of the ordinary prisoner interviewed by the group is: Billy Sánchez Rodríguez.
- 5/ The group of 22 long-term political prisoners transmitted to the group a document which is referred to in a later paragraph.
- 6/ Alfredo Mustalier Nuevo and José M. Chiong Pérez*.
- 7/ Félix Villar Sidrón and Lucio Lino Alonso B-...a*.
- 8/ Domingo García Jiménez, Nelson Murphy Díaz and Gustavo Rodríguez Henríquez*.
- 9/ Pedro Teotino Leonard Cabrera*.
- 10/ According to the Cuban Government, counter-revolutionary prisoners are those sentenced for offences against the security of the State.
- 11/ Communication addressed to the group by the Minister of the Interior on 14 November 1988. Available for consultation in the secretariat.
- 12/ See Chapter I, para. 26.
- 13/ The document is entitled "Freedom of movement in Cuba, prepared for the Cuban Committee for Human Rights by Josefina González Rosquet, Hubert Pérez Mariño, Mario Santisteban López and Sebastián Arcos Bergnes*.
- 14/ The document is entitled "The C-8 Syndrome", prepared for the Cuban Committee for Human Rights by Mr. Samuel Martínez Lara, Chairman of the Committee's Sub-Committee on Freedom of Movement*.
- 15/ Enrique and Eduardo Pérez Mir and Norma Minoyo Abeledo*.
- 16/ Abel Díaz Blanco, whose testimony*.
- 17/ Miguel Charles Porcel Henríquez*.

18/ Ramona Pérez Méndez*.

19/ Hilda García Rodríguez*.

20/ Glicería Morales Tarafa*.

21/ Eloy Jesús Anaya Madrigal and Blas Anaya Figueroa*.

22/ Osmara Borrero Opero*.

23/ Samuel Martínez Lara*.

24/ Rubén Hoyo Ruíz.

25/ Guillermo Quintaro Pupo*.

26/ See, in the annex, section 1 of the report of the New York Bar Association.

27/ Pablo Llabre Raurell, Chief of the Legal Section of the Cuban Committee for Human Rights*.

28/ Rogelio Favio Hurtado Rodríguez*.

29/ Arturo García Rebollar*.

30/ Omar Aguero García*.

31/ This table has been prepared on the basis of statistical information concerning Cuban economic indicators sent to the group by the Permanent Representative of Cuba to the United Nations Office at Geneva on 19 August 1988. The complete text, in Spanish, is available in the Secretariat's files.

32/ Statements by the witnesses José A. García Hernández and Dr. Omar del Pozo, Chairman of the Medical Committee of the Cuban Human Rights Committee*.

33/ Cf. note 31 above.

34/ Roberto Jesús Pagán Díaz and Leonardo Leonel Rubio Montalvo*.

35/ Cf. note 31 above.

Annex I

NOTE BY THE SECRETARIAT. MEETING BETWEEN AMBASSADOR ALIOUNE SENE
AND MR. RAUL ROA KOURI, DEPUTY MINISTER FOR FOREIGN AFFAIRS OF
CUBA. GENEVA, 4 JULY 1988

Presents:

Mr. Raul Roa Kouri
Ambassador A. Sene
Mr. John Pace

1. Approval of the dates and composition of the Group

Mr. Roa Kouri conveyed to Ambassador Sene the Cuban Government's approval re:

(a) the dates of the mission's visit to Cuba: 18 to 24 September 1988.

(b) the composition of the delegation.

2. Cuba's informal proposals for the Group's programme in Cuba

(a) Mr. Roa Kouri suggested numerous persons, institutions and organizations the Group might wish to meet with and/or visit; these are listed below. Mr. Roa Kouri stressed that the Group feel free to nominate and choose other individuals, personalities and places it may wish to meet with and/or visit.

Individuals: Minister of Foreign Affairs
Minister of Interior
Minister of Justice
Attorney General, President Supreme Tribunal/People's Court
Director, Office of Fiscal General
Director of Prisons
Chief of State Security

Institutions: National Assembly (Pouvoir Populaire)
Educational (schools, creches)
Health (hospitals)
Prisons (eg Combinado del Este, Boniato, Womens)

Organizations: Communist Party
Youth
Women

(b) Mr. Roa Kouri suggested that the arrangements include meetings, dinners and lunches that might include a number of people/organizations/representatives at the same time.

(c) Mr. Roa Kouri suggested that the Group splits up and sees different parts of the country, eg the interior, the Oriente province, Santiago de Cuba...

(d) Mr. Roa Kouri enquired about the Group's intentions in relation to the press, eg. would a press conference at the end of the mission be anticipated ?

3. The response of Ambassador Sene

(a) Ambassador Sene conveyed the Commission's thanks and appreciation to Mr. Roa Kouri for the invitation and cooperation of the Government of Cuba.

(b) Ambassador Sene noted that the Group's preparatory meeting was scheduled for 25 to 29 July 1988 and mentioned generally some of the matters under consideration, including the electoral system and certain basic freedoms (such as the right to leave and to return to Cuba). Mention was also made of the co-operation thus far achieved in relation to the International Committee of the Red Cross, Amnesty International and Cardinal O'Connor.

(c) Brief reference was made concerning the mission's logistical arrangements.

7 July 1988

Annex II

INTERNATIONAL INSTRUMENTS CONCERNING HUMAN RIGHTS
WHICH HAVE BEEN RATIFIED BY CUBA

(As at 1 March 1988)

<u>Instrument Title</u>	<u>Date of Ratification (R)/ Accession (A)</u>
- International Convention on The Elimination of All Forms of Racial Discrimination.....	15 February 1972 (R) Reservation re Art. 22
- International Convention on the Suppression and Punishment of the Crime of Apartheid.....	1 February 1977 (A)
- Convention on the Elimination of All Forms of of Discrimination against Women.....	17 July 1980 (R) Reservation re Art. 29
- Convention on the Prevention and Punishment of the Crime of Genocide.....	4 March 1953
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity.	13 September 1972 (A) and Declaration
- Slavery Convention 1926.....	6 July 1931 (R)

<u>Instrument Title</u>	<u>Date of</u> <u>Ratification (R)/</u> <u>Accession (A)</u>
- 1953 Protocol amending the 1926 Convention.....	28 June 1954 (Sign.)
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.....	21 August 1963 (A)
- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.....	4 September 1952 (A)
- Convention on the Nationality of Married Women.....	5 December 1957 (R)
- Convention on the Political Rights of Women.....	8 April 1954 (R)
- Convention on Consent to Marriage, Minimum Age For Marriage and Registration of Marriages.....	20 August 1965 (R)

Annex III

LIST OF DOCUMENTS FROM NON-GOVERNMENTAL ORGANIZATIONS RECEIVED BY THE GROUP AND SENT TO THE GOVERNMENT OF CUBA FOR COMMENT AND LIST OF PERSONS PARTICULARS OF WHOSE CASES WERE COMMUNICATED TO THE CUBAN AUTHORITIES ON 29 AUGUST 1988

Decision expelling a medical student from the University of Havana.

The student's record file from the Ministry of Education.

"In Cuban Prisons", an article that appeared in The New York Review of Books on 30 June 1988.

Preliminary report for the 1988 meeting of the United Nations Commission on Human Rights, by Ricardo Bofill Pagés.

Form for opinion gathering.

The situation of human rights in Cuba - seventh report, published by the Organization of American States.

La violación de los Derechos Humanos en Cuba: Una perspectiva vivencial"

(The violation of human rights in Cuba: an experiential perspective), by Juan M. Clark, preliminary version, February 1988.

Amnesty International. Cuba - Political imprisonment - an update. January 1988.

Human Rights in Cuba: Report of a Delegation of the Association of the Bar of the City of New York.

List of individual cases sent to the Cuban authorities on 29 August 1988:

PARIS A. OBREGON MUNOZ
MANUEL DE JESUS SANCHEZ
FRANCISCO R. SUAREZ BASART
ALFREDO MUSTELIER
ALFREDO ALBERTO MUSTELIER
ROLANDO CORDERO
ARMANDO ACOSTA
DIEGO GARCIA
ANGEL ORTEGA
MANUEL DEL VALLE CARAL
JOSE A. SIMONESI SANCHEZ
GUILLERMO CASASUS
ELSA SUYTERESI MENDOZA
ERNESTO DIAZ RODRIGUEZ
GUILLERMO RIVAS PERTAS
ANTONIO BERTOT SOTO
ANIBAL MUSTELIER BARRERA
ALBERTO JANE PADRON
JOSE M. GONIALEI DEL PINO
CESAR NICOLAS NICOLAOREZ MORENO
ENRIQUE COSTA VAZQUEZ
JOSE X. BARCO GOMEZ
SAMUEL TAJERA MILLAN
ANA MARIA FERNANDEZ GARCIA
MARIA DE LOS ANGELES DEAN

SERGIO AGUILA YANEZ
PEDRO F. SANCHEZ NARANJO
BRAULTO A. LECUSAY VARGAS
MANUEL MESA ARMAS
SANTIAGO VESA
HUGO ANGEL FALCON COLOMER
RICARDO PINO
TEDDORO H. ECHEVERRIA FUENTES
ESTEBAN SOSA
NARCISO V. TAULER
PEDRO DIAZ TORRES
MUSAGUA
MARCEL MARTINEZ MARTINEZ
CARLOS ALBERTO RONDON
HERMINIA BRITO
ROSA RODENA DE SOTO
PABLO LLABRE
PEDRO ARIAS PEREZ
MANUEL EXTRAMILL
CASIMIRO R. PINO CEPERO
YOLANDA JIMENEZ VALENTE
SATURNINO BORGES
EPIFANIO MARTIN MARTIN

GREGORIO O. PALMIRA
RAUL VALDES
RAUL Y LIBUVINA VALDES

PASTORA HERNANDEZ DE PRENO
ALFREDO GONZALEZ
JESUS BERUVIDES
JUAN FERNANDEZ
HYLDA CAMOSA
PEDRO L. HILLARES
RENE S. CABRERA MENDEZ
ALEJANDRA FERNANDEZ
ARMANDO MARTINEZ ALVAREZ
CARIDAD O. MARTINEZ
VICTOR X. MARTINEZ
ALICIA Y HERMINIO GONZALEZ
OSCAR F. ALFONSO
WALQUIRIA GONZALEZ
TOMAS VASALLO
ROBERTO RAMON FERNANDEZ
MARIA CRISTINA RODRIGUEZ DOMINGUEZ
RAMELIO JUAN MARTINEZ
AURORA MACHADO CABRERA
MARIA MACHADO CABRERA
MARGOT MACHADO CABRERA
LAURA TRENZADO
GRETE Y MIRIAM ACOSTA
CIPRIANO S. GIL
FERNANDO X. JOSEFINA GARCIA
REINA E. PENA
ROXER ROSELL DEL RIO
MARIO MARTINEZ
MARCELO CHERTA

ARTURO SUAREZ RAMOS
AARON MANCHA
OMELIO GESANDNAS
CARLOS GONZALEZ VIDAL
JOAN MANUEL FERNANDEZ
GUILLERMO A. PERNAS
NANCY RODRIGUEZ
LOUIS AND RODOLFO ALFONSO
IBRAIM R. RODRIGUEZ
DORATO RAMOS
MARIO CHANES DE ARMAS
HECTOR R. OBREGON MUNOZ
MARCELINO E. FEAL
OSVALDO MORALES PATINO
RAQUEL ALVAREZ
ROLANDO TRAVIESO PENA
MARIO J. GONZALEZ
JOSE SANCHEZ
JOSE H. PERNAS SANCHEZ
ROBERTO CALVETRO LEON
PABLO J. LORENZO
AMPARO RODRIGUEZ LANAR
ANTONIO ARMAS

ANA MARIA FERNANDEZ GARCIA
REY, ORLANDO A. COLAS GUZMAN
MANUEL DE JESUS SANCHEZ
SIXTO R. CHAPLE
SAEL LEON PEREZ DEL PRADO
OLYER OMBREGON
LUIS BANCOR
HECTOR SOBERON QUINTANA
SILVIO AGUILA YANEZ
EVELIO BERNARDO RODRIGUEZ
JOSE A CAMPOS PLACERES
NIBUEL CABRERA ALVAREZ
RAFAEL RIVERA MERMOSILLA
LUIS RODRIGUEZ
CALIXTO HERNANDEZ
FELIPE VIDAL SANTIAGO
JUSTO AMARO DALAGO
MAGALY CABRERA
RAMON LORENZO GONZALEZ
ANTONIO ALBUARQUE
JUAN JOSE CISNEROS
JULIAN E LAMAR
LUIS ANDRES SOTOLONGO
JUAN TORRES
LUCIA SUAREZ
RAIMUNDO TORRES
SANTIAGO TORRES
ORLANDO TORRES
ENRIQUE HERNANDEZ FERNANDEZ
EDUARDO ALONSO
VICENTE CUEVAS P.
CELSO M TORRES GONZALEZ
NANCY GRANA
GITTO RODRIGUEZ
LORETO MONTESINO CRUZ
LUIS RIVERO FORNOSO
PEDRO L GARCIA VALDES
CARLOS F MARISCAL LEGORBURGO
NORMAN ZIMMERMAN
ISMAEL HERNANDEZ
MARTA DIAZ
JOSE ABILIO RODRIGUEZ MAUJO
ADMAN ABRAHAM ACEITUNO
JULIA C FERNANDEZ ALFONSO
JULIO ALVAREZ SUAREZ
ANTONIO BARNUEVO
TEODORO GONZALEZ ALVARADO
JORGE E YANIZ
M. DELGADO
EMILIO IZQUIERDO JR
JULIO A NOGUETRA
EUGENIO A CARRERA VARONA
ROGELIO MATOS
SERGIO L GONZALEZ FIGUEROA
DELIA ALFONSO

MERIBERTO CAZANAS
TERESA LLERENA
MANUEL HERNANDEZ CRUZ
OFELIA MUNOZ
EDUARDO HASSAM
JOAQUIN J BORNAT
GLORIA ARANDA ALBITU
OSNAL GUERRA RODRIGUEZ
MERCEDES DE LOS A. GENTIL
EDDIE ARTZE
SAMUEL OSVALDO ABUJLAR
OSCAR ALVAREZ
RAMON CISNEROS
JORGE LINARES
ROSA G MARTINEZ
GIBALDO CABALLERO
ARNALDO NIEVES
MARIO FELIX PEREZ
MARIO RODRIGUEZ
JULIO PEREZ
ESTRELLA KURQUEZ
ORLANDO RODRIGUEZ
AGUSTIN GARCIA
MARTIN LAVIELLE
OSVALDO CABALLERO
NILO LOPEZ
AGAPITO RIVERA KILEAN
MARIA JOSEFINA LEYVA FERNANDEZ
ALVARO J ALVAREZ
AIDA LUCAS
PEDRO JOSE RODRIGUEZ PEREZ
CARMEN PEREZ DE PEREZ
ERNESTO ARDCHA
CHINO LANG
ESTELA RODRIGUEZ
ALBERTO P FUENTES GARRIGLO
ORLANDO CASPERA CASTINEIRA
NILS BELLIDO DE LUNA
JESUS MARTINEZ MARTINEZ
RAUL Y CARLOS SUAREZ
GISELA SANCHEZ
ALBERTO P FUENTES
SAMUEL T MARTINEZ
ANTONIO ALBERTO NEBRIN
JUAN F LOPEZ
JUAN A MILIAN
JOSE RAFAEL TARAPA
MARCELINO MARTINEZ
MANUEL EXTRAMIL
FERNANDO CAROL ALVART
DANIEL NIEVES
HUGO LEGN
ARISMENDI M OLIVEROS
PEDRO RODRIGUEZ MEDINA
ARACELIS GANDEL

AGUSTIN ROBAINA
EMILIO RODRIGUEZ TUERO
GREGORIO HERNANDEZ
REGINA M. MONTES
EFRAIN R. INFANTE
CANDIDO PEREZ SANCHEZ
GUSTAVO ALBERTO VIDAL JORGE
NICOLAS BOFILL
FABIO A. RODRIGUEZ SANCHEZ
SATURNINO RODRIGUEZ
OSCAR VILLA ALPIZAR
CLEMENTE A. BENITES ORTEGA
ANGEL ROGELIO VILLA
ROBELIO SANCHEZ
JOSE FELICIANO HERNANDEZ SUAREZ
GUILLERMINA E. CARRANZO GORRITA
MARIA RUIZ DE MALDONADO
MARIA R. FERRER
AIDA M. ALVAREZ ALVAREZ
ROSALIA VALDES
ANGEL ROGELIO MEDINA
JOSE MARTIN
ADOLFO GONZALEZ CRUZ
MIKE POURCELL
RONILIO ROSELL DEL RIO
GASPAR PICHARDO GRIMANY
HERMINIA LOPEZ
ROSA M. VALESA
MAGA M. ROQUE MARTINEZ
MARCISO V. TAULER BENEDICTO
RAFAEL ASENEL
ENRIQUE E. DIAZ CORPEA
RONILIO ROSELL DEL RIO
LUIS ERNESTO OSORIO
ORLANDO REGALADO
RAUL GONZALEZ MERO
ENRIQUE M. ANGULO
RAFAEL ASUNET
FRANK R. MONTEJO
RAFAEL A. ARTILES
JAVIER ALVAREZ
JORGE AVILA
EUSEBIO PENALVER MAZERA
ANTONIO DEL VALLE
JULIAN M. FERREROS
MANUEL I. SALAS
EULOGIO ARIAS
TEODORO GONZALEZ ALVARADO
MARTHA SARMIENTO HERNANDEZ
CELIA M. FARELO
ILDENO BALART PRIETO
LUIZA M. GARCIA TOLEDO
RAUL ESTRADA
LUIS SEGANE
RAMON ALONSO

JOAQUIN PUEBLA
CARLOS REYES SR
RAUL ZALDIVAR
HECTOR DANILLO GARCIA
CELESTINO BORRON
OSVALDO IGLESIAS
MODESTO AZAHARES PENA
JORGE MANSO RASERO
ROBERTO CALBEIAO

FRANCISCO PARRA
GYLIDIO REYES
JUANA L. MORENO DE TATEO
JULIO VENTO ROBERES

RENE PUJOL
APOLINAR RODRIGUEZ
ROLANDO VALDES DWOLF

LILIA E. SANCHEZ

JORGE BUTIERREZ IZAGUIRRE
JOSE L. LLUMBERT ROMERO
JOSE ANTONIO LLERA
GLADYS JUANA GARCIA HERNANDEZ

ARMANDO RAMALLO LOPEZ
MANUEL GONZALEZ
ELISEO L. RODRIGUEZ
PEDRO LUIS GONZALEZ
FELIX P. VALDES
SENON CHENTE
PEDRO R. GOMEZ
ENZO ALGAMA
RAUL ZARORA
VOLANDA MUNOZ PAZ DE OREGON
ANSELMO DIAZ
HECTOR E. OREGON MONTEJO
SITTA R. CHAPLE
FRANCISCO GARCIA
JESUS M. FUENTES RIVERO
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ORTELJO RODRIGUEZ
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ROBERTO CALVEIRO
ROBERTO CALVEIRO

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ORLANDO L POLO GONZALEZ
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CARMEN R ALMEYDA
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EUNICE PRIETO AGUERRAEBEJE
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ODILIA CORZO
VICENTE CORZO
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RUSTICAS DE CANAGUEY
EL LICEO DE CANAGUEY MARTI Y
CISNEROS
HEREDEROS DE MIGUEL SOCARRAZ REEJO
ANTONIO MARTINEZ - SUCESION
RUSTICAS DE CANAGUEY ASOCIACION DE
VAGUEROS Y PROG. DE FINCAS
COLEGIO DE ABOGADOS DE CANAGUEY Y
CIP. DE PROF.
HEREDEROS DE MIGUEL DE SOCARRAZ
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LAZARO NOVDA
OCTAVIANO LIMA
ORLANDO LIMA
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MARCELINO I TRAVIESO
CARIDAD I GONZALEZ
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LEOPOLDO A SHILLING
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ROSA RODRIGUEZ
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DANIEL NIEVES
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HAIDE GONZALEZ

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ELENA GONZALEZ
ROBERTO CABANAS
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VIVIAN KITTAY
ISRAHIM REYES
EDELSA REYES
ANDRES HERNANDEZ
CARIDAD HERNANDEZ
ALBERTO MONTERO
CARLOS VALDEZ
RAUL R. CARDENTAY
ESTER COLLAZO
ROSA SOFIA CANCIO SAMPRON
HIGINIO NUMOZ
HERMINIO COLLAZO
GLADYS SALDEVAR
RENE PUJOL
YOLANDA GONZALEZ
MARIA D. ARANESUI
CARLOS MARTIN
PEDRO TAMAYO
LUIS ALBERTO RUBIO
RAUL SALDERAS
JOSEFINA RUBIO
ANTONIO FERNANDEZ
MARIA ELENA FRANE CUERVO
AMPARO RODRIGUEZ LAMAR
GREGORIO O. PALMIRA
NANCY RODRIGUEZ
RAMON RODRIGUEZ
WENEFRIDA GOMEZ
FRANCISCO GONZALEZ
DORA SOTO
ROCIO FARRALDO
TERE PEREZ
OLIVER BOREGON
MARTA LLOVIO
JOSEFA FERNANDEZ CUETO
EVANGELINA FERNANDEZ CUETO
ERNESTO MACHADO SANCHEZ
ISABEL MACHADO
ADELPHA PEREZ CRUZ
MARIA ANTONIO MARRERO DE SAN
ANTONIO
ANGEL L.
HECTOR SOBERON QUINTANA
VIVIAN MARIA TRIGO MORENO
JESUS PEDRO ROSIE
ZOLA QUINTERO

ROLANDO PEREZ PEREZ
JOSE CASTRO
ERNESTO AROCHA
AMALIA BENEJAM GARCIA
CARIDAD I GONZALEZ
ALICIA L RODRIGUEZ
LUIS JAIME
ISABEL SANCHEZ
RICARDO BUCH
YOLANDA GOMEZ
ARMANDO RAMALLO LOPEZ
ANTELA MARIEMMA
MERCEDES PERNAS
ORLANDO RUIZ LEIRO
CARLOS M MARTIN
DALIA VALDES
RATMUNDO RODRIGUEZ
REELA M RODRIGUEZ
HORTENSIA ZAPATERO
LUIS DE SOCARRAS GUINAN
HECTOR GARCIA
NILDA INTERTAM
CARIDAD GODOY
VICTORINO VICENTE
BERNARDO CORRALES
CHINO TAMO
ROGELIO SOPO BARRETO
LOURDES ETCHEVERRAY
MAITA GALLO
JESUS CONDE GARCIA
RAUL GONZALEZ HERO
MANUEL LOPEZ
GILBERTO GARCIA
JOSE J SANCHEZ
MARIA C. PEREZ
CLARA ALEMAN
FRANK R. MONTEJO
ROBERTO MUNEZ
JORGE & HILDA GOMEZ
RAFAEL CHAI
MERCEDES REY
SUTILLANO CABRERA
AURELIO PADRON
IRENE REBERTO
VICTORIA M SANCHEZ
MARCELIANO MARTINEZ
JORGE AVILA
GRACIELA MORI
OLIMPIA PALMA
NESTOR PALMA
JORGE MUNIZ
CORALIA BALLART
MANUEL RODRIGUEZ
LUCILO BALLART
JUAN ROJAS

LINA M RAMOS
JUAN VALDES TERAN
CARMEN BENITEZ
MANUEL BENITEZ
EMILIO REUS
GICDA R SERRA
JORGE XANSO RASERO
LUIA X GARCIA TOLEDO
MARIA REYESADO
LORENZO VALDES IENECA
ANTONIO B. ABELLA
HENRY LLORELLA
JOSE A. ROIG
IRMA ABELLA
EMILIA ANA DAGO
RAUL ARTIAGA
ELENA CORTES
ALBERTO MACEO
BERTA DAGO
PEDRO J. CORTES
JORGE SOLER
LEYDA RODRIGUEZ
OSCAR PAUL GOMEZ
ELENA ENRIQUEZ
ENRIQUE ENRIQUEZ
BIANA URBIZA
OFELIA TRAVIESO
FILOMEXO TRAVIESO
OSVALDO VALLADARES
JOSE MANUEL FERNANDEZ
KIRTA FERNANDEZ
JESUS F. ROMANO
ELVIA SELVA
ELENA BLANCO GONZALEZ

GUILLERMINA GONZALEZ FERNANDEZ
SILVIA E HUMBERTO PLATERO
VICTOR PALACIO Y FAX.
MANUEL E. HAZA
RODOLFO RIVAS
TOMAS AVILA
RENE A. PULLES

HUMBERTO PEREZ CANO

FRANCISCO GONZALEZ
ADELPHA PEREZ CRUZ
LUIA GARCIA TOLEDO
ANGELA BARRIONUEVO

RAUL TRUJILLO
BARBARITA SANCHEZ
EDDY O SANCHEZ
DOMINGO MONTES DE OCA
YOLANDA URQUIZA GOMEZ
ARMANDO RAMALLO LOPEZ
VIRGINIA M RODRIGUEZ
RISLER RODRIGUEZ
SARA PEREZ
EDDY SANCHEZ
LUIS JAIME
MAXIMO A MENENDEZ
LILLIANE NUNDA
LAZARO NEVOA
CARIDAD I GONZALEZ
ELBA ELIAS DE RODRIGUEZ
ALICIA ARELLANO
DOMINGO R VESA
GILBERT ANTONIO ENRIQUEZ
PEDRO JESUS CABRERA
EDGAR A. GARRASTAZU
JOSE NARANJA
OROSIA C. TORRES
JORGE
GRACIELA MORE
HUMBERTO ARMENTERO
GILBERTO GARCIA
ROLANDO A. PEREZ
GUILLERMO CABRERA
GASPAR FESTARO
ELIO MAS
ZORAIDA MATEU
JORGE COMI
LUIS ALTUZARRA FUENTE
PASTORA SOTOLONDO
JOSE MANUEL FLORES
JUAN R. GONZALEZ
SANTIAGO J. URTIAGA
CLARA DOMENECH

MANUEL DE JESUS SANCHEZ

AGUSTIN GARCIA
ROLANDO CABRERA CASTINEIRA

ALFREDO MUSTELIER
ALFREDO ALBERTO MUSTELIER
ROLANDO CORDERO
ARMANDO ACOSTA
DIEGO GARCIA
ANGEL ORTEGA
MANUEL DEL VALLE CARAL
JOSE A SINCONEGI SANCHEZ
GUILLERMO CASASUS
ELDY GUTIERREZ NENYO
ERNESTO DIAZ RODRIGUEZ
GUILLERMO RIVAS PORTAS
ANTONIO FERTOT SOTO
ANIMAL MUSTELIER BARRERA
ALBERTO JANE PADRON
JOSE M GONZALEZ DEL PINO
CESAR NICOLAS NICOLARDEZ MORENO
ENRIQUE COSTA VAZQUEZ
JOSE M BARCO GOMEZ
SAMUEL TAJERA MILLAN
PASTORA HERNANDEZ DE PRESNO
JUAN FERNANDEZ
HYLBA CANOSA
PEDRO L MILLARES
XUSASUA
RENE S CABRERA MENDEZ
ALEJANDRA FERNANDEZ
ARMANDO MARTINEZ ALVAREZ
CARIDAD O MARTINEZ
VICTOR M MARTINEZ
ALICIA Y HERMINIO GONZALEZ
ROSA RODENA DE SOTO
EDNELIG JUAN MARTINEZ
AURORA MACHADO CABRERA
MARIA MACHADO CABRERA
MARGOT MACHADO CABRERA
PEDRO ARIAS PEREL
ORESTE Y MIRIAM ACOSTA
CASIMIRO R PINO CEPERO
FERNANDO & JOSEFINA GARCIA
ROSEMER ROSELL DEL RIO

PABLO LLABRE

SAMUEL OSVALDO AGUILAR
ETRALDO CABALLERO
MARIO RODRIGUEZ

ASTURO SUAREZ RAMOS
DONATO RAMOS
MARIO CHANES DE ARMAS
MARCELINO E. FEAL
OSVALDO MORALES PATINO
RAQUEL ALVAREZ
ORLANDO TRAVIESO PENA
MARIO J. GONZALEZ
JOSE M. PERNAS SANCHEZ
ROBERTO CALVEIRO LEGN
AMPARO RODRIGUEZ LAMAR
ANTONIO ARMAS
REV. ORLANDO A. COLAS GUTMAN
MARIA DE LOS ANGELES DEAN

SILVIO AGUILA YANEZ
LUIS RODRIGUEZ
JULIAN E LAMAR
CELSO M TORRES GONZALEZ
OTTO RODRIGUEZ
CARLOS F MARISCAL LEGRABURG
ROMAN ABRAHAM ACEITUNO
TEODORO GONZALEZ ALVARADO
HERIBERTO CAZANAS
MANUEL HERNANDEZ CRUZ
OFELIA NUÑOZ
EGUARDO HASSAN
JOAQUIN I BERONAT
SCORIA GRANDA ALBIZU
OSMAL GUERRA RODRIGUEZ
ROBERTO RAMON FERNANDEZ
ROSA S MARTINEZ
ESTRELLA MURQUEZ
MARTIN LAVIELLE
RAUL Y CARLOS SUAREZ
MANUEL EXTRAMIL
MARIA RUIZ DE MALDONADO
MARIA R. FERRER
ROSALIA VALDES
ANGEL ROSELIO MEBINA
GLADYS JUANA GARCIA HERNANDEZ
GASPAR PICHARDO BRIMANY
NARCISO Y. FAULER BENEDICTO
RAFAEL ASUNEL
LUIS ERNESTO OSORIO
EGSERIO FENALVER MAIGARA
TEODORO GONZALEZ ALVARADO

JORGE GUTIERREZ IZAGUIRRE
GREGORIO HERNANDEZ
MANUEL PARADELA GOMEZ
ALBERTO FERNANDEZ MEDRANO
MARCELINO MARTINEZ TAPIA

NARCISO V TAULER
JUAN MOJENA GONZALEZ
PEDRO RODRIGUEZ MESINA

JOSE SANCHEZ
MANUEL MESA ARMAS
SANTIAGO VEGA
HUGO ANGEL FALCON COLONER
MARCEL MARTINEZ MARTINEZ
MIKE POWRELL

ARTURO LUJAN HIDALGO
HECTOR E. OSOREGN MONTERO
GREGORIO O. PALMIRA
ANA MARIA FERNANDEZ GARCIA
ENMA CARMONA DE LAZARO
RAFAEL A BUENO PEREZ
RAMON L GONZALEZ
JOSE S LOPEZ
MARTIN SALGADO
AIDA ALONSO
JONAS EFREN RODRIGUEZ GONZALEZ
JOSE M DIAZ GOMEZ
EDWARD PORTUONDO
JORGE MANSO RASERO
GILDA R SERRA
ANGEL RAMIREZ
ARNILDA GONZALEZ
EMILIO REUS
ADOLFO AGUIARRE SANTANA
ANA GLORIA CALVO
ROLANDO HERNANDEZ JR
PLACIDO MORENO
VIVIAN CARDENAS
KISQUEL CALSEIRO
ADRIANA LLORENTE
ELIZABO POELSO
JOAQUIN C. CHANYIDO
ENRIQUE Y MARTA CALVET
LORENZO ARROYO
MANUEL DE LA TORRE
ORLANDO CHANG
MARIO RODRIGUEZ

LUIS T ALONSO
IGNACIO BARCITO
FELIX A GALLEGO
JOSE A LOPEZ
TOMAS RUIZ
HILDA PAZ
VILMA HERNANDEZ
NANCY MIRO
RAMON A SANCHEZ
LYDIA E DE ARMAS
ANA L LOPEZ AGUIAR
EDUARDO S MARTINEZ
ALBERTO LEAL
JUAN JOSE CISNEROS
OTTO GARCIA MORALES
CALIXTO HERNANDEZ
MAGALY CARRERA
ARSELIO CARRERA VALIENTE
RAMON LORENZO GONZALEZ
TEODORO H. ECHEVERRIA PUNTES
LUIS ANGRES SOTOLONGO
RAUL VALDES
JUAN TORRES
LUCIA SUAREZ
RAMUNDO TORRES
SANTIAGO TORRES
ORLANDO TORRES
PAUL Y LINDUVINA VALDES
ENRIQUE HERNANDEZ FERNANDEZ
LUIS JUAN COTO SERBELLO
SIMEON AMADO SANCHEZ
NANCY GRANA
JESUS BERUVIDES
ORLANDO MORFFI
M. DELGADO
EMILIO IZAGUIRRE JR
ROGELIO MATOS
SERGIO L GONZALEZ FIGUEROA
OSCAR F ALFONSO
MARGUIRIA GONZALEZ
TOMAS VASALLO
SILVIA E PALERDI OYARBIDE
ORRESTES GONZALEZ FERNANDEZ
MARIO FELIX PEREZ
JULIO PEREZ
HUGO FENAZET MESA
MARTA JOSEFINA LEYVA FERNANDEZ
LUIS ESCANDELL
MARTA CRISTINA RODRIGUEZ DOMINGUEZ
ENRIQUE M MARGOLLES
MARTIN SABATER
NIREYA MARGOLLES
ENRIQUE R MARGOLLES
CANDIDO SOTELO
LAZARO NOVOA

MILS BELLIDO DE LUNA
EUGENIO DEL VALLE
DANIEL CABRERA
LUIS HERNANDEZ
MERCEDES CABRERA
JUAN F LOPEZ
ANTONIO RODRIGUEZ
FERNANDO CAROL ALVARI
FELIPE GUIMAN
LAURA TRENZADO
REGINA M. MONTES
DENETRIO TORRES
FABIO A. RODRIGUEZ SANDRES
CLEMENTE A. BENITES ORTOSA
GUILLERMINA E. CARRANO SORRITA
CIPRIANO S. SIL
NARIO MARTINEZ
ESTRELLA MAURIZ
RAFAEL ASUNET
AURELIO PADRON
JORGE AVILA
MARIA L. MARCOLLES
ANTONIO DEL VALLE
CARLOS A. MANRIQUE
FRANCISCO AROCHA

LUISA DEL CASTILLO

FELIX S PENATE MONTEJO

SIXTO R CHAPLE
LUCIANO FELIPE ESCANO
MIGUEL A. RODRIGUEZ
ROBERTO SEBASTIAN
JOSE GOMEZ
DANTLO CASANOVA
EDUARDO ALONSO
ENRIQUETA ARTIE LOURTEAU
ALFREDO GONZALEZ
LUIS F HIRO CAMEJO
TERESA LIERENA
MERCEDES DE LOS A. GENTIL
ESTELA RODRIGUEZ
RAUL TRENZADO PEREZ
ARACELIS BANDEL
ESPAIN B. INFANTE
JOSE FELICIANO HERNANDEZ SUAREZ
JOSE MARTIN
JOSE MIGUEL EMRIQUEZ LLAVERIA

JULIAN M. FIERROS
ALFREDA SUST
MARCELO CHERTA
MANUEL I. SALAS

PABLO J. LORENZO
FAURINO VERSARA
PEDRO F. SANCHEZ NARANJO
MARIA DIAZ
FELIX E BERNAL
ADELFO BAEZ VELAZCO
LUIS FERNANDEZ
ADOLFO GONZALEZ CAU
COLEGIO DE ABOGADOS DE CAGAYUEY Y
DIR. DE PROF.
FERNANDO MUGICA CASCO
HUMBERTO GOMEZ AGUILA
JOSE A. FLORES

BRAULIO A. LECUSAY VARGAS
FERMIN IGLESIAS

NICOLAS FOT
REINA E. LEON

JOSE R GRANA Y REVA

L. M. ALLENDE
EMILIO M RODRIGUEZ
JUAN ARDONO
ILDEGUNA FIGUEROA
ROSARIO FALCON REYES
HERMINIA LOPEZ
RAUL A. JIMENEZ

EDUARA B ACOSTA PEREZ

PASCUAL RICO
ESTEBAN L CARDENAS JUNQUERA
PABLO PERDOMO TREVEJO
MARLENE M GONZALEZ IGLESIAS

RAMON CISNEROS
ERNESTO A. ROQUE
MIRIAM ESTELA ENRIQUET
JOSE L. LLUMBERT ROMERO

HUGO BENAZET MESA

MANUEL DE JESUS SANCHEZ

LUIS JUAN COTO SERBELLO

CASIMIRO R. PINO CEPERO

MARCELINO E. FEAL
GREGORIO HERNANDEZ

MARCISO V. TAULER
CELSO M. TORRES GONZALEZ

PASTORA HERNANDEZ DE PRESSED
JUAN FERNANDEZ
HYLDA CANGSA
MARCEL MARTINEZ MARTINEZ
VICTOR M. MARTINEZ
ALICIA Y HERMINIO GONZALEZ
GLORIA ARANDA ALBIU
ESTRELLA KURQUEZ
RODELIO JUAN MARTINEZ
FERNANDO S. JOSEFINA GARCIA
MIKE FOURCELL

RAQUEL ALVAREZ
RENE S. CABRERA KENDEZ

AMPARO RODRIGUEZ LAMAR
ANGEL ROGELIO MEDINA

LUCIANO FELIPE ESCANO

ROSEAN ABRAHAM ACEITUNO

ARTURO LUJAN HIDALGO
OTTO GARCIA MORALES
ERLANDO MOEFFI
LUIS ESCANDELL

Annex IV

TEXT OF THE PRESS RELEASE ANNOUNCING THE VISIT OF THE GROUP TO CUBA, DELIVERED TO THE PERMANENT REPRESENTATIVE OF CUBA AT GENEVA ON 4 AUGUST 1988, FOR DISSEMINATION NO EARLIER THAN 10 AUGUST 1988

The Commission on Human Rights of the United Nations, at its forty-fourth session adopted decision 1988/106 which reads as follows:

"At its 56th meeting, on 10 March 1988, having regard to the invitation of the Government of Cuba, the Commission on Human Rights decided, without a vote, (a) to accept the invitation that the Chairman and five members of the Commission, appointed following regional consultations, should visit Cuba in order to observe the human rights situation; (b) that the Chairman of the Commission, together with the five other members of the mission, should prepare a report to be submitted for consideration by the Commission, which would decide on the manner in which the report was to be examined."

The group of the Commission, under the chairmanship of Ambassador Alioune Sene, Chairman of the Commission on Human Rights is composed by:

Bulgaria	Mr. T. Dichev
Colombia	Mr. R. Rivas Posada
Ireland	Mr. M.J. Lillis
Nigeria	Mrs J.S. Attah
Philippines	Mr. J.D. Ingles

will travel to Cuba from 15 to 25 september 1988.

Individuals or organizations wishing to present information or to meet with the group are invited to address themselves to the Secretariat of the group through UNDP, tel. 22-2513, 22-2514 and 22-2515, up to 10 September 1988.

Annex V

NOTE BY THE SECRETARIAT. MEETING OF THE GROUP WITH THE PERMANENT
REPRESENTATIVE OF CUBA AT GENEVA ON 28 JULY 1988

At its sixth meeting, held on 28 July 1988, at 4 p.m., the group received the Ambassador of Cuba, Mr. Lechuga, accompanied by the First Secretary of the Permanent Mission of Cuba, Mr. Humberto Rivero Rosario.

The Chairman drew the Ambassador's attention to the consensus reached in the Commission on the adoption of decision 1988/106, emphasized the spirit of co-operation shown by the Government of Cuba, and informed the Ambassador that the group had adopted certain decisions in that spirit of consensus. The group had for instance, agreed on a draft programme for its forthcoming visit to Cuba, whereby it would arrive in Havana on Friday, 16 September 1988 at 2.30 a.m. and would leave on the night of 25 September 1988. On the afternoon of 16 September, the group would like first of all to pay a courtesy call on the Minister for Foreign Affairs. Saturday, the 17th, could be devoted to internal meetings of the group or to a visit organized by the Government outside Havana, to enable the group to observe the enjoyment of human rights by the Cuban people in its everyday environment. The group also planned another excursion outside Havana.

Starting on Monday, the group will call on Cuban personalities and authorities (in the mornings) and in the afternoons it will visit institutions, various organizations, schools, hospitals and clinics.

With regard to the Cuban authorities, the group would like to meet the Ministers of Justice, the Interior, Defence, Education, Health, Housing and authorities responsible for legal institutions and prisons; the Government Attorney; the President and Members of the Supreme Court; the military courts; Members of the Council of State and Council of Ministers; persons responsible for popular participation, trade union matters, the media, religion, emigration, Party officials, newspaper editors and radio and TV producers.

The group would also like to visit a Committee for the Defence of Revolution, the President of People's Power in a province, a church leader, Catholic or other, a market; the National Union of Cuban Jurists and universities; trade union associations and associations of small farmers; a national youth organization; persons responsible for ideology and vigilance; the Episcopal Conference of the Catholic Church; religious leaders of other confessions; philosophical and other organizations; artists,

non-governmental organizations concerned with human rights. The group also planned to hold meetings with private individuals. The representative of a regional group expressed misgivings concerning the persons who might be able to meet the group. The Chairman recalled that Deputy-Minister Roa had assured him that the group would enjoy complete freedom in working out its programme, and the full co-operation of the Government. The group expressed the unanimous desire to talk to the persons chosen by it, without adverse consequences for those persons.

The group also decided to provide the Government with documents received by it or by some of its members, without any obligation on its part, on the understanding that only the Cuban authorities are able to shed light on and respond to the information compiled in these documents. The Chairman also received individual petitions which he transmitted to the Ambassador, who took a very sympathetic attitude. Some of these cases have even been resolved. Also, many of the documents and individual cases received have been resolved; the Group should therefore be informed of how matters stood. Only the Cuban authorities will be able to give the group the relevant information on these problems and to make appropriate comments, if possible, before it travels to Havana.

The group will also transmit to the Government questions raised by some of its members on constitutional and legal aspects related to the Universal Declaration of Human Rights, which is of affirmative value but has a certain moral force, as well as on specific international instruments signed and ratified by the Government.

Ambassador Lechuga considered the programme submitted by the Chairman to be comprehensive, in line with the offer made by the Government, pursuing a policy of complete openness on its part concerning the possibility of the group visiting any locality whatever in the island and visiting any person whatsoever, whether or not he may belong to the Government. Deputy-Minister Roa reiterated these remarks to the Chairman.

With regard to the guarantees that there would be no reprisals against those persons who see the group, the Ambassador said that he preferred not to have to answer, since he believes that it shows a lack of knowledge of Cuba and history of the Cuban revolution. He repeated that the group may see anyone, since it is inconceivable that the Government might take any kind of reprisal. In any event, the Government will note the group's concern.

Ambassador Lechuga also repeated that the Government would allow the group to visit any prisons it may wish to see. Concerning the cases which the group intends to transmit to the Government, Ambassador Lechuga stated that he will transmit them to his Government immediately, in the way he did with the cases previously handed over by the Chairman in his capacity as Chairman of the Commission on Human Rights, since, in accordance with decision 1988/106, the group is not concerned with these cases. Finally, he announced that, on that day, he had sent 14 replies on various cases to the Centre for Human Rights. All the persons referred to in them, with the exception of one or two, were free, some in Cuba and others in the United States.

The Chairman thanked Ambassador Lechuga for his statement, and for the guarantees given by him. He also thanked him for replying so promptly to the cases already submitted to the Government; this will be helpful in updating the information in the group's possession. The Chairman repeated that, in his capacity as Chairman of the Commission, he will transmit the relevant documents, in the manner desired by the group, on the basis of mutual understanding, and on the understanding that the replies may be available before the group travels to Cuba.

Mr. Ravas Posada reaffirmed the spirit of co-operation and consensus which has characterized the group's deliberations. He also underscored the guarantees to enable the group to make contact with the widest possible variety of individuals and groups and to assure them that they may exercise a citizen's right in complete freedom. He also said that it was materially impossible for the group to cover all aspects of the visit; consequently recourse will have to be made to a selection of activities, depending on the wishes of the group and on the possibilities of assistance from the authorities in order to carry out this programme of activities.

Mr. Lillis indicated his gratitude to Ambassador Lechuga for providing him with all the information which he had so far requested in his capacity as a member of the group. He also appreciated the Ambassador's willingness to inform him about a situation which was new to him. He also expressed the wish that the visit by the group might take place in an atmosphere of openness and dialogue with all the parties concerned, with the group striving for maximum transparency in carrying out its mission. The group should therefore make the documentation it had received available to the authorities, who would thus have an opportunity of assisting the group in its deliberations before it left

for Cuba. What was involved was not an obligation on the part of the Cuban authorities to reply but rather an invitation to comment on the matters indicated, in an exercise which seems useful for both parties.

Mrs. Attah told Ambassador Lechuga that the group will visit Cuba in a spirit of complete objectivity, spending the greater part of its time in observing everyday life in Cuba, as well as meeting the people with whom the group wishes to talk.

Mr. Dichev drew attention to the fact that the material from Cuba is insufficient and that the group therefore needs more information in this regard, either in the form of reports, books or statistics. He also indicated the group's wish to resolve this question in a context of co-operation.

Mr. Ingles associated himself with the consensus within the group and welcomed the group's good relations with the Government, through Ambassador Lechuga.

In conclusion, Ambassador Lechuga expressed his appreciation of the group's recognition of his Government's offer of co-operation and reaffirmed its spirit of co-operation. He also requested guidance from the group on the kind of additional information it wishes to receive. With regard to the documents, he indicated that their submission to the Government makes for smoother relations between the group and the Government. His Government had objected in the past to certain complaints since it did not consider that they fell within the group's mandate. It took the view that questions of competence lay with the Chairman of the Commission on Human Rights, on a humanitarian basis. It also wanted the group to visit the Isla de La Juventud.

Annex VI

ANNOUNCEMENT OF THE VISIT OF THE GROUP TO CUBA PUBLISHED IN THE
PERIODICAL GRANMA ON 27 AUGUST 1988

"The Deputy Minister for Foreign Affairs, Raúl Roa Kouri, has informed the AIN that, following upon the invitation issued to the Commission on Human Rights, by the Government of Cuba, a group of the said Commission consisting of the President and five members of the Commission, appointed after regional consultations, will visit our country in September next.

The object of the said group, according to the invitation by the Government of Cuba, is to observe the human-rights situation in Cuba and prepare a report to be brought to the attention of the Commission, which will then decide on the manner in which the report is to be considered.

The group of the Commission will be chaired by Mr. Alioune Sene, Ambassador of Senegal - the current President of the Commission on Human Rights - the other members of the group being: Mr. T. Ditchev, Ambassador of Bulgaria; Mr. R. Rivas Posada, Ambassador of Colombia, Mr. J. D. Inglés, Under-Secretary of State of the Philippines; Mr. M. J. Lillis, Ambassador of Ireland and Ms. J. S. Attah, Ambassador of Nigeria. The group intends to visit Cuba from 15 to 25 September 1988. The UNDP office in Havana, as representing the United Nations system in Cuba, will receive telephone messages, requesting interviews or supplying information on telephone numbers 22-2514 and 22-2515, until 10 September 1988.

During its stay, the delegation of the Commission on Human Rights will hold talks with government ministers, with representatives of the people's power and of political and mass organizations, with private individuals and with personalities in the country's political, social, religious and cultural life, and will visit various institutions in the capital and other parts of the country. "

العرفق ٧

附件 VII

Annex VII

Annexe VII

Приложение VII

Анехо VII

الجداول ١ - ١٣-١ و ٢

الادعاءات التي تلقاها الفريق الذي قام بزيارة كوبا في الفترة من ١٦ الى ٢٥ ايلول/سبتمبر ١٩٨٨ ، بموجب مقرر اللجنة ١٠٦/١٩٨٨

表 1 - 1.13 和 2

根据委员会第 1988/106 号决定于 1988 年 9 月 16 至 25 日访问古巴小组收到的指控

Tables 1-1.13 and 2

Allegations received by the group that visited Cuba from 16 to 25 September 1988, under Commission decision 1988/106

Tableaux 1 à 1.13 et 2

Allégations reçues par le groupe qui a visité Cuba du 16 au 25 septembre 1988, suite à la décision 1988/106 de la Commission des droits de l'homme

Таблицы 1-1.13 и 2

Заявления, полученные группой, посетившей Кубу 16-25 сентября 1988 года в соответствии с решением 1988/106 Комиссии

Cuadros 1 a 1.13 y 2

Denuncias recibidas por el grupo que visitó Cuba entre el 16 y el 25 de septiembre de 1988, en cumplimiento de la decisión 1988/106 de la Comisión de Derechos Humanos

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بموجب مقرر اللجنة ١٠٦/١٩٨٨

根据委员会第 1988/106 号决定于 1988 年 9 月 16 至 25 日访问古巴小组

收到的指控

Allegations received by the group that visited Cuba from 16 to 25 September 1988, under Commission decision 1988/106

Allegations reçues par le groupe qui a visité Cuba du 16 au 25 septembre 1988, suite à la décision 1988/106 de la Commission des droits de l'homme

Заявления, полученные группой, посетившей Кубу 16-25 сентября 1988 года в соответствии с решением 1988/106 Комиссии

Denuncias recibidas por el grupo que visitó Cuba entre el 16 y el 25 de septiembre de 1988, en cumplimiento de la decisión 1988/106 de la Comisión de Derechos Humanos

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رقم	号码	NOME	名字	姓	ALLEGATIONS	ALLEGATIONS	JARBERRA	ALLEGACIONES
	Segundo	ACOSTA GARCIA						
	Manuel	ACOSTA GARCIA					9	
	Jesús Pedro	ACOSTA MORALES					8	
	Julia Ramona	ACOSTA RODRIGUEZ					8	
	Enrique	ACOSTA RUIZ			8			
	Ernesto	ACOSTA RUIZ RUIZ						
	Angel L.	AGUELLES GARRIDO						
	Omar	AGUERO GARCIA					8	
	Julian Ricardo	AGUIAR						
	Gladys	AGUIAR					8	
	Pablo	AGUILA ARBOLOY			7			
	Ana Luisa	AGUILA LICEA					8	
	Silvio	AGUILA YANES						
	Paula Alicia	AGUILAR						
	Noé	AGUILAR CONTRALEZ					8	13
	Pablo Roberto	AGUILAR					8	
	Bertha Lidia	AHELIZ						
	Alberto	AIZPURUA SARDUY					9	10
	Aurea	AJURIA MEDERO						
	Juan Carlos	ALARE						
	Pedro René	ALBA PEREZ						
	Roberto Caridad	ALBERROS ECHEVARRIA			5			
	Galdys	ALBEZA AVILA						
	Wilson	ALBUERNE GARCIA						
	Miguel Angel	ALCOVER SOCARRAS				6	8	11
	Raúl	ALDANA RUIZ				7	8	11
	Zenaida	ALENAN VALDES						
	Julio Bautista	ALESJO CORDERO			6		2	
	Glisela María	ALFARO PEREZ					9	10
	Consuelo	ALFONSO PEREZ					9	
	Cristóbal Rafael	ALFONSO PEREZ						
	Nieves	ALMAGUER					8	
	Georgina	ALMEJERAS						
	Ana	ALONSO AGUILA						
	Emma	ALONSO AVILA						
	Lucio Lino	ALONSO BRETANA						
	Loida de la C.	ALONSO CAPOTE			2			
	Gestavo	ALONSO LLANES						
	Ernesto	ALONSO MARTINEZ						
	Jorge Alberto	ALONSO MONTERO					9	
	Faustino	ALONSO PEREZ						
	Santiago	ALONSO PEREZ						
	Padra Luis	ALONSO QUINTERO						
	Leonel	ALONSO SERRANO						
	José Luis	ALVARADO DELGADO						
	Nieves Aurora	ALVAREZ					9	13
	Armando Jorge	ALVAREZ						
	Padro	ALVAREZ					8	11
	María Luisa	ALVAREZ					9	

الاسم	号码	NAME	NOMS	SAINDOKE	NOMBRE	الادعاءات	拉	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*	ALLEGACIONES*
Mayra		ALVAREZ					4				9
Miguel Angel		ALVAREZ				2					
Rolando Rubén		ALVAREZ COMPTA				2			7	8	11
Pedro Lázaro		ALVAREZ GARCIA					4				
Asunción		ALVAREZ GONZALEZ					4				
Fidel		ALVAREZ LUIS						5			
Pedro Juan		ALVAREZ MARTINEZ					4				9
Mario		ALVAREZ MIRANDA					4			8	9
Tatiana		ALVAREZ PEREZ					4				
Mayda Salomé		ALVAREZ ROLLON							7	8	
Martín		ALVAREZ SALAZAR					4				
Rafael		ALZAMORA ALVAREZ				2					
Santa Isabel		ALZUGARAY					4			8	
Rafael		AMADO					4				
Ileana		AMADOR RAMIREZ						5			9
Mercedes		AMENOZ RODRIGUEZ					4				
Neoharto		AMOR MOREJON					4		7		
Eladio Agustín		ANAYA FIGUEROA					4				
Eloy Jesús		ANAYA MADRIGAL						5	7	8	9
Pablo Roberto		ANELLE								8	
Félix		ANGARICA DUENAS					4				10
Juan Climaco		ANGULO VALDES					4				
Jorge		ANSORENA MENENDEZ					4	5			9
Roberto		ANTONIO E IZQUIERDA					4			8	
Jorge		ANZORENA MENENDEZ					4				
Leonel		ARAGONYES GARCIA							7		
Guillermina		ARANCIBIA CASTILLA					4				
Frank		ARANGUEZ DURAN				2			6	7	
Armando		ARAYA GARCIA									11
Gustavo		ARCOS BERGNES					4				12
Sebastián		ARCOS BERGNES					4				
Sebastián		ARCOS CAZABON					4				
Mercedes Sonia		ARENAL LINARES					4				
María Elena		ARGUELLES					4		6	8	
Angel Roque		ARIAS					4				
Carlos E.		ARIAS ACOSTA				1					
Olga		ARIAS E.					4				
Manuel		ARIAS MONTANO					4	5			11
Alejandro		ARIAS MONTISERRAT				2			7	8	9
Victor		ARMENTEROS DIAZ					4				10
Angela		ARMENTEROS LAZO					4				
Noel		ARONZARENA					4				
Orlando		ARRASCARTA DOMINGUEZ					4	5			
Reinaldo		ARREDONDO									11
Arnaldo		ARROYO MORGADO				2					
Gricel		ARTEAGA COUSO					4				
Erik		ARTEAGA GONZALEZ					4				
Andrés		ARZOLA OTARO					4				
Tomás		ASPILLAGA LOMBARD					4	5			11

رقم	号码	NAME	NOMS	ANQUINA	NOMBRE	التهم	控	ALLEGATIONS*	ALLEGATIONS*	JARBHERES*	ALEGACIONES*			
		Daniel	ASPILLAGA	LOWBARD		2		4	5	6		11		
		Nilegros	AULET	ROSABAL							9			
		Agustín Valerino	AVALO	PEREZ										
		Lidia	AVILA					4			9			
		Ida Clara	AYALA	LAGUARDIA				4			8			
		Adelfo	BAEZ	VELASCO								11		
		Roberto	BAHAMONDE						5	6	7	8	9	11
		Juan de Dios	BAHAMONDE	TRASANCOS								9		
		Crispina Azalla	BALLESTER	CINTAS									13	
		Armando	BALMACEA									9		
		Iliana	BANBAS	CAMPOS								9		
		Elene	BANOS	CARERAS				4						
		José Luis	SARAGA	SANTA CRUZ				4						
		Ileana Elena	BARBA	CAMPOS									13	
		Margarita	BARBARICHE	GARCIA				4						
		Eloisa	BARCELO	MELENO				4						
		René Arturo	BARREDO	POZO				4	5		7			
		Marisella	BARBERAS	RAMIREZ				4						
		Aldo Arnaldo	BARBERAS	ROMERO									13	
		René Arturo	BARBERO	POZO	1									
		Felicia	BARRIOS	CAMALLERI				4						
		María Justina	BARRIOS	LLANES				4						
		Rafael Antonio	BARRIOS	RODRIGUEZ								8		
		Teresa	BARROSO					4		6				
		Teresa Lucila	BARROSO	LOPEZ							7	8		
		Jesús	BARROSO	PEREZ				4						
		Guillermo	BASQUES	VARDIVIA				4						
		Carlos	BASTON	CHILS		2								
		Oswaldo	BATISTA	GONZALEZ				4						
		Daniel Adrián	BATLLE	PALMERO		2		4						
		María Elena	BAYO	GONZALEZ		2								
		Abelardo	BAZA	MORALES				4						
		José Raúl	BECERRA	RODRIGUEZ						6				
		Pedro Andrés	BENETY	GONZALEZ				4						
		Luis	BEIRO	ALVAREZ									11	
		Felicita	BELEN					4						
		Jesús Ramón	BELLECHASSE	JIMENEZ				4						
		María Luisa	BELLO	CAPPOTO				4						
		Humberto	BELLO	LAFFITA				4						
		Pedro Jesús	BENAVIDES					4						
		Felipe	BENITEZ			2								
		Ramón	BENITEZ	B.				4	5		7			
		Carlos Manuel	BENITEZ	SOSA				4						
		Háctor Raúl	BERBECIA	ARIAS					5					
		Andrés Adellina	BERMUDEZ	APARICIO				4						
		Fidel	BERMUDEZ	SOLIS				4	5		7			
		Dolores Cirila	BERMUDEZ	VALDES				4						
		Pedro J.	BEROVIDES					4						
		Nelson	BERTO					4			8			

الاسم	号码	NAME	NOMS	NUMEROS	NUMBERS	الإتهامات	ALLEGATIONS*	ALLEGATIONS*	BARBERERAS*	ALEGACIONES*
Luis Anselmo		BESTARD MANZANO				4		7	8	
María		BETANCOURT			1				9	
Pedro		BETANCOURT COLLAZO				4				
Juan		BETANCOURT MOREJON				4				
José Manuel		BETANCOURT SANCHEZ				4		7		
Pedro		BETANCOURT VILCHEZ				4				
Agustín		BIALI RODRIGUEZ				4				
Migdalia		BLANCO GONZALEZ					6			
Amador		BLANCO KERNANDEZ					6			13
Leonel		BLANCO PEÑA				4				
José Antonio		BLANCO VARELA					6			
Ana María		BLAZQUEZ RUIZ				4				
Rigoberto		BOCALLAO LASIONDO				4				
Clara Margarita		BOHE RUIZ				4				
Regino Armando		BOLANOS CUMEL				4				
Nancy		BOLUMEN CABALLERO			2					
Eduardo		BONEL				4				
Oswaldo		BONES GOMEZ				4				
Carlos M.		BORRAS ACOSTA				4		7	8	
Maribel		BORREGO								13
Qamar		BORRERO OTERO							9	
Saúl		BOSCH MARRERO				4				
Pedro		BOSCH ROJO							8	
Alfredo M.		BOTET JIMENEZ				4				
Miguel Angel		BOVER ESCOBAR				4				
Manuel		BREA						7		
Elena		BRETO				4				
Andrés Avelino		BRITO DE LA PAZ			2					
Victor Francisco		BRITO FLORIT				4				
Luis Mariano		BRITO RODRIGUEZ				4				
María Luisa		BRITO TORRES				4				
Pablo		BROWN ECHAVARRIA				4			8	
Leonardo		BRUZON AVILA								13
Carmelo		BULIT				4				
Ricardo		BULNES SIERRA				4				
Alberto		BUSTAMANTE							8	
Lázaro		BUSTILLO SANCHEZ				4				
David		CABALLERO				4			8	
Guillermina		CABALLERO CABRERA				4		7	8	
Orestes		CABALLERO FRONTELA				4				
Mora		CABALLERO GANDARA				4				
Julio		CABALLERO VEGA					5		9	
Iván		CABAS NUÑEZ								10
René H.		CABAÑAS PERDOMO				4				13
Felipe de Jesús		CABOS BENAVENTE				4	5	7	8	
Joaquín		CABRA LEAL				4				
Lázaro Alberto		CABRALES BARRERO				4				
Rogelio		CABRERA							9	
Francisco Robira		CABRERA				4				

اسم	號碼	NAME	NOHS	ALLEGATIONS							
اسم	號碼	NAME	NOHS	ALLEGATIONS							
Dulce Maria		CABRERA							9		
Josefa		CABRERA			4						
Carlos	2	CABRERA									
Mario		CABRERA AGUILAR			4						
Josefa		CABRERA GARCIA			4						
Luis E.		CABRERA GONZALEZ					7				
Sandalio		CABRERA GONZALEZ	3								
Braulio Perfecto		CABRERA GONZALEZ				5		8			
Nereida		CABRERA LEON			4						
Oreste		CABRERA LOUREIRO			4						
Radamés		CABRERA OSORIO				5					12
Braulio		CABRERA PEREIRA						8	9		
Lázaro Angel		CABRERA PUENTES					7				
Angel		CABRERA QUINONES			4						
Ether		CABRISSES GUTIERREZ			4						
Mercedes		GADAZO ABREU			4						
Julián		CAIRO LEON			4						
Ania		CALDERIN HERRERA			4			7			
María		CALDERON					7	8			
José Ramón		CALDERON ARCIA			4			8			
Carmelo		CALLEJA MARTINEZ			4						
Carlos		CALLEJAS NOURELLE			4						
Juana Rosa		CALVO						8			
Fa		CALZADILLA PEREZ			4						
Francisco		CANARO G.			4				10	11	12
Ieldra		CAMEJO			4						
Rolando Félix		CAMEJO LUACES			4		6				
Carlos Alberto	2	CAMEJO SERRANO						7	10		
Eva Andrea		CANERO MARQUEZ							10		
Antonio		CAMPOHERMOSO					6	7			
Pedro Julio		CAMPS VEGERANO			4			7	10		
Hortensia		CAN			4						
Jorge		CANASSANA				5		7			
Clara		CANAZANA MORENO			4						
Asela		CANDABA DE GAMAC			4						
Ch.		CANIA									
Lydia Sofía	2	CANTAYA MEDINA			4						
Illana		CANTERO ROLDAN			4				8		
Fidel		CANTON MARTINEZ			4					10	
Abraham		CAPISTRANO CAIZCOYA					6				
Jorge Máximo	2	CARABALLO VASQUEZ				5	6	7	8		
Jesús María	2	CARBALLEDA			4		6			9	13
Rafaél		CARBONELL			4						
Antonio Agustín		CARBONELL REYES				5			8		
Antonio Eugenio		CARCASSES JIMENEZ							8		11
Lárida Librado		CARDOSO ARANGO			4						
Rafaél Rolando		CARNERON CRUZ			4						
Estela		CARMONA VILDOSTEGUI			4						
Lázaro M.		CARPID RODRIGUEZ						7		9	

姓名	号码	NAME	HOWS	ADDRESS	PHONE	ALLEGATIONS	ALLEGATIONS	ALLEGATIONS	ALLEGATIONS	ALLEGATIONS	ALLEGATIONS
Emilio		CARRACEDO									
Iamara		CARRASCO DIAZ				5			9		13
Jaqueline		CARRATALA CHAVIAZO									
Marina Mercedes		CARRERA FERNANDEZ					6			10	12
Alfredo		CARRERAS BLEN									
Jesus Roberto		CARRERERO BENAVENTE						7			
Guillermo		CARRERERO LOYOLA						7			
Oscar		CARRITO LOYOLA									
Mydia Sofia		CARIAYA MEDINA									
Josefina		CASAL									13
Francisco		CASALES ACOSTA									
Francisco		CASALES FENTES									
Dolly		CASALES FENTES									
Barbara		CASALES FENTES									
Maricela		CASALES FENTES									
Regla		CASALES FENTES									
Emilio		CASALES FENTES									
Juan		CASANAS RIVERO								11	12
Alejandro		CASO ESTEVEZ					6				
Emilio		CASTAMEDO QUEROL									
Miguelina		CASTAREBA COEZO									
María Teresa		CASTARO GUILLEN						7			
Mireya		CASTELLANO GOMEZ									
Mario		CASTELLANO PEREZ									
Boris		CASTELLANOS VEGA									
Julia Eugenia		CASTELLON CASTILLO									
Medardo		CASTENEDO HERRERA						8			
Leandro		CASTILLO									
Pedro		CASTILLO CABRERA									
Leonardo		CASTILLO DIAZ									
Alicia		CASTILLO PIEDRA						8		10	
Placido		CASTILLO RAMIREZ							9		
Juana		CASTILLO RUIZ									
Rolando		CASTINEIRAS									
Leandro R.		CASTRO									12
Liduvina		CASTRO GADEZ					6				
Felipe		CASTRO GOMEZ						7			
Javier		CASTRODA PEREZ								10	
Luis R.		CEDEÑO									13
Eloise		CEDEÑO CORRIAS					6				
Luis Ricardo		CEDEÑO FELIPE									
Alejandro		CEDEÑO LEANTE									
Jorge Ezequiel		CEJAR RODRIGUEZ									
Oleg		CEPERO									
Livia		CESAR									
Carlos Manuel		CESEPDES JIMENEZ									
María Esther		CESEPDES RICCARDI									9
Julián A.		CHAON BEYES									
Mario		CHANEZ DE ARMAS									

الاسم	号码	NAME	NOMS	SAMBORA	NOMBRE	الادعاءات	控	ALLEGATIONS*	ALLEGATIONS*	SAMBORA*	ALLEGACIONES*
Orlando		CHARNICHARO	HERNANDEZ						8		
Rafael		CHARRY	LOPEZ								11
Conrado		CHAVECO	TORRES		2						
Mercedes		CHAVEZ					4				
Adelina		CHAVEZ					4	6			
Luis		CHAVEZ	CARO				4	5			
Eduardo		CHAVIANO						5			
Elicar Serafin		CHAVIANO					4				
José Manuel		CHEMITA	CASTINEIRAS-C.							9	
Angel		CHICO	BAY				4				
José M.		CHIONG	PEREZ		2						
Luis Manuel		CHUEY								9	
Elsa		COIPEL	NOLASCO				4				
Antonio		COLLADO	GALERA		2						10
Gonzalo		COLLANTES	GARCIA						8	9	
José Antonio		COMAT	LUPERON				4				
Carlos Alberto		CONDE	QUESADA				4	5			
Jesús		CONTRERAS	MILAN						7		
Antonio		CORDERO	MANTILLA				4			8	10
Ramiro Ricardo		CORDOVE					4				
Nelson		CORDOVEZ	GONZALEZ				4	5			
Rosa Gregoria		CORNELL	GALERA				4				
Ela María		COROMINA	CHACON		2		4	6	7		
Orestes Manuel		CORTES	RODRIGUEZ				4				
Ramón Antonio		CORTES	TRAVIESO				4				
Juan René		COTILLA	COLL				4			8	
José		COTILLA	MARQUEZ				4				
Jacqueline		COTO	HERNANDEZ				4			8	
José A.		COURT	LUPERON				4				
Esteban		COWAN	SANTIAGO							9	
Pedro		CRESPO	ANAREZ				4				
Eduardo		CRESPO	GOHLE								10
Jesús David		CRESPO	GOMEZ							8	11
Dulce María		CRESPO	LINARES				4				10
Miguel		CRESPO	NAVARRO					6			
Tomás		CRUZ					4				
Rufina		CRUZ					4				
Lorenza E.		CRUZ					4				
Ma. de los Angeles		CRUZ					4				
Wenceslao Ramón		CRUZ									
Dinorah		CRUZ	FERNANDEZ				4		7	8	11
María Regla		CRUZ	GONZALEZ				4				
María Marta		CRUZ	MARTINEZ				4				
Heriberto		CRUZ	RAMIREZ			3					
Edita E.		CRUZ	RODRIGUEZ				4				
Tomás		CRUZ	SANCHEZ				4				
Jorge Luis		CUBELA	CARDENAS		2			6			
María Caridad		CUELLAR	CASTRO				4		7		
Ignacio		CUESTA	VALLE		2						

الاسم	号码	NAME	NOMS	ADQUISA	HOMBRE	* الإحصاءات *	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*	ALLEGACIONES*	ALLEGACIONES*	ALLEGACIONES*
Yamile		CUEVAS FERNANDEZ					4					
Ofelia Silveria		CUNEL JIMENEZ					4					
Laudelina		DANIEL MESA							7			
Genoveva		DARTICAR DIAZ						6				
Germán		DAUD					4					
Aleida		DAVILA NARANJO					4				8	
Yolanda		DE AGUILA PUERTO					4					
Eloina		DE ARMAS RODRIGUEZ					4					
Rosario		DE LA CAL HERNANDEZ									10	
Nelson		DE LA CERDA QUINTANA									10	11 12
Pablo		DE LA CRUZ DURAN T.					4					
Digna Idalia		DE LA CRUZ PERA					4					11 12
Emiliano C.		DE LA FE MIRABAL			2				7	8		
Jorge		DE LA OSA ALVAREZ					4					13
José Ramón		DE LA ROSA PEREZ										13
Luis A.		DE LA ROSA SOSA					4		7	8		11
José		DE LA TORRE ROMERO					4			8		
Sergio		DE LA VEGA GOMEZ					4					
José A.		DE LAZARO VERDASCO					4					
José		DE QUESADA									10	
Tomasa		DE VERAZ GARCIA					4					
Pablo		DEBS PRINCE					4					
Ana V.		DEL MONTE					4					
Hilda E.		DEL MONTE					4					
Genzala Isabel		DEL PINO SOTOLONGO					4		6			
Omar		DEL POZO HERRERO					4			8	9	
Lilia		DEL RICO NIEVES					4					
Argelia		DEL RIO MARTINEZ					4					
Juan G.		DEL SOL DIAZ			2							
Ramón		DEL SOL PUERTO				3						
Roberto Eugenio		DEL VAL SOLA					4					
Marta Rosa		DEL VALLE ANDRADE					4					
Gisela		DELAVILLE BRINGUIEN					4					
Pablo		DELGADO					4					
Ofelia		DELGADO					4					
María		DELGADO BENITZ					4					
Luis		DELGADO CRUZ					4	5		7	8	
Eduardo		DELGADO DE LA PUENTE			2				6			
Feliciano Timoteo		DELGADO ESPANDE					4					
Domingo Jorge		DELGADO FERNANDEZ						5				
Daniel		DELGADO GARCIA							6	7	8	9
Juvenal		DELGADO HERNANDEZ					4					
Ricardo		DELGADO HERNANDEZ									10	
Beatriz		DELGADO ONAMAS					4					
Vicente Paul		DELGADO RODRIGUEZ			2		4	6				
Reylan		DELGADO TEMPRANA			2							
Ignacio Lamel		DELGADO VALDES					4					
Alberto		DELGADO VERA								7		11
Norma		DEPESTRE WHIKER					4				8	11

رقم	號碼	NAME	NOMS	NOMBRES	عدد	عدد	عدد	عدد	عدد	عدد	عدد	عدد	عدد
					ALLEGATIONS*	ALLEGATIONS*	JARBREKKE*	ALLEGACIONES*					
		Rita	FLEITAS	FERNANDEZ							11	12	
		Félix	FLEITAS	POSADA		6					11	12	
		Reina	FLEITES	MENDEZ	4			8	9				
		Rosa	FLIS	VELASCO	4								
		Eugenio Lázaro	FLORES	ABAD	4								
		Pedro	FONS	SANTOYA	4								
		José Manuel	FONSECA	AROCHE	4								
		Marta	FONT	JIMENEZ									13
		Carlos	FORTUN	MORALES	4								
		Miguel	FOURCOY	PEREZ	4								
		Ramón	FRANQUEZ	SUAREZ					7				
		Rodolfo	FROMETA	CABALLERO	2								
		Consuelo	FU			6							
		Laura	FUENTES		4								
		América	FUENTES	BARROSO	4								
		Zoila Esperanza	FUENTES	REINOSO	4								
		Enrique	GALANO		4	5		7					
		Jesús Mateo	GALBANY	PUERTAS	4								
		Josefina	GALIGARCIA	CERVER	4								
		Caridad	GALVEZ	DONINGUEZ	4								
		Laudelina	GALVEZ	GARCIA	4								
		Gustavo	GARABITO	GOMEZ	2				7				
		Carlos Alberto	GARAY	GARCIA						9			13
		Clara Ofelia	GARCIA			6							
		Olga	GARCIA		4								
		María Elena	GARCIA		4								
		Manuel	GARCIA		4								
		Nelson	GARCIA		4				8				
		Lázaro Enrique	GARCIA		4								
		Miguel Angel	GARCIA		4								
		Juan Ignacio	GARCIA	ALONSO	4				7	8	9		
		Isidro	GARCIA	ARRIETA	2								
		Manuel de los A.	GARCIA	BARROSO	4								
		Pedro	GARCIA	CANACHO	4		6						
		Flores	GARCIA	CASTAÑEDA					7				
		Juan Enrique	GARCIA	CRUZ	2	5	6	7		9		11	
		Rosa	GARCIA	DAY									13
		Manuel	GARCIA	DE CASTRO						9			
		Nelson	GARCIA	ESPINO	4					8			
		María América	GARCIA	FERRER	4			7	8	9			
		Maritza	GARCIA	GONZALEZ						9			13
		Miguel Pablo	GARCIA	GONZALEZ	4								
		Nancy Juana	GARCIA	HERNANDEZ	4								
		Rosa María	GARCIA	LEDoux	4								
		Alina Lucía	GARCIA	LEMES	4						10		
		Pedro	GARCIA	MONTALVAN	4								
		Acencio Ismael	GARCIA	MORALES	4		6						
		Juan	GARCIA	MORALES		5		7	8	9			
		Carlos Bárbero	GARCIA	OCAMPO	4								

PL-71	号码	NAME	POSTS & VOUCHERS	NOMBRES	ALLEGATIONS*						
		Arturo	MORITO SEIGO								
		Herceades	MORALES								
		Mirya	MORALES DE LA PAZ								
		Flacienda	MORALES DIAZ								
		Zeneida	MORALES HERRERA								
		Noelia	MORALES HARRERO								
		Martha	MORALES SOTO								
		Estel	MOREJON MOREJON								
		María Eliene	MOREJON RODRIGUEZ								
		Arnel	MOREJON RODRIGUEZ								
		Ella	MORENO CASTILLO								
		Marco A. Valfrido	MORENO FONGERO								
		Juan E.	MORENO PRIETO								
		Marisol	MORENO PRIETO								
		Marisol	MORENO PRIETO								
		Carlos E.	MORENO PRIETO								
		Eliadio	MORENO VILCHES								
		Mamuel	MOSQUEDA HEREDIA								
		Emilia	MOSQUEDA LORES								
		Miguel	HUNGUICA DIAZ								
		Leonel	MURIZ								
		Pablo	MUROZ ESTEVEZ								
		Aldo	MUROZ LEON								
		Alejda	MUQUIRE LOPEZ								
		Nelson	MURPHY DIAZ								
		Alfredo	MUSTELIER NUEVO								
		Lourdes	NAPOLLES								
		Rosa	NAPOLLES FERNANDEZ								
		Pablo	NAPOLLES PEREZ								
		Gerardo Serafin	NAPOLLES ZEQUEIRA								
		Pedro Jesús	NAVARRO GONZALEZ								
		Dania	NAVARRO LUIS								
		Mayra	NAVARRO MURUZ								
		Cira	NAVEIRA RODRIGUEZ								
		Alza	HILLAS MORALES								
		Sodolfo Gerónimo	NOVAS HERNANDEZ								
		Carlos Eliadio	NOTOIA PONCE								
		Alberto C.	MURIZ								
		Angelina	MURIZ BAREZ								
		María Bernardo	MURIZ CUESTA								
		Mamuel J.	MURIZ FIGUEROA								
		Gloria	MURIZ ROSALES								
		Pedro	MURIZ TORRES								
		Lázaro	OREGON SORIA								
		Roberto	OCHOA CESAR								
		Koracelo	OCHOA DE LA PUENTE								
		Gabriel	OJEDA PRIETO								
		Pablo Eusequiao									

序号	NAME	NOVS	ANDRES	NOBRE	卷	控	ALLEGATIONS*	ALLEGATIONS*	控	ALLEGATIONS*	ALLEGATIONS*	控	ALLEGATIONS*
José	OLAMENDI			HERINO									
Carlos	OLIVA			ALONSO	2								
Roberto	OLIVA			GARCIA		4							
Bacilla	OLIVA			LARREINAGA		4							
Cristina	OLIVA			MONTESINO		4	5						
Eideline	OLIVA			VAQUIZA		4							
Girardo	OLIVERA			GONZALEZ	2	4							
Andrés Rafael	OLIVERA			HERNANDEZ		4				10			
Santiago	OQUENDO			REYES		4				8			
Juan	ORAMAS			GANDARA		4				8			
Josefa Isabel	ORTEGA			DIAZ		4							13
Manuel	ORTEGA			GONZALEZ		4							
Carmen	ORTEGA			PRIETO		4							
María Dolores	ORTEGA			SERRA		4							
René	ORTEGA			VELOZ		4							
Lorenzo	ORTEGA			ZULUETA		4	5						
Alejandrina Y.	ORTIZ			GONZALES		4				8			
Esperanza	ORTIZ			ORTIZ		4	5						
Clara	ORTIZ			RIVERO		4				8			
Amelia	OSÉS			GONZALES		4							
Jorge	OTERO					4							
Francisco	OTERO			MARCE		4							
Caridad	OTERO			MARCE		4							
Luz Miriam	OVIEDO			ALVAREZ	2	4							
Eleno	PACHECO			HERNANDEZ		4							
Francisco Rafael	PADILLA			GARCIA		4							
Olga	PADRON			DOMINGUEZ		4							
Ernesto	PAGAN			DIAZ		4							
Mercedes	PALACIO			BARRANCO		4							
Roberto	PALACIOS			PAZ		4							
Enrique	PALMERO			COMPANIONI		4	5						
Hirella	PANIZO			PANIZO		4							
José Manuel	PANTOJA			RICARDO		4				9			
Andrés	PAÑEDES			HERNANDEZ		4							
Rupertina E.	PAYÁ			SARDINAS		4							
Ruben Fabio	PAYÁ			HERNANDEZ		4				10			
Osvaldo José	PEDROSO			MANZO		4				11			
Osaelia	PEDROSO			VALDES		4							
Roberto	PELLER			MANTEACUDO		4							
Macarita	PELLER			MANTEACUDO		4							
Rafael	PENON			BRAYO		4							
Mario	PENON			ALVAREZ		4							
Rosa América	PENA			DALMAN		4							
Rebeca	PENALBER			GARCIA		4							
Leovigildo	PENATE			MONTIJO		4							
Marlene	PENATE			MONTIJO		4							
Bertilla	PENATE			MONTIJO		4							
Alicia	PENATE			MONTIJO		4							
Félix Gilberto	PENATE			MONTIJO		4							

号码	NAME	NOMS	NUMERO	NOMBRE	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*
	Eduardo	PEREZ MIR			4			7		
	Enrique de la P.	PEREZ MIR			4			7		
	José	PEREZ MOLINA			4					
	Giralda Aralis	PEREZ MOLINA			4					
	Armando	PEREZ MONTES DE OCA			4					
	Ramón Mario	PEREZ MOREJON			4					
	Odalis María	PEREZ PEREZ			4				8	9
	Pura María	PEREZ PEREZ			4					
	Ana Candelaria	PEREZ PINEDA			4	6				
	Leonel	PEREZ PINEIRO			4					
	Onida Angelina	PEREZ POSO			4					
	Juan Bautista	PEREZ PROENZA			4			7		
	Consuelo	PEREZ QUINTANA			4					
	José Patricio	PEREZ RODRIGUEZ			4			7		10
	Marta	PEREZ ROJAS								13
	Luisa	PEREZ ROJAS						7		
	Mohamed Ali A.	PEREZ SALAS			4				8	10
	Jesús	PEREZ SAN BLAS				5				13
	Eneida	PEREZ SANTIESTEBAN			4			7	8	
	Olga	PEREZ SUAREZ			4					
	Roberto	PEREZ VERDUGO			4					
	Enrique	PEREZ DOMINGUEZ			4				8	
	Eduardo	PESTANA RODRIGUEZ			4					
	María Elena	PHILIPPO FIGUEROA			4					
	María Dolores	PIEL RAYA			4					
	Obel	PILOTO MONTANO						7		
	Julio	PIMENTA PARRA	2		4	5		7	8	9
	Jesús	PIMIENTA PEREZ			4					
	Iraida	PINEDA AROCHA			4					
	Fina	PINEDA ORREGON			4					
	Horacio Jesús	PINELLO MANTIATO			4			7		10
	Dolores	PINO							8	
	Nestora	PINO LOZANO								12
	Reinaldo	PINO PEDRAZA			4					
	Angel	PINTADO GARCIA						7		
	Nereida	PINTO RIVERO			4					
	Félix	PIÑA PROTO	2							
	Miguel Oscar	PIÑERA FERNANDEZ			4					
	Gilberto Pedro	PLASENCIA			4					
	Ariel	PLASENCIA VALDES			4					
	Miriam Serafina	POLI RODRIGUEZ			4					
	Mario Oscar	POLINARIO GRANADILLO			4				9	
	Orlando	POLO								13
	Itocenia Milagros	POMARES FORTES			4					
	Félix	PONPA-BEJEGA			4					
	Miguel	PONCE KINDELAN			4					
	Miguel Charles	PORCEL HENRIQUES			4				8	9
	Julián Andrés	PORTAL FONT			4	5				11
	Jorge Esteban	PORTO CALZADILLA			4			7	8	

الاسم	号码	NOME	NOMS	ANOMME	NOMBRE	الإجراءات	التفتيش	ALLEGATIONS*	ALLEGATIONS*	ALLEGATIONS*	ALLEGACIONES*	ALLEGACIONES*			
Rosa América		PORTUNDO GUILLAUME						4							
Rosa América		POULOUT PELLIEIER						4							
Manuel		POZO MONTERO										12			
Carlos		PRADO RODRIGUEZ										13			
Irma		PRAENZA						4							
Ricardo Emilio		PRESAS GRAU						4							
Sixto Colectino		PRIETO AGUILA						4							
María Magdalena		PRIETO AGUILA						4							
Simón		PRIETO GARCIA			2			4	5						
Jorge		PRIETO LEIVA								7					
Héctor		PRIETO ROMERO						4							
José R.		PROENZA BARRAZA			2										
Vicente Jorge		PUNTE COURCOINEAU						4							
Félix		PUGA VASQUEZ						4	5	6	7	8	9	10	11
Humberto		PUIG ACOSTA							5						
José Luis		PUJOL						4							
Pablo Roberto		PUPO SANCHEZ										8			11
Olga Virginia		QUENTANA VILA						4							
Blanca		QUEVEDO						4							
María de la C.		QUEVEDO GARABITO							5	6					
Caridad Amparo		QUINTANA						4				8			
Efraín Ramón		QUINTANA CUSPEDES						4							
Luis Bernardo		QUINTANA PEREZ							5						
Héctor		QUINTANAL LOYOLA						4							
Guillermo		QUINTERO PUPO						4				8			11
Fernando		QUINTERO TARASIDO													13
María Antonieta		RALAFF						4							
Félix		RAMIREZ											9		
Barbara		RAMIREZ ARMENTEROS						4							
Felino		RAMIREZ BATISTA						4							
María A.		RAMIREZ CUELLAR						4							
Antolín		RAMIREZ GONZALES													13
María Viviana		RAMOS											9		
Aurealya Hipólita		RAMOS ALVAREZ						4							
Eladio		RAMOS BATISTA						4					9		13
Felipe Isidro		RAMOS CARRINO						4							
Frael		RAMOS GONZALEZ						4							
Nora Caridad		RAMOS GRANDA						4							
Martha Milagros		RAMOS GUTIERREZ						4				8			
Rhinelandar S.		RAMOS MADRIGAL			2			4	5						
Lázaro Luis		RAMOS NIEBLA											10		
Ilde H.		RAMOS PACE							5	6					
Pedro Pablo		RAMOS PINTO						4							
Milagros		RAWIA											9		
Octavio		REAL IZQUIERDO			2			4			7				
Xiomara		REDONDO BARRERA			2			4				8			13
Xiomara		REINALDO TREVILLA			2			4			7	8			
Delfina Mercedes		REINOSO DEL PINO										8			
Angela		REY										8			

序号	姓名	姓	指	ALLEGATIONS*	ALLIGATIONS*	BARBADES*	ALEGACIONES*
	Luciana	RODRIGUEZ	CODEFOY	4			
	Jorge Esteban	RODRIGUEZ	GOMEZ	4			
	Francisco	RODRIGUEZ	GONZALES	4			
	Ofelia	RODRIGUEZ	GONZALES	4	9		
	Pedro Pablo	RODRIGUEZ	GONZALES	4	8	10	11
	Mercedes	RODRIGUEZ	GUTIERREZ	4	8		
	Miguel Angel	RODRIGUEZ	HERNENIA	4	8		
	Olga	RODRIGUEZ	HERNANDEZ	4			
	Manuel	RODRIGUEZ	HORTA	4	9		
	Luisa	RODRIGUEZ	LEAL	4			
	Pedro	RODRIGUEZ	LOPEZ	4			
	Marina	RODRIGUEZ	LOPEZ	4		10	
	Idelisa	RODRIGUEZ	LOPEZ	4			
	Maria	RODRIGUEZ	MARQUEITI	4			
	Reyl	RODRIGUEZ	MEDINA	4	7		
	Magely	RODRIGUEZ	MEDINA	4	5		
	Barbara	RODRIGUEZ	MIRANDA	4			
	Isley	RODRIGUEZ	MONTERO	4			
	Yamina	RODRIGUEZ	NOVELL	4	8	10	13
	Iida	RODRIGUEZ	PEREZ	4			
	Ramon	RODRIGUEZ	PEREZ	4			
	Manuel	RODRIGUEZ	PYREIRO	4			
	Rosa	RODRIGUEZ	RAMOS	4			
	Naide	RODRIGUEZ	REYES	4			
	Francisco	RODRIGUEZ	RIVA	4	9	10	
	Tania	RODRIGUEZ	RIVERY	4	9		
	Juan	RODRIGUEZ	RODRIGUEZ	4			
	Publico Osvaldo	RODRIGUEZ	RODRIGUEZ	4			
	Luis	RODRIGUEZ	RODRIGUEZ	4			
	Lisett	RODRIGUEZ	SANCHEZ	2			
	Maria Celina	RODRIGUEZ	SUAREZ	4			
	Victor	RODRIGUEZ	TORRIENTE	4			
	Marlen	RODRIGUEZ	TRIANA	4	8		
	Ramon Ignacio	RODRIGUEZ	VERA	4	6	7	12
	Juan	RODRIGUEZ	FERNANDEZ	4	6		12
	Eugenio Joel	ROIG	GAECIA	4			
	Gaudenzio	ROJAS	ACOSTA	4			
	Lazaro Ibrahim	ROJAS	ANDUX	4	9	10	
	Caridad	ROJAS	BAÑOS	4			
	Lazaro Dionisio	ROJAS	BONET	4			
	Fabiola	ROJO	RIVERA	4			
	Jorge L.	ROLDAN	DOMINGUEZ	4			
	Maria Inés	ROLDAN	RODRIGUEZ	4			
	Itza	ROLDAN	SUAREZ	4			
	Santos Martin	ROLO		4			
	Maria Antonieta	ROLOFF	LOPEZ	4			
	Ivan Rolando	ROXAN	GONZALEZ	4			
	Jose Manuel	ROMAY	FERRER	4			
	Eduardo	ROMERO		4			

الاسم	号码	NAME	NOHS	NUMBERS	NUMBERS	العدد	العدد	العدد	العدد	العدد	العدد	العدد
						ALLEGATIONS*	ALLEGATIONS*	JARRERERIA*	ALEGACIONES*			
Cecilia		ROMERO ACANDA				4			8	9		11
Juan Carlos		ROMERO GUZMAN				4						
Amelia		ROMERO RODRIGUEZ				4						
Celina		ROQUE FIALLO				4						
Nancy Caridad		ROQUE PEREZ					6		8			
Lázaro		ROSA ARBOLAY		2					8			
José Gerardo		ROSABAL ROSALES				4						
Yolanda I.		ROSELL PEREZ				4						
Bárbaro Antonio		ROSSELL RAMOS				4	5		7			
Isel		ROUSSEAU GONZALEZ				4						
Manuel		RUA RODRIGUEZ								9		
Germin Jesús		RUBI PEREZ				4						
Luis		RUBIENNA CASTELLANOS		2								
Leonardo Leonel		RUBIO MONTALVO				4				9		
Néstor		RUIDIAZ		2								
Marta		RUIZ				4						
Fernando		RUIZ				4						
Lidia Apolonia		RUIZ FLORES				4						
Genzelo Calatino		RUIZ GARCIA				4						
María de Jesús		RUIZ GONZALEZ								9		
Alejandro		RUIZ MIR				4						
Julio		RUIZ PITALUGA		2								
Sergio Lorenzo		RUIZ PRIETO				4				9		
Elsa E.		RUIZ REYES				4						
Myriam		RUIZ RODRIGUEZ				4			7			
Ediverto		SAGUNDO GONZALEZ				4						
Telesforo		SALAS DELGADO				4	5		7		10	
Regia Caridad		SALAS S.				4						
Marta		SALAZAR				4						
Vicente		SALAZAR LOPEZ		2								
Francisco R.		SALAZAR SANCHEZ										13
Padro		SALGADO				4						
Mara		SALGADO				4			8			
Stanislawa		SALGADO				4						
Nora		SALGADO GONZALEZ				4						
Harlo		SALGADO STRACH				4						
Mayda		SALOME ALVAREZ								9	10	
Ricardo		SALVIA VIDAL							7			
Elisa		SAMETA				4						
Concepción		SANKERS DE LA LINA				4						
Jesús		SANABRIA FUNDORA								8		
Luis Alberto		SANCHEZ MORENO					5					
Georgina		SANCHEZ					5					
Antonio		SANCHEZ							7			
Mercedes		SANCHEZ									10	
Ronald		SANCHEZ										13
José Manuel		SANCHEZ ALBERTE										13
Isaac		SANCHEZ ALFONSO				4						
Josefa		SANCHEZ ALVAREZ				4						

号码	NAME	NOVO	EXAMEN	NOMBRE	ALLEGATIONS*	ALLEGATIONS*	SANBIBIAN*	ALLEGACIONES*
	Armando			SANCHEZ BERNUDEZ	4			
	Ana Victoria			SANCHEZ CASTRO	4			
	Irma			SANCHEZ CESPEDAS	4			
	Jesús Nolasco			SANCHEZ ESPINOZA	4		8	
	Dulce María			SANCHEZ GARRIDO	4			
	Mirta R.			SANCHEZ GONZALES	4		9	
	Gladys			SANCHEZ HERNANDEZ	4			
	Clelio			SANCHEZ MANES	4			
	Reinaldo			SANCHEZ OLIVARES	4			
	Orlando Rigoberto			SANCHEZ RODRIGUEZ	4			
	Félix			SANCHEZ RODRIGUEZ	4			
	Roberto			SANCHEZ SANCHEZ	4			
	Elizardo			SANCHEZ SANTA CRUZ	4			12
	Jorge Victor	2		SANCHEZ SOSA	4			
	Humberto			SANCHEZ SOTO	4			
	Isabel			SANCHEZ TERRASANA	4			
	Humberto			SANCHEZ TORO	4		7	
	Juan			SANCHEZ VIERA	4			
	Nicolaza			SANCTI ESTEBAN TORRES	4			
	José Manuel			SANS CAMEJO	4			
	Reina Luisa			SANTA CRUZ-PACHECO C.	4		7	
	Nereyda			SANTANA ESPINOSA	4			
	Raúl	2		SANTANA LAHEIRA	4			
	Jorge Luis			SANTANA LOPEZ	4			
	Jesús			SANTANA RIZO	4			
	Alcides			SANTANA VAZQUEZ	4	6		
	Ernesto	2		SANTANA VELIS	4	7	8	11 12
	Juan Carlos			SANTANA ZABALA	4			
	Damián			SANTANAS	4			
	Ramón			SANTANAS	4			
	Niguel Guillermo			SANTIAGO ESQUIVEL	4		8	
	Ramón	1		SANTOS BAZAIN	4			
	Guillermo Luis			SANTOYO MOREJON	4			
	Angel S.			SARDUY	4			10
	Milegros			SARNIENTO	4			10
	Rafaél			SARNIENTOS PEREZ	4		7 8	
	Juan			SAVEDRA PLANIS	4			
	Rafaél			SAVIERA HERRERO	4		8	
	Luis Ricardo			SEDEÑO FELIPE	4			
	Jacqueline			SEGBERA CRUZ	4			12
	Francisco			SEIGIDO OTERO	4	5 6	8	
	José Urbano			SEISDEDOS PELAEZ	4		8	
	Elba			SERRA MURIZ	4		8	
	Antonio			SERRANO DIAZ	4			
	Esther María			SERRANO DIAZ	4			
	Emiliano			SEVERO PEREZ	4			
	Guillermo			SILVA CARMONA	4			
	Angel Concepción			SILVA LAGUNAS	4		9	
	Sergio Jesús			SIXTO RAMIREZ	4			

رقم	號碼	NAME	SONO	NUMERO	NOMBRE	عدد التهم	檢	稅	ALLEGATIONS*	ALLEGACIONES*	تعداد التهم	ALLEGACIONES*
		Dullio			SLOANTUERO	2						
		José			SOLARES DEL FORN			4				
		Juana			SOLER VALDEZ			4				
		Marta			SOLIS BARBEIRO					7		
		Juan Jacinto			SOMOANO ORTIZ				5	6		
		Julio C.			SORDO QUINTANILLA			4			7	
		Margarita			SORLA			4				
		Olimpie			SORIA GONZALEZ							9
		Aida			SORIANO			4		7	8	
		Pedro de Jesús			SORIANO PERA					7		
		Hayda			SORIANO VAZQUEZ			4		7		
		Lourdes Basilia			SOSA MORFFI	3		4				
		Rigoberto Teófilo			SOSA PADRON			4		7		
		Ivette			SOSA SANCHEZ			4				
		Julio			SOTO ANGUREL					6		9
		Raquel			SOTO DELGADO			4			8	10
		Elba			SOTO VARELA			4			9	
		Carmelina Guandara			SOTO-LONGO			4				
		Teresa			SUAREZ			4				
		Erki			SUAREZ BRAVO			4				
		Eduardo Miguel			SUAREZ CAÑEJO			4	5			11
		Luis			SUAREZ CRUZ			4				
		Ricardo			SUAREZ DELGADO			4				
		Heciberto			SUAREZ GARCIA			4				
		José Fco.			SUAREZ LLANES			4				
		Isabel			SUAREZ OJITO			4		7	8	
		Francisco F.			TAGEE F.							
		Juan Carlos			TAMAYO ALVAREZ			4				
		Dora Estrella			TAMAYO LINARES			4				
		Roberto			TANYI JORRIN			4				
		Sofía Hilera			TARAPA O'FARRIL			4				
		Arcaseli			TEARNAS PEREZ			4				
		María de los A.			TEJEDOR CACERES			4				
		Ana Margarita			TELLES						9	
		René			TELLEZ GONZALEZ			4				
		Sandra			TELLEZ GONZALEZ			4				
		René Emilio			TELLEZ PEREZ			4				
		Alejo Enrique			TEMES SIMON			4		7	8	
		Elsa			TEMPRANA ALONZO	2						
		Zaide			TILLAN CHEDIAK			4				
		Jasmin			TILLAN CHEDIAK			4				
		Edelberto A.			TOLEDO			4				9
		Aida			TOLEDO							9
		Nirra			TOLEDO GONZALEZ			4				
		Olga Edilia			TORANO NOVAL			4				
		José Ignacio			TORNA AGUADO				5	7	8	
		Gerardo			TORNA GONZALEZ			4		7		
		Rolando			TORO YESTE	2						
		Dolores			TORRADO CHAVEZ			4				

رقم	号码	NAME	NOHS	NUMERO	NOMBRE	عدد التهم	ALLEGATIONS*	ALLEGATIONS*	تدابير	ALEGACIONES*	
		Estaban			VARGAS ANAYA	4		7		9	
		Nieves Irena			VARGAS RODRIGUEZ	4					
		Antonio L.			VARONA	4					10
		Marlo			VARONA HERNANDEZ	4					10
		Estrella			VASQUES GALLARDO	4			8		10
		Ernesto			VAZQUES CAJIGAS	4					
		Maylen			VAZQUEZ	4					
		Pedro O.			VAZQUEZ DIAZ	4			8		
		Esther de la C.			VAZQUEZ GALLARDO	4					10
		David		2	VAZQUEZ MONTES DE OCA	4	5	6			
		Carlos			VAZQUEZ PEREZ	4			8		
		Demetrio			VAZQUEZ RODRIGUEZ			6	7		
		Lino A.			VAZQUEZ RODRIGUEZ			6	7		
		Carmen			VAZQUEZ ROUCO	4					
		José Rodolfo			VEGA DEL PRADO		5	6	7		
		Juana Maricel			VEGA DINZA	4			8		13
		Luis Manuel			VEGA GARCIA	4					
		Pedro Pablo			VEGA LOUREIRO	4					
		José Ramón			VEGA PEREZ	4			7	8	
		Aristides Cornelio			VELASCO	4					
		Alberto			VELASQUEZ TAMAYO	4					
		Jorge Luis		2	VELAZQUEZ LOPEZ	4			7	8	
		Nicasia			VENDECIA			6			
		Gustavo		2	VENTA PEREZ				7		
		Niguel Angel			VENTURA NAPOLES	4					
		Sofía			VERA FREIRE	4	5				
		Alberto			VERA REYES	4	5		7		
		Mariana			VERDECIA CAMPANA	4			8		
		Jorge Roberto			VERDECIA DOMINGUEZ	4					
		Carlos M.			VERDECIA MARTINEZ	4			7	8	
		Rubén			VIART IGLESIAS	4					
		Elisa			VICHOT GIL	4	5		7		10
		Carmen			VIDAL		5				
		Jorge			VIDAL GONZALEZ ALVAREZ			6		8	10
		Alberto R.			VIERA HERNANDES	4					12
		Abel			VIERA LEYVA	4			7	8	9
		Luisa			VIGOA DOMINGUEZ	4	5				
		Lázara Valentina			VILARELLO HERNANDEZ	4					
		Andrés			VILARINO AYALA		5				9
		María Paola			VILLA GARCIA	4					
		Fernando			VILLALON MOREIRA		5				
		Arturo			VILLAR RODRIGUEZ			6			
		Anable Venerada			VILLAR RODRIGUEZ						9
		Félix		2	VILLAR SIDROW						
		Carlos Alfredo			VINET LINARES	4			8		10
		Carlos			VIRA LUZARDO	4					
		Ronald Richard			VIRA MENDOZA						9
		Edú			VIRAS LOPEZ	4			7	8	
		Roberto			VIZA EGUER	4					

الرقم	号码	NAME	NOHS	NUMBERS	NOMBRE	الادعاءات	控	ALLEGATIONS*	ALLEGATIONS*	JARRAZENS*	ALEGACIONES*
		Héctor			VOLTA CAZADILLA						11
		Rolando			WANTON		4				
		Marcelina Ester			WILLIAMS BANNER		4		8	10	
		Pedro María			WON HERNANDEZ		4		8	9	10
		Carlos Manuel			WON MARICHAL		4				11
		Alfredo Wilfredo			WRUES SOLANO		4	7	8		12
		Anselmo		2	YALA MEDEROS		4				
		Jesús José			YANEZ PELLETIER		4				
		Adalberto Felipe			YANEZ SALABARRIA		4				
		Raquel			YANEZ PORTILLO		4		8		
		Georgina			YERN PARAPAR		4				
		Juan C.			YERNES ZEVOZ		4				
		Eduardo Claro			YERO MAY		4				
		Alejandro		2	ZAMORA DEL PINO		4		8		
		Noemia Amelia			ZAMORA FELICE		4				
		Dignora			ZEQUEIRA LEON		4		8	9	
		Joaquín			ZERQUERA LEIVA		4		8		
		Luis M.		2	ZURIGA KEY		4				

الجدول 1.1

表 1.1

Table 1.1

Tableau 1.1

Tabla 1.1

Cuadro 1.1

الحق في الحياة:

生命权

Right to life

Droit à la vie

Право на жизнь

Derecho a la vida

1	Jesús Pedro	ACOSTA NORALES	1			4				8									
2	Carlos E.	ARIAS ACOSTA	1																
3	René Arturo	BARRERO POSO	1																
4	María	BETANCOURT	1																9
5	Juan	ESPINOSA VALDES	1	2		4				7									
6	Ernesto	HAZA TEJERA	1			4			6	7									9
7	Ernestina	HERNANDEZ GARCIA	1					5											9
8	María de los A.	LEIVA ALARCON	1																
9	Miraya C.	LIHA	1																
10	Mariano	LOPEZ PONCE	1			4				7									8
11	Israel	LOPEZ TOLEDO	1																
12	Dalia Antonia	LOREDO HARRERO	1			4													
13	Luis	RODRIGUEZ	1					3											
14	Ramón	SANTOS BAZAIN	1																

الحق في السلامة الجسدية

人身不受侵犯的权利

Right to physical integrity

Droit à l'intégrité physique

Право на физическую неприкосновенность

Derecho a la integridad física

1	Geraldo	ABREU MARQUEZ	2		5								
2	Enrique	ACOSTA RUIZ	2			6							
3	Angel L.	AGUELLES GARRIDO	2										
4	Silvio	AGUILA YANES	2										
5	Miguel Angel	ALDANA RUIZ	2				7					11	
6	Lucio Lino	ALONSO BRETANA	2										
7	Miguel Angel	ALVAREZ	2										
8	Rolando Rubén	ALVAREZ COMPTA	2				7	8				11	
9	Rafael	ALZAMORA ALVAREZ	2										
10	Frenk	ARANGUEZ DURAN	2				6	7					
11	Alejandro	ARIAS MONTSERRAT	2	4			7	8	9				
12	Arnaldo	ARROYO MORGADO	2										
13	Daniel	ASPILLAGA LOMBARD	2	4	5	6						11	
14	Carlos	BASTON CHILS	2										
15	Daniel Adrián	BATLLE PALMERO	2	4									
16	María Elena	BAYO GONZALEZ	2										
17	Felipe	BENITEZ	2										
18	Nancy	BOLUMEN CABALLERO	2										
19	Andrés Avelino	BRITO DE LA PAZ	2										
20	Carlos	CABRERA	2										
21	Carlos Alberto	CANEJO SERRANO	2					7				10	
22	Ch.	CANIA	2										
23	Jorge Máximo	CARABALLO VASQUEZ	2		5	6	7	8					
24	Jesús María	CARBALLEDA	2	4		6			9				13
25	Mario	CASTELLANO PEREZ	2										
26	Mario	CHANEZ DE ARMAS	2										
27	Conrado	CHAVECO TORRES	2										
28	José M.	CHIONG PEREZ	2										
29	Antonio	COLLADO GALERA	2									10	
30	Ela María	COROMINA CHACON	2	4		6	7						

131	David	VAZQUEZ MONTES DE OCA	2		4	5	6							
132	Jorge Luis	VELAZQUEZ LOPEZ	2		4				7	8				
133	Gustavo	VENTA PEREZ	2						7					
134	Félix	VILLAR SIDRON	2											
135	Anselmo	YALA MEDEROS	2											
136	Alejandro	ZAMORA DEL PINO	2							8				
137	Luis M.	ZURIGA REY	2											

الجدول 1.3

表 1.3

Table 1.3

Tableau 1.3

Таблица 1.3

Cuadro 1.3

حالات الاختفاء

失踪

Disappearances

Disparitions

Исчезновения

Desapariciones

1	Sandalo	CABRERA GONZALEZ			3														
2	Heriberto	CRUZ RAMIREZ			3														
3	Ramón	DEL SOL PUERTO			3	4													
4	Esperanza	HERRERA SALAZAR			3	4													
5	Mercedes	PEREZ CALZADA			3					8									
6	Luis	RODRIGUEZ	1		3														
7	Lourdes Basilia	SOSA NORFFI			3	4													

312	Francisco	FALDE							
313	Francisco Rubén	FAJARDO SANZ							
314	Reinaldo	FEBLES MIRABAL							
315	Pedro Agustín	FEBLES VALDES							
316	Rosa	FEITO SUAREZ							
317	Marta	FENIES							
318	Jesús Alfonso	FERNANDEZ							
319	Lidia Rosa	FERNANDEZ							
320	Alicia	FERNANDEZ							
321	Virginie	FERNANDEZ AGUERO							
322	Pedro	FERNANDEZ CAPALLEJA V.							
323	Rigoberto	FERNANDEZ DE OREJUDO A.							
324	Antonio Arturo	FERNANDEZ ESQUIVEL							
325	Ma. del Rosario	FERNANDEZ FERRERA							
326	Ana	FERNANDEZ FOMTES							
327	Luis Fabián	FERNANDEZ GOMEZ							
328	Adolfina	FERNANDEZ LORENTE							
329	Silvia	FERNANDEZ MARINO							
330	María Antonia	FERNANDEZ MARTINEZ							
331	Leonor	FERNANDEZ PERNAZ							
332	Roberto	FERNANDEZ QUEVEDO							
333	Carlos Alberto	FERNANDEZ RODRIGUEZ							
334	Luisa Yara	FERNANDEZ SOTELCO							
335	Emilio Bladomino	FERNANDEZ TRIANA							
336	Juan Gualberto E.	FERNANDEZ VALDES							
337	Vicente Pablo	FERRE DIAZ							
338	José Fernando	FERRER CINLAS							
339	Orlando Eloy	FERRER GARCIA							
340	Licba Almerinda	FERRERA TORNE							
341	Eles Ansaya	FIGUEROA							
342	Reinaldo	FIGUEROA							
343	Reina	FLEITES HENDEZ							
344	Rosa	FLIS VELASCO							
345	Eugenio Lázaro	FLORES ABAD							
346	Pedro	FONS SANTOYA							
347	José Manuel	FONSECA AROCHE							
348	Carlos	FORTUN MORALES							
349	Miguel	FOURCOY PEREZ							
350	Laura	FUENTES							
351	América	FUENTES BARROSO							
352	Zella Esperanza	FUENTES REINOSO							
353	Surique	GALANO							
354	Jesús Mateo	GALBANY PUBRIAS							
355	Josefina	GALIGARCIA CERVER							
356	Caridad	GALVEZ DOMINGUEZ							
357	Laudelina	GALVEZ GARCIA							
358	Olga	GARCIA							

500	Ernesto	HAZA TEJERA	1									13
501	Raquel Zenaida	HECHEVARRIA RODRIGUEZ										
502	Miguel Ramón	HEREDIA										
503	José	HEREDIA AGUILERA										
504	Micaela	HEREDIA R.										
505	Sandra	HEREDIA RODRIGUEZ										
506	Janie	HEREDIA RODRIGUEZ										
507	Denia	HEREDIA RODRIGUEZ										
508	Iliana	HEREDIA RODRIGUEZ										
509	Jorge	HEREDIA SIERRA										
510	Juan	HERNANDEZ										
511	María Eliene	HERNANDEZ										
512	María	HERNANDEZ										
513	Marina	HERNANDEZ										
514	María	HERNANDEZ										
515	Isabel	HERNANDEZ										
516	Incencia	HERNANDEZ										
517	Pedro	HERNANDEZ										
518	Rosa Joaquina	HERNANDEZ										
519	Valentín Rolando	HERNANDEZ										
520	Ramón	HERNANDEZ										
521	Orieta Simón	HERNANDEZ										
522	Ramiro	HERNANDEZ										
523	Ana Ofelia	HERNANDEZ										
524	Julietta	HERNANDEZ ACOSTA										
525	José Francisco	HERNANDEZ ADAN										
526	Francisco R.	HERNANDEZ ALDUNCIN										
527	Caridad	HERNANDEZ ARANGO										
528	Caridad	HERNANDEZ ARRIENIEROS										
529	Lucila	HERNANDEZ ARO										
530	Margarita	HERNANDEZ AROCHA										
531	Mayra M.	HERNANDEZ CARTAYA										
532	Ana Livia	HERNANDEZ CLARIJO										
533	Julio Alejandro	HERNANDEZ DIAZ										
534	Jesús	HERNANDEZ DUQUESNE										
535	Ana María	HERNANDEZ ESCARRA										
536	Luis Alberto	HERNANDEZ FERNANDEZ										
537	María Ernestina	HERNANDEZ FERNANDEZ										
538	Felipe	HERNANDEZ GARCIA										
539	Augusto Estanislao	HERNANDEZ GARCIA										
540	Barbara Elisa	HERNANDEZ GONZALEZ										
541	Esteban Israel	HERNANDEZ GONZALEZ										
542	Gregorio O.	HERNANDEZ GONZALEZ										
543	Nivia	HERNANDEZ HERNANDEZ										
544	Olga Lidia	HERNANDEZ HERNANDEZ										
545	Yamillet	HERNANDEZ HERNANDEZ										
546	Gerardo	HERNANDEZ HERNANDEZ										

1158	Carlos M.	VERDECIA MARTINEZ		4			7	8				
1159	Ruben	VIART IGLESIAS		4								
1160	Elisa	VICHOT GIL		4	5		7		10			
1161	Alberto R.	VIERA HERNANDES		4			7	8	9			
1162	Abel	VIEIRA LEYVA		4								
1163	Luisa	VIGOA DOMINGUEZ		4	5							
1164	Lázara Valentina	VILARELLO HERNANDEZ		4								
1165	María Paola	VILLA GARCIA		5								
1166	Carlos Alfredo	VINET LINARES		4				8	10			
1167	Carlos	VIRA LUZARDO		4								
1168	Raúl	VIRAS LOPEZ		4			7	8				
1169	Roberto	VIZA EGUER		4								
1170	Rolando	WANTON		4								
1171	Marcellina Ester	WILLIAMS BANNER		4				8	10			
1172	Pedro María	WON HERNANDEZ		4				8	10	11	12	
1173	Carlos Manuel	WON HATICHAL		4								
1174	Alfredo Wilfredo	WRUES SOLANO		4			7	8				
1175	Jesús José	YANEZ PELLETIER		4								
1176	Adalberto Felipe	YANEZ SALABARRIA		4								
1177	Raquel	YANEZ PORTILLO		4				8				
1178	Georgina	YERN PARAPAR		4								
1179	Juan C.	YERNES ZEVOZ		4								
1180	Eduardo Claro	YERO WAY		4								
1181	Noemía Amelia	ZAMORA FELICE		4								
1182	Dignora	ZEQUEIRA LEON		4				8	9			
1183	Josquin	ZERQUERA LEIVA		4				8				

125	Carmen	VIDAL																	
126	Luisa	VIGOA DOMINGUEZ				4		5											
127	Andrés	VILARINO AYALA						5					9						
128	Fernando	VILLALON MOREIRA						5											

العق في الأمن

安全权

Right to security

Droit à la sécurité

Право на безопасность

Derecho a la seguridad

1	Pablo	AGUILA ARBOLOY			4			7	8				
2	Miguel Angel	ALDANA RUIZ	2					7					11
3	Rolando Rubén	ALVAREZ COMPTA	2					7	8				11
4	Mayda Salomé	ALVAREZ ROLLON						7	8				
5	Norberto	ANOR MOREJON			4			7					
6	Eloy Jesús	ANAYA MADRIGAL				5		7	8	9			
7	Leonel	ARAGONES GARCIA						7					
8	Frank	ARANGUEZ DURAN	2				6	7					
9	Alejandro	ARIAS MONTSERRAT	2		4			7	8	9			
10	Roberto	BAHAMONDE				5	6	7	8	9			11
11	René Arturo	BARRERO POZO			4	5		7					
12	Teresa Lucila	BARROSO LOPEZ						7	8				
13	Ramón	BENITEZ B.			4	5		7					
14	Pidal	BERMUDEZ SOLIS			4	5		7					
15	Luis Anselmo	BESTARD MANZANO			4			7	8				
16	José Manuel	BETANCOURT SANCHEZ			4			7					
17	Carlos M.	BORRAS ACOSTA			4			7	8				
18	Manuel	BREA						7					
19	Guillermina	CABALLERO CABRERA			4			7	8				
20	Felipe de Jesús	CABOS BENAVENTE			4	5		7	8				
21	Luis E.	CABRERA GONZALEZ						7					
22	Lázaro Angel	CABRERA PUENTES						7					
23	Ania	CALDERIN HERRERA			4			7					
24	María	CALDERON						7	8				
25	Carlos Alberto	CAMEJO SERRANO	2					7					10
26	Antonio	CANPOHERMOSO					6	7					
27	Pedro Julio	CAMPS VEGERANO			4			7					10
28	Jorge	CANASSANA				5		7					
29	Jorge Máximo	CARABALLO VASQUEZ	2			5	6	7	8				
30	Lázara M.	CARPIO RODRIGUEZ						7		9			

الحقوق الاقتصادية والاجتماعية والثقافية

经济、社会和文化权利

Economic, social and cultural rights

Droits économiques, sociaux et culturels

Экономические, социальные и культурные права

Derechos económicos, sociales y culturales

1	Manuel	ACOSTA GARCIA							8	9			
2	Alberto	AJUBIA MEDERO								9			
3	Julio Bautista	ALFARO PEREZ			4					9	10		
4	Gisela María	ALFONSO			4					9			
5	Nieves	ALMAGUER								9			
6	Ernesto	ALONSO MARTINEZ								9			
7	José Luis	ALVARADO DELGADO								9			13
8	Pedro	ALVAREZ								9			
9	Mayra	ALVAREZ			4					9			
10	Pedro Juan	ALVAREZ MARTINEZ			4					9			
11	Mario	ALVAREZ MIRANDA			4				8	9			
12	Ileana	ANADOR RAMIREZ				5				9			
13	Eloy Jesús	ANAYA MADRIGAL				5		7	8	9			
14	Jorge	ANSORENA NENENDEZ			4	5				9			
15	Alejandro	ARIAS MONTSERRAT		2	4			7	8	9			
16	Milagros	AULET ROSABAL								9			
17	Lidia	AVILA			4					9			
18	Roberto	BAHANONDE				5	6	7	8	9		11	
19	Juan de Dios	BARANONDE TRASANCOS								9			
20	Armando	BALMACEA					6			9			
21	Iliana	BANBAS CAMPOS								9			
22	María	BETANCOURT		1						9			
23	Osmar	BORRERO OTERO								9			
24	Julio	CABALLERO VEGA				5				9			
25	Rogelio	CABRERA								9			
26	Dulce María	CABRERA								9			
27	Braulio	CABRERA PEREIRA							8	9			
28	Jesús María	CARBALLEDA		2	4		6			9			13
29	Lázara M.	CARPIO RODRIGUEZ						7		9			
30	Emilio	CARRACEDO								9			

حرية التعبير والاعلام

发表意见和传递信息的自由

Freedom of expression and information

Liberté d'expression et d'information

Свобода выражения своего мнения и информации

Libertad de expresión e información

1	Ulises	ALCOVER SOCARRAS				6		8			11	
2	Miguel Angel	ALDANA RUIZ	2				7				11	
3	Armando Jorge	ALVAREZ		4				8			11	
4	Rolando Rubén	ALVAREZ COMPTA	2				7	8			11	
5	Armando	ARAYA GARCIA									11	12
6	Manuel	ARIAS MONTANO		4	5						11	12
7	Reinaldo	ARREDONDO									11	
8	Tomás	ASPILLAGA LOMBARD		4	5						11	
9	Daniel	ASPILLAGA LOMBARD	2	4	5	6					11	
10	Adelfo	BAEZ VELASCO									11	
11	Roberto	BAHAMONDE			5	6	7	8	9		11	
12	Luis	BEIRO ALVAREZ									11	
13	Francisco	CAMAÑO G.		4						10	11	12
14	Antonio Eugenio	CARGASSES JIMENEZ						8			11	
15	Juan	CASARAS RIVERO		4		6					11	12
16	Rafael	CHARRY LOPEZ									11	
17	Eduardo	CRESPO GOHLE								10	11	
18	Dinorah	CRUZ FERNANDEZ		4			7	8			11	
19	Nelson	DE LA CERDA QUINTANA								10	11	12
20	Digna Idalia	DE LA CRUZ PERA		4			7	8			11	12
21	Luis A.	DE LA ROSA SOSA		4			7	8			11	
22	Alberto	DELGADO VERA					7				11	
23	Norma	DEPESTRE WINIKER		4				8			11	
24	Virgildo	DIAZ MARTINEZ		4				8		10	11	
25	Esther Ma.	DINZA MONTES DE OCA		4				8			11	13
26	Antonio	ESTRADA RODRIGUEZ		4	5			8			11	
27	Rita	FLEITAS FERNANDEZ									11	12
28	Félix	FLEITAS POSADA				6					11	12
29	Juan Enrique	GARCIA CRUZ	2		5	6	7		9		11	
30	Arturo	GARCIA REBALLAR		4				8			11	

حرية تكوين الجمعيات

结社自由

Freedom of association

Liberté d'association

Свобода ассоциаций

Libertad de asociación

1	Armando	ARAYA GARCIA									11	12
2	Manuel	ARIAS MONTANO		4	5						11	12
3	Redamés	CABRERA OSORIO			5							12
4	Francisco	CAMAÑO G.		4					10		11	12
5	Alfredo	CARRERAS BLEN							10			12
6	Juan	CASARAS RIVERO		4		6					11	12
7	Lázaro E.	CASTRO										12
8	Nelson	DE LA CERDA QUINTANA							10		11	12
9	Digna Idalia	DE LA CRUZ PEÑA		4			7	8			11	12
10	Rita	FLEITAS FERNANDEZ									11	12
11	Félix	FLEITAS POSADA				6					11	12
12	Katiussha	GARCIA OSES										12
13	Eddy	GONZALEZ TRIANA									11	12
14	Margarita	GUERRA JOFFRE		4				8			11	12
15	Andrés	HERNANDEZ						8				12
16	Julio Alejandro	HERNANDEZ DIAZ		4				8				12
17	Juana Amparo	HERNANDEZ HERNANDEZ										12
18	Olga Lidia	HERNANDEZ HERNANDEZ		4								12
19	Yamilat	HERNANDEZ HERNANDEZ		4								12
20	Gerardo	HERNANDEZ HERNANDEZ		4								12
21	Benito Emilio	HERNANDEZ PADILLA						8				12
22	Gerardo	HERNANDEZ TORRES		4								12
23	Secundino	HERNANDEZ Y CASTRO				6	7	8				12
24	Rogelio Fabio	HURTADO RODRIGUEZ		4				8				12
25	Armando	LARA MESA	2	4	5		7		9			12
26	Carlos A.	LAURENCIO DE LA CRUZ					7					12
27	Rigoberto	MARTINEZ										12
28	Margarita	MENDOZA NUÑEZ		4					9		11	12
29	Rolando	MERINO PERDONO										12
30	Jorge Rogelio	MILIAN SANCHEZ		4	5		7	8				12

الجدول ٢

مجموع الادعاءات حسب الفئات

表 2

按类别分列的全部检控

Table 2

Total allegations by categories

Tableau 2

Total des allégations par catégories

Таблица 2

Общее число заявлений по категориям

Cuadro 2

Total de denuncias recibidas por categoría

1.	الحق في الحياة 生命权 Right to life Droit à la vie Право на жизнь Derecho a la vida	14
2.	الحق في السلامة الجسدية 人身不受侵犯的权利 Right to physical integrity Droit à l'intégrité physique Право на физическую неприкосновенность Derecho a la integridad física	137
3.	حالات الاختفاء 失踪 Disappearances Disparitions Исчезновения Desapariciones	7

4.	الحق في مغادرة البلد أو العودة إليه 离开或返回本国的权利 Right to leave the country or to return Droit de quitter le pays et d'y retourner Право покидать страну и возвращаться в нее Derecho a entrar y salir del país	1 183
5.	الاعتقالات غير الشرعية أو التعسفية 非法或任意逮捕 Illegal or arbitrary arrests Arrestations illégales ou arbitraires Незаконные или произвольные аресты Detenciones ilegales o arbitrarias	128
6.	الحق في محاكمة مشروعة 要求正当程序的权利 The right to due process Droit à un procès équitable Право на справедливое судебное разбирательство Derecho al debido proceso	102
7.	الحق في الأمن 安全权 Right to security Droit à la sécurité Право на безопасность Derecho a la seguridad	199
8.	الحق في العمل 工作权 Right to work Droit au travail Право на труд Derecho al trabajo y su disfrute	264

9.	<p>الحقوق الاقتصادية والاجتماعية والثقافية 经济、社会和文化权利 Economic, social and cultural rights Droits économiques, sociaux et culturels Экономические, социальные и культурные права Derechos económicos, sociales y culturales</p>	146
10.	<p>حرية الدين 宗教自由 Religious freedom Libertés de religion Свобода религии Libertad religiosa</p>	81
11.	<p>حرية التعبير والاطلاع 发表意见和传递信息的自由 Freedom of expression and information Liberté d'expression et d'information Свобода выражения своего мнения и информации Libertad de expresión e información</p>	67
12.	<p>حرية تكوين الجمعيات 结社自由 Freedom of association Liberté d'association Свобода ассоциации Libertad de asociación</p>	45
13.	<p>غيره 其他 Others Autres Прочее Otros</p>	86

Annex VIII

LETTER DATED 23 SEPTEMBER 1988 FROM THE CHAIRMAN OF THE GROUP
ADDRESSED TO THE MINISTER OF THE INTERIOR, GENERAL JOSE ABRANTES,
TRANSMITTING A LIST OF INDIVIDUAL PETITIONS

Sir,

I have the honour to refer to our meeting yesterday, a meeting which we feel was both fruitful and constructive. I should particularly like to thank you for the warm welcome you kindly extended to my colleagues and myself. As we had occasion to mention to you, the Group has received petitions whose content would seem to fall within your jurisdiction.

The Group was particularly attentive to your expressed intention, to the fullest extent possible, to find favourable solutions to the humanitarian problems which have been submitted to us.

In this connection, as I had the honour of informing you in the course of our conversation, the Group would like to transmit these petitions to you right away but unfortunately, in view of their considerable number, it does not have sufficient time to communicate all the petitions to you before its departure for Cuba. However, I would like to take this opportunity to transmit to you a few cases which are summarized in the appended documents.

Accept, Sir, the assurances of my highest consideration.

Annex IX

LETTER DATED 14 NOVEMBER 1988 FROM THE MINISTER OF THE INTERIOR
ADDRESSED TO THE CHAIRMAN OF THE GROUP IN REPLY TO THE
COMMUNICATION OF 23 SEPTEMBER 1988, CONTAINING A LIST OF THE
121 PERSONS HELD IN CUBAN PRISONS FOR OFFENCES AGAINST THE
SECURITY OF THE STATE

Sir,

I have pleasure in referring to your note G/50 214 (60) dated 23 September 1988 in connection with the summary of 49 cases which the Group which visited our country, presided over by yourself, sent to us since it considered that they were susceptible of a solution on a humanitarian basis.

I annex to this note the situation in each of these cases and, as you will see, in 41 of them there has been a favourable result in conformity with our travel regulations. Of them, there is a group of 18 persons who, although they have all Cuban travel papers in order and there are no problems on our part, have not received the corresponding visa from the receiving country.

Among the cases of interest to the Group there are only eight persons who cannot emigrate for the moment. These are not permanently forbidden to travel abroad but the regulations in force establish that they must wait a reasonable time because they are included in the Military Service Act, are medical practitioners or for other well-founded reasons which we explained to you and to the other Ambassadors who accompanied you on 22 September last, on the occasion when we had the honour to receive your visit to our Ministry.

As you will remember, at the forty-fourth session of the Commission on Human Rights, the Cuban delegation submitted to you a list of 458 prisoners condemned for offences against the security of the State who were then still in prison. We should like to take this opportunity to attach to this note also the list of the 121 prisoners in this category, of this 458, who are still

in prison. This is evidence of the humanitarian process that, since 1963, has been developed by the Cuban Revolution and which has made it possible to release the vast majority of prisoners held for these offences, long before they had served the whole of their sentences.

I repeat, Sir, the assurance of my highest consideration and express my best wishes for your health and for further success in your future work.

Fraternally yours,

José Abrantes Fernández
General of Division

Annex I

Cases of interest to the Group of the Commission on Human Rights which visited Cuba to whose emigration the Cuban authorities have no objection

Luciana Rodríguez Godefoi. She was given Cuban emigration papers on 13 June 1988. There is no record of her having obtained a visa.

Estela Carmona Vildostequi. There is no record of her having begun proceedings to emigrate.

María Antonieta Roloff López. Since 1986, she has made no approach to the travel authorities.

Roberto Touron Torres. There is nothing to prevent him from emigrating. He was given Cuban travel papers on 29 October 1988.

Yolanda I. Rosell Pérez and Ela Yolanda Pérez Medina. They were given Cuban emigration papers on 20 February 1986. There is no record of their having obtained visas.

Miguel Pourcell Enríquez. There is nothing to prevent him from emigrating. He was given Cuban travel papers on 31 October 1988.

Ramona Zenaida Eneyda Pérez Méndez and Franco Rivera Pérez. There is nothing to prevent them from emigrating. The Cuban authorities have no record of them having obtained visas.

Abel Díaz Blanco. There is no record of him having begun proceedings to emigrate.

María Emma Pérez García. She was given Cuban documentation on 12 May 1986. There is no record of her having obtained a visa.

Glicería Morales Tarafa and Jorge Chao Morales. There is nothing to prevent them from emigrating.

Omar Aquiero García. There is no record of him having begun proceedings to emigrate.

Guillermo Quintero Fupo. There is no record of him having begun proceedings to emigrate.

Jesús Estéban García Ortiz. Since 1986, he has made no approach to the travel authorities. He has travel papers. There is no record of his having obtained a visa.

Juana Soler Valdés. There is no objection to her travelling abroad and subsequently returning, but she does not appear to have begun proceedings to travel.

María D. Rodríguez Marquetti. There is no objection to her travelling abroad and subsequently returning, but she does not appear to have begun proceedings to travel since 1980.

Irma Sánchez Céspedes. There is no objection to her travelling abroad and subsequently returning, but she does not appear to have begun proceedings to travel.

Ramón M. Pérez Morejón. He left for the United States on 7 November 1988.

Basilía Oliva García. There is no objection to her travelling abroad and subsequently returning, but she does not appear to have begun any proceedings.

Dinorah Cruz Fernández. She was given Cuban travel papers on 31 August 1988. There is no record of her having obtained a visa.

Osmara Barrero Otero. There is no record of her having begun proceedings to emigrate.

Felix Ramírez Burunat. There is no record of his having begun proceedings to emigrate.

María Antonia Pérez de Rojas and Marlene Rodríguez T. They were given Cuban emigration papers on 22 July 1988.

Joaquín Leal Miranda and Joaquín Leal Sánchez. There is nothing to prevent them emigrating, although Leal Sánchez has not begun proceedings to travel since the early 1980s.

Rogelio Fabio Hurtado Rodríguez. He was given Cuban emigration papers on 16 June 1986. There is no record of his having obtained a visa.

Roberto Jesús Paqan Díaz. He was given Cuban emigration papers on 21 January 1987. There is no record of his having obtained a visa.

Leonardo Leonel Rubio Montalvo. He was given documentation on 18 January 1986. There is no record of his having obtained a visa.

Jesús María Carballeda. He was given emigration papers on 17 June 1987. There is no record of his having obtained a visa.

Vicente Pablo Ferrer Díaz. There is no record of him having begun proceedings to immigrate.

Julia Ramona Acosta Rodríguez. There is no record of her having begun proceedings to emigrate.

Ana Rosa Díaz Rodríguez. There is no record of her having begun proceedings to emigrate.

María Magdalena Pérez Carratala. She was given Cuban emigration papers on 21 May 1986. There is no record of her having obtained a visa.

Rosa Hernández Lantigua. She was given Cuban emigration papers on 30 January 1986. There is no record of her having obtained a visa.

Eduardo González Múñiz. He was given Cuban emigration papers on 30 June 1988. There is no record of his having obtained a visa.

Lerida Librada Cardoso Arango. There is no objection to her travelling abroad and subsequently returning to the country.

Pedro Andrés Behety González. There is nothing to prevent him from emigrating. He was given Cuban travel papers on 29 October 1988. There is no record of his having obtained a visa.

Aleida Mujeres López. There is no record of her having begun proceedings to emigrate.

Borja Castellanos Vega, Luis Martínez Castellanos and Elba Martínez Castellanos. There is nothing to prevent them emigrating. They have Cuban travel papers. There is no record of them having obtained visas.

Isaias Pérez González, Susana Olivera Valdés and Marisol Pérez Olivera. They were given Cuban emigration papers on 10 June 1988. There is no record of them having obtained visas.

Blanca Nieves Hernández Morgado. She was given Cuban emigration papers on 1 June 1988. There is no record of her having obtained a visa.

Cases of persons who have already emigrated

Natividad González Freyre. She emigrated on 19 October 1988 together with César Eugenio Leante González, Laura Leante González, Luis Cedeño Felipe and Alejandro Cedeño Leante.

Other cases

Ayza Niellas Morales. There is no record of any application concerning the return of her son, and the travel authorities thus know nothing about him. On the other hand, at Ayza's own request, she was given Cuban travel documents on 20 June 1987. There is no record of her having obtained a visa.

Cases in which it has proved necessary to postpone the date of authorization to travel abroad because the persons concerned are doing their military service, are professional medical practitioners who cannot for the moment be released from their duties or their emigration has to be temporarily postponed for other reasons.

Enrique Pérez Mir. - Eduardo Pérez Mir and Norma Minayo Abeledo

Sebastián Arcos Casabona

Juana Hilda García Rodríguez; Ana del Monte García and Eneida del Monte García.

Pablo Debs Prince; Mayra Fernández Chávez

Margarita García Rodríguez

Daniel Azpillaga Lombart; Luisa Isabel Pérez Padrón and Norlán Pérez Pérez.

Tomás Azpillaga Lombart

Jesús Yanes Pelletier

Annex II

Prisoners convicted of offences against the security of the State,
from the list of 458 submitted by the Cuban delegation at Geneva
on 10 March 1988. Total: 121

NOTE: The first number corresponds to the numerical order, while the second number corresponds to the positions on the list of 458.

Numbers	Names and surnames	Province in which held	Case and year of settlement
1-128	Rolando Martínez Valdés	Havana	46/83
2- 4	Rogelio Abreu Azcuy	City of Havana	1/84
3- 5	Silvio Aquila Yanes	City of Havana	16/81
4- 7	Lucio Lino Bretaña	City of Havana	20/85
5- 8	Juan Rafael Alonso Leyva	City of Havana	89/79 and 584/81
6-240	Rafael Alzamora Álvarez	City of Havana	337/65
7-241	Angel Luis Arquelles Garrido	City of Havana	97/65
8-242	Rogelio Ernesto Arregoitia Rubio	City of Havana	117/77
9-230	Mercedes Benita Balanza Exposito	City of Havana	20/81
10- 18	Gerardo Banguela Gómez	City of Havana	36/84
11- 21	Juan Arquimedes Blanco Brotón	City of Havana	19/85
12- 27	Roberto Calveiro León	City of Havana	16/81
13- 30	Carlos Luis Cardo Hernández	City of Havana	26/81 and 233/82
14- 31	Daniel Cardo Hernández	City of Havana	26/81
15- 32	Jorge Luis Cardo Hernández	City of Havana	26/81
16-423	Mariano Castaneda Oliva	City of Havana	52/83
17- 35	Oscar Ramon de Céspedes Chávez	City of Havana	16/87 (dossier)
18- 36	Fidel Cristobal Claro Aguiar	City of Havana	15/87
19-248	Mario Chanes de Armas	City of Havana	256/61 and 556/61
20-425	Conrado Chaveco Torres	City of Havana	47/83
21-317	Pascual Ovidio Delgado Fernández	City of Havana	20/81 and 1687/82
22-318	Rómulo Juan Delgado Fernández	City of Havana	20/81
23- 48	Eduardo Delgado de la Fuente	City of Havana	41/80
24- 50	Manuel Díaz Cabrera	City of Havana	38/80
25-252	Ernesto Díaz Rodríguez	City of Havana	31/67
26- 54	Ezequiel Díaz Rodríguez	City of Havana	67/82

Annex II (continued)

Numbers	Names and surnames	Province in which held	Case and year of settlement
27- 55	Ramon Díaz Rodríguez	City of Havana	67/82
28- 56	Jose Luis Díaz Romero	City of Havana	67/82
29- 59	Pedro Jorge Dorta Rodríguez	City of Havana	20/80
30-366	Juan Alberto Fernández Cabrera	City of Havana	10/82
31- 62	Jacinto Armando Fernández González	City of Havana	41/81
32- 67	Rodolfo Frometa Caballero	City of Havana	37/82
33- 68	Alejo Puentes Roque	City of Havana	38/80
34- 70	Carlos García Díaz	City of Havana	67/82
35- 76	Ernesto García Díaz	City of Havana	67/82
36- 71	Felix García Díaz	City of Havana	67/82
37-231	Gladys Juana Oliva García Hernández	City of Havana	52/87(dossier)
38- 77	Nestor Norberto García Hernández	City of Havana	52/87(dossier)
39- 72	Benito García Olivera	City of Havana	67/82
40-262	Luciano Enrique García Palomino	City of Havana	471/63
41-232	Margarita Gómez Aldama	City of Havana	30/87(dossier)
42- 82	Orestes Rafael Juan Baltista González Fernández	City of Havana	45/82
43-233	Rosalina González Laffitta	City of Havana	30/87(dossier)
44-267	Vicente Paul González Migollo	City of Havana	310/67
45-428	Mario González Ramírez	City of Havana	47/83
46-89	Barbaro Grass Vázquez	City of Havana	136/87(dossier)
47-268	Alberto Grau Sierra	City of Havana	479/65
48- 91	Eduardo Guerra Jiménez	City of Havana	99/79
49-269	Alejandro Guerra Monteaudo	City of Havana	90/61
50- 92	Barbaro Guerrero Odelin	City of Havana	5/82 and 1349/81
51- 93	Alfredo Jorge Guerrero Schweyer	City of Havana	26/87(dossier)
52- 2	Enrique Hernández Díaz	City of Havana	6/81 and 27/82
53- 95	David Hernández Hernández	City of Havana	67/82 and 4926/81
54-379	Rene Hernández Peña	City of Havana	460/64
55- 97	Samuel Hernández Reyes	City of Havana	46/80

Annex II (continued)

Numbers	Names and surnames	Province in which held	Case and year of settlement
56- 3	Estéban Izquierdo Carmona	City of Havana	29/79
57-101	Gerardo Alfredo Jiménez Ramos	City of Havana	46/80
58-102	Juan David Jiménez Ramos	City of Havana	46/80
59-115	Israel López Toledo	City of Havana	26/81
60-118	Felipe Mantecón Morell	City of Havana	58/83
61-122	Jorge de la Concepción Marrero Martínez	City of Havana	17/85
62-124	Angel Donato Martínez García	City of Havana	67/82
63-125	Gustavo Martínez Jiménez	City of Havana	45/80
64-458	Juan Martínez Perdomo	City of Havana	21/87
65-130	Aguistin Maderos Espinosa	City of Havana	136/87 (dossier)
66-132	Sandor Mendoza Mendoza	City of Havana	84/83
67-135	Orlando Miret Castillo	City of Havana	67/82
68-139	Gilberto Mario Moreno Balanza	City of Havana	20/81
69-140	Lazaro Omar Moreno Balanza	City of Havana	20/81
70-235	Maria Elena Moreno Balanza	City of Havana	20/81
71-386	Isidro Moscoso García	City of Havana	30/78
72-280	José Alfredo Mustelier Nuevo	City of Havana	566/69
73-282	Eleno Oviedo Álvarez	City of Havana	321/63
74-148	Juan Francisco Padrón Torres	City of Havana	2/84
75-149	Abel Palomino Rodríguez	City of Havana	5/84
76-150	Orestes Peña Charchabal	City of Havana	47/84
77-155	Orestes Marcelo Pérez Gil	City of Havana	1/87 (dossier)
78-237	Silvia Leonor Pérez Martin	City of Havana	136/87 (dossier)
79-156	Jorge Lazaro Pérez Pardini	City of Havana	30/80
80-162	José Carlos Powery Ebanks	City of Havana	86/80
81-166	Luis Bernardo Quintana Pérez	City of Havana	215/87 (dossier)
82-167	Guillermo Gerardo Quintero Valdés	City of Havana	66/83
83-171	Donato Ramos Martínez	City of Havana	30/87 (dossier)
84-174	José Alberto Ricardo Serrano	City of Havana	22/84
85-176	Roberto Evelio del Risco Pérez	City of Havana	8/86
86-293	Guillermo Rivas Portas	City of Havana	34/68

Annex II (continued)

Numbers	Names and surnames	Province in which held	Case and year of settlement
87-178	Cecilio Rodríguez Campos	City of Havana	53/83
88-434	Amado Jesus Rodríguez Fernández	City of Havana	45/84
89-298	Luis de la Caridad Rodríguez Rodríguez	City of Havana	155/62
90-182	Raudel Antonio Rodríguez Rodríguez	City of Havana	41/80
91-187	Fernando Enrique Ruiz Cabrera	City of Havana	35/81
92-192	Agustín Sánchez Martínez	City of Havana	5/82
93-193	Noel Santana González	City of Havana	45/87
94-435	Conrado Speck González	City of Havana	25/83
95-436	Lino Speck González	City of Havana	25/83
96-402	Orestes Sordo Pardo	City of Havana	53/83
97-204	Arturo Suárez Ramos	City of Havana	30/87 (dossier)
98-205	Simeon Orlando Suárez Tornes	City of Havana	30/80
99-207	Timoteo Feliciano Toledo Lago	City of Havana	26/81
100-209	Orlando Toledo Valladares	City of Havana	25/81
101-437	Bislan Torres Llaudán	City of Havana	25/83
102-216	Mario Rafael Urdanivia Diéguez	City of Havana	67/82
103-217	Ricardo Paustino Urdanivia Quintana	City of Havana	67/82
104-312	Augusto Lazaro Valdés Sorhequi	City of Havana	165/77
105-221	Jesus de la Caridad Varela Hernández	City of Havana	26/81
106-225	José Luis Verdecia Almanza	City of Havana	136/87 (dossier)
107-226	Felix Villar Sidrón	City of Havana	56/84 and 934/85
108-406	José Tomás Zayas Montejo	City of Havana	246/75
109-317	Luis Manuel de la Caridad Zuñiga Rey	City of Havana	228/74
110-323	Orlando Patricio Domínguez de la Coba	Villa Clara	5/83
111-331	Hector Lino Cardoso	Villa Clara	5/83
112-343	Ramón Rodríguez Rangel	Villa Clara	5/83 and 193/85
113-365	Felix Fernández Batista	Camaquiey	10/82

Annex II (continued)

Numbers	Names and surnames	Province in which held	Case and year of settlement
114-383	Manuel Mayers Martínez	Camaquëy	24/84
115-385	Israel Morejón Leiva	Camaquëy	2/87
116-396	Raul Luis Rodríguez Cruz	Camaquëy	14/80 and 1599/82
117-398	Rogelio Segundo Rosquete González	Camaquëy	8/85
118-399	Zenaida Ruiz Alvarez	Camaquëy	5/85
119-409	Orlando Rodríguez Cusido	Las Tunas	38/83
120-416	Ovidio Torres Bermúdez	Holquín	21/87 (dossier)
121-417	Rafael Beritan Enamorado	Granma	1/86

Annex X

LETTER DATED 11 OCTOBER 1988 FROM THE CHAIRMAN OF THE GROUP
ADDRESSED TO THE DEPUTY MINISTER FOR FOREIGN AFFAIRS,
MR. RAUL ROA KOURI, TRANSMITTING TO HIM THE LIST OF NAMES
AND ADDRESSES OF THE PERSONS WHO ENTERED INTO CONTACT WITH
THE GROUP IN CUBA

Sir,

Further to my letter of 25 September 1988, I have the honour of transmitting to you herewith a list of names and addresses of persons who contacted the Group during its visit to Cuba.

I should like to take the liberty of reminding you that this list is transmitted to you on the basis of the assurances given by the authorities that no difficulties will be created for any of these persons as a result of having contacted the Group.

Accept, Sir, the assurances of my highest consideration.

Annex XI

LETTER DATED 18 OCTOBER 1988 FROM THE CHAIRMAN OF THE GROUP
ADDRESSED TO THE PERSONS WHO ENTERED INTO CONTACT WITH THE
GROUP DURING ITS VISIT TO CUBA

"I am writing to you in my capacity as Chairman of the Group established by the United Nations Commission on Human Rights in response to the invitation by the Government of Cuba to visit the country to observe the human rights situation (decision 1988/106).

I take this opportunity to acknowledge receipt of the communication you submitted during the Group's visit to Cuba from 16 to 25 September 1988.

The Group will give this information its full attention and do everything in its power so that the problems to which you referred in your request may be considered and, possibly, solved by the competent authorities."

Annex XII

LETTER DATED 13 DECEMBER 1988 FROM THE CHAIRMAN OF THE GROUP
ADDRESSED TO THE PERMANENT REPRESENTATIVE OF CUBA AT GENEVA
TRANSMITTING TO HIM TRANSCRIPTS OF TESTIMONY BY INDIVIDUALS AND
DOCUMENTOS OF NON-GOVERNMENTAL ORGANIZATIONS RECEIVED BY THE
GROUP IN CUBA

Sir,

I have the honour, as Chairman of the Group established in accordance with Commission on Human Rights decision 1988/106, to transmit to you herewith the testimony of persons who have been in contact with the Group directly or, at its request, through its secretariat on the occasion of its visit to Cuba, together with the documents sent to the Group by Cuban non-governmental organizations.

I am also sending you the transcriptions of testimony by private individuals, with our apologies for the provisional presentation of these texts.

The Group would be grateful to your Government if it would inform us of its reactions to this documentation.

For your information, the Group will meet again on 16 January 1989 to consider its draft report.

Accept, Sir, the assurances of my highest consideration.

Annex XIII

LIST OF COMMUNICATIONS RECEIVED BY 5 DECEMBER 1988 CONCERNING
ALLEGED REPRISALS AGAINST PERSONS WHO ENTERED INTO CONTACT
WITH THE GROUP IN CUBA

1. José Carlos Montero Ocampo, 28 September 1988. He was interviewed by the Group on 20 September 1988. The next day, he went back to the Commodore Hotel to give some documents to the secretariat; he was arrested at that time and taken to Villa Marista. On 27 September, he was sent to Pinar del Río Prison, which is called "Cinco y Medio". He states that he is being prevented from communicating with a lawyer and with his family.

2. Ricardo Boffil Pages, 30 September 1988, reports that Rita Fleitas Fernández, a member of the Cuban Human Rights Committee and the Artistic Freedom Association, was dismissed from her job.

3. Rita Fleitas Fernández, 1 October 1988, reports that she was dismissed from the IPS press agency on 29 September 1988, allegedly in retaliation for having testified before the Group.

4. Guillermo Luis Santoya Morrejón, 5 October 1988, applied to UNDP to request an interview with the Group. His particulars were noted down and, when the Group left Cuba without calling on him to appear before it, he was told by State Security to come to Villa Marista. He did not do so and is now in hiding. He has been unsuccessfully requesting permission to leave the country for the past 28 years.

5. Ricardo Boffil Pagés, Chairman of the Cuban Human Rights Committee, 21 October 1988, is protesting against the repressive measures being used by the Cuban Government against persons who testified before the Group, including David Moya Jiménez, Carlos Echevarría, Romano López Reinoso (son of Professor Edinigio López, Vice-Chairman of the Cuban Human Rights Committee), Roberto Bahamonde, Jesús Leyva Guerra and Rafael Gómez. In a press release issued in Frankfurt, he refers to the harassment and arrest, on 21 October 1988, of several leaders of the Asociación Pro-Arte Libre (Free Arts Association) who are also members of the Cuban Human Rights Committee. He states that these incidents are part of a campaign that the Government had waged this year against the members of the Committee he chairs and that, on 17 February 1988, there was a similar attack on the First Dissident Artists' Exhibition and a press conference organized by the Committee. This was followed by a libel campaign in the press and physical attacks against human rights activists. In a letter dated 25 November 1988 and sent from Frankfurt, he requests the Group to intervene to ask the Government of Cuba for the immediate release of the following persons who were arrested on 21 October: Armando Araya and Juan Enrique García (Chairman and Vice-Chairman of the Artistic Freedom Association), Ramón Obregón Sánchez, Pablo Roberto Sánchez, Rita Fleitas, Roberto Pupo and Aida Valdés Santana, all of whom are members of the Cuban Human Rights Committee.

6. The Cuban Human Rights Party, 24 October 1988 reports that six human rights activists in Cuba (Anaya, Fleitas, Valdés, García, Hernández and Hornedo) were arrested and sentenced to prison. Eusebio Mujal León, Luis E. Aguilar and José M. Hernández, professors at Georgetown University in Washington D.C., 1 November 1988, express concern about the situation of the six artists of the Free Arts Association who were arbitrarily arrested and summarily sentenced for having organized a ceremony at the José Martí monument on "Culture Day". Antonio J. Molina, President of the Puerto Rican UNESCO Association, 5 November 1988, requests the Group to intercede on behalf of the Free Arts Association, six of whose members were sentenced to prison following a ceremony at which they placed a bouquet of flowers on the José Martí monument.

7. Kenneth Roth, Deputy Director of Human Rights Watch,

7 November 1988, welcomes the opportunity the Group gave him to discuss his impressions of the visit he made to Cuba as a member of the New York City Bar Association delegation. He also informs the Group of reports of reprisals against persons who met or tried to meet with the Group in Cuba. He expresses concern that, since the Group's visit, the Government may be taking an even harder line against human rights activists. He alleges that the following took place:

(a) On 19 September, the police harassed persons waiting outside the hotel to meet with the Group and prevented some of them from entering the hotel. Others were arrested and taken to Villa Marista, fined and then released. The persons arrested and sentenced as a result of the incidents on 19 September or for trying to testify before the Group include the following:

Francisco Benítez Ferrero and Alejandro Benítez Ferrero, sentenced to six and three months' imprisonment, respectively, for insulting a police officer and resisting arrest; both are in Combinado del Este.

Gustavo Venta, sentenced to six months' imprisonment for insulting a police officer and resisting arrest; he is in Quivicán Prison and has appealed the sentence.

Lázaro Linares Echeverría, sentenced to six months' imprisonment for insulting a police officer; he is in Quivicán Prison.

The following persons were also allegedly detained for various periods of time and then released for having tried to meet with the Group:

Ernesto Ibáñez Basnuevo, David Moya Alonso, Enrique Acosta Ruiz, Lázaro Larosa Ambolay, Raúl Alemán Valdés, Sergio Raúl de la Vega Gómez and Alberto Anaya.

(b) On 18 October, Pablo Roberto Pupo Sánchez, Juan Enrique García and Ramón Obregón Sardui, members of the Artistic Freedom Association, were arrested in their homes. They are now in Villa Marista. The charges against them are not known.

(c) On 20 October, "Cuban Culture Day", six other members of the Artistic Freedom Association were arrested on charges of "disturbing public order" and sentenced on 24 October 1988. These persons are: Armando Anaya García (one year), Vladimir García Alderete (nine months), Rita Fleitas Fernández (nine months), Secundio Hernández Castro (seven months), David Hornedo García (seven months) and Aida Valdés Santana (seven months' house arrest). The first five are in Combinado del Este and the Occidente Womens' Reform Centre.

(d) Elizardo Sánchez, Chairman of the Commission on Human Rights and National Reconstruction, was dismissed from the library where he worked in late October this year.

8. Note from the Cuban American National Foundation, reporting on a press conference held in Washington by Reinaldo Bragado, a member of the Cuban Human Rights Committee, at which he referred, inter alia, to the reprisals being taken by the Cuban Government against human rights activists in Cuba. The note states that six members of the Artistic Freedom Association were arrested and that the Cuban press is showing unexpected interest in these arrests; this may indicate that the régime wants to let public opinion know that any lessening of the repression has ended. It also states that Gustavo Venta was sentenced to six months' imprisonment for trying to go on a hunger strike in front of the Comodore Hotel during the Group's visit to Cuba.

9. Angel P. Grimanés, 25 November 1988, states that his brother-in-law, Raúl Gómez de Molina, who has finally been released after 21 years in prison, requested permission to leave the country together with his parents-in-law, wife and two daughters. After he was notified of the day when he would be allowed to leave, the Immigration and Aliens' Department took his passport away, thus preventing the entire family from travelling. The probable reason is that Gómez testified before the Group.

Annex XIV

LETTER DATED 9 JANUARY 1989 FROM MR. JOSE RAUL VIERA LINARES,
ACTING MINISTER FOR FOREIGN AFFAIRS OF CUBA, ADDRESSED TO THE
CHAIRMAN OF THE GROUP

Sir,

I have the honour to refer to your letter No. G/50 214 (60) dated 13 December 1988, transmitting to the Cuban Government, firstly, the "testimony" of over 1,500 persons who are said to have contacted the visiting mission of which you are chairman during its stay in Cuba, either directly, or through the secretariat staff accompanying the mission, and secondly, certain documents also received by the mission in Cuba from "Cuban non-governmental organizations".

In addition, transcriptions made by the secretariat of "testimony by individuals" heard by the mission in Cuba were enclosed with the letter "in provisional form". Lastly, you stated in your letter that the visiting mission would be grateful if the Cuban Government would "make known its reaction" to the documents enclosed, and at the same time you informed the Government that the mission would meet again in Geneva on 16 January to consider its draft report.

With regard to this letter and the material enclosed, I should like to express the deepest concern at the late date on which this documentation was delivered to Ambassador Carlos Lechuga in Geneva, namely, 16 December 1988, and the brief period of time given us to reply.

As you will no doubt remember, you informed the Cuban authorities that Mr. John Pace, the mission secretary, would provide the Ministry of Foreign Affairs with a list of cases the mission considered "humanitarian" and with the material in question before leaving Havana.

Ambassador José Pérez Novoa, International Organizations Director in this Ministry, accordingly asked Mr. Pace for this material; Mr. Raúl Roa Kourí, the Deputy Minister pressed the point with you on the very day of your departure, actually at the airport, on 26 September 1988.

Although Mr. Pace promised to send the material as soon as he returned to Geneva, that did not happen, and we accordingly instructed Ambassador Lechuga to point out to you once again that the information would have to be sent to Cuba as soon as possible if our authorities were expected to make any comment on it. Ambassador Lechuga asked you for it on two occasions, on 11 October and 26 November 1988.

On 9 December, after a meeting between Ambassador Lechuga and the visiting mission, he was promised that he would be given the documentation by Tuesday, 13 December, at the latest. Nevertheless, as you know, it was not received by our Permanent Mission until 16 December, and not until some days later in Havana.

The fact that these documents were in the secretariat's possession from September onwards but were not made available to us until 16 December seems to us inexplicable.

Despite the fact that this delay makes it difficult for us to reply by 16 January, since we have to examine the points raised in the documentation seriously case by case, the Cuban Government will make every effort to comply with the mission's request, although it had hoped to have a more reasonable period of time for the purpose than it actually has. It is not our responsibility if the reply cannot cover all the cases and contain all the necessary details.

In performing this task Cuba will have fulfilled its undertaking to collaborate in the full execution of the mandate given to the mission by the Commission on Human Rights in decision 1988/106. It only remains for the mission to finalize its report and submit it to the Commission.

I have to tell you, Mr. Chairman, that as far as my Government is concerned this examination will conclude the entire procedure relating to decision 1988/106. It is obvious that in view of the human rights situation in our country, which the mission had an opportunity to see for itself, the only thing to be done is to seek co-operation from all other members of the international community without exception and not from Cuba in particular.

The way Cuba has behaved has no precedent in the Commission's history, whether as regards the facilities provided (including a prolongation of the visit from 5 to 10 days, previous announcement in the press of telephone numbers to call in order to request a hearing and our suggestion that the period during which such requests could be made should be extended, which the mission willingly accepted), or as regards the nature of the invitation itself.

When the results of the mission's observations and Cuba's reply are considered, it will be possible to see that there are very few countries in the world - if any - with such a clear and clean human rights record as Cuba. Any attempt to single Cuba out as a special case will be most vigorously rejected by us.

I am informing you of my Government's position because we have learned through Ambassador Lechuza that there are views regarding a possible suggestion along those lines by the mission and because it is important that you should be aware of our conviction that any attempt to continue the consideration of human rights in Cuba, where there are no anomalous situations to justify it, is unacceptable.

Accept, Sir, the assurances of my highest consideration.

Annex XV

LETTER DATED 1 FEBRUARY 1989 FROM THE CHAIRMAN OF THE GROUP
ADDRESSED TO MR. JOSE RAUL VIERA LINARES, ACTING MINISTER
FOR FOREIGN AFFAIRS OF CUBA

Sir,

I have the honour to refer to your letter of 9 January 1989 transmitted to us on 16 January 1989 by His Excellency, The Permanent Representative of Cuba at Geneva, and addressed to me in my capacity as Chairman of the group established in accordance with Commission on Human Rights decision 1988/106.

This letter was brought to the group's attention at its meetings held from 16 to 20 January 1989. The group has requested me to communicate to you the following clarifications:

1. We are somewhat puzzled by the reference to the "views" supposedly expressed by the group regarding a possible extension of the consideration of the situation of human rights in Cuba. The group has always unanimously held the view that such a decision can be taken only by the Commission on Human Rights, since the group's mandate is clearly defined in decision 1988/106 and is quite explicit. Your concern is unwarranted either by the facts or by the terms of the decision establishing the group.
2. The group regards its secretariat as having acted at all times on its behalf and in accordance with its instructions, and if there is any responsibility to be attributed, it is the group that must be held accountable.

In view of the foregoing, allow me to reassure you of the group's desire to carry out its mandate with complete objectivity. I remain convinced of the need to maintain its independence and impartiality at all times in the interest of multilateral dialogue for the common cause of human rights.

Accept, Sir, the assurances of my highest consideration.

Annex XVI

QUESTIONS ON CONSTITUTIONAL AND LEGAL MATTERS CONTAINED IN THE
NOTE SENT BY THE GROUP ON 29 AUGUST 1988 TO THE GOVERNMENT OF
CUBA AND NOT ANSWERED BY THE GOVERNMENT

1. Individual liberty (articles 72, 73, 74 and 75 of the Penal Code and articles 3, 9, 11 and 12 of the Universal Declaration of Human Rights)

With reference to dangerous states and individual liberty, the note sent to the Government of Cuba had the following to say:

"A 'dangerous state' is defined as 'the special proclivity of a particular person to commit offences, as demonstrated by conduct clearly at variance with the standards of socialist morality' (art.72). What are 'the standards of socialist morality' and who is responsible for establishing them? Why is a person who merely maintains links or relations with persons who constitute a potential threat to the society, other persons and social, economic and political order of the socialist State officially warned 'against engaging in socially dangerous or criminal activities' (art.75)?

In connection with so-called 'anti-social conduct' (art.73):

(a) What is meant by habitual infringement of the rules of 'social coexistence', who determines what these rules are and on the basis of what criteria are they established? (b) What is meant by 'social parasite', who determines when a person is a social parasite and on the basis of what terms of reference? (c) What is meant by 'socially reprehensible vices', who determines their existence and on the basis of what criteria? (d) Could not the pre-criminal security measures limiting the freedom of a person deemed to be in a 'dangerous state' be used to restrict the freedom of persons whose relations with the Government are, for political reasons, not of the best? (e) Would a person's freedom be limited without recourse to judicial process and exclusively on the basis of a certain proclivity to so-called anti-social conduct?"

2. Administration of justice (article 123 (a) and (b) of the Constitution and article 10 of the Universal Declaration of Human Rights)

On the objectives of the courts, the note asked the following questions:

What is meant by 'socialist legality' and by 'safeguarding the economic, social and political régime established in this Constitution'? What would happen if the protection of these principles came into conflict with the citizens' rights provided for in the Constitution and the laws?"

3. Freedom of movement (articles 215, 216 and 217 of the Penal Code and article 13 of the Universal Declaration of Human Rights)

On the question of illegal entry into and departure from the country, the note sent to the Government of Cuba read as follows:

"Although the Penal Code guarantees the right freely to enter and leave Cuban territory, it also establishes that the exercise of this right shall be regulated by law. What are the administrative and legal requirements for leaving and re-entering the country?"

4. Freedom of religion, expression and the press (articles 103, 109, 115 and 144 of the Penal Code and articles 2, 18 and 19 of the Universal Declaration of Human Rights)

On the offence of enemy propaganda, the Group asked the following questions:

What is meant by incitement 'against the social order, international solidarity or the socialist State'? Could this article be used to prevent the free exercise of political criticism and the control of the authorities by the people? Could it constitute a threat to persons who disagree with government policy, both in Cuba and abroad? Lastly, the fact of using the media to express opinions at variance with those of the Government constitutes, in accordance with article 103, paragraph (c), an aggravating circumstance as regards the offence defined as enemy propaganda. Would this article constitute a threat to persons who oppose the political régime in Cuba? Would this imply recognition by the criminal law of the prohibition of the use of the media to express opinions at variance with those of the Government?"

With reference to the offence of causing alarm, the following questions were asked:

How is it determined when an act, because of the nature, means or occasion of its execution, 'tends to cause public alarm with the aim of creating conditions affecting the security of the State'? What is meant by 'security of the State' and by 'causing alarm'?"

On the dissemination of false information against international peace, the Group asked the following question:

"On the basis of what criteria do the authorities determine the falsity of an item of information and the extent to which information which is indeed false may 'disrupt international peace' or 'endanger the prestige or credit of the Cuban State or its good relations with another State'?"

On the offence of disrespect, the note contained the following questions:

What form of political criticism might be defined as not offensive and not insulting to the political authorities? Could this article constitute an obstacle to compliance with the constitutional provision granting the people the right to control its representatives and possibly revoke their mandate?"

5. Freedom of assembly, expression and association (articles 7 and 53 of the Constitution, articles 34, para. 5, 57, paras. 3, 6 and 10, 58, paras. 5, 6 and 7, 98 and 99 of the Penal Code and article 20 of the Universal Declaration of Human Rights)

With regard to the role of the mass organizations, the note read as follows:

"Article 34, paragraph 5, article 57, paragraphs 3, 6 and 10, and article 58, paragraphs 5-7, confer certain functions on the mass organizations, such as supervising a number of penalties, and monitoring and guiding persons on whom penalties have been imposed and persons released on parole. Do these organizations have the necessary qualifications to perform these functions? What type of training guarantees the successful performance of these functions? Are there any appeal mechanisms against decisions taken by representatives of the mass organizations?"

On the offence of rebellion, the note sent to the Government of Cuba asked the following questions:

"What is meant by 'of other unlawful means' (art.99)? Does it mean, for example, that members of any unregistered association that might seek partial changes in the Constitution or the economic, social or political régime in Cuba may be charged with rebellion for having used an unlawful means to achieve one of the objectives set forth in article 98, paragraph 1?"

6. Freedom of education and conscience (article 38 (d) of the Constitution and article 26 of the Universal Declaration of Human Rights)

Article 38 (Constitution) The State orients, foments and promotes education, culture and science in all their manifestations.

Its educational and cultural policy is based on the following principles:

...

(d) Artistic creativity is free as long as its content is not contrary to the Revolution. Forms of expression of art are free;

On artistic creativity, the note asked the following questions:

"What is meant by the following in the context of this constitutional provision: 'the Revolution'; the Revolutionary Government; its principal institutions and leaders; its ideological and political bases? Who determines the substantive character of a work of art and who establishes when such a work is contrary to 'the Revolution'?"

Annex XVII

"LOS DERECHOS HUMANOS EN LA LEGISLACION VIGENTE CUBANA", BY
DR. PABLO LLABRE RAURELL, HEAD OF THE LEGAL SECTION OF THE
CUBAN COMMITTEE FOR HUMAN RIGHTS, HAVANA, 2 AUGUST 1988

I. THE PENAL CODE

by Dr. Pablo Llabré Raurell

Disregard by Cuban lawmakers for the rights recognized in the Universal Declaration of Human Rights (United Nations, 10 December 1948) is sometimes so flagrant that violations of the Universal Declaration have become institutionalized and often form part of the laws in force in Cuba. The purpose of this report is not to condemn any particular agency or authority, but, rather, to make the Cuban authorities aware, through national and international public opinion, of the need to remedy such violations by means of draft amendments to be submitted to the National Assembly of People's Power so as not to jeopardize the individual rights of citizens.

In a letter addressed to the Director-General of UNESCO, Dr. Julian Huxley, on 25 May 1947, Mahatma Gandhi said: "We are worthy of the right to life only if we do our duty as citizens of the world".

Reference is made below to some of the main violations which are, in our view, contained in Act No. 62 of 29 December 1987 (Penal Code), the legal text which will be analysed in this report.

PENAL CODE

Article 12 states: "Preparatory acts are punishable only in the case of offences against the security of the State". This distinction by Cuban lawmakers is made for the obvious political purpose of stifling all opposition. This article is contrary to articles 10 and 11 of the Universal Declaration of Human Rights.

Article 16 provides for criminal responsibility at 16 years of age.

This article contradicts article 3 of the Family Code, which sets the age of majority and the age for contracting marriage at 18 years, and Act No. 49 (Labour Code), under which the legal working age is 17 years. A person who is not old enough to work or to marry is, thus, deemed to possess criminal capacity. A 16-year-old person is not mature enough to understand the full import of his actions and to conduct himself accordingly.

Article 29 provides for the death penalty.

With regard to this article, we are of the opinion that, in the case of offences of an obviously political nature (offences against the security of the State, offences against the internal security of the State) and in view of the fact that the members of the judiciary are elected in such a way that there is no guarantee of a fair trial (see "The New Penal Code and Human Rights", by the same author), the death penalty should not apply (except in time of war, subject to a declaration) because it would be contrary to articles 3, 10 and 11 of the Universal Declaration of Human Rights.

Article 44 provides for the "confiscation of property".

This additional penalty consists in dispossessing an offender of all or part of his property and transferring it to the State. It applies, if the court should so decide, in the case of offences against the security of the State.

Under this additional penalty, the State seizes the offender's property, including that bearing no relation whatever to the offence committed (in the case of an offence against the security of the State).

This article of the Penal Code is a flagrant violation of article 17 of the Universal Declaration of Human Rights, which states: "No one shall be arbitrarily deprived of his property".

Article 47 relates to judicial decisions by the courts.

Strangely, it states: "The courts shall determine the length of the sentence on the basis of the socialist legal conscience". Does this legal conscience guarantee a fair and reasonable sentence in the case of offences of a political nature? No comment is necessary.

Articles 72 to 90 relate to "a dangerous state" and to "security measures".

On the basis of this archaic institution, a person may be imprisoned or, in other words, deprived of his freedom without having committed an offence of any kind, on the pretext of preventing the commission of an offence. It is often used for political purposes. It is contrary to article 9 of the Universal Declaration of Human Rights, which states: "No one shall be subjected to arbitrary arrest, detention or exile".

Article 103 relates to the offence of "enemy propaganda".

In criminal law, "enemy propaganda" means the act of inciting or stirring up the masses against the State and for the enemy, logically, in time of war,

subject to a declaration, since, if there was no declaration of war, there would be no enemy in the legal sense of the term and, thus, no offence.

In peace time, this offence exists only in countries where the right to freedom of thought, opinion and expression is not respected.

Article 103 is a violation of articles 18 and 19 of the Universal Declaration of Human Rights.

Article 150 relates to a new offence known as "unlawful enrichment".

This provision reads: "Any authority, official or employee who, either directly or through a third party, incurs expenses or increases his capital or that of a third party in a disproportionately large amount in terms of his lawful income, without proving the lawfulness of the means used to incur such expenses ...".

As may be seen, the accused is under an obligation to prove his innocence or, in other words, the lawfulness of the means used. This provision is contrary to the principle of accusatory procedure on which our system is based and according to which the burden of proof lies with the prosecution, not the defendant, who is, in principle, presumed innocent.

This article is contrary to article 11 of the Universal Declaration of Human Rights, which states: "Everyone charged with a penal offence has the right to be presumed innocent until proved guilty ...".

Article 208 refers to the offence of "unlawful association".

The way in which this offence is described by the lawmakers jeopardizes the right of citizens to freedom of peaceful association. This provision is thus contrary to article 20 of the Universal Declaration of Human Rights, which states: "Everyone has the right to freedom of peaceful assembly and association".

Article 228 provides for the so-called offence of "unlawful economic activity". Under this provision, it is an offence to engage in any work or commercial activity that is not regulated by the State, which has subrogated the right to grant or award licences to certain citizens for the performance of such activities.

This provision is contrary to article 23 of the Universal Declaration of Human Rights, which states that everyone has the right to free choice of employment. It is also contrary to article 25 of the Universal Declaration, which states that everyone has the right to an adequate standard of living for himself and for his family.

These are, in our view, the main violations of the Universal Declaration of Human Rights contained in Act No. 62 of 29 December 1987 (Penal Code). We hope that this report will help in some way to prevent such violations.

Havana, 2 August 1988

(signed) Dr. Pablo Llabré Raurell
Chief of the Legal Section
Cuban Human Rights Committee

THE CONSTITUTION OF CUBA AND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

(By Mr. Pablo Llabré Raurell)

Mr. Chairman, distinguished members of the Delegation of the Human Rights Commission of the United Nations to describe the human rights violations in just a few minutes, violations suffered by our nation over thirty years period would be difficult indeed, none the less I will very briefly explain the main violations of human rights contained in the very legal bodies that govern the life of our nation although it may seem incredible in a nation which is a signatory of the Universal Declaration of Human Rights approved and proclaimed by the United Nations on the 10th of December of 1948 there are articles in the existing legal texts of our country that go against the very provisions of the declaration. The main violations contained in our constitution the present constitution of our country which demonstrates that there is disregard by Cuban authorities of the highest level of a large number of the individual rights of our citizens. In discussing the matter of the constitution of our republic it is necessary to highlight the cult of the personality that derives from the name of Fidel Castro. Furthermore, the faithfulness to a foreign power the Soviet Union is pathetically stated in the constitution itself where the preamble contains the following words supported with the co-operation of the Soviet Union this is also in article 12 of the constitution itself. In chapter one which establishes the political social economic basis of the state and it says in article five of our constitution that the communist

party of Cuba is the highest guiding force of the society in the state and that it guides the shared efforts of the people toward the contribution of socialism. As you can see this article constitutes a violation of the provisions of article 20, 21 of article 21 of the Universal Declaration which establishes the right of any person to participate in the government of the country and to have equal access to public office in the country. Article 26 of the constitution contains a violation by omission since it doesn't say before what authority or through what methods or under what law complaints can be lodged for abuses by functionary an official of the state against a citizen of the country this article violates article 8 of the Universal Declaration of Human Rights. In chapter two the one on citizenship the following is in article 32 sub paragraph C this article violates 15.2 of the Universal Declaration since it arbitrarily deprives of nationality those that in any way conspire against the socialist state abroad. This causes loss of nationality by a decree of the state without the need for a trial. In the section on the family the constitution in its article 37 establishes the obligation of parents to educate their children and to prepare them for life in a socialist society. this article violates 26.3 of the Universal Declaration of Human Rights which states that parents will have preferential right to choose the type of education that they want to give to their children, likewise, chapter 4 of the constitution on Education and Culture in its article 38 sub-paragraphs A and C once again violates article 26 sub- paragraph C of the Universal Declaration

of Human Rights since it establishes in article A of article 38 that the state which is the sole party responsible for education basis its educational and cultural policy on the scientific view of the world established by Marxism Leninism and likewise in sub-paragraph C it establishes that the state promotes the communist training of new generations in other words parents are obliged by the text of the constitution that the very highest law making level to give a communist education to their children in other words they don't have the right to choose any other type of education, Catholic education or any other type of education. Article 38 sub-paragraph D of the constitution states that artistic creation is free creative activity is free as long as its content is not contrary to the revolution as you can see this sub-paragraph violates the contents of article 19 of the Universal Declaration of Human Rights since it only gives freedom of artistic creativity if it is consistent with the revolution but there can be no criticism of the revolution whatsoever because that is what is provided under that article. Article 5 of the constitution the one on equality in its article 41 and also 41 42 rather violate articles 1 of the Universal Declaration of Human Rights The first article because of discrimination on the basis of religious or political opinion. The article 41 establishes that there is to be no discrimination on the basis of race sex colour or national origin but it does not make any mention of discrimination being prohibited on the basis of religious or political beliefs those terms are not in the text of the constitution and the next article article 42 which establishes the rights of citizens to the conquests of the revolution says that those rights are equal for all that there is to be no discrimination on the basis of race sex or colour or national origin but here again mention of discrimination on the basis of religious belief or political opinion is omitted and this is a violation of the Universal Declaration of Human Rights. As you know, it is a violation of articles 1 and 2 of the Universal Declaration.

In article 42 itself which refers to the rights of citizens it says that everyone has a right according to compacity according to his skills to access to public administration to public office as far as we know there is no official in the public administration there is no high level state official that openly expresses religious belief nor are there any officials who are not members of the political party in our country so this is also contrary to what is in the constitution it also says that medical attention in all hospitals are given on an equal basis to all citizens but this isn't true because there are special hospitals such as Seemex and only the high government officials have access to that hospital not the people. In that Seemex hospital there are all the most modern facilities in the field of modern medicine but this is only available to government leaders.

The text of the constitution says itself says that everyone has the right to the use of public transportation without discrimination, now, in our country there is transportation that cannot be paid for by National currency so that means that the population can't use those forms of transportation its only foreigners who can pay in foreign currency that can use those means of transport so this is discrimination. The same applies to the beaches, it is said that the beaches are equally available to all, that they belong to all but distinguished members of the delegation we must tell you that there are beaches, there are resorts such as Caiulargo parts of the Barularo parts of the beaches in Havana, luxury resorts that can only be enjoyed by those citizens that can pay in foreign currency. Cubans can't pay with foreign currency because that's prohibited under the penal code, it's a crime under the penal code so there is a discrimination as far as our citizens

are concerned. This very hotel the Comodoro where I have the honour today to address this distinguished delegation of the United Nations is one which can where rooms can be paid for only with foreign currency its impossible to pay here in National currencies so I have the pleasure of being here in this hotel only because I was invited by this delegation , otherwise I wouldn't have been able to enter the door, had I entered I wouldn't have been able to use any of the facilities here in the hotel.

In chapter 6 of the constitution, to go on with the text of the constitution the duties, rights and fundamental guarantees are established, in article 52 it says that citizens are given freedom of expression and freedom of the press; but then it goes on to say that in accordance with the rules of the socialist society. Now if freedom of expression and freedom of the press are allowed but only in accordance with the goals of socialist society well this demonstrates that this is a violation of article 19 of the Universal Declaration of Human Rights, because any criticism any use of the right of freedom of expression freedom of the press that's not in accordance with the goals of socialist society is prohibited under the text of the constitution itself. Likewise article 34 of the constitution states that it is illegal to oppose to have religious belief pitied against the revolution to make just one example of punishment in the course of the use of revolution for the expression of religious belief people are punished for clandestine publications and so on and so forth but all of this is a violation of article 18 of the Universal Declaration which says that any individual has the right to freedom of thought of conscience and of religion.

Article 61 of the constitution of the Republic states that none of the freedoms recognised for the citizens can be exercised against the goals of the socialist state. This article, just reading of this article is enough to see that the constitution is in violation of the tenants of the Universal Declaration of Human Rights. This article 61 limits the freedoms that are recognised in the constitution itself and therefore almost all of the thirty points contained in the Universal Declaration.

Lastly, as far as the constitution of the Republic is concerned it is appropriate to point out that in our country there is no Court that provides constitutional guarantees, a court where citizens can lodge complaints for abuses of their rights under the constitution. Then the rights and guarantees offered by the constitution to the citizens are, in fact, not fully guaranteed because there is no such tribunal that can provide these guarantees.

Annex XVIII

"INFORME SOBRE AGRESIONES BIOLÓGICAS CONTRA LA REPÚBLICA DE CUBA",
HANDED TO THE GROUP BY THE MINISTER OF JUSTICE ON 22 SEPTEMBER 1988

REPORT ON BIOLOGICAL AGGRESSION AGAINST THE REPUBLIC OF CUBA

During the period from 1971 to 1981, a series of extraordinary situations occurred in the Republic of Cuba, causing diseases in humans, animals and crops. One of the particularities of these diseases was the epidemic character or their effect on economic crops over large surfaces.

The total losses suffered by the country during the epidemics of dengue and haemorrhagic conjunctivitis, the epizootic diseases in pigs and the epiphytotic diseases occurring in sugar cane and tobacco were great. For instance, as a result of the disease caused by rust in sugar cane, losses amounted to approximately \$400-600 million; the disease in tobacco caused by blue mould resulted in losses of over \$51 million (data provided by the National Tobacco Authority) and as a result of the African swine fever, in 1980 alone, the losses were over \$9 million. The losses for the country caused by the haemorrhagic dengue cannot be calculated from the economic viewpoint, since this epidemic led to 158 deaths, and such a loss cannot be assessed in economic terms. In addition, there was the high sickness rate recorded not only during the dengue epidemic but also during the haemorrhagic conjunctivitis epidemic.

The economic considerations also include those efforts related to the organization of measures to combat these diseases, not only in terms of materials resources but human resources.

The study of the development of these epidemics showed that they spread so fast and reached such dimensions because in their early stages, for a variety of reasons, effective measures could not be taken to eliminate them. The main difficulty in combating these epidemic, epizootic and epiphytotic outbreaks was that the situations that arose were inhabitual and in a number of cases, the specialists had little knowledge of them. The main features of these diseases will be summarized below.

Epidemiological situation

Under this heading we shall deal with the infectious diseases that occurred in Cuba during the decade from 1971 to 1981 and affected humans, animals and crops and which, because of the characteristics and development of these epidemics, might be attributed to or be connected with biological measures affecting our territory.

The epidemiological pattern of the case rate for habitual contagious diseases during the decade from 1971 to 1981 corresponded to expectations, in line with the progress and successes achieved in public health as a result of the efforts made in this field by our Party and Revolutionary Government.

The general behaviour pattern of the incidence of contagious cases changed markedly with the appearance of "exotic" inhabitual diseases in Cuba, the dengue epidemics of 1977 and 1981, and the epidemic of haemorrhagic conjunctivitis. They affected and spread rapidly throughout the country, causing hundreds of thousands of cases of sickness and 158 deaths due to the epidemic of haemorrhagic dengue.

(a) Dengue epidemic 1977-1988

In 1977 a dengue epidemic broke out. There were no records of the occurrence of this disease in Cuba after 1944, when a minor outbreak was reported in the Vedado district of Havana.

In the course of the epidemic 477,440 cases were reported. The aftermath of the epidemic continued during 1978 with 1,497 cases.

The evolution of the epidemic was characterized as explosive, spreading rapidly to all provinces throughout the country.

The provinces most affected were Santiago de Cuba, Ciudad Habana and Villa Clara.

The epidemiological situation concerning dengue prior to 1977 continued to be favourable for a long time, as is confirmed by the serological studies conducted by Doctor Pedro Mas Lago and other writers, which demonstrated the absence of antibodies to dengue 2 in persons under 45 years of age (6), in other words, for at least 45 years before the investigation, no major outbreaks of dengue had occurred in Cuba.

The above facts allow us to reach the conclusion that the epidemics of dengue in Cuba might have been caused by the introduction of the virus. Moreover, the epidemic of dengue that occurred in 1977-1988 was not related to the epidemic in 1981. This conclusion is based, in the first place, on the difference in the type of virus which caused the epidemics, as well as on the interval of time of almost three years between the two epidemics, during which the virus was not in circulation (the fact that there were no cases) and could not be preserved in nature (the fact that there was no natural host).

(b) Haemorrhagic dengue epidemic in Cuba in 1981

There being previous instances in Cuba of a dengue epidemic (serotype (1)), which affected the entire country, a new epidemic was introduced which has been established as breaking out at the end of May. The initial diagnosis made was unspecified nephrosonephritis for mild cases and meningococia for serious ones. Epidemiological research revealed the existence of a new episode of dengue whose characteristics and the serious clinical pattern corresponded to a new serotype. Virological studies confirmed that the offender was dengue serotype 2, which had been deliberately introduced intentionally into the country. This was proved in studies conducted for this purpose and which showed that the probable date of introduction was February and March, in the municipality of Boyeras..

The epidemic was characterized by its rapid dissemination. Within a short time it affected the entire country, resulting in a total of 344,203 cases and in a rate per thousand inhabitants, by age groups, of 24.1 for children under one year of age; 24.5 for children from one to four years old; 25.8 for children from five to 14 years old and 28.6 for persons 15 years of age and over.

33.7 per cent of the cases required hospitalization, giving a total of 116,143 admissions, of which 9,203 cases were recorded as serious and 1,109 cases as extremely serious.

The epidemic cost the country 158 lives, of which 101 were children under 15 years of age and 57 persons of 15 years of age and over.

A careful study and analysis of the aspects related to the emergence and evolution of the epidemic established that there was no logical explanation for many of these aspects from the viewpoint of the natural course of an epidemic process. In the first place, prior to the emergence of the disease in Cuba, there had been no outbreaks of epidemics caused by virus 2 in any country in the world.

In the normal course of events, the disease caused by virus 4 could have been expected to occur in Cuba since at that time, it was spreading through a number of Caribbean islands. The possible importation of the disease from a natural focal point in the south east Asian countries was ruled out. We note that prior to 1977 there had been no dengue epidemic in Cuba for a very long time, since the last outbreak (20 cases) occurred in 1944, while in the period between 1944 and 1977 neighbouring countries recorded dengue epidemics (Puerto Rico, 1963 and 1968; Santo Domingo 1971 and 1972; Haiti 1968, 1969,

1971 and 1972; Colombia 1971 and 1972; Trinidad and much of the Caribbean region 1971). The above indicate that the importation of the virus on Cuban territory is not a normal occurrence, despite the existence in Cuba of factors facilitating, if the virus were introduced, the spread of the epidemic (the sensibility of the population and the large numbers of the carrier). Nor is there a satisfactory logical explanation of the fact that in the last five years two major epidemics of dengue have occurred in Cuba whereas this disease did not occur for numerous decades.

(c) Epidemic haemorrhagic conjunctivitis

This disease was reported on our continent on 20 August 1981 in Suriname although it had already been present in that country for some months. On 29 August, the Pan American Office reported for the first time, in addition to Suriname, similar outbreaks in Honduras and the northern coast of Colombia. Although there were no records of exchanges with those countries, the first cases of this disease were reported in our country on 3 September in hospitals in Ciudad de Habana. Four days later the epidemic was seen to be spreading rapidly, reaching nine provinces and the special municipality of the Isla de la Juventud (Provincia Habana, Ciudad Habana, Matanzas, Villa Clara, Cienfuegos, Sancti Spiritus, Camaguey, Granma, Santiago de Cuba), affecting the entire country on 15 September 1981 when cases began to be reported in the province of Guantanamo.

Epizootiological situation

Under this heading attention is confined to fundamental aspects of epizootiological problems with exotic causes.

African swine fever

It was detected in Cuba for the first time in May 1971 in a fattening unit in the province of La Habana. It spread rapidly from this source through Provincia Habana and Ciudad Habana. In all 33 outbreaks affecting 32,524 animals were detected, 15 in Ciudad Habana and 18 in Provincia Habana.

To control and eradicate the epizootic disease, it was necessary to evacuate the pigs from the two provinces affected, which had a pig population of over 460,000 and to establish severe anti-epizootic measures.

These actions resulted in heavy losses in this sector of our economy. Subsequently, it was learnt that the introduction of this disease on the national territory was due to enemy activity.

Despite the measures taken in Cuba and closely following the course of this disease in a number of countries, the outbreaks of this disease in 1978 in Brazil, Haiti and the Dominican Republic caused a state of health alert to be decreed at the national level. The disease reappeared in Cuba in 1980 in the most eastern province (Guantanamo). The initial outbreak occurred in the municipality of Baracoa and when it had been detected, a state of health emergency was decreed for the entire country.

From this initial outbreak, the disease spread throughout the province with 27 outbreaks confirmed in 10 centres located in 9 of the 10 municipalities of the province. Before the measures had time to become effective, the disease spread to the province of Santiago de Cuba, where four of the nine municipalities were affected with 15 confirmed outbreaks, reaching the Province of Moquegua where four outbreaks were detected in 4 out of the 14 municipalities of the province.

Total losses amounted to 250,000 pigs and the evacuation of the pig population of large areas.

The rapidity and effectiveness of the measures taken including the evacuation of the total pig population from the centres of infection and the surrounding areas prevented the epizootic outbreak from spreading to the other provinces of the country.

The epizootiological studies conducted ruled out the possibility of its introduction by the foodstuffs bought by Haitian emigrants arriving in our country. During these studies, migratory birds were captured in whose tissue and entrails the African swine fever virus was isolated. Two of the captured birds were ringed with seals bearing the inscription "Advise bird ban" of Washington, USA and a serial number.

Apparent lumpy skin disease in cattle

Not previously recorded in our country or reported in the Caribbean area, South America and North America. An epizootic outbreak was detected early in August 1981 in the province of Villa Clara, starting in the municipality of Placetas. The main feature of this benign cattle disease, occurring mainly in South Africa, was one that it spread rapidly, covering the entire national territory in a short time.

Epiphytotic situation

Under this heading attention will be confined to a number of the diseases that have affected our crops in recent years and whose exotic character make them of special interest in the present report.

Cane rust

This is a disease which can have serious economic consequences when there are highly susceptible varieties such as the B-4362. Its agent is the fungus Puccinia melanocephala, highly contagious in climates such as ours.

This fungus appeared in a virulent form in the 1979-1980 sugar cane crop and adversely affected our sugar cane harvest. It should be noted that although this fungus affects other areas of the Caribbean and there is the possibility that its spores were conveyed by the air currents, it should be stressed that it was extremely virulent and that its appearance and propagation do not correspond to the logical course of the air currents. Besides this, there is the circumstance that the most productive variety of sugar cane in the country was susceptible to rust.

Blue mould

This disease is characterized by its pathogenic aggressivity, rapid dissemination and the considerable damage it does to crops. It is caused by the fungus Peronospora tabacina and its principal means of propagation are the wind, the use of infected seed, farm implements, men and animals. Once the fungus is established, the residue of crops infected by it serve as a source of primary infection for seed beds and future harvests.

This disease had not occurred in our country for 20 years. Consequently, when it appeared it destroyed virtually all our crops. Its behaviour and virulence leads us to suspect that it is a type of Peronospora different from the one we know.

The diseases which had severe repercussions on our crops include Segata del arroz causing considerable losses at a time when the production of rice was beginning to meet our needs.

Other diseases unknown in Cuba have been detected in recent years, such as Carbón de la caña (affecting sugar cane), Ceratosítis fimbriata, (a fungus which attacks coffee), the fungus causing the disease Banda Roja (Red band) which attacks pine groves, etc.

An assessment of the diseases occurring in Cuba in the period 1971-1981 leads to the conclusion that the epidemic, epizootic and epiphytotic diseases point to the possibility of a large range of aetiological agents that are able to be used as part of a biological attack, in the same way as the methods employed.

The foregoing signifies that, in certain cases, by studying the particularities of the propagation of non-serious diseases (mechanism of propagation of the aetiological agent and the dynamics of the infectious process) one can forecast with some degree of probability the development of an epidemic, epizootic or epiphytotic process for other agents of serious diseases during a natural process and to a greater extent by artificial (intentional) introduction.

The infections that occurred in Cuba comprise:

1. Diseases of man, animals and economic crops;
2. Infectious diseases, transmitted directly or by vectors;
3. Methods of use utilizing vectors and probably aerosols.

Annex XIX

COPY OF "LA CONSTITUCION DE LA REPUBLICA DE CUBA,"
EDITORIA POLITICA, HAVANA, 1981

PREAMBLE

WE, CUBAN CITIZENS,

heirs and continuators of the creative work and the traditions of combativity, firmness, heroism and sacrifice fostered by our ancestors:

by the Indians who preferred extermination to submission;

by the slaves who rebelled against their masters;

by those who awoke the national consciousness and the ardent Cuban desire for an independent homeland and liberty;

by the patriots who in 1868 launched the wars of independence against Spanish colonialism and those who in the last drive of 1895 brought them to the victory of 1898, victory usurped by the military intervention and occupation of Yankee imperialism;

by the workers, peasants, students and intellectuals who struggled for over fifty years against imperialist domination, political corruption, the absence of people's

rights and liberties, unemployment and exploitation by capitalists and landowners;

by those who promoted, joined and developed the first organizations of workers and peasants, spread socialist ideas and founded the first Marxist and Marxist-Leninist movements;

by the members of the vanguard of the generation of the centenary of the birth of Martí who imbued with his teachings, led us to the people's revolutionary victory of January;

by those who defended the Revolution at the cost of their lives, thus contributing to its definitive consolidation;

GUIDED

by the victorious doctrine of Marxism-Leninism;

BASING OURSELVES

on proletarian internationalism, on the fraternal friendship, help and cooperation of the Soviet Union and other socialist countries, and on the solidarity of the workers and the peoples of Latin America and of the world;

AND HAVING DECIDED

to carry forward the triumphant Revolution of the Moncada and of the Granma, of the Sierra and of Girón, under the leadership of Fidel Castro, which sustained

by the closest unity of all revolutionary forces and of the people won full national independence, established the revolutionary power, carried out democratic changes, started the construction of socialism and, under the direction of the Communist Party, continues said construction with the objective of building communist society;

AWARE

that all the regimes of the exploitation of man by man cause the humiliation of the exploited and the degradation of the human nature of the exploiters;

that only under socialism and communism, when man has been freed from all forms of exploitation—slavery, servitude and capitalism—can full dignity of the human being be attained; and

that our Revolution uplifted the dignity of the country and of Cubans;

WE DECLARE

our will that the law of laws of the Republic be guided by the following strong desire of José Martí, at last achieved:

I want the fundamental law of our republic to be the tribute of Cubans to the full dignity of man;

AND ADOPT

by means of our free vote in a referendum, the following:

CONSTITUTION

CHAPTER I

POLITICAL, SOCIAL AND ECONOMIC PRINCIPLES OF THE STATE

ARTICLE 1. The Republic of Cuba is a socialist state of workers and peasants and all other manual and intellectual workers.

ARTICLE 2. The national symbols are those which have presided for over one hundred years in the Cuban struggles for independence, the rights of the people and social progress:

- the flag of the lone star;
- the anthem of Bayamo;
- the coat of arms of the royal palm

ARTICLE 3. The capital of the Republic is the city of Havana.

ARTICLE 4. In the Republic of Cuba all the power belongs to the working people who exercise it either directly or through the assemblies of People's Power and other organs of the state which derive their authority from these assemblies.

The power of the working people is sustained by the firm alliance of the working class with the peasants and the remaining strata of urban and rural workers, under the direction of the working class.

ARTICLE 5. The Communist Party of Cuba, the organized Marxist-Leninist vanguard of the working class, is

the highest leading force of the society and of the state, which organizes and guides the common effort toward the goals of the construction of socialism and the progress toward a communist society.

ARTICLE 6. The Young Communist League, the organization of the vanguard youth, under the direction of the Party, works to prepare its members as future members of the Party and contributes to the education of the new generations along the ideals of communism, by means of their participation in a program of studies and in patriotic, labor, military, scientific and cultural activities.

ARTICLE 7. The Cuban socialist state recognizes, protects and stimulates the social and mass organizations, such as the Central Organization of Cuban Trade Unions, which is made up of the key class in our society; the Committees for the Defense of the Revolution, the Federation of Cuban Women; the National Association of Small Farmers, the Federation of University Students; the Federation of Secondary Education Students, the Union of Pioneers of Cuba; and other which, having risen from the historic process of struggles of our people, gather, in their midst the various sectors of the population, represent specific interests of the same and incorporate them to the tasks of the edification, consolidation and defense of the socialist society.

In its activities the state relies on the social and mass organizations, which, in addition, directly fulfill the state functions that are intended to be assumed by the same according to the Constitution and the law.

ARTICLE 8. The socialist state:

- a) carries out the will of the working people and

- channels the efforts of the nation in the construction of socialism;
 - maintains and defends the integrity and the sovereignty of the country;
 - guarantees the liberty and the full dignity of man, the enjoyment of his rights, the exercise and fulfillment of his duties and the integral development of his personality;
 - consolidates the ideology and the rules of living together and of conduct proper of a society free from the exploitation of man by man;
 - protects the constructive work of the people and the property and riches of the socialist nation;
 - directs in a planned way the national economy;
 - assures the educational, scientific, technical and cultural progress of the country;
- b) as the power of the people and for the people, guarantees.
- that every man or woman, who is able to work, have the opportunity to have a job with which to contribute to the good of society and to the satisfaction of individual needs;
 - that no disabled person be left without adequate means of subsistence;
 - that no sick person be left without medical care;
 - that no child be left without schooling, food and clothing;
 - that no young person be left without the opportunity to study;
 - that no one be left without access to studies, culture and sports;

- c) works to achieve that no family be left without a comfortable place to live.

ARTICLE 9. The Constitution and the laws of the socialist state are the juridical expression of the socialist production relations and of the interests and the will of the working people.

All state organs, their leaders, officials and employees function within the limits of their respective competency and are under the obligation to strictly observe socialist legality and to look after the respect of the same within the whole context of society.

ARTICLE 10. The Cuban socialist state exercises its sovereignty:

- a) over the entire national territory, which consists of the island of Cuba, the Isle of Youth and all other adjacent islands and keys, internal waters; over the territorial waters in the extension prescribed by law; and over the air space corresponding to the above;*
 - b) over the natural resources, flora and fauna on and under the ocean floor and those in waters adjacent to our territorial waters, as stipulated by law, in keeping with international practice.

The Republic of Cuba rejects and considers illegal and null all treaties, pacts and concessions which were signed

* Modified by the reform of the Constitution law 28 June 1978. Appears in the original text:

- a) over the entire national territory, which consists of the island of Cuba, the Isle of Pines and all other adjacent islands and keys, internal waters; over the territorial waters in the extension prescribed by law; and over the air space corresponding to the above;

in conditions of inequality, or which disregard or diminish its sovereignty over any part of the national territory.

ARTICLE 11. The Republic of Cuba is part of the world socialist community, which constitutes a fundamental premise for its full independence and development.

ARTICLE 12. The Republic of Cuba espouses the principles of proletarian internationalism and of the combative solidarity of the peoples, and

- a) condemns imperialism, the promoter and supporter of all fascist, colonialist, neocolonialist and racist manifestations, as the main force of aggression and of war, and the worst enemy of the peoples;
- b) condemns imperialist intervention, whether direct or indirect, in the internal and external affairs of any state; and, therefore, armed aggression and economic blockade, as well as any other form of economic coercion and of interference with or threat to the integrity of the states and to the political, economic and cultural elements of the nations;
- c) considers wars of aggression and of conquest international crimes; recognizes the legitimacy of the wars of national liberation, as well as of armed resistance to aggression and conquest; and considers that its help to those under attack and to the peoples that struggle for their liberation constitutes its internationalist right and duty;
- d) recognizes the right of the peoples to repel imperialist and reactionary violence with revolutionary violence and to struggle by all means within their reach for the right to determine freely

their own destiny and the economic and social system in which they choose to live in;

- e) works for an honorable and lasting peace, based on respect for the independence and sovereignty of the peoples and on their right to self-determination;
- f) establishes its international relations on the principles of equality of rights, sovereignty and independence of the states and on mutual interest;
- g) bases its relations with the Union of Soviet Socialist Republics and with other socialist countries on socialist internationalism, and on the common objectives of the construction of the new society, fraternal friendship, cooperation and mutual assistance;
- h) aspires to establish along with the countries of Latin America and of the Caribbean—freed from foreign domination and internal oppression—one large community of nations joined by the fraternal ties of historical tradition and the common struggle against colonialism, neocolonialism and imperialism, in the same desire to foster national and social progress;
- i) develops fraternal relations and relations of collaboration with the countries that uphold anti-imperialist and progressive positions;
- j) maintains friendly relations with those countries which—although having a different political, social and economic system—respect its sovereignty, observe the rules of coexistence among states and the principles of mutual conveniences, and adopt an attitude of reciprocity with our country;

k) determines its affiliation with international agencies and its participation in international conferences and meetings, bearing in mind the interests of peace and of socialism; of the liberation of the peoples; of the progress of science, technology and culture; of international exchange; and the respect for our country's own national rights.

ARTICLE 13. The Republic of Cuba grants asylum to those who are persecuted because of the struggle for the democratic rights of the majorities; for national liberation; against imperialism, fascism, colonialism and neocolonialism; for the abolition of racial discrimination; for the rights of workers, peasants and students and the redress of their grievances; for their progressive political, scientific, artistic and literary activities; for socialism and peace.

ARTICLE 14. In the Republic of Cuba rules the socialist system of economy based on the people's socialist ownership of the means of production and on the abolition of the exploitation of man by man.

ARTICLE 15. The socialist state property, which is the property of the entire people, becomes irreversibly established over the lands that do not belong to small farmers or to cooperatives formed by the same; over the subsoil, mines, the natural resources and flora and fauna in the marine area over which it has jurisdiction, woods, waters, means of communication; over the sugar mills, factories, chief means of transportation; and over all those enterprises, banks, installations and properties that have been nationalized and expropriated from the imperialist, the landholders and the bourgeoisie; as well as over the people's farms, factories, enterprises and economic, so-

cial, cultural and sports facilities built, fostered or purchased by the state and those which will be built, fostered or purchased by the state in the future.

ARTICLE 16. The state organizes, directs and controls the economic life of the nation in accordance with the central plan of socioeconomic development in whose elaboration and execution the workers of all the branches of the economy and of the other spheres of social life have an active and conscious participation.

The development of the economy serves the purpose of strengthening the socialist system; of increasingly satisfying the material and cultural needs of the society and of the citizens; of promoting the flowering of the human personality and of its dignity; and serves the progress and the security of the country; and the national capacity to fulfill the internationalist duties of our people.

ARTICLE 17. The state organizes enterprises and other economic entities for the administration of the socialist property of the entire people.

The structure, powers and functions of the state enterprises and economic entities of production and of services and the system of their relations are prescribed by law.

ARTICLE 18. Foreign trade is the exclusive function of the state. The law determines the state institutions and officials authorized to establish foreign trade enterprises and to standardize and regulate export and import transactions; and those invested with legal power to sign commercial agreements.

ARTICLE 19. In the Republic of Cuba rules the socialist principle of "from each according to his ability, to each according to his work".

The law establishes the regulations which guarantee the effective fulfillment of this principle.

ARTICLE 20. The state recognizes the right of small farmers to own their lands and other means and implements of production, according to what the law stipulates.

Small farmers have the right to group themselves, in the way and following the requirements prescribed by law both for the purpose of agricultural production and for obtaining state loans and services.

The establishment of agricultural cooperatives in the instances and ways prescribed by law is authorized. Ownership of the cooperatives constitutes a form of collective ownership on the part of the peasants in those cooperatives.

The state supports the cooperative production of small farmers as well as individual production which contribute to the growth of the national economy.

The state fosters the participation of small farmers, freely and voluntarily, in state projects and units of agricultural production.

ARTICLE 21. Small farmers have the right to sell their land with the previous authorization of the state agencies, as prescribed by law. In all cases, the state has preferential right to the purchase of the land while paying a fair price.

Land leases, share cropping, mortgages and all other forms which entail a lien on the land or partial cession to private individuals of the rights and title to the land which is the property of the small farmers are all prohibited.

ARTICLE 22. The state guarantees the right to personal ownership of earnings and savings derived from one's

own work, of the dwelling to which one has legal title and of the other possessions and objects which serve to satisfy one's material and cultural needs.

Likewise, the state guarantees the right of citizens to ownership of their personal or family work tools, as long as these tools are not employed in exploiting the work of others.

ARTICLE 23. The state recognizes the right of political, social and mass organizations to ownership of the goods intended for the fulfillment of their objectives.

ARTICLE 24. The law regulates the right of citizens to inherit legal title to a place of residence and to other personal goods and chattels.

The land owned by a small farmer may only be inherited by the heirs who are personally involved in its cultivation, save for the exceptions prescribed by law.

With regard to goods which are part of cooperatives, the law prescribes the conditions under which said goods may be inherited.

ARTICLE 25. The expropriation of property for reasons of public benefit or social interest and with due compensation is authorized.

The law establishes the method for the expropriation and the bases on which the need for and usefulness of this action is to be determined as well as the form of compensation, taking into account the interest and the economic and social needs of the person whose property has been expropriated.

ARTICLE 26. Anybody who suffers damages, or injuries unjustly caused by a state official or employee while in the performance of his public functions has the

right to claim and obtain the corresponding indemnification as prescribed by law.

ARTICLE 27. To ensure the well-being of citizens, the state and society are the protectors of nature. It falls within the jurisdiction of the legally qualified agencies and of each and every citizen, to watch over the cleanliness of the waters and of the air, and to protect the soil, flora and fauna.

CHAPTER II
CITIZENSHIP

ARTICLE 28. Cuban citizenship is acquired by birth or through naturalization.

ARTICLE 29. Cuban citizens by birth are:

- a) those born in our territory, with the exception of the children of foreign persons at the service of their government or international organizations;
- b) those born abroad, one of whose parents at least is Cuban and on an official mission;
- c) those born abroad, one of whose parents at least is Cuban, who have complied with the formalities stipulated by law;
- d) those born outside our territory, one of whose parents at least is Cuban, and who have lost their citizenship, provided they apply for Cuban citizenship according to the procedures stated by law;
- e) foreigners who, by virtue of their exceptional merits won in the struggles for Cuba's liberation, were considered Cuban citizens by birth.

ARTICLE 30. Cuban citizens by naturalization are:

- a) those foreigners who acquire Cuban citizenship in accordance with the regulations established by law;
- b) those who contributed to the armed struggle against the tyranny overthrown on January 1, 1959, provided they show proof of this in the legal established form and;
- c) those who having been arbitrarily deprived of their citizenship of origin, obtain Cuban citizenship by virtue of an express agreement of the Council of State.

ARTICLE 31. Neither marriage nor its dissolution affect the citizenship status of either of the spouses or their children.

ARTICLE 32. Cuban citizenship is lost by:

- a) those who become citizens of another country;
- b) those who without the Government's permission serve another nation in military functions or in posts entailing authority or jurisdiction;
- c) those who on foreign territory conspire or act in any way against the people of Cuba and their socialist and revolutionary institutions;
- d) naturalized Cubans residing in the country where they were born, unless they express their desire to maintain Cuban citizenship to the corresponding consular authority every three years;
- e) naturalized citizens who accept double citizenship.

The law may determine crimes and causes of unbecoming behavior that may lead to the loss of citizenship by naturalization through a nonappealable judgment by a court.

The formalization of the loss of citizenship by the reason stated in clauses b) and c) is made effective by a decree issued by the Council of State.

ARTICLE 33. Cuban citizenship may be regained in those cases and ways specified by the law.

CHAPTER III

THE FAMILY

ARTICLE 34. The state protects the family, motherhood and matrimony.

ARTICLE 35. Marriage is the voluntarily established union between a man and a woman, who are legally fit to marry, in order to live together. It is based on full equality of right and duties for the partners, who must see to the support of the home and the integral education of their children through a joint effort compatible with the social activities of both.

The law regulates the formalization, recognition and dissolution of marriage and the rights and obligations deriving from such acts.

ARTICLE 36. All children have the same rights, regardless of being born in or out of wedlock.

Any qualification concerning the nature of the relationship is abolished.

No statement shall be made either with regard to the difference in birth or the civil status of the parents in the registration of the children's birth or in any other documents that mention parenthood.

The state guarantees, through adequate legal means, the determination and recognition of paternity.

ARTICLE 37. The parents have the duty to provide nourishment for their children; to help them to defend their legitimate interests and in the realization of their just aspirations; and to contribute actively to their education and integral development as useful well-prepared citizens for life in a socialist society.

It is the children's duty, in turn, to respect and help their parents.

CHAPTER IV

EDUCATION AND CULTURE

ARTICLE 38. The state orients, foments and promotes education, culture and science in all their manifestations.

Its educational and cultural policy is based on the following principles:

- a) the state bases its educational and cultural policy on the scientific world view, established and developed by Marxism-Leninism;
- b) education is a function of the state. Consequently, educational institutions belong to the state. The fulfillment of the educational function constitutes a task in which all society participates and is based on the conclusions and contributions made by science and on the closest relationship between study and life, work and production;
- c) the state must promote the communist education of the new generations and the training of children.

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- young people and adults for social life. In order to make this principle a reality, general education and specialized scientific, technical or artistic education are combined with work, development research, physical education, sports, participation in political and social activities and military training;
- d) education is provided free of charge. The state maintains a broad scholarship system for students and provides the workers with multiple opportunities to study, with a view to the universalization of education. The law establishes the integration and structure of the national system of education and the extent of compulsory education and defines the minimum level of general education that every citizen must acquire;
 - e) artistic creativity is free as long as its content is not contrary to the Revolution. Forms of expression of art are free;
 - f) in order to raise the level of culture of the people, the state foments and develops artistic education, the vocation for creation and the cultivation and appreciation of art;
 - g) creation and investigation in science are free. The state encourages and facilitates investigation and gives priority to that which is aimed at solving the problems related to the interests of the society and the well-being of the people;
 - h) the state makes it possible for the workers to engage in scientific work and to contribute to the development of science;
 - i) the state promotes, foments and develops all forms of physical education and sports as a means of

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education and of contribution to the integral development of the citizens;

- j) the state sees to the conservation of the nation's cultural heritage and artistic and historic wealth. The state protects national monuments and places known for their natural beauty or their artistic or historic value;
- k) the state promotes the participation of the citizens, through the country's social and mass organizations, in the development of its educational and cultural policy.

ARTICLE 39. The education of children and young people in the spirit of communism is the duty of all society.

The state and society give special protection to children and young people.

It is the duty of the family, the schools, the state agencies and the social and mass organizations to pay special attention to the integral development of children and young people.

CHAPTER V

EQUALITY

ARTICLE 40. All citizens have equal rights and are subject to equal duties.

ARTICLE 41. Discrimination because of race, color, sex or national origin is forbidden and will be punished by law.

The institutions of the state educate everyone from the earliest possible age, in the principle of equality among human beings.

ARTICLE 42. The state consecrates the right achieved by the Revolution that all citizens, regardless of race, color or national origin:

- have access, in keeping with their merits and abilities, to all positions and state and administrative jobs and of production and services;
- can reach any rank of the Revolutionary Armed Forces and of Security and internal order, in keeping with their merits and abilities;
- be given equal pay for equal work;
- have a right to education at all national educational institutions, ranging from elementary schools to the universities, which are the same for all; be given medical care in all medical institutions;
- live in any sector, zone or area and stay in any hotel;
- be served at all restaurants and other public service establishments;
- use, without any separations, all means of transportation by sea, land and air;
- enjoy the same resorts, beaches, parks, social centers and other centers of culture, sports, recreation and rest.

ARTICLE 43. Women have the same rights as men in the economic, political and social fields as well as in the family.

In order to assure the exercise of these rights and especially the incorporation of women into socially organized work, the state sees to it that they are given

jobs in keeping with their physical makeup; they are given paid maternity leave before and after giving birth; the state organizes such institutions as children's day-care centers, semiboarding schools and boarding schools; and it strives to create all the conditions which help to make real the principle of equality.

CHAPTER VI

FUNDAMENTAL RIGHTS, DUTIES AND GUARANTEES

ARTICLE 44. Work in a socialist society is a right and duty and a source of pride for every citizen.

Work is remunerated according to its quality and quantity; when it is provided, the needs of the economy and of society, the decision of the worker and his skill and ability are taken into account; this is guaranteed by the socialist economic system, that facilitates social and economic development, without crises, and has thus eliminated unemployment and the dead season.

Nonpaid, voluntary work carried out for the benefit of all society in industrial, agricultural, technical, artistic and service activities is recognized as playing an important role in the formation of our people's communist awareness.

Every worker has the duty to faithfully carry out tasks corresponding to him at his job.

ARTICLE 45. All those who work have the right to rest, which is guaranteed by the eight-hour work day, a weekly rest period and annual paid vacations.

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The state contributes to the development of vacation plans and facilities.

ARTICLE 46. By means of the Social Security System the state assures adequate protection to every worker who is unable to work because of age, illness or disability.

If the worker dies this protection will be extended to his family.

ARTICLE 47. The state protects by means of social aid senior citizens lacking financial resources or anyone to take them in or care for them and anyone who is unable to work and has no relatives who can help him.

ARTICLE 48. The state guarantees the right to protection, safety and hygiene on the job by means of the adoption of adequate measures for the prevention of accidents at work and occupational diseases.

He who suffers an accident on the job or is affected by an occupational disease has the right to medical care and to compensation or retirement in those cases in which temporary or permanent work disability ensues.

ARTICLE 49. Everybody has the right to health protection and care. The state guarantees this right:

- by providing free medical and hospital care by means of the installations of the rural medical service network, polyclinics, hospitals, preventive and specialized treatment centers;
- by providing free dental care;
- by promoting the health publicity campaigns, health education, regular medical examinations, general vaccinations and other measures to prevent the outbreak of disease. All the population

cooperates in these activities and plans through the social and mass organizations.

ARTICLE 50. Everyone has the right to an education. This right is guaranteed by the free and widespread system of schools, semiboarding and boarding schools and scholarships of all kinds and all levels of education, and because of the fact that all educational material is provided free of charge; which gives all children and young people, regardless of their family's economic position, the opportunity to study in keeping with their ability, social demands and the needs of socioeconomic development.

Adults are also guaranteed this right and education for them is free of charge with the specific facilities regulated by law, by means of the adult education program, technical and vocational education, training courses in state agencies and enterprises and the advanced courses for workers.

ARTICLE 51. Everyone has the right to physical education, sports and recreation.

Enjoyment of this right is assured by including the teaching and practice of physical education and sports in the curricula of the national educational system; and by the broad nature of the instruction and means placed at the service of the people, which makes possible the practice of sports and recreation on a mass basis.

ARTICLE 52. Citizens have freedom of speech and of the press in keeping with the objectives of socialist society. Material conditions for the exercise of that right are provided by the fact that the press, radio, television, movies, and other organs of the mass media are state

or social property and can never be private property. This assures their use at the exclusive service of the working people and in the interests of society.

The law regulates the exercise of these freedoms.

ARTICLE 53. The rights to assembly, demonstration and association are exercised by workers, both manual and intellectual, peasants, women, students and other sectors of the working people, and they have the necessary means for this. The social and mass organizations have all the facilities they need to carry out those activities in which the members have full freedom of speech and opinion based on the unlimited right of initiative and criticism.

ARTICLE 54. The socialist state, which bases its activity and educates the people in the scientific materialist concept of the universe, recognizes and guarantees freedom of conscience and the right of everyone to profess any religious belief and to practice, within the framework of respect for the law, the belief of his preference.

The law regulates the activities of religious institutions.

It is illegal and punishable by law to oppose one's faith or religious belief to Revolution, education or the fulfillment of the duty to work, defend the homeland with arms, show reverence for its symbols and other duties established by the Constitution.

ARTICLE 55. The home is inviolable. Nobody can enter the home of another against his will, except in those cases foreseen by law.

ARTICLE 56. Mail is inviolable. It can only be seized, opened and examined in cases prescribed by law. Secrecy

is maintained on matters other than those which led to the examination.

The same principle is to be applied in the case of cable, telegraph and telephone communication.

ARTICLE 57. Freedom and inviolability of persons is assured to all those who live in the country.

Nobody can be arrested, except in the manner, with the guarantees and in the cases indicated by law.

The person who has been arrested or the prisoner is inviolable in his personal integrity.

ARTICLE 58. Nobody can be tried or sentenced except by the competent tribunal by virtue of laws which existed prior to the crime and with the formalities and guarantees that the laws establish.

Every accused person has the right to a defense.

No violence or pressure of any kind can be used against people to force them to testify.

All statements obtained in violation of the above precept are null and void and those responsible for the violation will be punished as outlined by law.

ARTICLE 59. Confiscation of property is only applied as a punishment by the authorities in the cases and by the methods determined by law.

ARTICLE 60. Penal laws are retroactive when they benefit the accused or person who has been sentenced. Other laws are not retroactive unless the contrary is decided for reasons of social interest or because it is useful for public purposes.

ARTICLE 61. None of the freedoms which are recognized for citizens can be exercised contrary to what is

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established in the Constitution and the law, or contrary to the existence and objectives of the socialist state, or contrary to the decision of the Cuban people to build socialism and communism. Violations of this principle can be punished by law.

ARTICLE 62. Every citizen has the right to file complaints with and send petitions to the authorities and to be given the pertinent response or attention within a reasonable length of time, in keeping with the law.

ARTICLE 63. Every citizen has the duty of caring for public and social property, accepting work discipline, respecting the rights of others, observing standards of socialist living and fulfilling civic and social duties.

ARTICLE 64. Defense of the socialist homeland is the greatest honor and the supreme duty of every Cuban citizen.

The law regulates the military service which Cubans must do.

Treason against one's country is the most serious of crimes; those who commit it are subject to the most severe penalties.

ARTICLE 65. Strict fulfilment of the Constitution and the laws is an inexcusable duty of all.

CHAPTER VII

PRINCIPLES OF ORGANIZATION AND FUNCTIONING OF THE STATE ORGANS

ARTICLE 66. State organs are set up, function and carry out their activity based on the principles of socialist

democracy, unity of power and democratic centralism, which are manifested in the following forms:

- a) all organs of People's Power, its executive organs and all the courts are formed by members who are elected and subject to recall at regular intervals;
- b) the masses control the activity of the state agencies, their deputies, delegates and officials;
- c) those elected must render an account of their work to their electors and the latter have the right to revoke the former when they are not worthy of the trust placed in them;
- d) every state organ develops in a far-reaching manner within its jurisdiction, initiatives aimed at taking advantage of the resources and possibilities which exist on a local level and to include the social and mass organizations in their work;
- e) decisions of superior state organs are compulsory for inferior ones;
- f) inferior state organs are responsible to superior ones and must render accounts of their work;
- g) in the activity of local administrative and executive organs there is a system of double subordination: subordination to the corresponding organ of People's Power and subordination to the superior level which handles the administrative matters which are also under the jurisdiction of the local organ;
- h) freedom of discussion, criticism and self-criticism and subordination of the minority to the majority prevail in all collegiate state organs.

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CHAPTER VIII

SUPREME ORGANS OF PEOPLE'S POWER

ARTICLE 67. The National Assembly of the People's Power is the supreme organ of state power and represents and expresses the sovereign will of all the working people.

ARTICLE 68. The National Assembly of the People's Power is the only organ in the Republic invested with constituent and legislative authority.

ARTICLE 69. The National Assembly of the People's Power is composed of deputies elected by the Municipal Assemblies of the People's Power according to the procedure and in the proportion established by law.

ARTICLE 70. The National Assembly of People's Power is elected for a period of five years.

This period can only be extended by virtue of a resolution of the Assembly itself in the event of war or in the case of other exceptional circumstances that may impede the normal holding of elections and while such circumstances exist.

ARTICLE 71. Thirty days after all the deputies to the National Assembly of People's Power are elected, the Assembly meets on its own right, under the presidency of the oldest deputy assisted by the two youngest deputies acting as secretaries.

The session includes the verification of the validity of the election of the deputies, the swearing in of the deputies and the election by the deputies of the President the Vice-President and Secretary of the National Assembly

of People's Power, who proceed to assume their posts immediately.

Next, the Assembly proceeds to elect the Council of State.

ARTICLE 72. The National Assembly of People's Power elects, from among its deputies, the Council of State, which consists of one President, one First Vice-President, five Vice-Presidents, one Secretary and 23 other members.

The President of the Council of State is, at the same time, the Head of State and Head of Government.

The Council of State is accountable for its action to the National Assembly of People's Power, to which it must render accounts of all its activities.

ARTICLE 73. The National Assembly of People's Power is invested with the following powers:

- a) deciding on reforms to the Constitution according to that established in Article 141;
- b) approving, modifying and annulling laws after consulting with the People when it is considered necessary in view of the nature of the law in question;
- c) deciding on the constitutionality of laws, decree-laws, decrees and all other general provisions;
- d) revoking in total or in part the decree-laws issued by the Council of State;
- e) discussing and approving the national plans for economic and social development;
- f) discussing and approving the state budget;
- g) approving the principles of the system for planning and the management of the national economy;

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- h) approving the monetary and credit system;
- l) approving the general outlines of foreign and domestic policy;
- j) declaring a state of war in the event of military aggression and approving peace treaties;
- k) establishing and modifying the politico-administrative division of the country pursuant to that established in Article 100;
- l) electing the President, Vice-President and Secretary of the National Assembly;
- m) electing the President, the First Vice-President, the Vice-Presidents, the Secretary, and the other members of the Council of State;
- n) appointing, at the initiative of the President of the Council of State, the First Vice-President, the Vice-President and the other members of the Council of Ministers;
- o) electing the President, Vice-President and other judges of the People's Supreme Court;
- p) electing the Attorney General and the deputy attorney generals of the Republic;
- q) appointing permanent and temporary commissions;
- r) revoking the election or appointment of those persons elected or appointed by it;
- s) exercising the highest supervision over the organs of state and government;
- t) keeping informed on, evaluating and adopting pertinent decisions on the reports on the rendering of accounts submitted by the Council of State, the Council of Ministers, the People's Supreme Court, the Office of the Attorney General of the Republic and the Provincial Assemblies of People's Power;

- u) revoking those provisions or decree-laws of the Council of State and the decrees or resolutions of the Council of Ministers which are contrary to the Constitution or the law;
- v) annulling or modifying those resolutions or provisions of the local organs of People's Power which encroach on the Constitution, the laws, the decree-laws, the decrees and other provisions issued by a superior organ, or those which are detrimental to the interests of other localities or the general interests of the nation;
- w) granting amnesty;
- x) calling for the holding of a referendum in those cases provided by the Constitution and others which the Assembly considers pertinent;
- y) establishing its rules and regulations; and
- z) all other powers invested by this Constitution.

ARTICLE 74. All laws and resolutions of the National Assembly of People's Power, barring those in relation to reforms in the Constitution, are adopted by a simple majority vote.

ARTICLE 75. All laws approved by the National Assembly of People's Power go into effect on the date determined by those laws in each case.

Laws, decree-laws, decrees and resolution, regulations and other general provisions of the national organs of the state are published in the Official Gazette of the Republic.

ARTICLE 76. The National Assembly of People's Power holds two regular sessions a year and a special session when requested by one third of the membership or when called by the Council of State.

ARTICLE 77. More than half of the total number of deputies must be present for a session of the National Assembly of People's Power to be held.

ARTICLE 78. All sessions of the National Assembly of People's Power are public, excepting when the Assembly resolves to hold a closed-door session on the grounds of state interests.

ARTICLE 79. The President of the National Assembly of People's Power is invested with the power to:

- a) preside over the sessions of the National Assembly and see to it that its regulations are put into effect;
- b) call the regular sessions of the National Assembly;
- c) propose the draft agenda for the sessions of the National Assembly;
- d) sign and order the publication in the Official Gazette of the Republic of the laws and resolutions adopted by the National Assembly;
- e) organize the international relations of the National Assembly;
- f) conduct and organize the work of the permanent and temporary commissions appointed by the National Assembly;
- g) attend the meetings of the Council of State; and
- h) all other powers assigned to him by this Constitution or the Assembly.

ARTICLE 80. The status of deputy does not entail personal privileges or economic benefits of any kind.

The deputies to the National Assembly of People's Power combine their activities as such with their duties and their regular everyday tasks.

To the extent that their work as deputies demands, they are given leave without pay and receive a daily allowance equivalent to their salary and whatever additional expenses they may incur in the exercise of their duties.

ARTICLE 81. No deputy to the National Assembly of People's Power may be arrested or placed on trial without the authorization of the Assembly—or the Council of State if the Assembly is not in session—except in the cases of flagrant offenses.

ARTICLE 82. It is the duty of the deputies to the National Assembly of People's Power to exercise their duties in benefit of the people's interests, stay in contact with their electors, listen to their grievances, suggestions and criticism, explain the policy of the state to them and periodically render account to them of the results of their activities.

Likewise, it is the deputies' duty to render account of their activities to the Assembly any time the Assembly deems it necessary.

ARTICLE 83. The deputies to the National Assembly of People's Power may be recalled by their electors at any time in the ways and means prescribed by law.

ARTICLE 84. The deputies to the National Assembly of People's Power have the right to make inquiries to the Council of State, the Council of Ministers or the members of either and to have these inquiries answered during the course of the same session or at the next session.

ARTICLE 85. It is the duty of all state organs and enterprises to provide all necessary cooperation to the deputies in the discharge of their duties.

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ARTICLE 86. The proposal of laws is the responsibility of:

- a) the deputies to the National Assembly of People's Power;
- b) the Council of State;
- c) the Council of Ministers;
- d) the commissions of the National Assembly of People's Power;
- e) the Central Organization of Cuban Trade Unions and the national offices of the other social and mass organizations;
- f) the People's Supreme Court, in matters related to the administration of justice;
- g) the Office of the Attorney General of the Republic, in matters within its jurisdiction;
- h) the citizens. In this case it is an indispensable prerequisite that the proposal be made by at least 10 000 citizens who are eligible to vote.

ARTICLE 87. The Council of State is the organ of the National Assembly of People's Power that represents it in the period between sessions, puts its resolutions into effect and complies with all the other duties assigned by the Constitution.

It is collegiate and for national and international purposes it is the highest representative of the Cuban state.

ARTICLE 88. The council of State is invested with the power to:

- a) summon special sessions of the National Assembly of People's Power;
- b) set the date for the elections for the periodic renovation of the National Assembly of People's Power;

- c) issue decree-laws in the period between the sessions of the National Assembly of People's Power;
- d) give existing laws a general and obligatory interpretation whenever necessary;
- e) exercise legislative initiative;
- f) make all the necessary arrangements for the holding of referendums called for by the National Assembly of People's Power;
- g) decree general mobilization whenever the defense of the country makes it necessary and assume the authority to declare war in the event of aggression or to approve peace treaties—duties which the Constitution assigns to the National Assembly of People's Power—when the Assembly is in recess and cannot be called to session with the necessary security and urgency.
- h) replace, at the initiative of its President, the members of the Council of Ministers in the period between the sessions of the National Assembly of People's Power;
- i) issue general instructions to the courts through the Council of Government of the People's Supreme Court;
- j) issue instructions to the Office of the Attorney General of the Republic;
- k) appoint and remove, at the initiative of its President, the diplomatic representatives of Cuba in other states;
- l) grant decorations and honorary titles;
- m) name commissions;
- n) grant pardons;
- o) ratify or denounce international treaties;

- p) grant or refuse recognition to diplomatic representatives of other states;
- q) suspend those provisions of the Council of Ministers and the resolutions and provisions of the Local Assemblies of People's Power which run counter to the Constitution or the law or which run counter to the interests of other localities or to the general interests of the country, reporting on this action to the National Assembly of People's Power in the first session held following the suspension agreed upon;
- r) revoke those resolutions and provisions of the Executive Committees of the local organs of People's Power which infringe the Constitution, the laws, the decree-laws, the decrees and other provisions issued by a higher organ or when they are detrimental to the interests of other localities or to the general interests of the nation;
- s) approve its rules and regulations;
- t) it is also invested with the other powers conferred by the Constitution and laws or granted by the National Assembly of People's Power.

ARTICLE 89. All the decisions of the Council of State are adopted by a simple majority vote of its members.

ARTICLE 90. The mandate entrusted to the Council of State by the National Assembly of People's Power expires at the time of the establishment of a new Assembly by virtue of the periodic renovations of the Assembly.

ARTICLE 91. The President of the Council of State is Head of Government and is invested with the power to:

- a) represent the state and the government and conduct their general policy;
- b) organize, conduct the activities of, call for the holding of and preside over the session of the Council of State and the Council of Ministers;
- c) control and supervise the development of the activities of the ministries and other central agencies of the administration;
- d) assume the leadership of any ministry or central agency of the administration;
- e) propose to the National Assembly of People's Powers, once elected by the latter, the members of the Council of Ministers;
- f) accept the resignation of the members of the Council of Ministers or propose either to the National Assembly of People's Power or the Council of State the replacement of any of those members and, in both cases, to propose the corresponding substitutes;
- g) receive the credentials of the heads of foreign diplomatic missions. This responsibility may be delegated to any of the vice-presidents of the Council of State.
- h) assume the supreme command of the Revolutionary Armed Forces;
- i) sign the decree-laws and other resolutions of the Council of State and arrange for their publication in the Official Gazette of the Republic; and
- j) assume all other duties assigned it by the Constitution or the Assembly.

ARTICLE 92. In cases of the absence, illness or death of the President of the Council of State, the First Vice-President assumes the President's duties.

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ARTICLE 93. The Council of Ministers is the highest-ranking executive and administrative organ and constitutes the Government of the Republic.

The number, denomination and functions of the ministries and central agencies making up the Council of Ministers are determined by law.

ARTICLE 94. The Council of Ministers is composed of the Head of State and Government, as its President, the First Vice-President, the Vice-Presidents, the President of the Central Planning Board, the Ministers, the Secretary and the other members that the law determines.

ARTICLE 95. The President, the First Vice-President and the Vice-Presidents of the Council of Ministers constitute its Executive Committee.

The members of the Executive Committee control and coordinate the work of the Ministries and central organizations by sectors.

In emergency cases, the Executive Committee may rule on matters normally under the jurisdiction of the Council of Ministers.

ARTICLE 96. The Council of Ministers is invested with the power to:

- a) organize and conduct the political, economic, cultural, scientific, social and defense activities outlined by the National Assembly of People's Power;
- b) propose the projects for the general plans for the socioeconomic development of the state and, after these are approved by the National Assembly of People's Power, organize, conduct and supervise their implementation;
- c) conduct the foreign policy of the Republic and relations with other governments;

- d) approve international treaties and submit them to ratification by the Council of State;
- e) direct and control foreign trade;
- f) draw up the draft for the state budget and, once it is approved by the National Assembly of People's Power, to see to its implementation;
- g) adopt measures aimed at strengthening the monetary and credit system;
- h) draw up bills and submit them to the consideration of the National Assembly of People's Power of the Council of State, accordingly;
- i) see to national defense, the maintenance of order and security at home, the protection of citizens' rights and the protection of lives and property in the event of natural disasters;
- j) conduct the administration of the state, unifying, coordinating and supervising the activities of the ministries and other central agencies of the administration;
- k) implement the laws and resolutions of the National Assembly of People's Power and the decrees, laws and provisions issued by the Council of State and, if necessary, dictate the corresponding regulations;
- l) issue decrees and provisions on the basis of and pursuant to the existing laws and supervise their implementation;
- m) grant territorial asylum;
- n) determine the general organization of the Revolutionary Armed Forces;
- o) assume the direction and the methodological and technical supervision of the administrative func-

tions of the local organs of People's Power through the corresponding ministries and other central agencies;

- p) revoke or annul those provisions issued by ministers, heads of central agencies and the administrative bodies of the local organs of People's Power which are contrary to the instructions issued from a higher level and whose fulfillment is compulsory;
- q) propose to the National Assembly of People's Power the annulment of, or to the Council of State the suspension of those resolutions and provisions issued by the Assemblies of the local organs of People's Power which infringe existing laws and other provisions of are detrimental to the interests of other communities or the general interests of the nation;
- r) name the commissions it deems necessary to facilitate the fulfillment of the tasks assigned to it;
- s) appoint and remove officials in keeping with the powers it is invested with by the law; and
- t) assume any duty assigned to it by the National Assembly of People's Power or the Council of State.

ARTICLE 97. The Council of Ministers is accountable to and periodically renders account of its activities to the National Assembly of People's Power.

ARTICLE 98. The members of the Council of Ministers are invested with the power to:

- a) conduct the affairs and tasks of the ministry or agency under their care, issuing the necessary resolutions and provisions to that effect;

- b) dictate, in the event it is not the specific duty of another state organ, the necessary regulations to make possible the implementation of those laws and decree-laws which concern them;
- c) attend the sessions of the Council of Ministers, with the authority to speak and vote, and submit to the consideration of the Council whatever bill, decree-law, decree, resolution or any other proposal they consider advisable;
- d) appoint, according to the law, the officials of their agency;
- e) it is also invested with any other power with which the Constitution and laws invest it.

ARTICLE 99. The General Secretary of the Central Organization of Cuban Trade Unions has the right to participate in the sessions of the Council of Ministers and of its Executive Committee.

CHAPTER IX

LOCAL ORGANS OF PEOPLE'S POWER

ARTICLE 100. For political-administrative purposes the country is divided into provinces and municipalities; their number, boundaries and names are determined by law. The law can also establish other divisions.

ARTICLE 101. The Assemblies of Delegates of People's Power set up in the political and administrative divisions into which the country is divided by law, are the superior local organs of state power.

ARTICLE 102. The local Assemblies of Delegates of People's Power are Invested with the highest authority for the exercise of their state functions in the area under their jurisdiction. To this effect, they govern in all that concerns them and, by means of the organs which they establish, direct economic, production and service units which are directly subordinated to them and carry out the activities required in order to meet the needs for care, economic, cultural, educational and recreational services of the collective in the territory under the jurisdiction of each.

They also aid in the development of activities and the fulfillment of plans of those units in their territory which are not subordinated to them.

ARTICLE 103. For the exercise of their functions the local Assemblies of People's Power are backed up by the initiative and the broad participation of the population and they act in close coordination with the social and mass organizations.

ARTICLE 104. The local organs of People's Power, to the corresponding extent and in keeping with the law, participate in the preparation, implementation and control of the Uniform Socioeconomic Plan adopted by the state.

ARTICLE 105. In the limits of their jurisdiction, the provincial and municipal Assemblies of People's Power:

- a) obey and help to enforce the general laws and regulations which come from the superior organs of the state;
- b) adopt agreements and enact measures;
- c) revoke, suspend or modify, whatever the case may be, the resolutions and measures of the organs

subordinated to them which are contrary to the Constitution or the laws, decree-laws, decrees, regulations or resolution enacted by the superior organs of state power, or those which affect the interests of other communities or the general interests of the country;

- d) elect their Executive Committee and determine its organization, functioning and tasks, in keeping with the law;
- e) revoke the mandate of the members of the respective Executive Committees;
- f) determine the organization, functioning and tasks of the administrative leadership in the different branches of socioeconomic activity;
- g) appoint, substitute or dismiss the heads of their administrative departments;
- h) set up and dissolve work commissions;
- i) elect and recall, in keeping with the provisions of the law, the judges of the People's Courts in the area under their respective jurisdictions;
- j) study and evaluate the rendering of account reports presented by their Executive Committees, judicial organs and assemblies which are their immediate subordinates and adopt the pertinent decisions regarding those reports;
- k) protect and defend the rights of citizens and socialist property;
- l) work to strengthen socialist legality, uphold internal order and strengthen the country's defensive capacity;
- m) carry out the other functions assigned by the Constitution and the law.

ARTICLE 106. On the second Sunday following the election of all the delegates to the Municipal Assembly of People's Power, it meets by right under the presidency of the oldest delegate in order to confirm the validity of the election of the delegates and once this has been done it will elect the Executive Committee and the delegates to the provincial assemblies. The two youngest delegates act as secretaries.

The other local assemblies are set up in the same way and on the occasion stipulated by the law.

ARTICLE 107. The regular and extraordinary sessions of the local Assemblies of People's Power are public. Only when state secrets or the dignity of persons are involved will this not be the case.

ARTICLE 108. In order for agreements of the Assemblies of People's Power to be valid more than half the total number of members must be present. Agreements are adopted by simple majority.

ARTICLE 109. The administrative departments are subordinated to their respective assemblies, its Executive Committee and the superior organ of the corresponding administrative branch.

ARTICLE 110. The permanent work commissions organized by branches of production and services or by field of work aid the Assemblies and their Executive Committees in their respective activities and in controlling administrative leadership and local enterprises.

Temporary commissions fulfill specific tasks assigned within the time limits indicated.

ARTICLE 111. The Assemblies are renovated every two and a half years which is the term of a delegate.

This term can only be extended by decision of the National Assembly of People's Power, in the cases mentioned in Article 70.

ARTICLE 112. The term of the delegates can only be revoked by their electors who can do so at any time, by means of the method outlined by the law. The law also establishes the cases and the method for replacing delegates when they are no longer able to perform their duties.

ARTICLE 113. The delegates fulfill the mandate of their electors in the interests of all the community and they must:

- a) make the opinions, needs and problems expressed by their electors known to the Assembly;
- b) report to their electors on the policy of the Assembly and the measures adopted for solving the problems posed by the population or outline the reason why they have not been solved;
- c) render account of their work on a regular basis to their electors and to the Assembly to which they belong.

ARTICLE 114. The Executive Committee is the collegiate organ elected by the provincial and municipal Assemblies of People's Power to fulfill the functions outlined by the Constitution and assigned by law as well as the tasks it is given by the Assembly.

The Executive Committee is made up of the number of members determined by law and they elect, with the ratification of the Assembly, a President, a Vice-President and a Secretary who also hold those posts in the Assembly.

ARTICLE 115. The election of the members of the Executive Committees of the Municipal and Provincial

assemblies takes place from among the ranks of assembly delegates.

In all cases the election takes place by virtue of candidacies proposed in the manner outlined by law.

The President of every Municipal Executive Committee is also, by right, a delegate to the provincial Assembly of People's Power.

ARTICLE 116. The Executive Committee has the authority to:

- a) summon regular and special sessions of the Assembly;
- b) publish and implement the agreements adopted by the Assembly;
- c) suspend the implementation of any measure enacted by the immediate subordinate local Assemblies of People's Power, when it is unconstitutional, illegal or otherwise contradictory to the measures enacted by the superior organs of state power or those which affect the interests of other communities or the general interests of the country;
- d) revoke, in the cases mentioned in clause c), the provisions, agreements and resolutions of the Executive Committees of the immediate subordinate local Assemblies of People's Power in those periods in which the Assembly to which they pertain is not in session;
- e) study, evaluate and adopt the pertinent decisions regarding the rendering of account reports presented by the immediate subordinate Executive Committee;
- f) direct and control administrative leadership and local enterprises;

g) appoint and replace officials of administrative leadership and of local enterprises;

h) adopt pertinent measures to aid in the development of the activities and the fulfillment of the plans of the units established in the territory of the respective assemblies which are not subordinated to it;

i) suspend and temporarily replace the heads of administrative departments and local enterprises, giving an account to the assembly, which may ratify or modify the decision.

ARTICLE 117. In the periods between assembly sessions, the Executive Committee assumes its functions which are outlined in clauses a), b), h), k) and l) of Article 105.

The agreements and general measures adopted by the Executive Committee in exercise of those powers must be ratified, modified or annulled by the Assembly in the first meeting it holds afterward.

ARTICLE 118. The Executive Committee periodically renders an account of its work to the Assembly and to the immediate superior Executive Committee.

ARTICLE 119. The mandate given to the executive Committees ceases when a new Assembly of Delegates to People's Power is set up.

ARTICLE 120. The President of the Executive Committee has the power to:

- a) summon and preside over the sessions of the Assembly;
- b) see to it that the regulations of the Assemblies are enforced;

- c) summon and preside over the meetings of the Executive Committee;
- d) organize the activity of the Executive Committee.

The President may delegate some of these functions to the Vice-President.

CHAPTER X

THE COURTS AND THE ATTORNEY GENERAL

ARTICLE 121. The function of administering justice springs from the people and is carried out on its behalf by the People's Supreme Court and the other tribunals which the law establishes.

The jurisdiction and competence of the courts on their different levels will be adjusted to the political-administrative division of the country and the needs of the judicial function.

The law regulates the organization of the courts; the authority and the form of exercising it; the standards that judges must meet; the manner in which they must be elected; the period of time they are to serve in their respective positions and the method for recalling them.

ARTICLE 122. The courts constitute a system of state organs which are set up with functional independence from all other systems and they are only subordinated to the National Assembly of People's Power and the Council of State.

ARTICLE 123. The main objectives of the activities of the court are:

- a) to maintain and strengthen socialist legality;
- b) to safeguard the economic, social and political regime established in this Constitution;
- c) to protect socialist property and the personal property of citizens and others which this Constitution recognizes;
- d) to safeguard the rights and legitimate interests of state agencies and those of economic and social institutions and the masses;
- e) to protect the life, freedom, dignity, honor, property, family relations and other legitimate rights and interests of citizens;
- f) to prevent violations of the law and antisocial conduct, restrain and reeducate those who are guilty of such violations or conduct and reestablish the rule of legal standards when demands are made in protest against their violation;
- g) to increase awareness as to the need for strictly observing the law, making timely comments in their decisions aimed at educating citizens in the conscious and voluntary fulfillment of their duty of loyalty to the homeland, the cause of socialism and the norms of socialist living.

ARTICLE 124. The People's Supreme Court is the foremost judicial authority and its decisions in this field are final.

Through its Governing Council it can propose laws and issue regulations; make decisions and enact norms whose fulfillment is compulsory for all people's courts and, based on their experience, it issues instructions which are also compulsory in order to establish uniform

judicial practice in the interpretation and application of the law.

ARTICLE 125. The judges, in their function of administering justice, are independent and only owe obedience to the law.

ARTICLE 126. The sentences and other decisions of the courts, pronounced or enacted within the limits of their jurisdiction, must be obeyed and implemented by state agencies, economic and social institutions and citizens, by those directly affected and by those who do not have a direct interest in their implementation but have the duty to participate in it.

ARTICLE 127. All courts function in a collegiate form.

Professional and lay judges participate in the administration of justice with equal duties and rights.

Priority should be given to the judicial functions assigned to the lay judge in view of their social importance.

ARTICLE 128. Courts render an account of their work to the Assembly that elected them at least once a year.

ARTICLE 129. Recalling a judge can only be done by the organ which elected him.

ARTICLE 130. It falls within the jurisdiction of the Office of the Attorney General of the Republic, as its main objective, to control socialist legality by seeing to it that the law and other legal regulations are obeyed by state agencies, economic and social institutions and citizens.

The law determines the form, duration and occasion in which the Attorney General exercises those powers.

ARTICLE 131. The Office of the Attorney General of the Republic constitutes an organic unit which is only

subordinated to the National Assembly of People's Power and the Council of State.

The Attorney General of the Republic is given instructions directly from the Council of State.

The Attorney General of the Republic will handle the direction and control of all the work done by his office all over the country.

The Attorney General of the Republic is a member of the Governing Council of the People's Supreme Court.

The organs of the Office of the Attorney General are organized in a vertical manner all over the country. They are subordinate only to the Attorney General of the Republic and are independent of all local organs.

ARTICLE 132. The Attorney General of the Republic and the assistant attorney generals are elected and subject to recall by the National Assembly of People's Power. The law stipulates the length of time they are to serve.

ARTICLE 133. The Attorney General of the Republic renders an account of his work to the National Assembly of People's Power at least once a year.

CHAPTER XI

ELECTORAL SYSTEM

ARTICLE 134. In all elections and in referendums, voting is free, equal and secret. Every voter has only one vote.

ARTICLE 135. All Cubans over 16 years of age, men and women alike, have the right to vote except those who:

a) are mentally disabled and have been declared so by court;

b) those who have committed a crime and because of this have lost the right to vote.

ARTICLE 136. All Cuban citizens, men and women alike, who have full political rights can be elected.

If the election is for deputies to the National Assemblies of People's Power they must be more than 18 years old.

ARTICLE 137. Members of the Revolutionary Armed Forces and other military institutions of the nation have the right to elect and be elected, just like any other citizen.

ARTICLE 138. The law determines the number of delegates that make up each of the assemblies in proportion to the number of people who live in each of the political-administrative regions into which the country is divided; it also regulates the form and manner of the election.

The delegates to the Municipal Assemblies are elected from previously determined electoral circumscriptions.

ARTICLE 139. The Municipal Assemblies elect, by means of secret balloting, the delegates to the provincial Assemblies of People's Power.

ARTICLE 140. In order for a delegate to be considered elected he must get more than half the number of votes cast in the circumscription.

If this does not happen the law stipulates the manner in which new elections will be held in order to decide who is elected from among those with the most votes.

CONSTITUTIONAL REFORMS

ARTICLE 141. This Constitution can only be totally or partially modified by the National Assembly of People's Power by means of resolutions adopted by roll-call vote by a majority of no less than two thirds of the total number of members.

If the modification is total or has to do with the integration and authority of the National Assembly or People's Power of its Council of State or the rights and duties contained in the Constitution, the approval of the majority of citizens with the right to vote is required via a referendum organized for this purpose by the Assembly.

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Annex XX

ARTICLES OF THE PENAL CODE REFERRED TO IN THE QUESTIONS CONCERNING
CONSTITUTIONAL AND LEGAL MATTERS RELATING TO HUMAN RIGHTS ADDRESSED
TO THE GOVERNMENT OF CUBA BY THE GROUP AND SENT ON 29 AUGUST 1988

BOOK I - GENERAL PART

TITLE VI: PENALTIES

Chapter III: PRINCIPAL PENALTIES

Fifth section: Limitation of freedom

Article 34. 5. The penalty of limitation of freedom shall be served under the supervision and surveillance of the mass and social organizations of the offender's place of residence. The court shall inform the National Revolutionary Police of the penalty, in order that the latter may arrange with the above-mentioned organizations the appropriate ways in which it is to be executed and assume responsibility for informing the court of failure to perform the obligations imposed on the offender, in accordance with any observations it may receive on that matter from the above-mentioned organizations.

Chapter VI: SUSPENDED SENTENCE

Article 57. 3. The court may make a suspended sentence subject to an undertaking by a political, mass or social organization to which the offender belongs or by his labour collective or military unit that it will guide him and take appropriate steps to ensure that he does not commit a further offence.

...

6. The court shall notify the suspended sentence decided upon to the organs of the National Revolutionary Police, and to the mass and social organizations of the offender's work centre and place of residence, in order that they may monitor and guide the conduct of the beneficiary during the period of probation.

...

10. The political, mass or social organization, labour collective or military unit which has undertaken to guide the offender, and the organs of the National Revolutionary Police or the mass and social organizations which, in accordance with provisions of paragraph 6, have been given responsibility for

monitoring and guiding his conduct, may, by means of a substantiated application, request the court to reduce the period of probation, provided that more than half of that period has elapsed.

TITLE VII: PAROLE

Article 58. 5. The court may make the granting of parole subject to an undertaking by a political, mass or social organization or military unit to which the offender belongs or by his labour collective to guide his conduct and to take appropriate steps to ensure that he does not commit a further offence.

6. The court shall notify the parole decision to the organs of the National Revolutionary Police and to the mass and social organizations of the offender's place of residence in order that they may monitor and guide his conduct during the period of probation.

7. The court shall order execution of the unserved part of the sentence if, during the period of probation, the person released on parole is sentenced to imprisonment for a further offence or engages in anti-social conduct or if the political, mass or social organization, labour collective or military unit that gave the guarantee withdraws it.

TITLE XI: DANGEROUS STATE AND SAFETY MEASURES

Chapter I: DANGEROUS STATE

Article 72. A dangerous state shall be deemed to be the special proclivity of a particular person to commit offences, as demonstrated by conduct clearly at variance with the standards of socialist morality.

Article 73. 1. A dangerous state shall be deemed to exist when the person in question displays any of the following indices of dangerous conduct:

- (a) Habitual drunkenness and dipsomania;
- (b) Drug addiction; or
- (c) Anti-social conduct.

2. A person who habitually infringes the rules of social coexistence by means of acts of violence or other provocative acts, violates the rights of others or, through his general behaviour, transgresses the rules of coexistence, disrupts law and order, or lives, as a social parasite, on the work of others, or exploits or practises socially reprehensible vices shall be deemed to be in a dangerous state by virtue of anti-social conduct.

Article 75. 1. Any person who, without being comprised in any of the dangerous states referred to in article 73, because of his links or relations with persons who constitute a potential threat to the society, other persons and social, economic and political order of the socialist State, displays criminal tendencies shall be warned by the competent policy authority against engaging in socially dangerous or criminal activities.

2. The warning shall, in every case, be given in an official document which shall expressly record the reasons for issuing the warning and the response thereto made by the person warned. The document shall be signed by the latter and by the authority issuing the warning.

BOOK II - SPECIAL PART. OFFENCES

TITLE I: OFFENCES AGAINST STATE SECURITY

Chapter II: OFFENCES AGAINST INTERNAL STATE SECURITY

First section: Rebellion

Article 98. 1. Any person who engages in an armed uprising in order to achieve by force any of the following aims shall be punishable by imprisonment for 10 to 20 years or death:

(a) Preventing completely or partially, and even temporarily, the highest organs of the State and the Government from performing their functions;

(b) Changing the economic, political and social régime of the socialist State; or

(c) Changing, completely or partially, the Constitution or the form of government established by it.

2. Any person who commits any act aimed at fomenting an armed uprising shall, if such an uprising occurs, be liable to a similar penalty; if it does not occur, the penalty shall be imprisonment for 4 to 10 years.

Article 99. Any person who commits any other act intended, directly or indirectly, to achieve through violence or other unlawful means any of the purposes specified in the preceding article shall be punishable by imprisonment for 7 to 15 years, provided that the act in question does not constitute a more serious crime.

Fifth section: Enemy propaganda

Article 103. 1. Any person who:

(a) Engages in incitement against the social order, international solidarity or the socialist State, through oral or written propaganda or by any other means; or

(b) Prepares, distributes or has in his possession propaganda of the kind referred to in the preceding subparagraph, shall be punishable by imprisonment for one to eight years.

2. Any person who disseminates false information or malicious predictions tending to cause alarm or discontent among the population or public disorder shall be punishable by imprisonment for one to four years.

3. If, for the purposes of committing the acts provided for in the preceding paragraphs, mass media are used, the penalty shall be imprisonment for 7 to 15 years.

Seventh section: Terrorism

Article 109. Any person who commits any other act which is not more severely punished under this Code and which, through the manner, means or occasion of its commission, tends to cause public alarm with the aim of creating conditions affecting the security of the State shall be punishable by imprisonment for one to eight years.

Chapter III: OFFENCES AGAINST PEACE AND INTERNATIONAL LAW

Fifth section: Dissemination of false information against international peace

Article 115. Any person who disseminates false information with the aim of disrupting international peace or endangering the prestige or credit of the Cuban State or its good relations with another State shall be punishable by imprisonment for one to four years.

TITLE II: OFFENCES AGAINST THE ADMINISTRATION AND THE COURTS

Chapter II: VIOLENT, OFFENSIVE OR DISOBEDIENT CONDUCT TOWARDS OFFICIALS OR PUBLIC SERVANTS OR THEIR AGENTS

Third section: Disrespect

Article 144. 1. Any person who threatens, slanders, libels, insults, attacks or in any way abuses or offends, in speech or in writing, the dignity or honour of an official, public servant or his agents or assistants in the performance of his functions, or on the occasion or by reason thereof, shall be punishable by imprisonment for three months to one year or a fine of 100 to 300 cuotas (units) or by both penalties.

2. If an act provided for in the preceding paragraph is committed against the President of the Council of State, the President of the National Assembly of the People's Power, members of the Council of State or the Council of Ministers, or Deputies to the National Assembly of the People's Power, the penalty shall be imprisonment for one to three years.

TITLE IV: OFFENCES AGAINST PUBLIC ORDER

Chapter IV: DEFAMATION OF INSTITUTIONS AND ORGANIZATIONS
AND OF HEROES AND MARTYRS

Article 204. Anyone who publicly defames, denigrates or expresses contempt for the institutions of the Republic, the country's political, mass or social organizations or the heroes and martyrs of the Fatherland shall be punishable by imprisonment for three months to one year or a fine of 100 to 300 units.

Chapter XI: ILLEGAL ENTRY INTO AND DEPARTURE FROM
THE NATIONAL TERRITORY

First section: Illegal entry into the national territory

Article 215. 1. Any person who enters the national territory without complying with the legal formalities or provisions relating to immigration shall be punishable by imprisonment for one to three years or a fine of 300 to 1,000 units.

2. Any person who enters the national territory in the manner described in the preceding paragraph for the purpose of seeking asylum shall be deemed to be exempt from criminal liability.

Second section: Illegal departure from the national territory

Article 216. 1. Anyone who departs from the national territory or takes steps to do so without complying with the legal formalities shall be punishable by imprisonment for one to three years or a fine of 300 to 1,000 units.

2. If in order to perform the act referred to in the preceding paragraph the person concerned uses violence or intimidation against persons or force against things, the penalty shall be imprisonment for three to eight years.

3. The offences referred to in the preceding paragraphs shall be punishable independently of any offences committed with a view to or in connection with their perpetration.

Chapter XII: ACTS INFRINGING THE RIGHT OF DIPLOMATIC INVIOABILITY

Article 218. 1. Anyone who by means of deceit, bribery, force against things or violence or intimidation against persons, surreptitiously or acting in any other illicit way, gains or tries to gain entry to premises enjoying the right of diplomatic inviolability shall be punishable by imprisonment for two to five years.

2. The offence referred to in the preceding paragraph shall be punishable independently of any offences that may be committed with a view to or in connection with its perpetration.

Annex XXI

NAMES OF THE PERSONS AFFECTED BY THE ALLEGED VIOLATIONS OF THE RIGHT
TO LIFE MENTIONED IN PARAGRAPH 68.

The following political prisoners were reportedly shot in La Cabaña in the period from 1980 to 1987: Armando Hernández González and Ramón Toledo Lugo, for rebellion; Rodolfo Alonso Roche, Abilio González Llanos and Emilio Reboza Cardulis, for sabotage; Ramón Vera Chaviavo, Juan Dios Vegas, Nelson Ventura Estrada Cabrera, Diego Vera Chaviavo and Luis Llanes Aguila, for infiltration; and Cipriano, Eugenio and Ventura García Marín for trying to obtain asylum. The persons gunned down while trying to obtain asylum at the Venezuelan Embassy are said to be: Jorge Martínez Concepción (13 December 1979), Jorge Gil (15 January 1980) and Lucio Alvarez Rodríguez (10 April 1984). The Group received reports of killings: Ismael Ortega Ortega (1962), Mario Carballo Betacourt (1962) and Antonio Toledo Riso (8 November 1985); disappearances: Rubén Cruz Ungo (1964), Sandalio Cabrera González (1971) and Estebán Sosa Morffi; and shootings: Raúl Concepción Lima (27 June 1963) and Germán Pérez Santana (1965). All these reports are in the Secretariat's files.

Annex XXII

LETTERS FROM PERSONS HELD IN THE COMBINADO DEL ESTE PRISON DATED 12 JUNE 1988 (JOSE M. CHION PEREZ), 10 SEPTEMBER 1988 (ALFREDO MUSTALIER NUEVO) AND 13 SEPTEMBER 1988 (JACINTO FERNANDEZ GONZALEZ AND OTHERS).

Combinado del Este Prison
Havana

12 June 1988

My dear and beloved daughter,

It is my fondest hope that this letter finds you well, together with my precious granddaughter.

My dear daughter, through all these long and bloody years shut up in this glorious Political Prison, I have tried, through all the means available to me, to communicate to you the truth about everything that has happened to me.

Many times my notes have got lost; on other occasions years have gone by before I have been able to write you a few lines, owing to the unrelenting isolation to which I have been subjected. This time this has not happened, thanks to a group of brave brothers who, heedless of the risks they ran through their rash action, have formed a heroic bridge with their arms and hearts in order to say that we are "present". Once again, my opinions are reaffirmed: we who inaugurated this Long-term Political Prison almost three decades ago and our new successors, "the new saplings", are indissolubly united in our constant struggle against Castroite communism and all its henchmen.

Now I shall explain to you the reasons why I have been prevented from writing to you for several days: they have injured my right shoulder, which I still cannot move easily, they have damaged my eyesight, and they have hurt my neck, right leg and head.

Without being able to move my arm and blinded, it was impossible to write (I could not even wear my false teeth because of the injuries they had caused me).

I shall now describe in outline what happened recently. On 28 May, they carried out a search which lasted eight hours; in the course of the search, the officers discovered that we had found and removed 15 microphones hidden in the roofs of the cells, in open and shameful violation of article 12 of the Universal Declaration of Human Rights. The discovery of these 15 microphones

constitutes further evidence for all the peoples of the world, a petty act of political espionage, and the most shameless and cowardly interference possible by a Government that has to sink to such despicable methods in order to find out everything we say. We have never had an opportunity of expressing our opinions and criticism; proof of this lies in what we have stated to the various delegations who have visited us. One of them, whose petty and submissive attitude places it in the forefront, was the International Association against Torture (IAAT), which made its visit in company of several MINREX officials. On that occasion, surrounded by officials from the Ministry of the Interior, I publicly accused several of the officials present of being responsible for many beatings, and that I had been one of the persons beaten and injured on the Isla de Pinos on their orders. Everything I said was recorded by the IAAC; the recording was hidden or destroyed, and later all the statements were distorted by Dr. Pablo Parra and Dr. Amanda Castello. They deserve, in their own right, a special place in the museum of ignominy.

At 5.15 p.m. on 30 May, we were attacked by special police and Ministry of Interior brigades, under the command of Lieutenant-Colonel Povadora (former Head of Jails and Prisons in the Province of Oriente). He had a walkie-talkie, which he used all the time to talk to someone (we do not know who). The members of the special brigades were armed with rubber truncheons (so as not to leave marks) and spray cans containing nerve gas. The cells were seized by the eager rabble of the new Hitler of the Americas.

When all parts of the prison had been occupied, we were each taken by four soldiers (two from the special brigade and two from the Ministry of the Interior) to the outside canteen. Once we had all been assembled there, Lieutenant-Colonel Povadora told us that we were going to be moved and that we could take with us only our watch, glasses, toothpaste and toothbrush; our other belongings would be handed to us later. We were immediately taken down to the ground floor and then made to board various vehicles. As we left, we saw that they had seized all the buildings and that there were troops wearing helmets, carrying rubber truncheons and protective shields, and many armed with tear-gas grenade launchers. We were even more surprised when we found that the vehicles were heading for the hospital. Long hours of waiting passed during which we did not know what was going on inside the hospital. We clearly suspected something abnormal or unusual when we saw that our companions were being taken out one by one, placed under heavy guard and made to board a vehicle parked in front of the entrance staircase. We were very soon on the

alert, for something very strange was happening. The vehicle in which we were seated was the last in the row, and so we were able to see our brothers being taken away (in the vehicle they would drive off with only one of us and several soldiers). We also noticed that all the officers (majors, lieutenants, colonels and lieutenant-colonels) were carrying walkie-talkies and that they were communicating with an olive green painted van with dark windows which was driving round and round constantly inside the prison (we do not know who was in it), giving orders and directing operations.

When the turn came for the vehicle in which we were being held (there were eight of us; all the others were members of the special brigade), it was after midnight. The process of alighting was very slow. What we saw when we entered the guard room and the face of each soldier made a strong impression on us (it was impossible to count the number of soldiers in that place). We reckoned that there must have been 100-150 of them, as well as a number of doctors and nurses, who seemed to breathe evil and a repressed thirst for blood, like thirsty vampires eagerly awaiting the arrival of a fresh victim.

When my turn came, they made me get out and enter the guard room; I was still surrounded by members of the special brigade and was told I would be given a medical examination. I objected, but all in vain; I was taken by force to various parts of the hospital where various parts of my body were examined. Various kinds of apparatus were introduced into my mouth, nose and ears, and with a piece of gauze around my tongue, they stretched it out of my mouth in order to be able to check more easily. This is how they began the preliminary searches. The medical examination announced when I arrived was, in fact, turning into a medical search. For the first time the mercenaries of the so-called Cuban Health Service were showing their true colours and, in fractions of seconds, becoming the most outstanding pupils of Dr. Mengele.

When I reached the X-ray room and had to face what was going on there, it was as if I had gone back in time, to find myself suddenly confronted with the horrible crucifixion of Our Lord Jesus Christ. That room had become a kind of hellish torture chamber where the victims were dragged on to the table with their arms crossed and legs opened, all with the help of the three X-ray technicians, who, with sardonic smiles, placed the victim in the desired position and began to undertake a far more technical inspection. By means of X-rays they searched our whole body for the "microphones".

What happened in Combinado del Este Hospital was degrading to the utmost extent. I still seem to hear the hysterical and depraved laughter of the doctors, nurses and soldiers at our efforts to resist members of the special brigade when they displayed our private parts as if in a live advertisement of a commercial product to the audience present. Finally the thin veil concealing the real functions of the Castroite communist doctors was being drawn back. The formerly respectable hospital area was revealing its innermost baseness in all its nudity as part of modern communist reality; the experience was terrible and humiliating, but at the same time very educative.

Below I will tell you the names of some of the doctors, nurses and technicians who were directly involved in the atrocities committed in the hospital:

Dr. Miguel Pubillones (general medicine)
Dr. Martínez Noda (surgeon)
Dr. María Isabel Rodríguez Quintana (surgeon)
Dr. Juan Peña Coro (surgeon)
Dr. Enoa (surgeon)
Dr. Fernando Mier (orthopaedic surgeon)
Dr. Mercedes Duarte (anaesthetist)
Dr. Lina Paglieny (ear, nose and throat specialist)
Dr. Alcides (Head of the Department of Odontology)
Dr. María (radiologist)
Leocadio (X-ray technician)
Fernando (X-ray technician)
Vega (X-ray technician)
Beatriz Baró (physiotherapy technician)
Dr. Moreno (surgeon)

Nurses: Martha, Norma, Ana Carelia, Barbarita, and the two María Elenas (operating theatre) and many others whose names I do not know.

Our situation, my dear daughter, is still uncertain. We went on hunger strike for five days, demanding that the authorities return two companions who had been sent to the so-called "triangle of death". After five days they brought them back. My situation was very delicate since, when I started that strike, I had already spent 11 days without food. In all, I was on hunger strike for 16 and a half days.

On the 7th, they brought us slippers, a jug, a plate, a razor and our watches (which they had taken from us). All these objects belonged to us, but they asked us to sign for them when they handed them over. This we refused to do. On the 8th, they offered us two pairs of underpants and on the 9th a pair of pyjamas, all with the aim of concealing our nudity and the still recent bruises resulting from blows. As you may guess, we refused these too, and asked for our belongings and not ams to humour us and hoodwink the members of the Interntional Red Cross who were due to visit us shortly.

Since the 1st we have known that our belongings are being plundered; this is a robbery authorized in retaliation for the discovery of the 15 microphones. We are just wondering what the limits of this plunder will be. We do not know. What is going to happen us? What sinister new plans and physical torture and searches will we have to undergo? We do not know; only God and those who manage to survive will be able to answer.

Monday, 13 June 1988, 9.30 a.m.

The International Red Cross team has just arrived. It is composed of five members, all of whom are wearing identification badges. Nevertheless, they have showed us their passports. They are all very pleasant; their eyes reflect determination, compassion, kindness, and a very strong feeling of humanity and respect. After a short explanation about their organization's mission, they will begin the private interviews (with no soldiers present). At each interview four prisoners will be present (when the interview with the first four fellow-prisoners is over, the doctor will begin to examine the most urgent cases). I am in group 3. This will give me time to finish this letter. In the next letter I will tell you all about the interview. The names of the five members are: Roland Vesmeliles, delegate of the International Committee of the Red Cross; Martin Führer, Head of the Recruitment Division; Dr. Michel Hubert, delegate/doctor; Christine Clemente; and Danielle Coquoz.

My dear daughter, I have to end this letter, reluctantly, but I must since there may be an opportunity of sending it off at any time. To both of you, my darlings, I send all my love, affection and kisses.

Daddy

Note to the Cuban Human Rights Committee

First of all I should like to express my heartfelt thanks to all the members of the Committee for doing such honourable work in this extremely difficult stage of the struggle for human principles. The attitude of the President of the Committee, his officers and other members in confronting all the risks and reporting to world public opinion everything that happened to the long-term political prisoners on 30 May 1988 merits the highest praise. This action constitutes a true example for all those who are still undecided. I am reminded of what Winston Churchill said when he was Prime Minister of Great Britain after a fierce and uneven air battle that averted what could have been a disaster for the future of his country. He said: "Never in the field of human conflict was so much owed by so many to so few." I send you my sincere congratulations and affection.

With God, the Fatherland and Liberty
Fraternally,

José M. Chiong Pérez

Combinado del Este
10 September 1988

Mr. Fidel Castro,

1. I am writing to you to inform you that I have gone on hunger strike in support of my demand to the Cuban Government that it return to me or hand over to the United Nations Commission on Human Rights my letter denouncing human rights violations committed against me by the Cuban authorities and against my companions during my long-term political imprisonment, together with a list of companions who have been murdered in the course of our captivity.
2. Money and personal belongings, together with addresses, photographs and letters from relatives and friends, were also taken from me by force in the course of the humiliating search for the microphones on 30 May by hospital personnel, the special brigade and soldiers at this prison.
3. The correspondence of several months (particularly May, June, July and August) from my wife, relatives and friends.
4. I want to be taken to Calixto García Hospital where, since March, I have had an appointment with the allergist and gastro-enterologist; I have not been taken there.
5. I wish to be taken to see my only sister, who is suffering from metastatic gastric neoplasia and whom the doctor at Cobadonga Hospital has given six months to live. I requested permission to visit her five months ago.
6. I also demand that I should be allowed access to information via the radio, unofficial press, foreign periodicals, etc. - a right provided for in article 19 of the Universal Declaration of Human Rights.
7. I also demand civilian clothing which, as a political prisoner (and in accordance with the Geneva Convention), I am entitled to wear. I am recognized as such by the United Nations and other international organizations, so there is no reason for keeping me in hospital pyjamas like a patient.
8. I demand medical attention in a hospital that is not used as a centre for repression, torture and political investigation by the prison soldiers and

military doctors operating in it. I am suffering from numerous ailments that I have contracted in prison, including allergies, and digestive, bladder, eyesight, hearing and dermatological problems. I base my demands on article 5 of the Universal Declaration of Human Rights, which states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Yours faithfully,

Alfredo Mustalier Nuevo
Long-term political prisoner
Building 3, 4th Floor, Cell 5

Combinado del Este Prison
13 September 1988

To public opinion,

We wish to inform public opinion that the political prisoners Alfredo Mustelier Nuevo, of the historic long-term political prison, Félix Villas Sidrón and Lucio Lino Alonso Bretaña, member of the Cuban Human Rights Committee, have been on hunger strike since 9 September in the case of the first-mentioned and since 12 September in the case of the other two. They will remain on hunger strike for as long as the group from the United Nations Commission on Human Rights remains in Cuba, in support of the humanitarian action that this group is to undertake in our country.

We also wish to inform you that on Sunday, 11 September, all the political prisoners held in Building 1 were transferred to the fourth floor of Building 2. A thorough search was carried out and all their personal belongings were confiscated, including medicine, underwear, blankets, sheets, pillow-cases, electric razors, and so on. Once again, as it has always done, Castro's Government is venting its anger on the political prisoners, thereby revealing its fear and contempt for this small group of men.

Signed by the Cuban Human Rights Committee in Prison.

Jacinto Fernández Gonzáles

Samuel Hernández Reyes

Sandor Mendoza Mendoza

Lucio L. Alonso Bretaña

Pedro J. Porta Rodríguez

Enrique Ruíz Cabrera

Marco Urganivia Diéguez

Alfredo Jiménez Ramos

Orestes M. Pérez Gil

Roberto del Risco Pérez

Annex XXIII

EXTRACT FROM STANDARD MINIMUM RULES FOR THE TREATMENT
OF PRISONERS OF UNITED NATIONS ORGANIZATION

Accommodation

9. (1) Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.

(2) Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the institution.

10. All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

11. In all places where prisoners are required to live or work,

(a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

12. The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

13. Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

14. All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

....

Medical services

22. (1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality.

(2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers.

(3) The services of a qualified dental officer shall be available to every prisoner.

Annex XXIV

"LA COACCION LEGAL Y LA LIBERTAD RELIGIOSA EN CUBA", BY HIRAM ABI COBAS,
MEMBER OF THE CUBAN COMMITTEE FOR HUMAN RIGHTS, HAVANA, 1988

Although the holding of religious views may be regarded as an inherently personal matter, the forms which different beliefs take are unquestionably an integral part of culture and, as such, should be passed on to younger generations through education.

The right to religion thus presupposes the right to educate and instil into one's children the religious beliefs inherited as part of their culture, which they as individuals will subsequently use as a basis in forming their own values. Article 18 of the Universal Declaration of Human Rights establishes the right to pass on one's religion through education, a right which is stated more explicitly in article 26, paragraph 3, of the Declaration.

This right is embodied in the legislation promulgated by the Cuban Government, beginning with its Constitution, article 38 of which proclaims that "its educational and cultural policy is based on the following principles: (a) the State bases its educational and cultural policy on the scientific view of the world established and developed by Marxism-Leninism; (b) education is a function of the State. Consequently, educational centres belong to the State ... (c) the State promotes the communist education of new generations ...". These three paragraphs of the Constitution wrongly establish as the sole scientific view of the world that proclaimed by Marxism-Leninism - a principle asserted in the thesis on educational policy of the first Congress of the PCC, which states that "The content of the subjects taught in the school system shall be based on the governing principles and categories of dialectical and historical materialism", so that all other philosophical and religious views are labelled anti-scientific, which reflects negatively on children whose parents practise a religion and endeavour to instil it into them. Secondly, with a view to promoting the communist education of children and young people, the State prohibits any type of non-State education which attempts to instil a religious faith and is thus rejected by communist atheism.

Article 39 of the Constitution states that "The education of children and young people in the spirit of communism is the duty of all society". Under this provision, not even the parents themselves, may oppose or attempt to replace the Marxist-Leninist concept in their children's education.

Again regarding the restriction of the education of minors in the religion of their parents, the Constitution states that "It is illegal and punishable by law to use religious faith or belief to oppose the Revolution, education or compliance with the duties to work, defend the homeland with arms, revere its symbols or other duties established by the Constitution". The article in question not only restricts the freedom of conscience of some sects and Churches, such as the Jehovah's Witnesses, or the Seventh Day Adventists, who do not work on Saturday, but also make it illegal to invoke the religious belief of the parents in opposition to "the education of children and young people in the spirit of communism", as stated in article 39, or the Marxist-Leninist view which article 38 establishes as the basis of educational policy.

Under article 35 of another basic law concerning the relationship between parents and children, namely, the Family Code, parents have the duty to instill in their children "the spirit of internationalism and the rules of co-existence and social morality ...", thereby again imposing on them the obligation to impart to their children, contrary to their beliefs, the ethical principles of atheist materialism.

While the provisions referred to above place restrictions on parents wishing to share their religious beliefs with their children, whatever those beliefs may be, some Churches and sects with special characteristics face greater difficulties, as we shall see. Not only is any type of education other than atheist materialism prohibited, but children whose parents are prepared to take the risk of instructing them in Christian beliefs will encounter a hostile environment at school, where they are taught manicheistically to distinguish between "revolutionaries having a materialist scientific view and non-revolutionaries influenced by anti-scientific and idealistic concepts". As a result, the children of parents with religious beliefs are engulfed in a social crisis which is practically irremediable for children and young people unless they resort to concealing their religious beliefs, with possible adverse effects on their personalities.

The State education system restricts the access of religious believers to the teaching profession. Article 3 of the Regulations governing Conduct in the Teaching Profession provides that "Any person performing an educational activity is obligated to (a) maintain exemplary conduct consistent with the norms and principles of communist morality within and outside educational establishments", which precludes any religious practice, participation in acts

of worship, etc., even outside the classroom. Under article 8 (p) of the above-mentioned Regulations, the introduction into educational establishments of deviationist literature or other materials, which generally include religious symbols, Bibles, etc., is regarded as a violation of the standards of professional conduct, even if such materials are not used to proselytize students. The ideological basis for all this is to be found in the resolution on the policy regarding religion, the Church and religious believers, adopted at the first Congress of the PCC, which states "In view of the above (the communist education of new generations), it is considered essential to train a teaching body equal to this task and that teachers at all levels should so conduct themselves as not to distort or misrepresent, through their teaching, the declared objective of an education completely free of unscientific concepts or views, in both the demonstration and explanation of natural and social facts and phenomena".

In addition, all primary-school and intermediate-school pupils in Cuba must belong to the Organization of Communist Pioneers, which is in contravention of article 20 of the Universal Declaration of Human Rights.

Parents who belong to sects or Churches with marked pacifist leanings or with strict views on religious festivals, such as the above-mentioned Jehovah's Witnesses or Seventh Day-Adventists, may be prosecuted for the offence specified in article 316 of the Criminal Code, namely, "Any person who induces a minor to abandon his home, drop out of school, reject educational work inherent in the national system of education, or fail to perform his duties relating to respect for and love of the Fatherland, shall be liable to imprisonment for three months to one year or to a fine of 100 to 300 units, or both". It should be noted that school textbooks contain ideas deprecating religion, so that anyone contradicting them lays himself open to the above penalty. This threat is also made clear in article 206 of the Criminal Code whereby "Any person who, abusing the freedom of worship guaranteed by the Constitution, uses religious belief as a basis for opposing the objectives of education or the duty to work, to defend the Fatherland with arms or revere its symbols, or any other duties established in the Constitution shall be liable to a penalty of imprisonment for three months to one year or to a fine of 100 to 300 units". This article, which reinforces article 54 of the Constitution, quoted earlier, further restricts the religious education of children and the exercise of religious freedom.

In the case of adult religious believers, the restrictions on the rights embodied in articles 18 to 21 of the Universal Declaration of Human Rights are clear. Chapter V of the Constitution of the Republic does not establish, for religious believers, equality of rights with the rest of society and thus does not prohibit discrimination on grounds of religious belief.

Members of religions are prohibited from practising their religion in public places, holding religious processions, making radio or television broadcasts, having access to the press and virtually any form of dissemination. It is worth noting that, in the resolution on policy regarding religion, the Church and religious believers adopted at the first Congress of the PCC, it is stated that the State upholds the following principle "(f) Without offending the religious sentiments of religious believers, every citizen has the right to uphold and defend his atheist materialist beliefs". Nowhere is any provision made, however, for the right of religious believers to uphold and disseminate their beliefs.

In the relevant forms, job applicants are required to state whether they are members of a Church, sect or club and whether they are religious believers, practising or otherwise. These forms are taken into account in recruitment and subsequent promotion, and the practice of a religion, or merely holding religious beliefs, is a handicap. The same is true for the forms to be completed by university students seeking employment.

Persons holding religious beliefs are also disqualified from taking up employment in certain institutions, such as the Ministry of the Interior, obtaining managerial posts in the mass media, becoming officers in the armed forces, and from holding any post (minister, vice-minister, managerial, etc.) calling for "political reliability".

An individual with religious beliefs may not belong to the UJC or PCC. Under article 5 of the Constitution "The Communist Party of Cuba, the organized Marxist-Leninist vanguard of the working class, is the highest leading force of society and of the State ...", so that anyone who is not an activist is precluded from participating in the highest leading force in the Government of the country, which constitutes discrimination against religious believers and a violation of their rights as established in article 21 of the Universal Declaration.

Furthermore, membership of UJC is essential for admission to certain university faculties, such as philosophy and history, to name but one, which precludes religious believers from enjoying the rights established in

article 26 of the Universal Declaration. Religious believers are also prohibited from joining the teaching staff of such faculties, which is a violation of the right recognized in article 23 of the Universal Declaration.

Article 53 of the Constitution restricts the right to freedom of association, which is also governed by Law No. 54 of 1985 and resolution No. 53 of 1986. All associations must be approved by the Ministry of Justice and conform to the requirements imposed by the State, one of which is an excessively large membership, despite the fact that the formation of associations has traditionally required only seven members. Associations of this type are linked with the Ministry of the Interior, with which they must co-ordinate their activities. The issuing of school uniforms or shoes to poor children is prohibited, as are public demonstrations, acts before plaques or monuments, layettes for babies born on national days and finally, almost all the social works which such associations used to undertake. Also prohibited are special collections for members in distress, intended for prisoners and their families. Visits to political prisoners by priests or public officials are prohibited, as is any type of communication which might help to give them a feeling of fellowship. Membership of an association not authorized by the State is punishable under article 208 of the Criminal Code, which states "1. Any person who becomes a member of an association not registered with the appropriate State agency shall be liable to imprisonment for one to three months or to a fine of up to 100 units. 2. The promoters or officers of an unregistered association shall be liable to imprisonment for three months to one year or to a fine of 100 to 300 units." This is regardless of whether the association was established for charitable, social or other reasons, the penalties for criminal association being stipulated in article 207. Unauthorized demonstrations, including those organized by associations approved by the State, are prohibited under article 209 of the Code, which states "1. Any person participating in meetings or demonstrations held in violation of the provisions governing the exercise of those rights shall be liable to imprisonment for one to three months or to a fine of up to 100 units. 2. The organizers of unlawful meetings or demonstrations shall be liable to imprisonment for three months to one year or to a fine of 100 to 300 units." As can be seen, no reference is made to meetings or demonstrations which disturb the peace, and even persons gathering in a cemetery to pay their respects at the grave of one of the founders or illustrious members of an association can be - and have been - penalized.

Ordained ministers of the various religions, and members of those religions known for their pacifism, are liable to the penalties laid down in article 206 of the Criminal Code if they refuse to participate in military mobilizations, as well as to those laid down in articles 171 and 172 whereby any person refusing to perform military service is liable to up to 2 years' imprisonment. Such persons may also be liable to the penalties laid down in article 203 of the Code, which states "1. Any person who insults or, by other means, shows disrespect for the national flag, anthem or coat of arms shall be liable to a penalty of imprisonment for three months to one year or to a fine of 100 to 300 units". Article 202, paragraph 4, of the Criminal Code also establishes penalties for ministers of pacifist sects and their missionaries: "4. The same penalty as provided for in the foregoing paragraph (imprisonment for one to three months or a fine of up to 100 units) shall apply to any person inciting others not to perform the civic duties relating to the defence of the Fatherland, production or education". This article also establishes penalties for ministers of Churches such as the Seventh Day Adventists, which call for strict observance of their religious festivals.

Members of religions which advocate faith healing are liable to the penalties laid down in article 149 of the Criminal Code, which states "Any person who, out of a desire for gain or with other malicious intent, or causing damage or injury to another person, performs acts peculiar to an occupation for which he is not duly qualified shall be liable to a penalty of imprisonment for three months to one year or to a fine of 100 to 300 units, or both". They are also liable to the penalties laid down in article 197 of the Code, which states "Any person who, on any pretext, incites others not to accept medical attention for themselves or their relatives or to reject measures relating to preventive medicine shall be liable to a penalty of imprisonment for 3 months to one year or to a fine of 100 to 300 units, or both".

It should be noted that all the penalties laid down in the above-mentioned articles of the Criminal Code referring to one form or another of religious activity were increased in the latest amendment, adopted on 30 December 1987.

Finally, the opportunities for religious believers to practise and communicate their religion will always be restricted and controlled as a result of the continuous materialist and atheistic campaign of the State, as made clear in article 61 of the Constitution: "None of the freedoms accorded to citizens may be exercised contrary to what is established in the Constitution and the law, or contrary to the existence and objectives of the Socialist State, or contrary to the decision of the Cuban people to build socialism and communism. Violations of this principle are punishable by law".

Annex XXV

COPY OF THE JUDGEMENT OF 16 JUNE 1981 BY THE PEOPLE'S MUNICIPAL
TRIBUNAL OF SAGUA LA GRANDE, IN THE CASE OF RUBEN HOYO RUIZ

President of the Court: Luisa Y. Vazquez Guerra
Justices: Raúl Pérez Herrera
Pedro H. Izquierdo Maya

Record of hearing and
judgement to convict,
with directions
regarding appeal

In Sagua la Grande, on the seventeenth day of the month of June 1981, the People's Court of the Municipality of Sagua la Grande, V.C. met, in my presence as Secretary, to conduct trial No. 325 of 1981, concerning an offence of possession of unauthorized printed matter.

There appeared as the accused: [facultad obscura compesire]

RUBEN HOYO RUIZ, educational level: People's University, fourth level, (11th grade), son of Caledonio and Hortensia, 32 years of age, civil status: married, occupation: unemployed, a native of Sagua la Grande, province of Villa Clara and with an address at Paralejo, no number, corner of Brito, Sagua la Grande, V.C.;

Lieut. René Gómez Sotolongo, Head of Sector of the National Revolutionary Police (PAR) of this city, appeared as accuser.

The injured party did not appear.

The prosecutor, Amada P. González Dulziades was in attendance.

The defence counsel was not in attendance.

At the beginning of the proceedings, the statement of the accuser or injured party was taken, after he had been informed by the President of his obligation to tell the truth and the criminal liability he would incur if he failed to do so. The statements of the accused person(s) was/were then taken, after they had been informed of the charges against him, who was bringing the charges and his/their right under the law either to make a statement or to refrain from doing so.

Evidence was then submitted. After all witnesses had been informed of their obligation to tell the truth and the criminal liability they would incur if they failed to do so and had been questioned regarding their personal particulars, whether they knew the accused and the injured party and whether they had any relationship of kinship, friendship or enmity or of any other kind with either of those parties, they were then examined:

After all the evidence had been submitted, the accused was given the floor in case he had anything to say in his defence; he did not make use of this right.

This being so, the Court withdrew for a brief period to agree on its judgement, after which the proceedings resumed.

After evaluating the evidence submitted, the Court considered that the following fact(s) had been proved:

That, in the early hours of the morning on the nineteenth of May of the current year, the dwelling of the accused RUBEN HOYO RUIZ was searched by the PNR and the following items seized: one Bible, three issues of the Watchtower, one book on the New Testament and two religious books concerning the sect of the Jehovah's Witnesses, the last being designed for purposes of proselytism.

The accused has no criminal record.

The Court then handed down a judgement convicting RUBEN HOYO RUIZ, of the offence of possession of unauthorized printed matter, the description of and penalties for which are set forth in article 241 of the Penal Code, and sentencing him to NINE MONTHS OF DEPRIVATION OF LIBERTY, and as an accessory punishment, to a loss of civil rights for a period equal to the main punishment upon its conclusion, in accordance with the provisions of article 28-3-a of the Criminal Code.

All the material evidence was confiscated and destroyed. No verdicts were given concerning civil liability, since there was none. The Court invoked article 374, paragraph 9, subparagraph (2), of the Criminal Procedure Act and ordered that the accused be detained in custody. Lastly, the President informed the parties of their right to appeal to the Criminal Division of the Provincial People's Court of Villa Clara within three days of the judgement, by submitting an application in writing to the Secretary.

This concluded the proceedings and the present document was drawn up, signed by the members of the Court and certified by the undersigned, the Secretary:

I CERTIFY: that the above transcription is a faithful copy of the original.

Sagua la Grande, 16 May 1985. "Year of the Third Party Congress."

(Signed) Abelardo Reyes Pérez,
Secretary

Annex XXVI

OPEN LETTER OF 28 MAY 1988 ADDRESSED TO THE MEMBERS OF THE GROUP
BY 46 MEMBERS OF THE POLITICAL PRISONERS ORGANIZATION HELD IN
THE COMBINADO DEL ESTE PRISON, HAVANA, DELIVERED TO THE GROUP BY
THE CUBAN COMMITTEE FOR HUMAN RIGHTS

"Habana del Este" Prison
(Combinado del Este)

Havana, Cuba

OPEN LETTER

His Excellency Mr. Alioune Sene
Chairman,
United Nations Commission
on Human Rights
(Forty-fourth session)

Their Excellencies the Ambassadors
of Bulgaria,
Colombia,
Ireland,
Nigeria,
and the Philippines to the
Group established
to investigate the
human rights situation
in Cuba

Your Excellencies,

There has been much comment throughout the world on police States and the practice of thought control. However, it is difficult, not to say impossible, for those who have not lived under a communist régime to understand its full horror. Absolute control over the citizens does not result from a single law or decree, but from a gradual process of terror by which submission is imposed as a basic requirement for survival.

This introduction, or preamble, is necessary because the Group of which you are members will not be carrying out its work in a democratic country where citizens may freely express their thoughts without risking government reprisals, but in a country where expressing oneself freely entails a serious risk with real and harmful consequences. For these reasons, in order for your

investigation to grasp the full scope of the oppression, harassment and arbitrary treatment of which the Cuban people are victims, you should have some basic knowledge of the situation in Cuba.

A brief summary of the history of the communist process in Cuba will help make you aware of the two sides to the situation in this country; the specious picture built up by government propaganda with a meticulously constructed façade; and the other, real state of affairs, full of hardship, concealed through fear talked about and criticized only in the intimacy of the home, and characterized by simulation.

Let us first look at the fake situation presented officially, which is aimed primarily at the world outside and the many foreigners invited by the Government for promotional and propaganda reasons at the cost of the people's sweat and labour. This outward appearance is based on absolute control of all spheres of national activity, in particular the Government's complete domination of all the media, which makes it virtually impossible for the people to express the truth. To project this image, the Government chose the two areas most important for human beings: health and education. As you must know, in Cuba the Government is the absolute master of all the country's resources and means of production and therefore of all the wealth created; it was thus not difficult for the Government, at the expense of the other sectors of the economy, to build a façade of special medical centres, such as the CIMEQ, the Hermanos Almeijeiros Hospital, the Centre for Immunity Tests and a few other selected hospitals throughout the national territory. It should be pointed out that most of the hospitals in the capital had been built in the Republic before the revolution: the Hospital Nacional (formerly Regla Socarrás); the Carlos J. Finlay (formerly Hospital Militar); the Frank Pais (formerly ONRI); the Salvador Allende (formerly Covadonga); the Luis Díaz Soto (formerly Hospital Naval); the Pando Ferrer (formerly Anti-Blindness League); the Fajardo (formerly Reina Mercedes); the Julio Trigo (formerly Sanatorio la Esperanza); the Hospital Clínico-Quirúrgico del Cerro (formerly Mercedes del Puerto); the Miguel Enríquez (formerly La Benéfica); the Pediátrico del Cerro (formerly Católicas Cubanas); the Fructuoso Rodríguez (formerly Ortopédico); the Oncológico (formerly Kourí); the Pedro Borrás (formerly Infantil); and others such as the Calixto Garcia, Emergencias, the Marianao y Vedado Maternity Hospitals, Quinta Dependientes, Balear, etc.

The staff working in the medical centres selected to show to foreigners are chosen for their complete identification with the political system, from clerks to doctors. All have attended seminars on how to tell foreign visitors how good the system is. The care and supporting facilities in these centres are not to be found anywhere else. The additional benefits enjoyed by those working in such centres are an incentive to comply with the least suggestion and perform their functions zealously. It is in these selected hospitals, such as the CIMEQ (reserved for important figures in the Government and Communist Party and foreigners) that patients receive proper medical assistance and care. But are these the prevailing conditions in the country's other medical centres? We are not asking you to accept our opinion, but that of Fidel Castro himself and his journalists: we quote word for word the headlines of two articles in the Cuban press on the subject. One, from the newspaper Granma of 2 August 1986, reads as follows: "Fidel meets with health leaders to discuss the causes of the people's dissatisfaction with the poor quality of health services in Havana". The other is from the newspaper Juventud Rebelde of 26 November 1987, by the journalist Luis Hernandez Serrano, and reads as follows: "who is waiting for whom in the clinics? Crammed with people, dirty floors, no water, seriously ill patients waiting to be seen". If we add what the press leaves out, such as the average three-month wait to see a specialist, the shortage of medicines, the ill-treatment of patients, the suspension of consultations and even the need to supplement patients' food by bringing in a piece of fruit or chicken, we will have a good idea of what medical care is really like in Cuba, something quite different from what it is claimed to be and what is presented to foreign visitors, among whom you yourselves will undoubtedly be in a very special category.

For your further information we have copied below a section of the confidential report prepared by the Communist Party's public opinion team in the province of Holguín, which reads: "To inform the Party leaders how the people rate the services provided by the health sector in 19 municipalities in the province of Holguín, the Public Opinion Section of the Department of Revolutionary Orientation of the Provincial Committee of the Communist Party analysed 10,756 opinions received during the second half of 1987, with the following results:

Municipalities	Total opinions	Total negative	Percentage	Total positive
1. Gibara	813	761	93.6	52
2. Rafael Freyre	318	209	65.7	109
3. Banes	638	614	96.2	24
4. Antilla	1 296	1 166	89.9	130
5. Báguanos	397	370	93.1	27
6. Holguín	1 764	1 613	91.4	151
7. Calixto García	41	22	53.6	19
8. Cacolum	313	306	97.7	7
9. Urbano Noris	733	690	94.1	43
10. Cueto	762	737	96.1	25
11. Mayarí	1 028	780	75.8	248
12. Frank País	162	95	58.6	67
13. Saqua de Tanamo	1 211	1 165	96.2	46
14. Moa	227	175	77	52
Family doctor	671	436	64.9	235
AIDS	382	279	73	103
Total	10 756	9 418	87.6	1 338

The report also contains 32 pages of complaints to back up these opinions, which we have not included for lack of space.

The educational sphere, for its part, is something that deserves thorough international inspection to reveal the serious crime that is being committed against Cuban youth. Under the pretext of providing access for everyone to free education, a principle which is sure to win goodwill and approval from any observer who is not aware of the hidden objective, the Cuban régime has eliminated all types of private, religious, apolitical education, as found in most countries in the world, and established instead a single, compulsory system based on a highly politicized materialist approach, in which God, the family and the home have been eliminated from the education to be given the student. The basic concepts of law and justice are not considered necessary for the pupils. Subjects such as morals and civics, logic, study of the Constitution, etc., in which they used to be taught ideas essential for a

proper appreciation of society and human co-existence, have been eliminated from the syllabuses to make room for subjects such as dialectic materialism, history of the Communist international workers' movement, historical materialism, basic military training and other similar matters, in which, besides the cult of violence, they are taught a vision of the world based on: the "obscurantist and retrograde" nature of a belief in God, the aberrant character of political doctrines different from Marxism-Leninism, the inevitable triumph of communism, the need for a militaristic society, and especially, hatred for anyone opposed to communism. This educational system denies students access to knowledge of the schools of thought of mankind in general and limits their studies to a Marxist approach that forces them to accept as laws what were no more than theories. Students are obliged to accept and repeat theoretical ideas which are contradicted by reality, increasing their confusion and uncertainty. They are told that the people own all the means of production - factories, theatres, buses, etc. - but they soon discover that all the people really own is their hardship and their poverty. They are told the people are free, but they see that they cannot say, let alone write, what they believe or deduce, that they cannot move about freely or travel outside their country. They are told that we are all equal, but they see their families crammed into wretched little rooms while the "leaders" live in comfortable mansions and travel about in modern cars. They are told that communism is the most advanced and fairest political and economic system, but they remember that they have been carrying ration cards for nearly a quarter of a century.

Education is supposed to be free, but from the secondary level onwards, students are forced to do agricultural work without any pay. The basic and pre-university secondary schools in country areas are located in relation to the needs of agricultural production and not to the centres of population and their educational needs, i.e. priority is given to production and not to education. For many students this agricultural work is exhausting, and the widespread use of medical certificates to avoid such exploitation has led to crises, which have been reported in the press, e.g. in the newspaper Somos Jovenes.

In higher education, the "teaching-production" plan introduced in 1970 makes it mandatory to combine work with study as a form of "comprehensive education", but students in their first and second years have to work half a day - four hours per day - in factories as ordinary labour, sweeping floors,

loading goods, etc., with no educational purpose and no pay whatsoever; instead of classes they get lectures and in fact they have to teach themselves.

The experience with scholarship plans another of the methods applied in the educational system, was truly disastrous, and there is no mention in any of the media today of a topic so widely discussed some years ago. Furthermore, at the expense of resources for Cuban students, the Government is permanently supporting some 22,000 foreign students, not to help needy countries but to prepare political cadres who will be useful later on to implement its traditional policy of world subversion.

The Government alleges that its teaching methods have produced 20,000 doctors - with no mention, naturally, of their quality - but does not say that they have also produced tens of thousands of criminal offenders, who have made Cuba a sick society, as is unequivocally revealed in an article by Reynold Rassi in the newspaper Granma of 8 April 1988, which states that between 1980 and 1986 alone, the criminal courts heard over one and a half million cases. If we consider the fact that one case may involve up to 10 or more persons, we will have a clear idea of the actual results of the Cuban educational system: in less than 7 years, more than 15 per cent of the total population has been charged and prosecuted; if we leave out children and old people, the proportion is higher. If we add criminal cases for the period 1960-1980, we understand why Castro's Cuba has the highest proportion of criminals to total population of all the countries in the world. Perhaps the best indication of the quality of the education dispensed by the Communist system in Cuba is the fact that 90 per cent of the criminal population are less than 27 years of age, i.e. young people born and brought up on the Revolution. Other revealing pieces of information are that 76 per cent of young people over 15 years of age are addicted to tobacco; that consumption of drugs among young people is reaching alarming proportions; that under-age pregnancies are of such magnitude as to be a national tragedy - out of 1,725 births in an Oriente Hospital in 1986, 34 per cent were to mothers under 14 years of age (the magazine, Bohemia, 22 June 1987); that venereal disease and syphilis are spreading among young people at a terrifying rate - 60,000 cases, according to the Ministry of Public Health.

To conclude our discussion of this topic, we should like to indicate to the members of the Committee some of the lesser damage caused by the educational system applied in Cuba: (1) The decline in the teaching of

manners, which used to have such influence and receive so much attention in our country, involving respect for one's elders and reverence for the old, courtesy towards ladies, sympathy and support for invalids, blind people, the disabled, etc., the use of polite phrases such as "please", "thank you", "don't mention it", etc. (2) The degeneration of our Spanish language, especially among students and people who, though no longer students, have been educated by the same system, a language tainted by the introduction of idioms of the lowest sort, coarse language and swear words, and a poverty of diction that is frightening. (3) The deterioration of parent-child relationships because of the serious undermining of parental authority by the idea of "free development of children and adolescents" which has been drilled into children and young people. Sexual permissiveness has been the starting point here, through sex education in schools. Its chief exponent, Dr. Alvarez Lajonchere, uses such "moral and instructive" phrases as: "Virginity: the most anachronistic symbol of the underevaluation of women", the title of one of his main works.

This has been a brief analysis of the actual situation in the two key areas, health and education, in which the Castro régime claims to have made its great achievements in 30 years of absolute iron rule in Cuba. We have taken you behind the façade that maintains the myth of the developments in health and education achieved by Fidel Castro and exposed the poor quality and organization of the social services and the results of the single educational system imposed over nearly 30 years of so-called "life ownership" of the nation, a period of time which, in a climate of freedom, democracy, social justice and public order such as we fought for, would have enabled more than seven democratic administrations to carry out their policies and allowed the Cuban people to enjoy the ensuing benefits.

At the beginning of this paper, we told you that there were two versions of the situation in Cuba, one a fabrication, whose evolution and results we have briefly discussed, and the other quite different, the real and undeniable one, which covers the true history of all the hardships suffered by our people and the violations of their human rights and fundamental freedoms during the past three decades. This is the real history.

After the revolutionary triumph of 1959, the Cuban people hoped for a real democracy with freedom and social justice, in keeping with the principles proclaimed by the person who took over the Government of the nation, Fidel Castro. However, that hope was not to last very long. For the

politically sophisticated, the Communist conspiracy within the Government and armed forces was immediately obvious. The revolution had been supported by a vast majority of people with democratic ideas, but the masses, lacking in political experience, did not have a clear idea of what was happening at the government level. They trusted the person whose populist rhetoric assured them that the revolution was "as green as the palm trees" - as opposed to red - and that he, Fidel Castro, was not a Communist. His "de facto" Government used this deception to ride out the first stages of discontent and insurrection led chiefly by the members of the rebel army themselves, who had already discovered the first signs of betrayal. The suspension of the political parties in January 1961, as a response to the widespread demand for elections, was the first major violation of the rights of the Cuban people (not to speak of the travesties of justice in the courtrooms and the massive confiscations of property) and led to armed uprisings virtually throughout the hills and valleys of Cuba. Very early on, the Communist International, in secret dealings with Fidel Castro, began to intervene in the internal conflict in Cuba, sending in various types of weapons - machine guns, rifles, helicopters, tanks, etc. - which were used for repression against the people.

The first real steps towards establishing a police State or "dictatorship of the proletariat", a favourite way of referring to that process in dialectical parlance, occurred with the military victory over Brigade 2506, made up of some 1,200 Cubans, which landed at Playa Girón, on the Bay of Pigs, in April 1961. The Cuban Government admitted what it had so far constantly denied in public: its Communist ideology. It immediately began a process of mass repression, creating prisons in places of a revealing kind and size, such as sports stadiums, theatres and cinemas in all the country's towns and villages. In the capital, the following were some of the places used for that purpose: the Ciudad Deportiva - an immense indoor stadium in the Calzada de Rancho Boyeros - and the largest theatres such as the America and the Blanquita, now the Carlos Marx. The arbitrary mass arrests of citizens not sympathetic to or identified with the incipient Communist process extended to all the provinces and all spheres of the nation's life: government, army, work places, universities, secondary educational establishments and the peasantry (violation of article 9 of the Universal Declaration of Human Rights). The Government also took over, always without compensation, the few independent media that had not already been taken over in previous interventions or nationalizations (violation of article 17 of the Universal

Declaration of Human Rights). From then on, no one would have any information on what was to occur in the country, namely, a re-enactment of the Stalinist period in Soviet Russia. Our people had to bear it when the insurgents were shot immediately after capture, with no trial or defence, Act 988 (violation of articles 8, 10 and 11 of the Universal Declaration of Human Rights); they experienced searches and raids on their homes without authorization or a judicial warrant (violation of article 12 of the Universal Declaration of Human Rights); they suffered from the activities of the Committees for Defence of the Revolution, established in September 1960 for the political classification, supervision and denunciation of citizens (violation of articles 2 and 12 of the Universal Declaration of Human Rights); they observed the increasing power given to those committees in their use as paramilitary forces to harass and put mob pressure on non-communist citizens; they found that anybody could be arrested and held incommunicado, without evidence or charges; they knew, since it was publicly acknowledged, of the illegal practice of using undercover police agents to induce dissidents to engage in conspiracy, so as to secure the imprisonment or physical elimination of the opposition. There was no need to cause anyone to "disappear" because Cuba had the equivalent with a semblance of legality: the "Revolutionary Tribunals", made up of members of the army and the political police itself, where convictions were handed down from above before the farce of a trial was carried out. People were sentenced to death or imprisonment - usually long terms of up to 30 years - with no need for evidence or witnesses; the mere conviction - or decision - of the Department of State Security, endorsed by the courts, was sufficient (violation of articles 10 and 11 of the Universal Declaration of Human Rights). After all, who could protest and to whom? Few lawyers were willing to risk defending cases - where this was allowed - since the handful who did so often found themselves in the dock, later on, watching helplessly while the law and justice were trampled underfoot. Those were terrible years, years red with blood. The prisons of the whole island did not have enough space for the enormous number of political prisoners; such was the opposition and such the resulting repression. Even the forts from the colonial era were fitted out as prisons; today they are hurriedly being cleared, before the Group arrives. To say there were 50,000 political prisoners would have been a conservative figure. Ordinary prisoners were moved to the newly established concentration camps or "farms", as they were euphemistically called. A psychological war was also begun against the people

with continual military parades and a threatening display of endless lines of tanks, cannons, rocket launchers, special troops and supersonic aircraft flying low, which highlighted the militaristic and aggressive nature of the régime.

This violent process of terror lasted for at least the whole of the 1960s and the beginning of the 1970s. For years the Cuban Government repeatedly refused to permit visits to Cuba by international institutions and bodies, such as the United Nations, Organization of American States, Red Cross, etc., that were concerned at the charges of gross violations of human rights being committed in the country.

Professionals and workers who had administrative or high-ranking posts but were not politically involved in the communist process lost their jobs and were left unemployed or sent into a different line of work. It was not unusual to see a worker become an administrator, a middle-level technical worker in an engineer's post or an office worker doing legal work. The essential thing was that staunch supporters of the régime should have the best and most important posts and that those out of sympathy with it should lose their positions and high incomes, if they had them (violation of article 23 of the Universal Declaration of Human Rights). Students who showed any signs of opposition or resistance to the Government's measures in the educational sphere, such as the imposition of Marxism-Leninism, or the obligation to join the student militia and attend the Government's political meetings, were expelled from schools and universities (violation of articles 2 and 26 of the Universal Declaration of Human Rights). Peasants in the areas of armed uprisings who did not denounce the insurgents were dispossessed of their land and deported to far-off places with no kind of compensation (violation of article 17 of the Universal Declaration of Human Rights). In areas of intense guerrilla activity, such as Escambray in the southern part of Las Villas Province, mass banishments took place in 1961, 1962 and 1963 and the houses of those who resisted were destroyed (violation of articles 12 and 13 of the Universal Declaration of Human Rights). The thousands of banished peasant families were dispersed and relocated in remote areas, in 15 new settlements: some in Guane, in the far western portion of the Island, such as Sandino, López Peña and Briones Montoto; other communities in Morón and Ciego de Avila, in Avila Province; the Wilfredo Pagés community, 16 km from Sagua La Grande in Villa Clara Province. In addition, the entire peasantry were silenced by being forced to sell their products exclusively to the Government

and at the prices set by the Government, which entered their meagre profits in the books and allowed them to keep them on condition that they reported births and deaths.

All this savage repression was conducted with the advice of specialists from the communist camp, basically Soviets. It should be stressed that this entire process of repression, at the centre of which were the shootings, was not limited to those who opposed the Government or struggled actively against it. The process was a generalized one of terror because it also extended to young people and even to children. In 1963 the Compulsory Military Service Act was passed, under which young people virtually lost their freedom, being locked up in military camps for three years with very little contact with their families or friends. They were subjected to strict discipline and forced to receive Marxist indoctrination. There was great resistance by the young people, but the repression was greater still. The sentences on those who refused to do military service were never less than five years in prison, and those already in the army who showed signs of discontent or opposition were sent to the terrible UMAP (Military Production Assistance Unit), forced labour camps under armed surveillance in remote areas where all types of abuses were committed, including beatings and harassment (violation of article 5 of the Universal Declaration of Human Rights). The generation of citizens who are about 40 years old today still remember the name of UMAP with horror. In the educational sphere, when the single system was established private and religious schools were abolished and prison sentences were envisaged for anyone - meaning parents - who taught pupils anything other than what was taught in the schools - article 374 of the Penal Code (violation of article 26, paragraph 3, of the Universal Declaration of Human Rights). It is sufficient to read a textbook of Cuban or modern history, to see the distortions and falsehoods it contains, or a physics textbook, where it is claimed that most of mankind's inventions were the work of Soviet scientists but that the Americans, English, Germans, etc. have taken the credit for them.

In 1968 the "Revolutionary Offensive" was unleashed, during which all privately owned restaurants, bars, cafés and small businesses in the country were closed down with no financial compensation whatsoever (violation of article 17, paragraph 2, of the Universal Declaration of Human Rights). Laws were enacted such as the Surplus Manpower Act in 1969, whereby Government claimed the right to dismiss anyone it wanted to; this naturally rebounded upon apolitical persons and those out of sympathy with the régime. At first

such persons, who numbered in the thousands, did not lose their pay, but with the subsequent enactment of the "Vagrancy Act" in January 1971, those who had been dismissed were required to accept any job, generally at a lower social level, e.g. in construction, agriculture, manual labour, street-cleaning and grave digging, etc. This process culminated in the decree adjusting pay to the job held.

As a consequence of the struggle to recover freedom and democracy and of the system of discrimination and terror imposed by the Government, with its record of thousands of lives snuffed out by the firing-squads and many more thousands imprisoned with or without justification, many of the others, the victims of terror, insecurity and persecution, seized upon the only possibility remaining to them: flight. All available means were used: they sought asylum in embassies, built themselves boats, including makeshift wooden rafts, seized aeroplanes and ships. More than a few tried swimming to foreign merchant ships docked outside the ports. But the system's savage repression and terror also reached those who were only trying to escape. Heavily-armed guards and surveillance devices were placed around all the Latin American embassies that agreed to give political asylum; these still exist today. Rafts and other boats caught leaving the country were machine-gunned and sunk by the air force and navy without any danger to themselves and without any consideration for the fact that women and children were travelling in them. The shipwrecked were left to the mercy of the sharks. Anyone who aided or collaborated in or had knowledge of preparations for leaving the country and did not report them was sentenced to up to six years in prison. As a means of tightening the repression even further, navy patrols with torpedo boats and shore patrols by armed guards with trained dogs were introduced. Sentences for the offence of simply attempting to leave the country, with no violence and at one's own expense, were in some cases as high as 18 years in prison (violation of article 13, paragraph 2 of the Universal Declaration of Human Rights).

In short, the people's uprisings and attempts to free themselves from the iron grip of the dictatorship were severely put down, with bloodshed and imprisonment; there was no one to turn to in order to demand freedom and rights; the courts were composed of and dominated by the agents of repression themselves; the possibility of flight was ultimately too serious a risk; young people were pulled out of their homes and forced to take up arms against their will; arbitrariness and discrimination were the established form of

government in all spheres of national life: jobs, offices and factories, educational institutions, the countryside and agriculture. All the media were in the hands of the Government and functioned in terms of its policy of dictatorship of the proletariat. And so we ask you, members of the United Nations Group, in such a situation, what option did this poor nation have left? Only one: dissimulation. It lowered its head, sharing only with relatives or close friends its discontent, the harassment and discrimination it suffered and its yearning for its lost rights and freedoms. It lowered its head and its voice, because it was not even allowed to speak of its pain, and began to yield to all the Government's demands and impositions: political involvement and voluntary work in order to keep a decent job; political involvement to be allowed to study; silence and approval for all laws and decrees, even if they meant a reduction in income or food rations, entailing a greater dependence on whatever could be obtained on the black market - which also carried a risk of imprisonment. In short, "yes" to anything the Government decided, even if it came as a "suggestion" to donate blood, or money to arm the militias. You had to yield and pretend in order to live. You had to attend all the Government's political meetings, where there was nearly always a roll-call in the assembly areas; you had to raise your hand in approval, shout "Fidel, Fidel"; and when you completed a professional degree, you had to take a loyalty oath to the Commander-in-Chief, the Communist Party and the ideas of Marxism-Leninism; as the doctor's oath runs in part.

Mention should also be made of other laws and decrees which the Government has been introducing: the 1971 Registration of Address Act, under which everyone is obliged to report to the Committee for Defence of the Revolution and fill out a form giving any temporary or permanent change of address (violation of article 13 of the Universal Declaration of Human Rights); the 1973 Identity Card Act whereby every Cuban citizen over 16 years of age is required, under oath, to fill in a form providing detailed information about himself; all former addresses; places and dates of studies; all former jobs, with places and salaries; any arrests or judicial penalties, with dates and sentences; past or present membership in political, social and religious organizations and offices held in them; particulars of marriages and divorces; photographs and fingerprints; all this together with the compulsory carrying of the identity card at all times and in all places (violation of article 12 of the Universal Declaration of Human Rights).

On 24 February 1976, the country supposedly established new institutions when a new Constitution entered into force, but it continued under the same arbitrary and absolute régime. In Cuba, as in all communist countries, the country's supreme authority is the General Secretary of the Communist Party. The new Constitution established the machinery for electing the Chairman of the Council of State and the Chairman of the Council of Ministers. These procedures therefore exist in theory, although in practice the elections are subject to all kinds of discrimination and devices impeding the rights of the opposition, but there is no procedure for electing the supreme authority - the people can neither put forward candidates nor vote, these being the exclusive prerogative of the Communist Party. At the proposal of the Political Bureau, the members of the Central Committee of the Communist Party vote on whether to approve the single candidate proposed (violation of article 21 of the Universal Declaration of Human Rights).

With the Constitution in force, the Pre-Criminal and Post-Criminal Danger Act was passed in 1978; under it, any citizen may be imprisoned or sent to a re-education farm without any charges or offence, on a mere decision by the paramilitary forces of the CDRs that it is not advisable for a particular person to remain at liberty (violation of articles 3 and 9 of the Universal Declaration of Human Rights). With an awareness of all these controls, restrictions and individual surveillance, you as members of the Group will be able to recognize what is quite correctly defined as a police State. Its citizens have been prevented from acting as they see fit and forced to follow in complete impotence anything the Government dictates or stipulates; thus what this all amounts to is thought control.

Let it not be thought that the repressive measures, arbitrary behaviour and impunity of the political police and the courts have ended or disappeared. No. All that continues, more or less openly and with more or less severity according to circumstances, as shown by the following: the massacre in which the pleasure boat XX Aniversario was machine-gunned and sunk at the mouth of the Canimar River in Matanzas, on 6 July 1980, in which nearly 60 people perished; the detainees recently found hanged in Departments of State Security, such as those in the famous Zapata case; the secret firing-squads; the intimidation of peasants who have kept small private plots to get them to join the so-called co-operatives and therefore leave their lands (violation of article 13, paragraph 1, and article 20, paragraph 2, of the Universal Declaration of Human Rights); the trial and imprisonment -

until his death in prison - of the defence lawyer in the famous 1984 case against the citizens who tried to found the trade union "Autonomous Labour Movement" (violation of article 11, paragraph 1, and article 23, paragraph 4, of the Universal Declaration of Human Rights); the institution of a new Penal Code in which every civil right recognized is governed by a final clause that virtually invalidates it when the régime so desires; the arrests and convictions of persons for merely listening to Radio Martí (violation of article 19 of the Universal Declaration of Human Rights); the continuing requirement of political involvement in order to obtain a decent job or job in keeping with the job-seeker's capacities (violation of articles 1, 2 and 23 of the Universal Declaration of Human Rights); the ban on independent trade unions (violation of article 23, paragraph 4, of the Universal Declaration of Human Rights); the ban on associations to defend human rights (violation of article 20, paragraph 1, of the Universal Declaration of Human Rights); the requirement of political involvement for students to have the right to secondary, and especially higher, technical education (violation of articles 1, 2 and 26, paragraph 1, of the Universal Declaration of Human Rights); the many discriminatory regulations in all spheres, such as the recent announcement by the Ministry of Internal Trade (published in Granma, 1 April 1988) that in order to buy a household appliance - television, refrigerator, etc. - it was necessary not only to be a member of a communist organization, but to have "distinguished oneself in the country's defence", which in plain language means nothing more than distinguishing oneself in defending the Castro régime (violation of articles 1, 2 and 25, paragraph 1, of the Universal Declaration of Human Rights); the continuation of compulsory military service, now with the aggravating factor that conscripts are used as troops for military intervention in other countries; the increase in the "frozen zones" - residential areas in the cities, especially the capital, reserved for military staff and Party, Government and foreign officials - restricting the housing available for the people, with a consequent increase in slum neighbourhoods, of which there are already 62 in Havana and 28 in Santiago de Cuba, the country's second largest city; the continual irregularities and non-observance of rights in legal cases and trials; the staff of 76,000 maintained by the Ministry of the Interior; the repressive and war-like atmosphere periodically revived by Fidel Castro through the creation of frequent crises, involving threats of war, military manoeuvres, military parades and popular mobilizations called "Marches of the Fighting

People", all of the foregoing in a psychological war against the oppressed Cuban people with the imposition of his militarized society and a rationing system for all essentials - food, clothing, household goods, housing - which has been going on for 26 years now.

And now, with the intention of deceiving the members of the United Nations Group, human rights committees have been established in factories and work places and in secondary schools and universities, using the existing iron control over the workers and students. These human rights committees are responsible for giving lectures and seminars on human rights, and as a guide and textbook they are provided with portions of speeches by Fidel Castro and press articles stressing social rights such as medical assistance, jobs and education as the only human rights, while the civil, political and legal rights conferred by the fundamental citizens, freedoms recognized in the Universal Declaration of Human Rights are deprecated and treated as distorted interpretations based on capitalist ideas. The function of these human rights committees, established on higher instructions, is apparently to "look after" the United Nations Group if it happens to pay them a visit.

If one read through each of the 30 articles of the Universal Declaration of Human Rights, adopted and proclaimed by the United Nations General Assembly on 10 December 1948 - of which Cuba is a signatory - it would be difficult to find four articles which the Fidel Castro régime has not violated during its nearly 30 years of absolute power. There are violations of the rights of the Cuban people so obvious that they hardly require investigation. In an interview with the journalist Maria Shriver of the American network NBC on 24 February 1988, the supreme authority himself, Fidel Castro, provides them in his replies - for example: "There is no opposition press here, and there will never be one". "We do not have and are not going to have a mixed economy, nor do we have or are we going to have a multi-party system." "Here in Cuba, opposition is conducted within the Party and within the mass organizations. Our periodicals can be critical, but they criticize within the Revolution, not against it." "We will not accept opposition against the Revolution."

Members of the Group, that is in outline the past and current history of our people, which inevitably underlies all procedures for interpreting and responding to problems. These are situations and practices that have become established, and like a sword of Damocles over every head, live in the minds

and fears of every Cuban, so that before he says what he feels in his heart and flesh, he will remember that prison is a terrible thing, that he might lose his job, his children might suffer hardship, his family be ostracized, stigmatized and even attacked, and that he is really defenceless against the power and absolute impunity of the régime.

Members of the United Nations Group, it is important for you to keep these actual facts of the Cuban people's situation in mind if your investigation is to get through the barrier of uncertainty, fear and veiled threats which the régime has put round every Cuban. In conclusion, we should like to inform you that our personal testimony on the violations of our human rights will be contained in a separate document.

We Cuban political prisoners wish you success in your mission and have faith in your objectivity.

Accept, Your Excellencies, the assurances of our highest consideration.

(Signed) [46 signatures]

Havana, 28 May 1988

Annex XXVII

LETTER SIGNED BY 22 MEMBERS OF THE POLITICAL PRISONERS ORGANIZATION
DELIVERED TO AMBASSADOR DICHEV (BULGARIA) AND AMBASSADOR LILLIS
(IRELAND) ON 29 SEPTEMBER 1988 IN THE COMBINADO DEL ESTE PRISON

TO THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS

VIOLATIONS IN CUBA OF HUMAN RIGHTS SET FORTH
IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Habana del Este Prison (Combinado del Este), 15 September 1988

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Ever since its earliest years, the Cuban Revolution has made hatred its main watchword, as an affirmation of the system that was to be imposed in the context of the class struggle characteristic of a Marxist system. This hatred was quickly inculcated in the masses, who as they shouted "Shoot him" were venting the full force of their hostility not only against the soldiers of the deposed régime, but also against all those who were hostile to the revolutionary process. The people were accordingly bombarded with a series of insulting epithets such as worm, lumpenproletariat, a blot on society, anti-social, counter-revolutionary, delinquents and other morally offensive terms.

Children and young people in schools and workers at their work places have been indoctrinated in this hatred spawned by the Revolution. It has driven people to such aggressive acts as stoning and beating others (so-called acts of repudiation) for professing their political or religious beliefs or exercising their inalienable right of freedom of movement by choosing to go into exile rather than live in slavery.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Shortly after the establishment of the revolutionary Government in Cuba, all political parties were banned. When the Marxist-Leninist nature of the Revolution was proclaimed in April 1961, a de facto totalitarian régime was established.

Contrary to the terms of this article of the Universal Declaration of Human Rights, Cuban citizens were stripped of all their rights. Only persons active in one of the mass organizations established by the Revolution were allowed to enjoy those rights, provided the rights did not run counter to the interests of the Revolution.

When the Socialist Constitution entered into force on 24 February 1976, against the wishes of the Cuban people, the existence of a single party - the Communist Party - was proclaimed. The Socialist Constitution itself violates article 2 of the Universal Declaration of Human Rights and distorts the concept of equality by stating: "Absolute equality of rights and obligations for all citizens is hereby established, and discrimination on grounds of race, colour, sex or national origin is prohibited and shall be punishable under the law". On the surface, this article of the Socialist Constitution would appear to reflect the tenor of the Universal Declaration, but this is not the case. The article makes no mention of freedom of political opinion. In other words, de jure and de facto it declares that Cuba is "a single-party, authoritarian and totalitarian State", because by failing to recognize any legal opposition, it denies the majority of the population the right to participate in the country's political life. Fidel Castro himself, in a recent interview with the United States journalist, Maria Shriver, said that there would be no opposition parties or freedom of the press in Cuba.

Just as with discrimination on political grounds, which is characteristic of Marxist-Leninist régimes, there is glaring religious discrimination and a long record of persecution, expulsion of priests and nuns, closure of churches, harassment of church members, and similar hostile acts intended to curb and abolish religious freedom.

A transitional period during which the Revolution was the only source of law was followed by the institutionalization stage. Before this process took place, a referendum was held on 15 February 1976 to decide on the draft Socialist Constitution. It was held during a strict state of siege, with more than 1 million Cubans (10 per cent of the population) in exile and the prisons crammed with political prisoners. Consequently, while one sector of the population was alienated or banned from political life, the so-called Socialist Constitution was adopted unilaterally. As is customary in any referendum held by totalitarian régimes, the Constitution was adopted by an overwhelming majority (97.7 per cent of the participants).

This Socialist Constitution reaffirms its "class" and dictatorial nature by stipulating: "The exercise of human rights may not and shall not lead, on the grounds of their preservation, to the jeopardization of the integrity of society, its socialist system of Government, or its Marxist-Leninist precepts". The absolutist régime was thus legalized.

Article 3. Everyone has the right to life, liberty and security of person.

This article was one of the first to be violated by the Revolution when the death penalty by firing-squad was restored retroactively.

The 1940 Constitution, which the armed revolution had promised to reinstate after the insurrection was over, was amended and in its place the Constitution of 1959 came into effect. The 1940 Constitution had specifically stated: "The death penalty is prohibited".

This principle of respect for life and personal security was abrogated and replaced by the death penalty by firing-squad which was based on Cuban procedural law of 1896, when Cuba had been under arms, and was incorporated in Regulation No. 1 of the Penal Code of 1958 promulgated in the Sierra Maestra. Not only members of the armed forces of the deposed régime were immediately shot, but also any persons who, foreseeing the Marxist-Leninist course of the revolutionary process, had begun to oppose the Revolution.

Act No. 425 of 7 July 1959 was also incorporated in the Social Defence Code in order to enforce the death penalty against persons detained for political reasons. Firing ranges throughout the island became legal murder sites, and countless valiant Cubans were shot every day. The barbarity assumed alarming proportions when, under Act No. 988 of 29 November 1961, the authorities began to execute within 24 hours and without previous trial, persons detained for having participated in an uprising or any other so-called "counter-revolutionary" activity, thereby denying access to a proper trial and the relevant investigations.

The civil courts were abolished in the same year 1959, and the military courts were made responsible for handling political cases. These courts were composed exclusively of members of the armed forces, from judges and prosecutors to (court-appointed) defence lawyers. In some cases, these court officials were chosen in the most ad hoc fashion or lacked even the most basic legal training. Most of the sentences had been already decided by the Department of State Security and the summary trials were a mockery of justice. Revolutionary Courts No. 1 (La Cabaña), No. 2 (Las Villas) and No. 3 (Santiago de Cuba) were notorious. Prisoners who were not sentenced to death usually received long prison terms with forced labour.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Socialist Cuba, following the guidelines of dialectical and historical materialism, has imposed slave labour as a means of subjugating the Cuban people.

Neo-slavery (scientific slavery), which is characteristic of the dictatorship of the proletariat, is subjecting the people to the exploitation of man by the State. The people, after working for a ridiculously low wage, are obliged to turn out in force for voluntary work, or face losing their jobs. Students have to pay for their studies or part of their studies through unpaid labour. Exhausting work in the socialist society is the only unit of exchange, and that in practice means exploitation.

Political prisoners have not been spared this form of slavery. Persons sentenced to forced labour were sent to Isla de Pinos National Prison, and in 1964 the Camilo Cienfuegos forced labour plan was started. It left in its trail victims such as Ernesto Díaz Madruga, Diosdado Aquit Manrique, Danny Crespo, Roberto López Chávez, Eddy López, Julio Tang Texier and Francisco Novales, and hundreds more were maimed. The horrors of this Dantean odyssey have no parallel in our country's history. In view of the prisoners' stout resistance and the revulsion caused by these crimes, the Government was forced to close down the National Prison on the Isla de Pinos in February 1967, and set up concentration camps - ironically called farms - throughout the island of Cuba. These included: Sandino 1, Sandino 2, Sandino 3 and Taco-Taco in Pinar del Río; Melena 2 in Melena del Sur, Havana; Aguica in Colón, Matanzas; Manacas 4 in Manacas, Las Villas; Ariza in Cienfuegos, Las Villas; Mijial in Puerto Padre, Oriente, and a host of other less-known camps, where political prisoners were re-assembled, and forced to work, and where again there was a succession of victims, including José Oriol Acosta, Gonzalo Hechavarría Chacón, José Perera, Juan Sosa and Miguel Verdecía, in short, a long list on which not all names are known.

This new slave trade in the midst of civilization assumed a most unusual form when the political prisoners were forced to agree to be politically re-educated and to work in order to win their freedom after they had served their sentences. If they refused they would be liable to another sentence of one to four years for constituting a "post-delinquent threat" and if at the end of that sentence, they still refused, they were re-sentenced again, and this would continue for an indefinite period. At first these prisoners were brought before a disciplinary tribunal, which would try them and sentence them again; afterwards, they were merely notified of their re-sentencing by the officer responsible for law and order. These serious violations of human rights took place between 1970 and 1978 and between 1981 and 1984. In other

cases, as in Km. 5 1/2 Prison in the Province of Pinar del Río, once a political case had ended, if the prisoner did not accept the humiliation of slave labour to win his freedom, he was immediately transferred to the ordinary prisoners' wing, and proceedings were instituted against him for having committed an ordinary offence (refusal to perform re-educational labour). As a result of this practice, Reinaldo Cordero Izquierdo died after a hunger and thirst strike when he refused to accept the ordinary prisoner status which the authorities tried to impose on him on completion of his political sentence.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Physical and mental torture has been the main weapon used by the State security agents (G-2) to extract confessions. Detainees are held in complete isolation and incommunicado without any legal protection for over 72 hours in the State Security Department and are not brought before the competent judicial authorities. The Cuban tormentors, advised by experts in political repression, mainly Russians and Czechs, inflict all kinds of torture, including confinement in refrigerated rooms, sensory deprivation, immersion in pit latrines, intimidation with dogs and other animals, and other sophisticated methods of torture such as mock executions by firing-squad. The places where these forms of torture are practised include: the notorious "Cabañitas", the gloomy cells in the basements of Villa Marista, in Havana; the Condado cells in Trinidad, Las Villas; and Castillito and Versailles, in Santiago de Cuba. In the latter prison, mice and mosquitoes are also used to keep prisoners constantly awake and cause mental disorders.

These are not the only methods used against the prisoners since, when they have been sentenced, they are subjected to cruel, inhuman and degrading treatment designed to intimidate them into renouncing their principles and agreeing to political re-education so that they can be reintegrated into socialist society. These cruel forms of treatment have included:

(1) extensive beatings of naked prisoners, during inspections, with bayonets, sticks, iron pins or pipes, or machetes, especially in La Cabaña, Isla de Pinos, San Severino, Santa Clara, Boniato, Km. 7 (Camagüey) and Nieves de Morejón (Las Villas) Prisons; (2) forced labour at Isla de Pinos and in concentration camps throughout Cuba; (3) overcrowding in prison blocks and cells; (4) the use of food as a means of exerting political pressure.

The following persons died of starvation in windowless cells at Boniato: Estebán Ramos Kessel, Ibraim Torres Martínez and José Ramón del Pozo Castillo. Olegario Charlot Spileta died after going on hunger strike. The following persons died after a hunger strike at Castillo del Príncipe Prison in Havana: Carmelo Cuadra, Pedro Luis Boitel Abrahantes and Luis Álvarez Ríos. Enrique García Cuevas and José Barrios Pedre died after a hunger strike at Las Villas Prison. At Isla de Pinos Prison, Jesus Díaz died of starvation. Food in punishments cells (the usual accommodation for long-term political prisoners) was restricted to very meagre amounts; (5) prisoners subjected to cruel treatment in special cells in remote places; cells known as "gavetas" (lockers) because of their rectangular and narrow (35 cm) shape. Several prisoners were crammed in and forced to remain standing for indefinite periods, defecating and urinating on the floor, and water and food were severely rationed. From the horrible "lockers" at San Ramón and Tres Macíos in Manzanillo, Oriente, several prisoners were discharged with permanent injuries or psychological damage. This was the case with Francisco Barbuena Calzadilla, who committed suicide after meeting his son in prison; (6) electronic torture, as when deafening loudspeakers were turned on during hunger strikes at La Cabaña and at night at Boniatico and in the "rectángulo de la muerte" (Combinado del Este); (7) depersonalization of prisoners by keeping them stark naked in punishment cells in such places as "Ciudad desnuda" (Naked City) (Km. 5 1/2, Pinar del Río), the "Leonera" (pig-sty) (Castillo del Príncipe, Havana), "Las Capillas (the chapels) (La Cabaña), and "El Hospitalito" (the clinic) and "La Escalera" (the ladder) (Boniato); (8) water withheld from prisoners on hunger strike, a form of torture intended to hasten their death and force them to give up; (9) prisoners made to appear stark naked before their relatives in an attempt to force them to accept the political rehabilitation programme; (10) medical attention withheld from prisoners in various prisons throughout the country for indefinite periods. Among those who died as a result of this practice were: José Aucar Nemer (Boniato), José Ramón Bacallao (Combinado), Rafael Cuéllar del Río (Isla de Pinos), Alberto Cruz Cazo (Combinado), Guido Faramiñán Fernández (Combinado), Julio Hernández Consuegra (Km. 7, Camagüey), Eddy Idebrando Molina (La Cabaña), Cándido Mesa Reloba (Combinado), Luis Núñez Gil (Castillo del Príncipe), José Luis Oña (Isla de Pinos), José Pardo (Combinado), Santiago Roche Valle (Km. 7, Camagüey),

Ernesto Táparez (Isla de Pinos) and Jesús Rodríguez Mosquera (La Cabaña). There are too many to list them all here. When prisoners demanded medical attention for a sick prisoner at Boniato Prison on 1 September 1975, there was a bloody massacre during which Gerardo González Álvarez died of a gunshot wound and many others were seriously wounded; (11) prisoners under death sentence forced to carry their own coffins and dig their own graves before being shot.

Many women have also been subjected to all kinds of cruel, inhuman and degrading treatment. Among the many cases we would mention that of Juana Figueredo, who was pregnant and was shot by firing squad without trial on 25 December 1961 in Arroyo Blanco, Oriente, and Lidia Pérez López, who died at Guanajay in 1961 after she had been beaten and kicked in the stomach when several months pregnant. It is well known that women political prisoners have been stripped naked, ill-treated and beaten in windowless cells and punishment blocks in the following prisons: Guanajay, América Libre, Nuevo Amanecer and, more recently, the Prisión Occidental de Mujeres (Manto Negro) in Havana.

Ordinary prisoners have not been spared cruel, inhuman and degrading treatment either. Overcrowding and promiscuity have made Castro's communist prisons veritable hotbeds of crime: bullying, rapes, use of drugs supplied and covered up by the warders themselves. Minors placed together with the worst kind of criminal fall victim to every kind of corruption. Young men imprisoned for relatively minor crimes are obliged to fight throughout their lengthy sentences simply to protect themselves. All this is in flagrant breach of the Standard Minimum Rules for the Treatment of Prisoners adopted by the First United Nations Congress on the Prevention of Crime and Treatment of Offenders, held at Geneva in 1955.

The Cuban prison system has from the very outset been governed by the "technique of repression", which is considered to be the only means of rehabilitating prisoners. This repression, as we have said, has assumed all kinds of forms and its ineffectiveness was recognized by the Cuban Minister of Justice himself, Mr. Juan Escalona Reguera, in Milan, Italy, in 1985 at the Seventh United Nations Congress on the Prevention of Crime and Treatment of Offenders, when he stated: "What I have seen and heard has made me realize that we are far behind in our legal thinking in dealing with the problem of crime in Cuba, and that the penal system we have instituted to deal with these problems based solely on repression has proved unable to cope with them".

In November 1979, the Social Defence Code and its related laws were repealed and the Penal Code came into force. The latter was characterized by the definition of a large number of crimes which had not previously been considered as such; at the same time, penalties were doubled or even trebled. Even Fidel Castro was forced to acknowledge that the increase in the number of ordinary prisoners throughout the preceding period had been due to "errors of judgement".

The Penal Code remained in force in Cuba until December 1987, when the preliminary draft of a new Penal Code was submitted to the National Assembly, despite the fact that it had been highly commended by eminent foreign jurists attending the eighth Conference of the American Association of Jurists held in Havana on 17 September 1987, who had thus mistakenly paid tribute to the judicial system imposed by the tyrant Castro.

The Minister of the Interior himself, Mr. José Abrantes reporting to the National Assembly on 20 June 1988, confirmed the truth of our accusations when he said: "We are right and justified in rectifying our unduly repressive penal policy because experience has shown that it is unable to combat crime. Imprisonment alone and longer prison terms have not reduced crime. Experience has demonstrated that harsh laws and repressive systems do not in themselves solve problems."

These statements were made after an intensive international campaign in which Cuba was accused in the United Nations Commission on Human Rights in Geneva of systematic human rights violations.

Being forced to project a different image, Castro's communist régime was compelled to repeal the 1979 Penal Code and in December 1987 adopted a new Penal Code which came into force in April 1988. Most of the sentences provided for in the repealed Penal Code were the death penalty and long prison terms. Although article 30 provided for a maximum prison term of 20 years, this provision was not enforced.

The Minister of the Interior even had to acknowledge the arbitrary nature of the law when he said: "Sometimes we speak of prisoners without realizing that many of them are young people, boys, sometimes teenagers, who are not always delinquents. For offences that are not dangerous we have locked them up in prison, which makes it difficult to rehabilitate them afterwards Were not most of these young men born after the triumph of the Revolution?"

And are they not for the most part sons of workers whom, because of one slip - often just a boyish prank of the kind we all played when we were young, we have packed off to gaol, with irreparable consequences?"

Today Castro's communist authorities regard as "boyish pranks" what were previously considered to be highly dangerous crimes, for which thousands of young people were either shot or sentenced to 20 or 30 years' imprisonment, thus corrupting persons who were not criminals by sending them unfairly to gaol under an excessively repressive prison régime. This prison policy has produced a staggering increase in the prison population, which has reached an annual rate of up to 19 per cent. During the period 1980-1986 alone, 1.5 million criminal proceedings were initiated, from which it may be concluded that in every Cuban family an average of one or two members were sent to prison for some crime during that period. This undoubtedly reflects the social crisis in the country and is the result of the type of education, the moral standards and, in particular, the kind of life imposed on the Cuban people by the Castro régime. Proof of this lies in the fact that the great majority of the prison population is composed of young persons who were born after the Revolution and educated under it. Another important point to note is that approximately 8 out of every 10 prisoners are black, which destroys the myth proclaimed by the Cuban Revolution that it has established racial equality. This disproportionate number of young blacks in prison proves that they have not managed to achieve the same, average level of development as whites. The very large number of young people, both black and white, in prison highlights their general dissatisfaction and disagreement with the political, economic and social system imposed by the régime, and shows that, since they are unable to channel their concerns and discontent in a peaceful and democratic manner, their inexperience leads them to speak and act in a way which turns them into criminals. However, the régime would prefer this to happen rather than allow this overwhelming number of young people to express their concern, impetuosity and discontent by political means. For this reason, the situation has dragged on for so many - almost 30 - years and unless changes are forced on the régime, it will continue and ultimately destroy the Cuban society and people.

After the promulgation of the new Penal Code on 30 April 1988, a new process of decriminalization and releasing prisoners was initiated in order to reduce the prison population in Cuba in anticipation of the scheduled visit by

the United Nations Commission on Human Rights. Certain classes of crimes were abolished and a process of adjusting penalties began in order to incorporate the old sentences into the new Code. Although both the previous Code and the new Code provide for a maximum prison sentence of 20 years, this law has never been enforced - nor is it being enforced - in the case of political prisoners. Even now, in this prison alone, there is a considerable number of inmates (over 20) who have served more than 20 years, and so the process of decriminalization has not been fully applied but is just one more manoeuvre by the régime to trick foreign observers, who do not know the inner history of the situation. The death penalty has been retained in the new Code. The prisons are still overcrowded, despite the fact that the régime has set itself the task of transferring large numbers of ordinary prisoners from their old prisons to other unknown prisons in order to hide them from the Commission on Human Rights delegation that is to visit Cuba.

These errors, these shortcomings and this repressive penal policy, which constitute blatant violations of human rights and which obfuscatory attempts are now being made to rectify, have simply served to corrupt Cuban youth, because under the present system in Cuba the prisons are dens of iniquity where the character of young people is depraved and corrupted. Although the Cuban authorities recognize that there have been "errors of judgement" and have admitted that for 30 years the penal policy has been "excessively repressive", and although they wish to give the impression that they are trying to rectify that policy, there is no way of rehabilitating those who have been shot or those who have been mutilated and the mentally ill have not been able to regain their mental stability. The rehabilitation plan, which is based on slave labour (using the pretext that it is a form of re-educating prisoners) has merely served to entrench more firmly the exploitation of man by the State and has not helped to reintegrate him into society, because when young prisoners are released, they leave with the stigma of being ex-convicts. They are rejected, isolated and monitored by the mass organizations and other political institutions established by the communist State and are deprived of the right enjoyed by every citizen.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Chapters 1-4, title I, book II, of the 1936 Social Defence Code, which with certain amendments remained in force until November 1979, set out those offences which were designated as political offences. Most of the cases

involving the members of the of Cuban Political Imprisonment Organization were based on those articles. Out of a desire to deny any opposition in Cuba, the Castroist communist régime does not recognize the status of political prisoner and describes us as "counter-revolutionary delinquents"; however, in view of the legal principle of the retroactive nature of criminal law, which applies whenever it is to the benefit of the detainee and which is cynically incorporated in article 60 of the Socialist Constitution, the term "counter-revolutionary" is incompatible from the legal standpoint with our status as political prisoners, as well as being incompatible with all international standards and agreements relating to prisoners of conscience, whose legal personality is recognized by all civilized countries.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

In socialist Cuba there are no equal rights before the law. The people are regarded as a human machine whose only right is the right to work. They possess no safeguards before the law and the governing caste of the single party which forms the new class characteristic of the dictatorship of the proletariat is the only class to be protected and safeguarded by the socialist legal system. Detainees are regarded as enemies of the system and consequently possess no safeguards before the law.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the Constitution or by law.

The Socialist Constitution guarantees only those rights which do not impinge upon the structure of the revolutionary State. As the courts are offices of the State, the huge numbers of opponents of the régime in Cuba are denied the opportunity to bring complaints before the courts or to apply for the remedy of amparo for acts which violate their fundamental human rights. The people are allowed only one right - "the right of obedience" - and are compelled blindly to comply with all the standards and provisions dictated by the Communist Party on pain of conviction for threatening behaviour, disobedience or breach of law and order.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Arbitrary arrest at the hands of the security police or the special surveillance agencies is commonplace. Members of these bodies enter homes

without warrant in order to detain anyone suspected of an offence, thereby transgressing the inviolability of the home. Detainees are held for over 24 hours without being brought before the competent legal authorities and for more than 72 hours without a committal decision being taken. The 1959 Constitution abrogated the remedy of habeas corpus provided for in the 1940 Constitution, and although it was restored by the Criminal Procedure Act of 1977, it is not applied at the present time. The period of detention without charge in political cases has averaged approximately two months and has in many cases been as long as one, three or more years.

In many cases, detainees have died in the cells of the State Security Department as a result of torture, and in such cases the body has not been handed over to relatives. A recent example of this was the case of the 16-year-old boy Owen Trempaña Delgado.

Peasant families, particularly those living in areas where uprisings against the régime took place were sent into exile and had their property expropriated on a huge scale during the 1960s and 1970s, when resettlement areas were established and makeshift shacks providing subhuman living conditions were built. The best known of these areas are: Ciudadela de Sandino, Guane, Pinar del Río; the settlements of Morón and Ciego de Avila in Ciego de Avila Province; those of Fomento, Sancti Spiritus and Sagua la Grande in the former Province of Las Villas.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Since the classical separation of powers established by Montesquieu in the eighteenth century, the Judiciary has been autonomous in every democratic system. In keeping with tradition, the 1940 Constitution provided for the autonomy of the Judiciary, but in 1959 this legal tradition was cast aside by the Revolution when it set itself up as the "source of law". From the very beginning, Revolutionary Tribunals were established, headed by members of the armed forces and responsible for trying, in extremely summary trials, political detainees who had previously been tried before the courts. These Revolutionary Tribunals were under the authority of the Ministry of the Interior, which was responsible for deciding the sentences they were to hand down.

With the promulgation of the Judicial System Organization Act of 12 August 1977, which marked the beginning of Cuba's process of institutionalization, the People's Courts were set up, subordinated to the National Assembly of People's Power and to the Council of State, or in other words the Communist Party. The People's Courts are responsible for preserving and strengthening the so-called "socialist legality", which accounts for their Party character. Consequently, justice has ceased to be independent and impartial in Cuba. The judges and members of the courts, and even lay judges, are for the most part members of the Communist Party. Consequently, prisoners are not brought before independent and impartial tribunals, but tribunals which are subordinate to the repressive apparatus of the State.

Lawyers have also lost their independence. Associated lawyers' offices have been set up and have made lawyers mere salaried employees of the State, thus depriving them of their independence and impartiality.

Article 11. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

The Cuban authorities have never heeded the legal principle that everyone charged with an offence shall be presumed innocent until proved guilty. The forces of repression are responsible for establishing the detainee's degree of guilt and occasionally hold him in prison for many years before he is sentenced by a court or, without any proceedings being brought, which is even worse. The forces of repression prepare in advance a report establishing the guilt of the accused, which they send to the court, after having bloodily tortured or pressured the accused into signing a so-called "admission of guilt". In other cases, persons are charged with purely imaginary offences, simply because they are political adversaries (i.e. not communists) whom the authorities wish to remove from society.

The defence of persons on trial is not guaranteed. They are always defended by a court-appointed lawyer (generally a member of the armed forces and a Communist Party activist) who, as pointed out above, has to subordinate his defence to the interests of the Revolution.

Large numbers of accused persons have been tried at "people's" trials in parks, at which "revolutionary justice" is meted out by the mob, while Act No. 988 has been applied to others who have been shot (without trial) at their place of detention.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

The privacy of citizens is not guaranteed. The Committees for the Defence of the Revolution (CDRs) and other paramilitary surveillance bodies are responsible for strictly supervising the population. Mistrust has become the driving-force of socialist society and each citizen is under surveillance, at his home, at work, in the street, at school, etc. The CDRs are also responsible for ensuring close supervision of the social relationships of each inhabitant of a district or block, and even within the building where he lives. Nor is the privacy of diplomats or tourists who visit Cuba respected, as the hotels in which they stay are bugged with hidden microphones and cameras and subject to permanent and systematic scrutiny. Even in prison, inmates are still subject to this obsessive surveillance. The most recent confirmation of this was provided by the 15 microphones discovered by long-term political prisoners in their cells at Combinado del Este Prison. Closed-circuit television networks have also been installed in the "Boniatico" special block at Boniato Prison, in the cubicles of the Combinado del Este prison hospital and even in the rooms used for conjugal visits in the same prison.

Prisoners' correspondence is not only scrutinized but most of it is burnt without reaching its destination. This abuse and violation of rights also affects their family members, from whom correspondence is withheld and whose home telephone conversations are tapped.

Every person who is not actively involved in the Revolution is subjected to systematic attacks against his honour and personal dignity; the least he can expect is to be described as a worm, renegade, etc. Recently, the Cuban delegate to the forty-fourth session of the United Nations Commission on Human Rights, Raúl Roa Kouri, described political prisoners as a "bunch of criminals".

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each State.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Freedom of movement does not exist in present-day Cuba. Citizens have to carry an identity card in order to travel within their own country and to present it whenever asked to do so by the police; failure to do so carries the risk of arrest and imprisonment.

Cuban citizens are not allowed freely to choose their place of residence, as they require authorization from the competent State agencies. In order to move to another place for as short a period as a month, a person is required to submit a form to his local CDR giving the reasons for, and duration of, his journey, together with his new address. Citizens are not allowed to take up residence in any part of the country on account of the existence of restricted zones, exclusive residential areas for high-ranking members of the Communist Party and the Government, senior military officers, and foreigners and diplomats. No citizen who fails to meet the requirements of the exclusive zone is entitled to live in restricted areas such as Reparto Kouly, Alturas de Nuevo Vedado, Repartos Biltmore, Miramar y Flores, Alturas de Belén, etc. In the capital alone there are some 24 restricted zones.

Citizens are also prohibited from freely leaving and entering the country. Travel abroad for tourism is completely under the control of the State, and only government-authorized officials and those persons who meet the criteria of political integration determined by the Ministry of Foreign Affairs are allowed to travel.

Many Cubans have chosen to live abroad. After having suffered countless deprivations and having been subjected to an exhausting and oppressive régime of forced labour as practised at El Cordon de la Habana, El Plan Johnson, etc., some of them have succeeded in emigrating. Others have simply been prevented from emigrating without any explanation and merely issued with the so-called C-8 form. Others have taken to the sea in small boats or on makeshift rafts, out of fear of the deprivations they would have to undergo at the hands of the Government in order to secure the right to emigrate. Those who have been compelled to resort to this desperate and dangerous solution include young people aged between 15 and 27 who are prohibited by law from emigrating. Most of them fail to reach their destination and large numbers have been machine-gunned to death by frontier guards or the patrol boats of the Revolutionary Navy. The massacres of Barlovento (1962) and Canimar (1980) are notorious in this connection. Those who remain alive after failing in their desperate attempts are given sentences of up to 10 years' imprisonment

for attempting to leave the country illegally and are held with ordinary prisoners in flagrant violation of international law and jus gentium. Huge numbers of young people are held under such conditions in all prisons, especially in La Cabaña. Over 60 are in number 3 bloc in Combinado del Este Prison.

At the present time, more than 1 million Cubans live in exile and are forbidden to return to or even visit their country.

Article 14. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

Political asylum is a right which is recognized by the Latin American countries in particular, as it constitutes the corner-stone of freedom of movement. The only Latin American country which does not recognize this right is socialist Cuba. The Castro régime has placed embassies under close surveillance in order to prevent the victims of political persecution from seeking asylum. From the very outset, the State security agencies infiltrated and established contacts with officials in those embassies in order to use them as collaborators. Subsequently, these officials behaved as if they were Castro agents and handed over no small number of victims of political persecution who had taken refuge on embassy premises; many of them were later shot. An illustration of this is the case of the Mexican Ambassador in Havana during the 1960s, Mr. Gilberto Bosque, who personally handed over people seeking political asylum to the Cuban security agency.

In the mid-1970s, there was an increase in the number of persons seeking asylum in various embassies who were refused a safe conduct by the régime. Following the violent incidents at the Ecuadorian, Venezuelan and Peruvian embassies, Castro engaged in a typical piece of political blackmail and ordered the withdrawal of police posted outside the Peruvian embassy (April 1980), thereby allowing not only the victims of active persecution to seek asylum but also the general public, who are subjected to a more passive form of political persecution. In less than 72 hours over 10,000 people crowded into the embassy, providing the clearest, unquestionable proof of the desire for freedom of the Cuban people, who were seeking to escape from the suffocating Castro system. The aim of the Castro régime was to intimidate the countries of Latin America with the idea that if they were compelled to accept such a huge flow of exiles, they would face economic and social problems. The situation was saved by the Government of the United States which allowed those

who had sought exile in the Peruvian embassy to enter the United States. However, when Mr. Castro saw that his plan (that no country should accept asylum-seekers) had failed, he began to release ordinary prisoners from prisons on a huge scale, as well as mental patients from hospitals and prisons, in blatant violation of international law and shipped them via the port of Mariel to the United States, together with the asylum-seekers from the Peruvian embassy in order to give the impression that those who had sought asylum were criminals and abnormal people. In short, Castro's plan had three objectives: (a) to undermine the tradition of the right of political asylum, which is the touchstone of the Latin American democracies, by intimidating the countries concerned; (b) to create the impression that those seeking political asylum were criminals, and not people anxious for freedom; and (c) to sully the honourable and forward-looking reputation of Cuban exiles in Latin American countries and, in particular, in the United States by sending ordinary prisoners under the guise of anti-social citizens.

Mention may also be made of the bloody incident at the Apostolic Nunciature (Vatican Embassy) which occurred when State security agents disguised as priests entered the building in order forcibly to remove the asylum-seekers who had taken refuge there. More recently, in 1987 the repressive Cuban authorities resorted to force in order to harass and disperse hundreds of Cubans who had gone to the French embassy in Havana in order to obtain exit visas.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

In blatant violation of this article, the Cuban revolutionary tribunals, pursuant to a final judgement, deprived of their Cuban nationality the members of Brigade 2506 who had landed at the Bay of Pigs, Matanzas Province, in April 1961.

Article 16. (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

The family, which is the basic social unit in the civilized world was the first to feel the onslaughts of the Cuban communist régime. In an attempt to introduce the so-called "socialist morality" into the very bosom of the family, the authorities immediately began to undermine the unity of the family as an institution by accepting the wishes of minor children against those of

their parents if those wishes proved convenient for the Revolution. Thus, children of under 15 who for some childish reason did not wish to emigrate were held in Cuba against the wishes of their parents. Young women or girls who, on some whim or other, wanted to do voluntary agricultural work and spend 15 days or more in remote areas, successfully overrode parental opposition thanks to the support of the authorities.

Mistrust between parents and children and between brothers and sisters has extended as far as denunciation. Contrary to the provisions of procedural law in the civilized countries, family members have accused, or testified against, members of their own family charged with "counter-revolutionary activities".

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

One of the drastic measures taken by the Revolutionary Government was forcible "expropriation". First of all, what were described as "misappropriated goods" belonging to officials of the previous régime were expropriated. Following this, foreign-owned property was nationalized (without compensation). Subsequently land and other real estate was expropriated, and both individually-owned and jointly-owned private property was abolished.

The Socialist Constitution only recognizes social property, which amounts to nothing less than State ownership of all the means of production. Citizens are only entitled to the usufruct of their personal property as the State is the absolute owner of lives and land.

All property belonging to political detainees is confiscated.

Any citizen who emigrates from Cuba is deprived of his entire belongings and is not even allowed to leave them to other family members.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Many people have been persecuted and exiled on account of their religious beliefs and ideas. Anyone whose ideas do not coincide with those of the communist system is considered a potential enemy of the Revolution, and is barred from public life and classified as an "anti-social element". Religious

tolerance in socialist Cuba is relative. Many religious assemblies have been prohibited from holding their ceremonies and processions. Large numbers of priests and nuns have been expelled from Cuba for organizing processions or disseminating religious ideas, such as the 135 priests and bishops expelled from Cuba in September 1961.

The Socialist Constitution recognizes (on paper) the right to freedom of conscience and religion, albeit exclusively at the individual level, i.e. not beyond the boundaries of thought, as any act contrary to the precepts of Marxism-Leninism (whose teaching has been made compulsory by the State) is severely punished, as the Jehovah's Witnesses have discovered. It is prohibited to preach the gospel outside places of worship. In denial of religious freedom, for over 20 years (1961-1983) the régime refused to issue entry permits to members of religious orders who wished to carry out their mission in Cuba, thereby forcing many places of worship to close.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Shortly after the Revolution, all the mass media (newspapers, periodicals, radio, the cinema and television) were taken over by the State. The Government arrogated to itself the exclusive right to inform and guide the population in accordance with its interests and Marxist-Leninist precepts. Hundreds of journalists were persecuted and threatened, and obliged to leave the country in order to express their views freely.

On more than one occasion Mr. Castro has said: "In Cuba there is no opposition press and there will never be." No one is allowed to criticize the Revolution; consequently, freedom of expression is strictly prohibited in socialist Cuba. Anyone who expresses an opinion contrary to that of the "Commander-in-Chief" runs the risk of being detained for "ideological deviationism" or "enemy propaganda" and may be punished by up to 15 years' imprisonment or interned in a psychiatric hospital. The only sector of society which has the right to express itself in Cuba is that which supports the Revolution. The Socialist Constitution itself stipulates that criticism is allowed only within the Revolution, and not against the Revolution.

The population is also prohibited from receiving information from abroad. Censorship is so pervasive that neither books nor periodicals by Western writers circulate in Cuba. In addition, anyone caught listening to foreign radio stations or reading foreign newspapers or periodicals critical of the régime is liable to punishment.

Article 20. 1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

At the present time, the right of assembly and association is a pure illusion in Cuba. The restrictions imposed by the security agencies represent constant intervention in, and surveillance of, the internal affairs of institutions and the activities of their members. The Associations Act currently in force makes it compulsory to send copies of the minutes of all meetings, reports on any events organized and a financial balance-sheet to the Ministry of the Interior and the Ministry of Justice. All their movements are supervised by the State.

Only the mass organizations, which are controlled by the Communist Party, are authorized to hold public meetings in Cuba. Anyone who does not belong to one of these organizations is isolated from Cuba's cultural, leisure, educational and labour activities.

The only solution left to the population has been to feign acquiescence, in order to survive in a society which withholds all its fundamental rights.

Article 21. 1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right to equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The single-party system of socialist Cuba, peculiar to the dictatorship of the proletariat and to totalitarian régimes, allows only members of the Communist Party to take part in the government of the country. As in every Marxist-Leninist régime, the person who wields real power is the General Secretary of the Communist Party, an office which is almost always held for life. In our country, this office has always been occupied by Fidel Castro, who, in addition, is Head of the Council of State and the Council of Ministers, and Head of the Armed Forces, with the result that full authority for the country is vested in him alone.

Sovereignty lies not in the will of the people, but in Castro's unilateral decisions. His words in a speech, for example, are invariably converted into decisions of the Politburo and into national legislation.

From its earliest years onwards, the Revolutionary State set itself the task of dismantling the whole platform of democratic institutions and establishing new structures in order to centralize power and set up the totalitarian State. The régime thus established crushed all hope of free elections.

When the country's institutions took shape and the socialist State was proclaimed, the people were legally obliged to go and vote not for a candidate for the office of President or Prime Minister, but simply for candidates from their districts as delegates to the National Assembly of People's Power, while the Communist Party, without the electoral participation of the people, chooses the supreme authority of Cuba and takes on its self-appointed role as guide for the whole people.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

In Castro's Cuba, no citizen can develop his personality, since it is the State that is responsible for organizing and directing the entire social and cultural development of Cuba on Marxist lines. A citizen's right is thus limited to the determination and interests of the single party.

Social security is minimal; there is no insurance, but only grants, for unemployed persons.

In this country, no one can receive on his own account international co-operation as provided for under this article.

Article 23. 1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

....

4. Everyone has the right to form and to join trade unions for the protection of his interests.

This dictatorship of the proletariat, flaunting the slogan that the worker holds power and owns the means of production, does no more than subject the worker to iron-fisted exploitation: "the exploitation of man by the State". One has to be an activist in the Party (the new privileged class) in order to occupy a post of responsibility, with the result that there are no equitable conditions for the great mass of workers. No one may freely choose his employment; people have to go where they are ordered by the Party's directive, in accordance with its planning policy. Since there is no private enterprise, and since there are as yet no semi-private undertakings, everything is dependent on the State, which is the sole employer; the workers are thus obliged to accept its conditions of employment.

The large unemployed work force enjoys no social protection. In fact, this large mass of unemployed persons are regarded as enemies of the revolutionary process and are classified as a "blot on society" since those persons who are integrated within the communist process find work and the unemployed are always unintegrated.

As a means of control and subjugation, the Government promulgated Act No. 1231 of 15 March 1971, known as the "Anti-Vagrancy Act", under which persons of working age were obliged to be identified and employed in a job. The jobs assigned to the unemployed were exhausting farming jobs and work which few people were willing to do and which, incidentally, paid wretched wages. A worker employed in agriculture or the building industry would earn less than \$100 a month and a public service employee \$84. With increasing economic disaster facing the régime, Act No. 1231 was gradually forgotten and today 10 per cent of the work-force are unemployed. But it should be pointed out that under that Act "work councils" were set up to denounce, try and sentence persons who refused a particular job, and even persons working on their own account. Thousands of persons were punished by the "councils", many of them being interned indefinitely in forced labour camps, such as the UMAP in Camagüey, the camps on the Guanaha Cabibes Peninsula in Pinar del Río, and the camps in Diego Pérez, Cantiles and Largo Keys to the south of Ciénaga de Zapata. Article 12 of the Act stipulated: "The offence of vagrancy and pre-delinquent conduct may be denounced by any person or mass organization to a public order unit (police station)".

Under the old Social Defence Code "pre-delinquent" tendencies were determined by a judge of first instance, following a medical examination. Under Act No. 1231 such tendencies were determined by the Ministry of the Interior, following a report by a CDR or any other paramilitary watchdog body. The New Penal Code establishes a "pre-delinquent security measure of one to four years, which may be extended if the defendant, in the opinion of the authorities, continues to display such tendencies. In this way, any person who maintains an attitude of hostility to the system is classified as anti-social and kept in prison indefinitely or, in other words, until such time as his way of thinking changes. Using this legal strategem, the régime, in an effort to deny the existence of political prisoners, tries persons who oppose the régime for reasons of conscience and keeps them in an ordinary prison as prisoners who constitute a threat to society.

The workers do not have the right to form free trade unions in order to protect their interests. From their wages are deducted compulsory contributions for membership of the single workers' organization, which is directed by a member of the Politburo of the Communist Party. Thus, the only recognized (and permitted) unions are the State unions, which are Marxist-Leninist in their views, and instead of protecting the interests of the working class, they protect the interests of the governing party class and of the sole boss: the State.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Not only the workers but the population as a whole are obliged to do "voluntary work", almost always in agriculture or the building industry, against a background of slogans, competitions and historic or communist anniversaries, on the pretext of strengthening and building socialism, without receiving any form of remuneration. This is another form of exploitation of man by the State or neo-slavery. Moreover, to avoid losing their jobs, workers have to do overtime without any remuneration apart from their normal wage. The Revolution thus prevents workers from enjoying all previous achievements by the working class during its long years of struggle.

Article 25. 1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food,

clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

....

The standard of living of the Cuban population falls far short of its needs. Rationing, which was made compulsory more than a quarter of a century ago has made the Cuban nation one of the worst fed in the Americas. As a result of the shortage of food and essential articles, the "black market" has become the principal source of supply used by the population. Because of the shortages, theft in retail shops has increased in recent years, as has the secret slaughtering of cattle, since the people have found it necessary to resort to crime or to obtain products of dubious origin in order to meet their fundamental needs: to eat and to clothe themselves.

The Penal Code even prescribes terms of imprisonment for unlawful economic activities by persons engaging in the production, transport or sale of goods on their own account, and classifies as guilty of the crime of speculation and hoarding persons who acquire, transport or keep in their possession goods or products in quantities greater than those required for their subsistence.

The communist Castro régime has created a new type of "black market" controlled by the State, with the parallel markets and special shops offering articles at prices which are prohibitive for the meagre wages of members of the working class.

Because of the shortage of housing, makeshift "villas miserias" (shanty towns) are growing in number all over the country (62 in Havana and 40 in Santiago de Cuba). As a result of the lack of materials for the repair of old dwellings and the construction of new dwellings, our island country has taken on a primitive appearance. The only exceptions to this deplorable reality are the areas intended for tourism and for visits by foreign delegations, and the restricted zones inhabited by senior officials, military officers or foreigners.

Article 26. 1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms... .

3. Parents have a prior right to choose the kind of education that shall be given to their children.

Education in socialist Cuba has one basic aim: political indoctrination. The fundamental task of education is to drum Marxist-Leninist views into citizens from childhood onwards, in accordance with the method of the Soviet educationalist, Anton Makarenko, and under the control of the reflexological school founded by Pavlov, another Soviet citizen. From childhood onwards, students are steeped in the doctrine of class hatred.

The State, which in fact holds parental authority, is responsible for directing education from the earliest years. Parents have lost the prior right to choose the kind of education that shall be given to their children and may be punished if they teach their children anything different from what is taught in school. It is hammered into children that everything they have and enjoy is due to "Fidel" and the Revolution.

Education is not free since students have to pay for their studies by means of "productive work", children pay for their education in the so-called "school gardens", young people pay for it in the "country schools", and technicians and university teachers are involved in various unpaid means of production.

Children's groups have been formed with resources contributed by trade unions and organizations, and through voluntary work by workers; nevertheless, the Government requires parents to pay the fee set for each child. In addition, they have to pay for lunches which the children do not receive.

Not all students have the right to the same education; in order to enter higher education, it is necessary to be an activist in a State political organization. Once he has finished his course, a graduate becomes an employee of the State, subject to the will of the State within and outside Cuba, and obliged gradually to pay back, through his labour, the amount invested by the State in his education. There are also schools and courses reserved for persons who are particularly outstanding in terms of political integration and for the children of senior Party officials, such as the Advanced Institute for Foreign Affairs, the Advanced Institute for International Trade, the nuclear physics course, etc.

Article 27. 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Culture in socialist Cuba is Marxist in character. Consequently, all locally published works by Cubans and, with rare exceptions, by foreign authors have to be Marxist in character.

Cuban scientists, writers or artists who do not conform to this criterion have to give up their vocation or go into exile (if they are allowed to do so). In the worst situation, they are sent to prison, but not without previously spending time in the cells of the psychiatric hospital (three wards for this purpose) or the cells of the State Security Department, where they are ordered to write a declaration of repentance. These prisoners of conscience never enter prison classed as such, since the régime always uses a variety of devices to charge them with some conspiratorial or anti-social offence.

Scientific, literary or artistic works are regarded as the cultural heritage of the Revolution, and the State is the only body authorized to enjoy the benefit of these works; in practice, their authors are deprived of the benefits rightfully due to them as a result of producing or creating such works.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

The totalitarian character of the régime in Cuba makes it impossible to establish a social order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized. The Cuban people, who are prevented from freely expressing themselves and lack effective means for disseminating their views, are helpless in the face of oppression by the system. Despite the fact that Cuba is a signatory of the Universal Declaration of Human Rights, its Government systematically violates all articles of the Declaration, a fact which was clearly demonstrated in the denunciations made in Geneva at the forty-third and forty-fourth sessions of the United Nations Commission on Human Rights. We reaffirm these denunciations in this document.

Article 29. 1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Respect for the community is in direct proportion to enjoyment of one's rights. Article 40 of the 1940 Constitution recognizes the right of rebellion when the rights of individuals are flouted. In Castro's Cuba, citizens are prohibited from claiming these rights by peaceful means. Since the totalitarian régime is incompatible with democratic society, the only way of achieving enjoyment of personal freedoms is through the radical and far-reaching reform of the system of oppression.

The Socialist Constitution recognizes only the "right to submission" in prohibiting any demonstration contrary to the socialist State. Although the Constitution in force devotes a chapter to human rights, the way in which it defines them and in which the régime implements them is incompatible with what is set forth and defined in the United Nations Charter concerning human rights. Consequently, it is for the United Nations Commission on Human Rights to call for strict observance of the Charter, and not Fidel Castro's distorted interpretations of, or particular views, on it.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

On the basis of this Declaration, international communism has arrogated to itself the right to back and support Fidel Castro in international forums, thereby conferring on him the right to undertake activities designed to suppress the exercise and enjoyment of the freedoms embodied in the Declaration.

The Socialist Constitution represents the tacit negation of the Universal Declaration of Human Rights, and it is the duty of the United Nations to call on the totalitarian régime existing in Cuba strictly to comply with each and every article that has been repeatedly violated.

From the prison for long-term political prisoners we denounce the crimes, repression and violations of all rights suffered by our people for three decades - crimes, repression and violations that are comparable, apart from territorial and population differences, only with those committed by Hitler and Stalin.

Like our people, we await the just verdict of the Commission, conscious of the fact that its members will not allow themselves to be taken in by the arguments, stratagems and promises of the régime.

We should like to take the opportunity to draw briefly to your attention the hurried changes which the régime is making in Cuban prisons in order to destroy or conceal evidence of the repeated denunciations of overcrowding, ill-treatment, harassment and torture there:

1. In May and June alone, more than 35,000 prisoners were released (data from speech by the Minister of the Interior to the National Assembly on 30 June 1988), but even so the prisons were still full; consequently, since then there have been daily transfers of prisoners to the so-called "farms", with the result that you will find that the prison population does not exceed normal prison capacity.
2. The authorities have also transferred all prisoners who have been beaten up or tortured to prisons and concentration camps in remote areas, such as Taco-Taco Prison, San Cristobal, Pinar del Río; "Se me perdió la llave" (I've lost my key) Prison, Camagüey; Guanajay Prison, Havana; Quivicán Prison, Havana; Güines concentration camps, Güines, Havana, among others, to which members of the United Nations Commission will not have access, especially since they are unaware of the existence of these prisons or because they are situated in remote areas. They will thus not hear the testimony of inmates who have been tortured.
3. The authorities have destroyed, altered or painted the windowless cells, permanent punishment areas, unventilated and unlit areas, bars and wire mesh which made Cuban prisons hellish. Photographs taken surreptitiously inside Combinado del Este Prison in Havana and transmitted to the international press demonstrate the truth of our explanations and the régime's attempts at concealment.
4. The usual pattern of life of prisoners was changed immediately after the announcement of the visit to Cuba by the United Nations Commission on Human Rights. Instead of visits by relatives every three to six months, with only

one relative seen through a double mesh, the system has been changed to visits every 21 days by a number of relatives, who can talk to the prisoner without a mesh barrier. Visits by spouses have been changed from three hours once a year to one visit every three months. Instead of being allowed out into the yard to sunbathe whenever the military chief warden felt like it (generally every three or four weeks), prisoners are now allowed out for two hours twice a week.

5. Warders no longer carry truncheons and bayonets as they always used to and they have been forbidden to beat prisoners (until the end of the visit by the United Nations Commission, of course).

6. The poor prison diet has been improved in terms of quantity, quality and variety; prisoners formerly received a carbohydrate-based diet, without seasoning, and never any fruit or vegetables.

7. The main punishment block in this prison, known as the "death area", the "Pizzeria" or "Detachment 47", has been altered and refurbished, and beds have been installed. This was an area where hundreds of prisoners were kept permanently (especially persons under death sentence) and where they were given only one meal a day. Many other prisoners were sent to this area as a punishment.

8. The authorities have established a system of forcing ordinary prisoners to chant communist slogans on several occasions during the day. Prisoners who refuse to do so are being transferred to other prisons further away from their relatives' homes.

9. The authorities have placed in readiness in the prisons store supplies of bed linen, uniforms, boots and towels to be issued to prisoners before the visit by the United Nations Commission on Human Rights.

10. The prefabricated materials factory and the engineering and handicraft workshops situated next to Combinado del Este Prison have been closed down, in order to ensure that the prison water supply is not interrupted during the visit by the United Nations Commission on Human Rights.

This is what we wanted to tell you. Our martyrs demand justice.

God, country and freedom

Cuban Political Imprisonment Organization
(long-term political prisoners)

"LOS ABOGADOS Y EL ORDENAMIENTO JURIDICO", CHAPTER I OF THE REPORT
"DERECHOS HUMANOS EN CUBA" PREPARED BY THE COLEGIO DE ABOGADOS DE
LA CIUDAD DE NUEVA YORK, 1988

I. *Lawyers and the Legal System*

A. *Relevant Standards*

Article 14 of the International Covenant on Civil and Political Rights provides that:

In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality: . . . (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any

such case if he does not have sufficient means to pay for it; (e) to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him. . . .

These rights, and many other procedural and substantive guarantees, become meaningful only if lawyers are free to defend their clients vigorously. Thus the Association, which the delegation represented, has adopted a resolution providing that:

The Association of the Bar of the City of New York affirms its support for the Rule of Law in the international community and its recognition of the need for an independent judiciary and for the independence of lawyers; [and] that the Association notes with concern the reported interference with the human rights and professional responsibilities of lawyers in an increasing number of foreign countries

The delegation approached the issue of independence of lawyers in two ways. We inquired into the position of lawyers generally, particularly the connection between political beliefs and one's status as a lawyer. We also attempted to gather information about the vigor with which defendants were represented. Before turning to either of these inquiries, however, it is useful to describe briefly the basic framework of the Cuban court system.

B. *The Cuban Courts*

Raul Amaro, President of the Cuban Supreme Court, and two professors at the University of Havana Law School—Dr. Jose A. Grillo Longora and Dr. Merellino Diaz Pinillo—described the Cuban court system. The courts are divided into three levels: municipal courts, provincial courts and the Supreme Court. The jurisdiction of the municipal courts is limited to family matters, small civil claims and crimes punishable by up to nine months imprisonment. Provincial courts hear more

serious criminal cases and civil cases involving larger sums of money, as well as appeals from the municipal courts. Four of the provinces have special sections of the provincial court for the trial of state security cases. We were told that these special panels were going to be abolished because there was no longer a significant number of state security cases. Any remaining such cases would then be tried in the regular provincial courts. The Supreme Court is the country's highest court and is itself divided into special panels to hear labor, military, criminal and state security matters.

In each court cases are heard by panels composed of professional and lay judges. Municipal court cases are heard by two lay judges and one professional judge and provincial courts have panels of two lay and three professional judges. The Supreme Court has a total of 27 professional judges and 154 lay judges, divided into five-judge panels. Each panel is composed of two lay and three professional judges.

Lay judges work full time for a total of two months of each year and are otherwise engaged in their regular employment. They receive 30 to 45 days of training when they become judges, and participate in periodic seminars given by professional judges. Lay and professional judges are elected by the Assemblies of People's Power, which are the legislative arms of the government at the municipal, provincial and national levels. Professional judges are elected to terms of five years, and lay judges to two and a half year terms.

About 43 percent of Cuba's professional and lay judges are members of the Cuban Communist Party, with a higher percentage of party members represented on the Supreme Court. President Amaro told the delegation that all four of the professional judges on the Supreme Court's military panel, all four professional judges on the state security panel, three of the four professional judges on the labor panel and five of the seven professional judges on the criminal panel are members of the Party.

The Cuban Constitution makes it clear that the judicial branch is not equal to, or independent of, the other branches of government. Article 122 of the Constitution provides that the courts are "subordinate to the National Assembly of People's Power and the Council of State." This, plus the short term of office is unlikely to encourage judicial independence by Cuban judges.

C. *The Status of Cuban Lawyers*

The legal profession has been viewed with disfavor in Cuba during much of the time since Castro came to power. Dr. Menelao Mora Travieso, Secretary General of the National Union of Cuban Jurists, a professional organization for all law school graduates, told the delegation that in the years following the revolution the legal profession was held in low esteem. Students were encouraged to pursue technical rather than legal careers. He said that from 1960-70 the country had only one law school and during some years in the 1960s there were as few as five law students in the entire country. Dr. Mora and other government representatives with whom we met indicated that this negative view of the legal profession was fed, in part, by a history of graft and incompetence among Cuban lawyers.

In 1973, the Cuban government promulgated a law eliminating the private bar and requiring all attorneys who did not work as state prosecutors or for state enterprises to join collective law offices called *bufetes colectivos*, which are controlled by a national organization. The *bufetes colectivos* were reorganized in 1984 under a law requiring all members to reapply for admission and to show that they "possess moral qualities in accord with the principles of our society."

According to the leaders of the National Organization of Bufetes Colectivos (NOBC), approximately 110 of the 800 former members of the *bufetes colectivos* were denied readmission to the reorganized *bufetes*, precluding them from practicing law other than with a state enterprise. We were told that

those denied readmission were afforded a face-to-face meeting at which they were informed of the reasons for the denial and given the right to appeal to the Minister of Justice.

The leadership of the NOBC said that the reasons for excluding lawyers from the *bufetes* included failure to prepare cases, alcoholism, "living off the work of others," and other failings in the quality of a lawyer's work or his or her moral character. No lawyers were denied readmission because of their political beliefs, we were assured.

Several private lawyers who were denied readmission and with whom we met, however, painted quite a different picture. They said that while incompetents and drunks were certainly among those denied readmission, so too were lawyers who had been active in defending political cases, as well as several older lawyers who had been practicing since before 1959, and whose loyalty to the revolution was therefore somewhat suspect. At least one of these private lawyers, Dr. Antonio de Varona, also told the delegation that he was not afforded the procedural guarantees that were supposed to accompany denial of an application for readmission to the *bufete*. Dr. de Varona said that he never was told why his application was denied, and was never afforded a face-to-face meeting at which he could ask about the denial. A request for information about Dr. de Varona's case elicited no response from either the NOBC or the Minister of Justice.

Another case of concern to us is that of Pablo Llabre Raurell. A 37-year-old graduate of the Law Faculty at the University of Havana, Llabre is widely regarded as having been a vigorous and skilled defender of those accused of political and common crimes during most of his 13 years of practice. He was expelled from his *bufete colectivo* in February 1987 and disbarred four months later in what appears to have been, at least in part, retaliation for his vigorous defense of a sensitive case. Mr. Llabre is a member of the Cuban Committee for Human Rights.

According to Justice Minister Juan Escalona and the leadership of the National Organization of Bufetes Colectivos who made the decision to discipline Llabre, the reason for his expulsion and disbarment was his admitted falsification of certain financial records. Under an experimental system of payment in force in Llabre's office, attorneys were to be paid based on the number of cases they completed in a given month, up to a specified maximum. Having completed the maximum number of cases in December 1986, Llabre reported that he had finished a particular case in January 1987, thereby easing his burden for the latter month.

While this misdeed was serious and worthy of discipline, there are indications that those deciding Llabre's fate were not impartial. According to Llabre, the expulsion and disbarment came in the midst of a defense he was presenting that was particularly embarrassing to the NOBC leadership. Llabre was defending 2 of 14 real estate brokers charged with fraud in connection with the purchase of 10 buildings by the NOBC. In the course of cross-examining a prosecution witness, Llabre reported, he elicited testimony that while 7 of the buildings were going to be used for new *bufetes colectivos*, 3 were intended for the personal use of the NOBC leadership—an allegation that, if true, would constitute an obvious misuse of the NOBC's funds. Llabre's expulsion and disbarment prevented him from pursuing this defense.

Under the circumstances, there is reason to believe that the decision to discipline Llabre in such a serious manner was not taken by impartial arbiters. The same body that initially imposed such severe punishment, the NOBC leadership, had a strong incentive to curtail Llabre's spirited defense. By contrast, prosecutorial authorities, who had no such personal stake, declined to pursue criminal charges against Llabre. They dismissed a charge of fraud that initially had been filed against him for his falsification of records.

D. The Role of Lawyers in the Legal System

For those who act as defense lawyers in Cuba, zealous representation of a client is not considered to be the primary interest that he or she must serve. The report of the Provisional Board of Directors of the National Organization of Bufetes Colectivos to the General Assembly of the same organization makes clear the other interests that a lawyer must bear in mind:

The concept that must not prevail among us is that the best attorney is he who attains the acquittal of his client or places the client's interests above the law and morality. Rather, the best attorney is he who through his actions, talent and ability contributes to the victory of the law and the humanist principles of our justice. This is the foundation of the professional prestige of our attorneys and the only concept recognized and admired by our nation of workers. To depart from this is to identify oneself with those of yesteryear who represented and defended the interests of the exploiting class.

During the early years following the revolution, the client's interests appear to have been considered almost entirely subservient to those of the state, with defense of political prisoners a perfunctory matter, if any defense was presented at all.²⁶ The delegation was told of trials during the first few years following Castro's revolution in which hundreds of defendants were tried together in a few hours, with adequate time only to announce the guilt of those accused. Prosecutors also apparently made little or no effort to implement procedural protections for the accused. Juan Escalona, Cuba's Minister of Justice, reported that there were times when the prosecutors acted solely as an arm of the military and did not play an active role in enforcing socialist legality.

In more recent years as well, it appears that attorneys are unwilling to pursue a substantial defense of those accused of political crimes. Enrique Hernandez Mendez, a former mem-

ber of Cuba's diplomatic corps and a former professor at the University of Havana, was tried for attempting to leave Cuba illegally in 1980. Mr. Hernandez told us that he had received a pass guaranteeing safe conduct out of Cuba from the Peruvian Embassy, as well as all the other necessary documentation. When he arrived at the airport, however, his documents were confiscated and he was not permitted to leave. A few days later, Mr. Hernandez used an air cushion in an attempt to reach a boat a short distance off shore, but he was arrested and prosecuted.

Mr. Hernandez's attorney defended him on grounds of impossibility, arguing that he could not have left Cuba simply by riding an air cushion. The attorney refused, however, to make the argument that his client did nothing illegal, having already received permission to leave. His lawyer was afraid to defend him too vigorously, Mr. Hernandez said.

Prisoners with whom several members of the delegation met described even more perfunctory defenses. Two prisoners who were also tried for attempting to leave the country told us that they were not permitted to be represented by the attorney of their choice. The government-appointed lawyer never met with them prior to trial and his only statement on their behalf was a plea for mercy on the ground that one of the defendants was young.

We did not observe any political trials, but several members of the delegation attended three ordinary criminal trials on February 10 in Havana Provincial Court. The conduct of these cases raised doubts about the vigor with which allegations of state abuse of a client's rights are pursued even in non-political cases. During one of the trials a defendant charged with burglary alleged that he had been beaten in order to coerce a confession. None of the lawyers present and none of the judges asked the defendant any questions about the allegation. Nor did anyone question the police officer about the defendant's allegation. The police officer told us later, outside the court, that he was never asked about the allegation at any other time. In

addition, he said that in his 12 years on the police force neither he nor anyone he knew had been investigated for alleged mistreatment of a prisoner.

Even when no question of the government's abuse of human rights was raised, aggressive advocacy on behalf of a criminal defendant appeared to be atypical. During the three trials we witnessed, involving a total of six different defense attorneys, only one approached the task with any vigor. Ironically, even that exception to a set of otherwise lackadaisical performances illustrated what appeared to be uniformly low expectations with respect to the bar's defense function. Representing a Communist Party member accused of criminal negligence in connection with a serious motorcycle accident, the attorney conducted a forceful, though respectful, ten-minute cross-examination of the prosecution's witness, discrediting his testimony in significant respects. At the end of this exercise the presiding judge chided: "You've asked so many questions of the witness, it's as if he's the accused." The comment made it clear that effective advocacy on behalf of a criminal defendant fell outside ordinary standards of conduct, at least in the mind of the presiding judge in the court we visited.

In sum, the evidence gathered by the delegation left us with serious doubts about the independence of the bar in Cuba. Control of lawyers appears to have been ensured during the past 15 years through the process of requiring all attorneys who are not employed by the state to belong to, and then apply for readmission to, the *bufetes colectivos*. Defense lawyers do not vigorously defend those charged with political crimes. If the trials we observed are representative, even defendants in non-political cases rarely receive a zealous defense. The absence of attorneys independent of the state and willing forcefully to challenge a prosecutor, particularly in political cases, removes what is in many countries an important source of protection for human rights.

Annex XXIX

JUDGEMENT OF 23 SEPTEMBER 1983 BY THE PEOPLE'S MUNICIPAL TRIBUNAL
OF DIEZ DE OCTUBRE AND JUDGEMENT OF 22 AUGUST 1983 BY THE
PEOPLE'S PROVINCIAL TRIBUNAL OF THE CITY OF HAVANA IN THE
CASE OF ARTURO A. GARCIA REBOLLAR

DIEZ DE OCTUBRE PEOPLE'S MUNICIPAL COURT

FILE No. 471/83

SENTENCE No. 533/83

PRESIDENT: MARIO G. FORMOSO

JUDGES: JOSE A. ALFONSO

MANUEL SAN MARTIN

In Diez de Octubre Municipality, Province of Havana, on
23 September 1983 ...

CONSIDERING, in the Labour Section of the Diez de Octubre People's
Municipal Court, the action brought on 29 July 1983 by Arturo Antonio García
Rebolar, Calle A No. 505 e/ 21 and 23, apt. G, Vedado, Plaza, in his capacity
as a worker in the "Raúl Cepere Bonilla" IPU, situated at José A. Saco
No. 364 e/ Vista Alegre and San Mariano, Víbora, in the Diez de Octubre
Municipal District, and as a member of MINED, the Education, Science and
Recreation Trade Union, against Gastón Gorrita Guzmán, in his capacity as
Director, for the purpose of appealing under article 5 of Decree-Law 32 of
16 February 1980, against the disciplinary measure of dismissal from his post
by the Administration by virtue of its powers under articles I et seq. of the
above-mentioned Decree-Law, when he contravened chapter V, article 8,
subparagraph P, of the Ramal regulations on labour discipline in the
educational sector (failure to observe the regulations);

WHEREAS the plaintiff contests this measure and objects thereto on the
grounds that he does not agree that he helped to circulate material that
conflicts with our social ideology, since he merely looked for someone to type
up the translation of a book from French to Spanish, at the request of Mario
Gastón Hernández;

WHEREAS, after examination of the application the requisite formalities
were complied with and the place, date and time were set for a public hearing,
in accordance with the terms of articles 707 et seq. of Act No. 7 of
19 August 1977, concerning Civil, Administrative and Labour Procedure, which
hearing was held in the presence of the parties, who made the allegations they
deemed appropriate and adduced evidence which was declared relevant and
entailed, at the appropriate stage in the proceedings, an examination of
Labour File No. 41031501640, belonging to the plaintiff;

WHEREAS the requirements of the law have been observed in this case;

WHEREAS the plaintiff, who works as a teacher of mathematics, at a salary of 248 pesos, claimed that when asked by Mario Gastón Hernández to find someone to type up the translation of a book from French to Spanish, he provided the means to do so, but at no time did he circulate any document; the acts occurred on 7 June 1983 and, when First Lieutenant Paez of the State Security Department informed the educational centre, at that time the Director told him to continue working, which he did up until 13 July, taking the measure to be inappropriate, and he also deems it unfortunate that the Municipality did not take account of his employment and political record over a period of 21 years; the Administration claims that he provided the work of typing up the translation of the book "Nostradamus" by Mario Gastón Hernández, which book was circulated at the educational centre and is classed by UNEAC specialists as deviationist, anti-Communist and anti-Soviet; the worker told the State Security Department that he accepted responsibility, a meeting was held with representatives of the centre and security officials to discuss the entire process, including the fact that, inter alia, on 28 April, the book was seized from Mario Gastón, together with seven booklets containing the translation; the accused García Rebollar helped to print the translation by taking it to someone, who typed it up and bound it, returning it to him, by which means he helped to circulate the material;

CONSIDERING the evidence obtained at the hearing and in the documents submitted, it is proved that the plaintiff contravened chapter V, article 8, subparagraph P, of the Penal Regulations for Labour Discipline in the Educational Sector, dated 29 June 1981, which stipulates that it is a breach of labour discipline "to bring into a study centre literature or other material which is pornographic or deviationist", from which it can be inferred that when the book and the translation were taken from the plaintiff at the educational centre at which he is employed and they became known to third parties, he had contravened the terms of article 2, subparagraph 11, of Decree-Law No. 11 of 14 December 1977, and it is therefore appropriate to apply the measure stipulated in article 8, subparagraph 6, of that Decree-Law, and consequently, this Court pronounces the following

SENTENCE:

WE HEREBY ORDER dismissal of the suit brought on 29 July 1983 by Arturo Antonio García Rebollar, in his capacity as a worker at the "Raúl Cepero

Bonilla* IFU, against Gastón Borrita Guzmán, in his capacity as Director, and we hereby rule that the aforementioned worker shall, in accordance with the foregoing, be dismissed from his post and workplace.

For notification to the parties, advising them that an appeal may be made against the foregoing sentence within 10 days following notification thereof, in this People's Municipal Court, in accordance with the terms of articles 719 et seq. of Act No. 7 of 19 August 1977, concerning Civil, Administrative and Labour Procedure. For this purpose, any certified copies may be issued.

(Signatures and stamp of the Diez de Octubre People's Municipal Court)

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Provincial People's Court of the City of Havana

MMB1

STATE SECURITY SECTION

JUDGEMENT NUMBER: FIFTY-EIGHT (58)

President of the Court: Guillermo P. Hernández Infante

Justices:

Plácido Batista Veranes,
Nancy Morales González,
Eduardo Gómez Hermida,
Ernesto Rojas Otamendi.

In the City of Havana, on 22 August 1983, following public oral proceedings before the State Security Section of the Provincial People's Court of the City of Havana, in Case No. 75 of 1983, brought in respect of an offence of ENEMY PROPAGANDA, the accused being: MARIO GASTON HERNANDEZ MARTINEZ, a native of Calabazar de Sagua, Villa Clara Province, son of Pablo and Isabel, aged 59, married, with university education, employed by the Ministry of Education as a storekeeper at the Raúl Cepero Bonilla Pre-University School, with an address at 1413, 17th Avenue, between 34th Street and 36th Street in Playa Municipality, Province of the City of Havana, on bail from these charges and defended by Dr. Migdalia Lara Macías, a court-appointed lawyer; ARTURO ANTONIO GARCIA REBOLLAR, a native of the City of Havana, son of Arturo and Aida, aged 42, divorced, educational level: fourth year of civil engineering, employed as a teacher of mathematics by the Raúl Cepero Bonilla Pre-University School, with an address at Flat G, 505 A Street, between 21st and 23rd Streets, Vedado, Plaza de La Revolución Municipality, Province of the City of Havana, on bail from these charges and defended by Dr. Migdalia Lara Macías; and FRANCISCO ANTONIO MARTINEZ HRASTE, a native of the City of Havana, son of Francisco and Anqélica, aged 33, a bachelor, with university education, employed as an editor in the Radio Metropolitana broadcasting station by the Provincial Directorate for Radio of the People's Power of the City of Havana, with an address at 62, No. 1503, between 15th and 17th Streets, Plaza de La Revolución Municipality, Province of the City of Havana, on bail from these charges and defended by Dr. Mario Cabrales Cuesta, a court-appointed lawyer.

Prosecutor: Dr. Ricardo Padierna Reyna de Cossío.

President of the Court: Judge Guillermo Predro Hernández Infante.

WHEREAS, firstly, there is evidence that the accused MARIO GASTON HERNANDEZ MARTINEZ, aged 59, full details of whom are provided above, did, on an unspecified date prior and close to 26 April 1983, produce two counter-revolutionary manuscript leaflets, translated from the book written by the French authors Max and Jean Fontbrune on the prophecies of Michel de Nostredame, known as Nostradamus, the contents of which are clearly counter-revolutionary and contain, inter alia, the following: "When Socialism comes to power the people's blood will be shed and freedom of speech will disappear", "neither church nor sexes will be spared", "the great sister of the English, the United States, will inherit Soviet power", thereby agitating against international solidarity. Having prepared his manuscripts, the accused, Hernández Martínez, gave the book to his fellow accused ARTURO ANTONIO GARCIA REBOLLAR, of legal age, whose level of education and other details are provided above, who, with the same counter-revolutionary intent passed the book on to FRANCISCO ANTONIO MARTINEZ HRASTE, also accused, aged 33, details of whom are provided above, who typed the manuscripts, thereby collaborating in the activity of Hernández Martínez.

WHEREAS, secondly, the prosecutor has maintained his provisional conclusions, which have been placed on record, as definitive.

WHEREAS, thirdly, the counsels for the defence have also maintained their provisional conclusions, which have been placed on record, as definitive.

IN VIEW OF, ONE; the fact that the actions which have been proved constitute the offence of ENEMY PROPAGANDA established and punished by article 108-1, paragraphs a and b of the Criminal Code, incorporated herein, inasmuch as the perpetrators thereof have agitated against international solidarity by means of written propaganda which they themselves produced and which one of them had in his possession.

IN VIEW OF, TWO; the fact that the accused are liable as the perpetrators of the aforesaid offence, since they committed it themselves.

IN VIEW OF, THREE; the fact that there are no mitigating circumstances for the commission of the offence.

IN VIEW OF, FOUR; the fact that the criminal liability entails the civil obligation to compensate for the damage and harm resulting from the act.

IN VIEW OF, FIVE; the fact that the Court has been guided by its socialist legal conscience in selecting the degree of the punishment applicable within

the limits set by the law, and, has, in particular, borne in mind the social damage caused by the accused, the individual responsibility of each of them and his degree of involvement, their individual conduct before and after the offence, the circumstances surrounding the acts and the likelihood of the accused making amends, in accordance with the provisions of article 47 of the Criminal Code.

THE COURT HEREBY DECIDES: We sentence the accused, MARIO GASTON HERNANDEZ MARTINEZ, to THREE YEARS' DEPRIVATION OF LIBERTY and ARTURO GARCIA REBOLLAR and FRANCISCO ANTONIO MARTINEZ HRASTE to ONE YEAR'S DEPRIVATION OF LIBERTY each, which is replaced by RESTRICTED LIBERTY for the same period for each of the accused, for the perpetration of an offence of ENEMY PROPAGANDA.

No judgement is made in respect of civil liability.

We hereby pronounce judgement, order it to be executed and sign.

A true copy of the original for this case
CERTIFIED
(signed) (illegible)



"BOLETIN ESPECIAL. EQUIPO DE OPINION DEL PUEBLO. DOR.
PARTIDO COMUNISTA DE CUBA. PROVINCIA DE HOLGUIN".
(SPECIAL BULLETIN, PUBLIC OPINION UNIT, CUBAN COMMUNIST
PARTY, PROVINCE OF HOLGUIN).

EQUIPO DE OPINION DEL PUEBLO. DOR PCC PROV. HOLGUIN

INTRODUCTION

"To maintain and preserve the health of the people and to raise their life expectancy to a maximum" is an all-level task in the program of the Cuban Communist Party.

To attain this goal, innumerable resources are invested throughout the country and a special interest is shown at all Party and Cuban Government directorate levels.

To keep the Party directorate informed of the evaluation made by the people, of the services provided by the Health Sector in the 14 municipalities of the province, the People's Opinion Section of the DOR [Revolutionary Orientation Department]* Provincial Committee analyzed the opinions polled during the second semester of 1987.

*[Brackets signify translator's notes.]

GENERAL EVALUATION

From a total of 10,756 opinions, 87.6% are unfavorable. In comparison with the same period of the previous year, there was an increase of 3% (chart 1).

As noted in chart 3, the percentage of unfavorable opinions decreased only in the municipalities of Báguanos, Mayari and Frank País; the increase is significant in Gibara (8.9%), Banes (8.3%), Sagua de Tánamo (15.3%), and Moa (13.6%).

In Rafael Freyre, Antilla, Holguín, Cacocúm, Urbano Noris and Cueto, the increase was minor.

We believe that in the case of Calixto Garcia it is not timely to establish comparisons, because during 1987 the information on the municipality was sketchy and very irregular.

As in the previous analyses conducted, positive opinions reflect the people's recognition of the efforts being made by the Revolution and the achievements attained in this important sector.

Notwithstanding the above, unfavorable opinions evidence that despite Party and Government efforts and the special attention on the part of Comrade Fidel [Castro] to provide optimum quality in services rendered at health centers, the population is not totally satisfied with the attention they receive.

As can be noted from the report, criticisms that continue to be reiterated the most are those regarding the lack of attention, negligence and abuse of patients, which we have pointed out in previous reports. Therefore, we consider that more should be demanded towards complying with the principles of Medical Ethics, and that direct work with each one of the sector staff should be intensified.

PROVINCIAL MATTERS

As in previous analyses, in 539 opinions the need to increase fumigations against mosquitoes, and other insects and rodents in all the provinces and municipalities continues to be reflected.

Ninety-seven opinions polled in the Sagua de Tánamo municipality raised the need to gather the pigs that roam the urban zones.

FAMILY DOCTOR

This plan is the creation of the Commander in Chief [Fidel Castro], and as can be determined from the positive opinions, the plan has been very well received by our people, who also have acknowledged the benefits it provides and its importance in preventive medicine and health control.

Unfavorable opinions, which account for 64.9%, point out the deficiencies in several consultation centers, and also give suggestions to improve, according to the people's criteria, the invaluable services offered at these centers.

The most repeated concerns are the following:

- At consultation centers, the issuance of health certificates takes too long (8-Banes).
- Many doctors do not comply with regulations; do not make rounds (attention is not the best) (63 opinions)
 - * Banes.
 - * Consultation center #36; the three at El Coco junction (Holguín).
- The La Güira consultation center is closed in the afternoon (3-Banes).
- They wonder why so many consultation centers have been built in urban areas, where all medical resources are at hand, and none have been built in the rural areas (135 opinions). Rafael Freyre, Cueto, Banes, Mayari, Cacocúm, Urbano Noris, Báguanos.
- Scandals in consultation center #17 (20 opinions).
- There exist consultation centers which have been completed and are not in operation yet (65 opinions). La Agraria-Cacocúm, Aguas Claras-Holguín, Veguitas-Banes.
- They wonder what the motives are for not expanding to all neighborhoods and municipalities (10-Holguín).

- The family doctor needs to take more steps to become a specialist (6-Holguin).
- He does not solve any of the workers' problems; they still have to go to the polyclinic (13-Holguin).
- Some doctors do not live at home and when they are needed at night they are not available (5-Holguin).
- The doctor always has a different ailment (4 opinions)
 - * Consultation center #9-Holguin.
- These are open only to 6pm (18 opinions)
 - * Aguas Claras and the Lenin District (Holguin).
- Consultation centers that have no doctors (9 opinions)
 - * #50 - Banes.

SUGGESTIONS

- Family doctor consultation centers should be made available in rural areas (32)
 - * Cueto.
 - * Holguin.
 - * Mayari.
 - * Banes.
- Stricter rules must be enforced on family doctors who refuse to work (6-Holguin).
- The family doctor is much needed in the municipality (10-Cacocum).
- The doctor should possess injections [syringes] to lower the blood pressure to avoid going to the hospital (8- Banes).

AIDS [SIDA]

With reference to this illness, called the "Plague of the 20th Century," favorable opinions indicate a high degree of confidence and satisfaction on the part of the population regarding the measures taken by the Cuban Ministry of Public Health to prevent massive contamination; TV programs broadcast to that end are evaluated as good.

Notwithstanding the information given, 78 opinions affirm that throughout the province there are "X" cases of AIDS.

The following suggestions are also made:

- That the analyses that are being done in Havana also be done in the rest of the provinces (15 opinions).
- They should take into consideration prisoners who can be carriers because there are homosexuals (7 opinions).

- The AIDS video should be broadcast to the whole population (10 opinions).
- A medical investigation should be conducted to detect all AIDS cases (3 opinions).
- AIDS tests should be made on all women who change sexual partners frequently and on those who go out with foreigners (22 opinions).
- It should be demanded that all blood donations and tests be thoroughly analyzed in order to avoid contamination with AIDS (7 opinions).
- Preventive measures must be taken (25 opinions).
- Measures must be taken on homosexuals (53 opinions).
- The whole population, especially the youth, should be provided with information (53 opinions).

GIBARA MUNICIPALITY

Of all opinions 93.6% are unfavorable, an increase of 8.9% over the same period in 1986.

One hundred and twenty-seven hospital-related opinions say:

- Attention is poor and there is patient abuse (68 opinions)
 - * In one week, there were two deaths in the operating room; they call it "Room 8" [referring to the Cuban game of charades, where the number 8 signifies "death."]
 - * At the lab, the women engage in chatting.
 - * Several patients have died on surgeon Pujol.
 - * Doctors make patients wait because they keep watching for the arrival of a truck, wondering what goods will be distributed.
 - * Sometimes it is 9am and there are no doctors in the Emergency Room.
 - * Most Emergency Room doctors are new and inexperienced.

Needs

- There are few doctors (41).
- At the hospital, to meet programmed activities, a taxi must be hired daily (3).
- There are broken windows (4).
- There is no boiled water for the children in the respiratory unit (6).
- Hepatitis patients have to undergo tests at Chaparra or Puerto Padre (2).

Suggestions

- Add another lab technician to do the tests on children.

Polyclinic

- Poor attention is given to patients (49)
 - * Often, the Ophthalmology consultation is cancelled.
 - * There is no control of patients' files registry.
 - * Tests are lost.
 - * Workers encounter difficulties in getting their health card.

- Shortage of doctors; there is one for three sectors (161 opinions).
- Abuse by doctors (17)
 - * otolaryngologist.
 - * the doctor in sector #2.

Suggestions

- The urologist should improve his temper (4).
- Conditions must be improved for the patients awaiting their tests (7).

Velasco Polyclinic

- At times it is 9am and no doctors are in yet (10).
- There are few doctors (9).
- Evidence of favoritism in the Obstetrics Room (8).

Suggestions

- That a hospital be built in accordance with the existing population in that area (20).

Dental Clinic

- Attention is inefficient; only a few patients are seen daily; the comrades go out very frequently (6).

Piloto Pharmacy

- On Sundays they have problems in returning small change (4).

Medical Post:

Floro Pérez

- Doctors are seldom there (119).
- It is closed on weekends (14).
- It is suggested that better attention be given to the people (12).

Los Alfonsos

- It was declared a model and there is not one doctor (28).

Caletones

- Good attention (12).

Home for the Elderly

- It is suggested that the PCC [Cuban Communist Party] investigate several senior citizens who have breakfast and dinner at the Home and are doing business [on the side] with their food quota [ration-card] (12).

Other general comments

- Ambulances are being used for pleasure rides and also for personal business (11).
- The doctor prescribes medications which are not available in the pharmacy (2).
- If doctors continue to issue health certificates, the School-in-the-Country will have to be cancelled because all the children are sick (18).
- Public Health has lowered its guard in the attention provided the population (7).

Suggestions

- Something must be done with the new doctor who now holds Zayda's position; she abuses the patients (31).

RAFAEL FREYRE MUNICIPALITY

Out of 318 opinions, 65.7% are unfavorable, a 4.8% increase over the same period last year.

Regarding hospital services, 75.8% are unfavorable; the complaints most heard are regarding:

- The quality of services and attention has gone down (108 opinions)
 - * Doctor Juana Maria (orthopedist) leaves her work post on occasion and does not say where she is going.
 - * There is lack of confidence in lab analyses results.
 - * A woman died during childbirth because she was not attended to promptly and adequately (6).
 - * Favoritism is practiced when giving out appointments.

- There are no specialists in Pediatrics (40).
- Several consultation room doors are falling down (8).
- Fifty opinions acknowledge that attention has improved.

Punto Fijo Polyclinic

- It is suggested that measures be taken regarding elements [people] who do not let the doctor work (16).

Fray Benito Polyclinic

- Good services are being rendered to the population (10).

Pharmacy

- In the evenings, there are no salespersons (6).
- At the Santa Lucia one, service is very slow (15).

Medical Post:

Melones

- The doctor does not come to consultation any more and nobody knows why (10).

BANES MUNICIPALITY

Unfavorable opinions are 96.2%, an increase of 8.3% over the same period in 1986.

Of the hospital-related opinions, 83.8% are unfavorable and they point out that:

- Patients are not given good attention (101)
 - * The doctor orders electrocardiograms and they [the EKGs] never turn up.
 - * Appointments with specialists are delayed up to 4 months.
 - * At times no rounds are made in the men's ward.
 - * There are two orthopedists and they give out very few appointments.
 - * While the skin specialist is on vacation he is not replaced by any other doctor.

Needs

- There are never any working materials for X-rays (6).
- Installation of the elevator remains unfinished (5).

- Pregnant women are afraid to go to the hospital to give birth (7).
- At times the doctors are unable to diagnose the illness of the patient (18).

Suggestions

- The State should analyze the possibility of building a dining room (7).
- Baby-sitters should be allowed to remain because they are needed in the ward (8).

Nicaragua Hospital

- Medical attention is bad (59).
- There is evidence of "*sociolismo*" [favoritism] (4).
- Surgical procedures are not performed due to lack of X-ray materials (3).
- There is no anesthetist for an urgent Caesarean (8).
- The operating room is almost always contaminated (12).

Suggestions

- A good repair is in order (3).

Polyclinic

- Patients in the *Comunitario* were transferred to the *Integral* and the patients are very inconvenienced (12).
- Pediatrics appointments are given out in the morning and consultations are at 2pm and this affects the patients who live in the country (16).
- Consultations for pregnant women are twice a week and they never start on time (20).
- Doctors do not treat patients properly (5).
- Tests cannot be conducted due to lack of water (3).

Deleite Polyclinic

- Attention and behavior [towards patients] are not good (21)
 - * Patients are admitted and they are not seen again.
 - * When doctors are lying down they do not want to get up to see a patient.

Suggestion

- Behavior towards patients must be improved and better attention should be provided (7).

Cañadón Polyclinic

- Service is bad .
 - * When the stomatologist [dentist] comes, his assistant is absent, and vice versa; when both are in, there is no water.
 - * There is only one doctor for the entire population.
 - * Lack of a lab technician.

Dental Clinic

- Prostheses are of poor quality (30).
- Appointments go from one month to the next when there are so many stomatologists (15).

Pharmacy

- The pilot is declared a model, but at times they maltreat customers; the attention is not good (5).
- At the semi-pilot (near the shoe-repair shop), the comrades barely work; they talk their lives away and take their time to attend to customers (3).

Los Pinos

- In this community there is no medical assistance of any kind, there is not even one nurse to heal a wound (9).

Las Mulas

- Neither the doctor nor the ambulance are there when needed (25).

Ambulances

- Those of Guardalavaca and Cañadón are used for personal affairs (8).
- When there is a patient to be taken urgently to Holguín, the ambulances do not appear.

Suggestion

- The Delleite ambulance must not be taken away (15).

General Opinions

- There is little concern on the part of the doctors, they wait to the last minute; when they transfer a patient to a better hospital it is because he cannot be saved (17).
- Some gynecologists are negligent, and when women cannot deliver, doctors do not practice the required Caesarean section, endangering the lives of mother and child (6).
- Doctor Yoelia has little experience (4).
- Many children get medical certificates and do not attend the school-at-the-country (13).
- Sick relatives of municipal doctors and nurses get more food quotas than the rest of the population (6).

Suggestions

- Mental patients should be picked up (20).
- Public Health should clarify rumors of a tuberculosis outbreak (28).
- At least once a week, doctors in Banes, specialists in Orthopedics, Pediatrics, Ophthalmology, should visit the areas that are far away from the municipality (6).

ANTILLA MUNICIPALITY

Unfavorable opinions are 89.9%, up 4.3% from the same period in 1986. Of the 714 hospital-related opinions, 81.2% are unfavorable.

In 369 opinions, it was reiterated that there are few doctors; that a pediatrician, surgeon and gynecologist are needed; and that the appointments granted for the different specialists do not meet the needs of the people.

Also, 46 point out that on any given day, doctors are absent and consultations begin late.

A lack of concern on the part of the doctors is expressed in 98 opinions.

Fifty-three opinions state that to get a test done, one has to stand in line from the previous day, and that often tests cannot be done because there is no water.

Twenty opinions express that the comrade in charge of the electrocardiograms is frequently absent and patients are not advised. Also, that the X-ray technician maltreats patients and seldom is at his work post.

Twenty-two opinions express that Doctor Nora maltreats her patients.

Suggestions

- Services and behavior towards patients must be improved (53).
- There should be more concern over the emergency shift (9).
- The emergency doctor must remain in the Emergency Room (14).
- More specialists should be brought in (3).

Polyclinic

- There are expressions of bad treatment and poor service as follows (90):
 - * There is no one who can provide information.
 - * There is no consultation schedule.
 - * On Saturdays, at the Gynecology consultation they only take 10 [appointment] cards.
 - * There are few doctors.
 - * For three weeks, there has been no pediatrician.

Suggestions

- The scheduling of doctors' consultations must be improved (30).
- Acupuncture technicians should be brought in (31).

Pharmacy

- A stricter control of alcohol sales is suggested (56).

General Opinions

- There are few doctors in the municipality (14).
- The physiotherapist does not have the adequate facilities for the exercises (12).

Suggestions

- An investigation should be conducted on the skin rashes and the diarrheas that the population is suffering (83).
- All children should be vaccinated against "Meningo" [meningitis] (40).

BAGUANOS MUNICIPALITY

Of all opinions, 93.1% were unfavorable, a decrease of 4.4% from the same period last year.

Of hospital-related opinions, 91.3% are unfavorable and the main concerns pointed out are regarding:

- Deficient service and maltreatment of patients
 - * Comrade Reyna Viera treats people badly.
 - * Doctors arrive late for consultations.
 - * Doctors lack knowledge and responsibility; they err in diagnoses.
 - * There are consultation offices closed for lack of doctors.
 - * Appointments to see specialists are delayed very much.
 - * There are few resources at the hospital, and doctors take too long to transfer cases as required.
 - * Doctors from out of town leave early.

Others

- There is broken equipment and they do not bother to fix them (13 opinions).
- The hospital is considered poorly managed (11 opinions).

Tacajó Hospital

- At times the water given to patients is not drinkable (4 opinions).
- There are few doctors (1[?] opinions).
- Not all the resources to be used to perform medical checkups can be guaranteed (8 opinions).
- Consultations are delayed very much (6 opinions).

Polyclinic

- There are few doctors and the employees do not give patients their best treatment (37 opinions).
- At times there are no lab technicians (6 opinions).
- The comrade for social work is not very efficient (3 opinions).
- There is an automatic plant that is deteriorating, instead of being used (24 times).

Pharmacy

- Employees abandon their work to shop at the produce mini-market (8 opinions).

General Opinions

- The optical store is almost always closed (11 opinions).
- Municipality doctors transfer cases to evade responsibilities and not face the situation (6 opinions).
- The municipality does not have the facilities to shelter doctors from out of town (17 opinions).

HOLGUIN MUNICIPALITY

Of all comments, 91.4% are unfavorable; in comparison to the same period of last year they increased by 0.3%.

Hospital-related unfavorable opinions are 89.9%.

Regarding the Vladimir Ilich Lenin Hospital specifically, it is expressed that:

- Attention is lacking and the public is treated badly (335 opinions)
 - * Emergency Room doctors get lost; specialists are seldom available; the number of doctors does not meet the needs; service is slow; at times either there are no stretchers or the stretcher bearers have disappeared.
 - * In the Psychiatric ward, at times there is only one nurse and there are no syringes available.
 - * Some doctors and nurses argue in front of patients.
 - * One nurse changes the medications prescribed by the doctor.
 - * The elderly are treated badly.
 - * Good attention is given only to friends and to those who have important positions.
 - * Pregnant women are left to die in the delivery room.
 - * Most of the operations become infected.
 - * There is non-compliance with the administration of medications prescribed for in-patients.
 - * Ultrasounds lack quality.
 - * CPV's do not treat patients well.
 - * Delays in getting admitted for surgery.
- Poor food quality, they give very little, and at times there is not enough (101 opinions).

- Hospital garments of in-patients are in the worst hygienic conditions; they are not dried properly (85 opinions)
 - * When there are visits they give out new garments and later they are taken away.
- Doctors lack knowledge (38 opinions)
 - * The Orthopedics specialty is no good, patients do not come out well.
 - * Doctors cannot find out what the illnesses are.
 - * The people have lost confidence in the hospital due to the errors in diagnoses.
- The fifth floor does not have the same maintenance as the other wards (3 opinions).
- Pediatrics lacks the instruments to cure children (4 opinions).
- Three X-ray machines are broken (2 opinions).
- General assistants were laid off and now everything is dirty and no disinfectants are used (23 opinions).
- Ambulance service is deficient (4 opinions).
- Information is not brought down on time (14 opinions).

Suggestions

- Why isn't a shelter built for the families of in-patients? (41 opinions).

Pediatrics Hospital

- Service and treatment of patients are both deficient (59 opinions)
 - * There are few doctors in the Emergency Room; at times there are students only, who make mistakes often; injections are given by students with only three months of classes.
 - * They admit children with diarrhea who are not given any medicine.
 - * Evening attention is bad.
 - * When the comrade who distributes the medicines is on vacation, no one replaces him.
- When one side of the Pediatrics ward gets fixed, the other side breaks (5 opinions).
- The treatment given to the housed nurses is bad; poor attention is paid to them (8 opinions).
- The food being given to mothers accompanying sick children was cut down in order to give it to the employees (7 opinions).
- The children are suffering from the heat, because there are no fans (23 opinions).

Polyclinics:

Díaz Legrá

- The lack of doctors is resulting in maltreatment of patients (164 opinions).
- Patients are attended without the doctors having their medical histories on hand (9 opinions).

Suggestions

- Caridad, the head nurse, must be replaced; she is a dictator and mistreats the people (1[?] opinions).

Máximo Gómez

- There seldom is a general practitioner available (10 opinions).
- Doctors do not serve their required annual assignments in the country (3 opinions).
- There are difficulties with vaccines for children (15 opinions).
- Doctors are frequently absent from consultations (7 opinions).
- At times there are no doctors at night (2 opinions).

Alex Urquiola

- It is in poor condition (19 opinions).
- Many friends of doctors and nurses enter consultation offices without appointments or patients' approval (6 opinions).

René Avila

- Attention in Gynecology is bad (6 opinions).
- The Doctor in Sector 3 is rude (3 opinions).

Alcides Pino

- The nurses who will attend the Congress were chosen without taking into account their attitudes, conditions and [political] trajectory (20 opinions).
- At the polyclinic, Lucy is not the one in command and she is the head nurse (36 opinions).

La Plaquita

- One arrives at 8:00am with a child and leaves at 11 or 12 (4 opinions).

San Andrés Polyclinic

- Service is the worst, the people are very unhappy (11 opinions).

Suggestion

- Build a hospital in accordance with the existing population (8 opinions).

Julio Grave de Peralta

- There are few doctors (5 opinions).

Pharmacies

- There is a lack of many medications (45 opinions).
- Delay in service (17 opinions).
- Need for another pilot pharmacy in the center of town (24 opinions).
- Need for a pharmacy at Piedra Blanca (8 opinions).
- Pacifiers are being sold to some people under the layette card [ration card for mothers] but salespersons give them to other people in large quantities, to do business [on the side" (4 opinions).
- At the one across the park they change medications (2 opinions).

Suggestion

- All salespersons in the pharmacy across the park must be changed (3 opinions).

Dental Clinics:

Manuel Angulo

- In the prosthesis department they give you an appointment and then see you three hours later; the quality of the work is not among the best (16 opinions).

Mario Pozo

- The quality of the personnel doing the prostheses is poor (9 opinions).
- They summon everyone for 3pm and do not start calling until 4pm, even if there are only a few persons (10 opinions).

Artemio Mastrapa

- Very few appointments are given out daily (8 opinions).

I.T.H. Maternity Home

- The doctor leaves at 9:00pm and only one nurse stays (5 opinions).
- There is no variety of sweets for the patients (10 opinions).

Blood Bank

- The snack given to the "cederistas" [members of the neighborhood watch committee] who donate blood is very poor (7 opinions).

La Gira Infirmary

- There is a lack of medications, and often the nurse is absent (40 opinions).

Physiotherapy (Miró)

- Mistreatment from some technicians who keep patients waiting for a long time while they keep on talking (13 opinions).

Home for the Elderly (Mayarí Road)

- Some of the elderly have a bad and sickly appearance; they are dirty (15 opinions).

General Opinions

- Appointments for the stomatologist are given every 30 days (11 opinions).
- Doctors prescribe medications which are not available at the pharmacies (4 opinions).
- Doctors have little knowledge (13 opinions).
- There are too many family doctors and at polyclinics there are no doctors to service the people (16 opinions).
- In the province there is no reagent available to perform the hepatitis test (11 opinions).
- Public Health does not have union leaders to truly represent the interests of the workers (42 opinions).

Suggestions

- Havana should be imitated; there, all hospitals have been repaired and, here, we have the new hospital out of service (14 opinions).
- A new polyclinic is needed between Pueblo Nuevo and Alex Urquiola; all others are too distant and there is no bus service (8 opinions).

CALIXTO GARCIA MUNICIPALITY

Of all the opinions received (41), 53.6% are unfavorable.

We should clarify that during 1987 the flow of information from this municipality was very poor and irregular; thus, we do not find it objective to evaluate this year against the same period in 1986.

The opinions received express that:

- At the Buenaventura hospital, there is little attention paid to pregnant women by the nurses (1 opinion).
- At the Mir polyclinic, doctors start consultations late (4 opinions).
- At the Buenaventura polyclinic, they do not give the first appointments to the farmers (2 opinions).
- Melecio Guerrero, the chauffeur, spends all day at home with the ambulance parked there (2 opinions).

Suggestion

- In the surrounding neighborhoods there should be a car on call during the night; if someone gets sick, there is no way to get him out (2 opinions).

Calixto Garcia

Positive

- From now on, Sabanazo will improve greatly with the inauguration of a pharmacy and an infirmary (5 opinions).
- At San Agustín, the doctor has good manners and works the hours that are necessary (6 opinions).

CACOCUM MUNICIPALITY

Unfavorable opinions represent 97.7%, 1.1% over the same period of 1986. The main polyclinic-related deficiencies mentioned are:

Cacocúm

- The service and treatment given to the people is not good (99 opinions)
 - * Bureaucracy has increased and the attention to patients has decreased.
 - * Consultations are at 8:15am and they almost always start at 8:30 or 8:45.
 - * Consultation offices get crowded with people who are alien to the place.

- * The Director lacks proper social behavior.
 - * When seeing the patients, the doctors do not read their medical histories.
 - * The doctors keep on talking among themselves even if there are patients waiting.
 - * Doctors prescribe the wrong medications.
 - * Electrocardiogram results are not ready for 12 days.
 - * Nurses do not provide good service.
 - * No appointments are given for the dermatologist, the ophthalmologist, etc.
 - * There is nothing with which to cure a wound.
- The polyclinic is too distant from the town (19 opinions).

Antonio Maceo Polyclinic

- It is abandoned; when it rains it gets flooded (5 opinions).
- There are only two doctors (57 opinions).
- Doctors do not provide their best attention (8 opinions).
- One has to wait a long time for a Stomatology appointment (5 opinions).

Pharmacy

- There is a shortage of medications and when they arrive there are very few (10 opinions).

Red Cross [Ambulances]

- The one at the factory is always broken and when fixed it is used for something else (8 opinions).
- The polyclinic has three ambulances but only one driver (6 opinions).

General Opinions

- At night, the Public Health Directorate cars are used to drink rum in and go partying (9 opinions).
- Public Health is in worse shape than in 1960, the majority have no ambulances, doctors are scarce, they do not fumigate (6 opinions).
- The increase in infant mortality is due to the inexperience of the doctors in the municipality (12 opinions).

Suggestions

- The people are asking that a doctor visit here at least twice a week, until the family doctor arrives (3 opinions).
- The work of Public Health management must be improved in the municipality; a lot of favoritism is evident (3 opinions).
- Why are mass mobilizations towards the polyclinic not carried out? (13 opinions).

URBANO NORIS MUNICIPALITY

Of all opinions, 94.1% are unfavorable; an increase of 4.1% over the same period of last year.

Hospital-related opinions indicate:

- Difficulties in services provided the population (33 opinions)
 - * New doctors do not consult patients properly and refer them to the polyclinic.
 - * The ambulance lingers on until it has two or three cases to be transferred to Holguín.
 - * For emergency services, at times one has to wait half a day.
 - * Marcia García (X-rays) is not qualified for this job.
- When will we have a decent hospital? (46 opinions).
- The expansion work has deteriorated (8 opinions).

Suggestions

- The hospital must be improved so that the workers may have better working conditions (5 opinions).
- Allowance should be given for two visits per week at night for [the benefit of] working families (18 opinions).
- The specialists who come from Holguín should do so once a week instead of once every two weeks (7 opinions).

Polyclinic

- Service and attention are not good (36 opinions)
 - * Consultations are scheduled for 8:00am and do not start until one hour later.
 - * The doctor in children's sector 3 arrives at 9:00am and she treats people badly.
 - * Doctor Flora treats patients in a bad way.

- * In Gynecology, at times there are as many as four or five nurses.
- * The population has increased and the sectors remain the same as they were in 1977.

Suggestions

- They should work nights (8 opinions).

La Camilo Medical Post

- It goes for days without a doctor (32 opinions).
- At night, in emergencies, there are no ambulances; the one assigned to it remains at the municipality because of the poor condition of the road (32 opinions).
- It only provides medical services from 9 to 3 pm (64 opinions).
- Little attention is given to the medical post (20 opinions).
- The dental service is not being provided (32 opinions).
- It has been abandoned for a few months (20 opinions).

Ambulances

- They are always broken down due to lack of care (21 opinions).

Pharmacy

- The La Camilo one is closed during working hours for no reason at all and does not service the people (14 opinions).
- At the pilot one, there are long lines all the time (3 opinions)
 - * There are difficulties in the preparation of medicines, especially on Saturdays and Sundays (34 opinions).
- There is never any distilled water; therefore, no injections are being administered (10 opinions).

Stomatology Clinic

- The stomatologists argue in front of the patients (6 opinions).
- The farm workers do not have the opportunity to be consulted due to the system of the clinic (19 opinions).
- The quality of service has declined (12 opinions).

General Opinions

- Medical attention during August was bad, the comrade we had left for San Andrés (29 opinions).
- Why was Marcos transferred to the hygiene center if he is a pediatrician and needed in the municipality? (20 opinions).

CUETO MUNICIPALITY

Unfavorable opinions represent 96.7%, 4.2% above the same period in 1986.

Regarding the hospital they indicate that:

- Attention and treatment are not good (48 opinions)
 - * Cytologic (Pap smear) tests get lost.
 - * Only 10 oculist appointments are given within a six-month period.
 - * There are few doctors.
 - * Doctors do not transfer the sick, even when seriously ill.
 - * The emergency doctor at times cannot handle serious cases.
- The cleaning is not good (9 opinions).

Marcané Hospital

- Attention and treatment are not good (54 opinions)
 - * Doctors do not want to work.
 - * There is little [sense of] responsibility.
 - * Stomatologists do not want to work.
 - * Patients die and there are no doctors.
- The cleaning is not the best; there is a bad smell in the men's ward (one opinion).

Suggestion

- There are no resources, it is a learning center; different specialists should come (11 opinions).

Polyclinic

- There are difficulties in the service and treatment given to the people (118 opinions)
 - * Patients arrive at 5:00am and at 8:00am they are told there are no appointments.
 - * There are five doctors and four go on vacation.
 - * Patients are told to arrive at 8:00am and they do not start consulting until 9:30am.
 - * Doctors are unable to diagnose some illnesses.
 - * They give good attention only to their friends.
 - * Doctor Alfonso drinks a lot of alcohol.

- "T" D.I.U. is never available; people say that in Jagüeyes they sell it for 10 pesos (7 opinions).
- The water tank spills over almost daily (2 opinions).

Suggestions

- The elderly should be seen first (9 opinions).
- Doctors should improve their attention (5 opinions).
- Measures should be taken; doctors who are drunks are admitted in the polyclinic (16 opinions).

Marcané Polyclinic

- The general practitioner is often absent (35 opinions).
- Doctors only prescribe Papavar and Gravinol (5 opinions).

Maternity Hospital

- There are problems with the doctor making the rounds; some days she goes at dinner time (7 opinions).
- On the week of a non-working Saturday, rounds are made on Friday and then not again until Monday (10 opinions).
- There is nothing with which to supplement the diet; it must be brought from home (9 opinions).

Pharmacy

- It provides poor service, there are delays in waiting on the customers, employees spend their time talking, there is poor management (103 opinions).
- Another pharmacy is needed (2 opinions).

Suggestion

- There should be a better assignment of salespersons to wait on customers (15 opinions).

Ambulances

- The chief does with them what he pleases (9 opinions).
- Ambulances are rotting away because there is no garage (100 opinions).

Birán

- Why is it that, occasionally, the doctor and the ambulance are away from the polyclinic? (12 opinions).

Alto Cedro

- The doctor refused to see a patient and he died (24 opinions).

General Opinions

- Doctor Mariano gives bad service; after consulting female patients he seduces them (35 opinions).
- There are doctors who do not want to get up when a seriously ill patient arrives (8 opinions).
- Public Health is working badly (4 opinions).
- Doctors of the municipality have little knowledge (10 opinions).
- The sublime [sic] nurse treats the patients badly and tells them obscene words (15 opinions).
- Dr. Miguelito maltreats patients (29 opinions).

MAYARI MUNICIPALITY

Unfavorable opinions account for 75.8%; a 6.5% decrease from the same period of last year.

Those related to the hospital refer to:

- Lack of attention, little concern and maltreatment (257)
 - * In July, no Orthopedics appointments were given.
 - * Evidence of favoritism.
 - * To have a gastro [gastrochemogram] done, one must go to Cueto.
 - * There is no ophthalmologist though the position exists.
 - * Deaths have occurred during childbirth for lack of attention (113 opinions).
 - * Poor attention from the Emergency Team.
 - * Gynecologists wait to the very last minute to decide on giving a patient a Caesarean section.
 - * There is a two-month wait for surgery.
 - * Mistreatment on the part of shift heads.
 - * One sole gynecologist has to mind the consultation and the emergency rooms.
 - * Doctors have little experience.
 - * On occasions there is no doctor for emergencies.
 - * Doctors are so busy talking that they barely pay attention to the patients.
 - * Emergency Room doctors begin work late.
 - * No receptionist is capable of providing information to the people.

- Ambulances generally fail to take patients to the Lenin [hospital] and are used for personal business (3 opinions).
- Relatives caring for patients overnight do not have one place to get a snack (5 opinions).
- When a patient has to be taken home, the emergency car has disappeared (6 opinions).
- The chiefs get to work after the workers (5 opinions).
- The hospital expansion is very ugly, there are broken faucets, lack of cleanliness, disorganization (17 opinions).
- In the Emergency Room there is only one restroom for both men and women (6 opinions).
- There are beds in the hallways of the old hospital while there is one floor that is empty (4 opinions).

Suggestions

- Measures must be taken with the problem that exists in the hospital (9 opinions).
- Why not build a Burn Ward? (10 opinions).
- There are deficiencies in the hospital that must be eliminated (4 opinions).
- Patient-sitters should be given food at hospitals (4 opinions).

Guatemala Hospital

- In order to go for a consultation, one must get up at 3 or 4 in the morning (8 opinions).
- The children's pajamas are in very bad shape (3 opinions).
- No food is given to patient-sitters even if they come from far away (3 opinions).

Positives

- Good service is given in Stomatology (14 opinions).
- It works better than the hospital at Mayari (10 opinions).

Nicarao Hospital

- The Emergency Team gives poor medical attention (17 opinions).
- In one ward, there are several beds stored away because there is no gynecologist (5 opinions).
- On occasions the sick do not have water during the night because it is turned off (8 opinions).
- The X-ray technician (Lescay) treats people badly (6 opinions).

- Attention is not good for patients with no accompanying friends or relatives (5 opinions).
- Doctors are inexperienced (11 opinions).
- Relatives have had to buy medications for patients because there were none in the hospital (4 opinions).
- At times there is no milk for the patients (3 opinions).

Guaro Polyclinic

- A doctor or nurse is needed (8 opinions).

Community Polyclinic

- There are deficiencies in service and mistreatment (185 opinions)
 - * More patients go in without an appointment than there are patients in the waiting room.
 - * There is only one doctor for six sectors.
 - * House-call service is bad.
 - * Materials for X-rays are never available.
 - * Only a few Stomatology appointments are given out.
 - * Dr. Lemo does not give much attention to patients in the polyclinic but he treats them well in his own consulting office.
 - * At times there is no equipment to take the blood pressure.
 - * The Orthopedics consultations do not meet the needs.
- There is disorganization stemming from management itself (3 opinions).

Levisa Polyclinic

- There is a lack of specialized doctors (25 opinions).
- At times it is 9:00am and no one knows if a specific doctor is coming at all (10 opinions).
- The Gynecology consultation does not fulfill the needs (4 opinions).
- The Stomatology room does not give good night service (12 opinions).
- In general, there are not many complaints of favoritism (11 opinions).
- The treatment given by doctors and nurses is bad (14 opinions).

Pharmacy

- At the ones in Nicaro and Levisa, customers have to stand in line for a long time (19 opinions).

Positives

- It has improved since the sales system was changed (28 opinions).

Dental Clinic

- Very few appointments are given out daily (21 opinions).
- Evidence of favoritism in order to to enter (5 opinions).
- Appointments are given out in one month for the next (4 opinions).

Ambulance

- Four ambulances have turned over because chauffeurs are hired without screening who they are (3 opinions).
- In the Cosme Batey zone, patients cannot be transferred because there is no ambulance (3 opinions).
- The one in the Guaro maternity home is never there (7 opinions).

General Opinions

- There are doctors who take part in cock fights (3 opinions).
- Nicaro and Mayari doctors err in the diagnoses made on many patients (9 opinions).
- In Mayari, doctors are not rendering good service to the population (4 opinions).
- There are good technicians who have fulfilled internationalist missions but cars are given only to doctors, even if they are bad (4 opinions).

Suggestions

- Doctors should not recommend that patients try to get medications from abroad (USA) (2 opinions).
- A polyclinic should be built with at least 10 beds for in-patients (4 opinions).

"FRANK PAIS" MUNICIPALITY

Of all opinions, 58.6% are unfavorable, 25.8% less than the same period last year.

Regarding the hospital, it is stated that:

- The service provided is not good (20 opinions)
 - * During consultations, doctors are always accompanied by unknown persons.
 - * Dr. Jorge Félix does not stay in his place when on emergency duty.
- There are no pre-employment forms available (4 opinions).
- Workers wear street clothes because uniforms are not available (3 opinions).

Suggestions

- In cases of patients with headaches, the doctors must send them in immediately (15 opinions).

Positive

- It is recognized that there are changes in the attention and the treatment given the patients (56 opinions).

Cámanova Hospital

- There is no one in charge of the reception desk (9 opinions).

Positive

- The attention by doctors and employees is good (11 employees).

Dental Clinic

- Does not have the conditions to service the population (8 opinions).

Optical

- When the comrade who works there has any problem, there is no one else to deliver the work done and it can take up to three-and-a-half months (12 opinions).

SAGUA DE TANAMO MUNICIPALITY

Of all opinions, 96.2% are unfavorable; 15.3% more than in the same period last year.

Hospital-related opinions point out that:

- Neither the attention to, nor the treatment of, patients is good (422 opinions)

- * In most deliveries by Doctor Rosa, the babies die.
 - * Caesarean sections are performed too late.
 - * Dr. Serrano has bad manners and is homosexual.
 - * There are two orthopedists and they only work two days a week; appointments must be requested one day ahead.
 - * While emergency doctors are waiting for their relief they do not want to see any more patients.
 - * Some doctors prescribe and say the same things to everyone.
 - * There is evidence of favoritism.
 - * Dr. Abelardo mistreats the public, his work is bad, and he drinks alcoholic beverages.
 - * Doctors authorize transfers when patients are dead.
 - * At times the operating room cannot be used.
 - * Dr. Tamayo releases in-patients while still not well.
- There are practically no specialties in the hospital (50 opinions).
 - It does not have all the resources necessary (7 opinions).
 - Hospital cars are broken and there is no interest in fixing them (26 opinions).
 - The director and the administrator mistreat the workers (45 opinions).

Suggestions

- Pay more attention to patients admitted for observation (45 opinions).
- Allow relatives to bring food to the patients (4 opinions).
- Food should be provided to patient-sitters from distant areas (6 opinions).
- The lack of specialists has resulted in risks to the patients; the Party should intervene in this (10 opinions).

Community Polyclinic

- Employees go for breakfast and stay out for two hours (2 opinions).
- There are two general practitioners and yet they have consultations only twice a week (6 opinions).
- Doctors leave the interns by themselves at consultations (20 opinions).
- The peasants must lose two days when they go to see the doctor (8 opinions).

- Appointments are given out at 2:00pm and the following day the doctor does not work (10 opinions).
- Appointments are given out at 2:00pm and the people have been there since 4:00am (45 opinions).
- The jeep is used for all the activities of the municipality and not for what it has been assigned (4 opinions).

Dental Clinic

- The workers do not meet the date set for pick-up and there are no dentists (23 opinions).

Ambulances

- There are ambulance drivers who sell coffee and other contraband articles in the black market (21 opinions).

Pharmacy

- The milk of magnesia is sold by the pound; they buy it and resell it at a higher price (3 opinions).
- Nursing bottles are sold by the box at 20 or 25 cents each, and are immediately resold in the park for 2.00 [pesos] (30 opinions).
- The pharmacy is full of people, and while there are four or five workers, only one is serving the customers (40 opinions).
- The pharmacy administrator has the State car for his personal use (9 opinions).

Suggestions

- A pharmacy should be built in the Square (7 opinions).
- [Teething] rings and pacifiers for babies should be sold under the maternity [ration] plan (9 opinions).

General Opinions

- The nurses are told that there are no gowns and later they are sold to friends or at the fair (15 opinions).
- Health personnel did not participate much in the carnivals because the hygiene was bad (9 opinions).
- Cuba may be a medical power because of the number of doctors, but in quality it is below past years (9 opinions).
- The Public Health Director was awarded a trip to the socialist bloc, but he did not earn it, his sector is in very bad shape (12 opinions).

Suggestions

- The Party must "shake the tree" [weed out the incompetents] at Public Health (8 opinions).

MOA MUNICIPALITY

Of all the opinions, 77% are unfavorable, 13.6% above the same period the previous year.

The hospital-related ones indicate:

- When the food is not burnt, it is too salty (3 opinions).
- At times the Emergency Team is found only after 40 minutes (19 opinions).
- There are some doctors who do not treat patients adequately, prescribing medications without even knowing what the illnesses are (5[?] opinions).
- Iran Leyva, the director, carries large numbers of chickens in a small car that does not even have a license plate, and takes them to the Square (2 opinions).
- Pereira, the pediatrician, mistreats the mothers and patients, and is a hard drinker of alcohol (6 opinions).
- There are few appointments for the orthopedist (12 opinions).
- There is much bad talk about Tony, the gynecologist; he is always drunk and mistreats his patients (20 opinions).
- In Gynecology, they wait too long to perform a Caesarean section (16 opinions).

Las Coloradas Polyclinic

- Many analyses get lost due to lack of organization and control (15 opinions).
- At night, no on-duty doctor can be found during the established schedule (10 opinions).

Nurses School

- It is suggested to give it more attention because it is totally demolished (12 opinions).

General Opinions - Suggestion

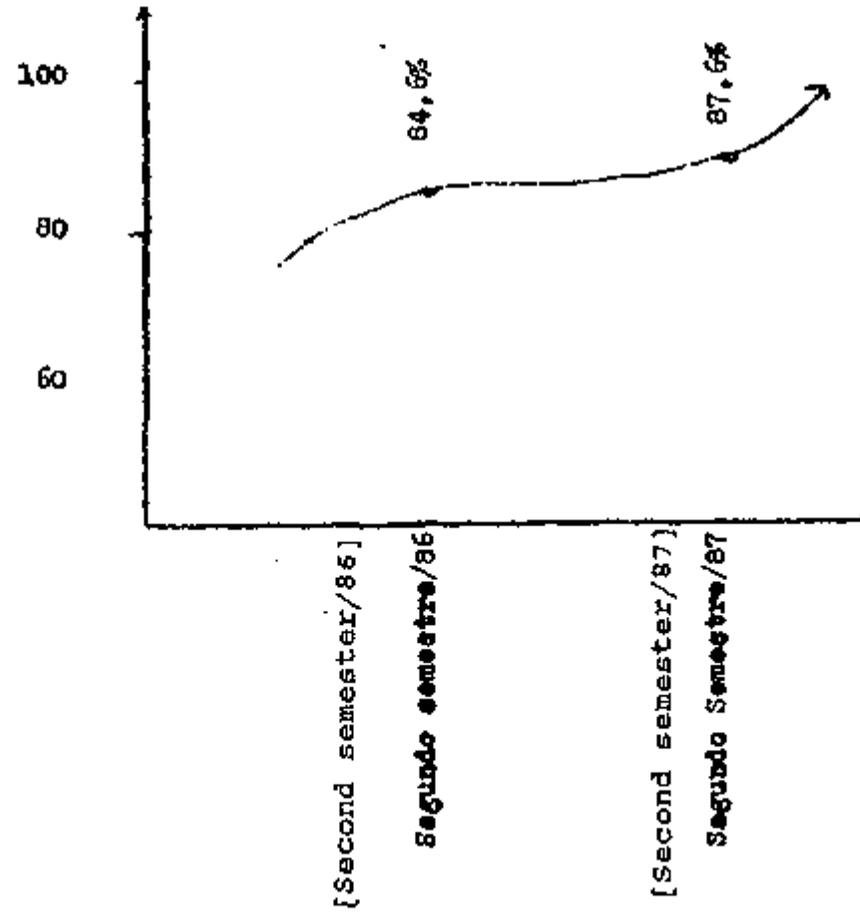
- If there are so many doctors in Cuba, why don't they send us a urologist that is so badly needed? (34 opinions).

[CHART #1]

[COMPARISON OF UNFAVORABLE OPINIONS]

GRAFICO #1

COMPARACION DE LAS OPINIONES DESFAVORABLES



COMPORTAMIENTO DE LAS OPINIONES POR MUNICIPIOS GRAFICO # 2

[RESULT OF OPINIONS BY MUNICIPALITY CHART # 2]

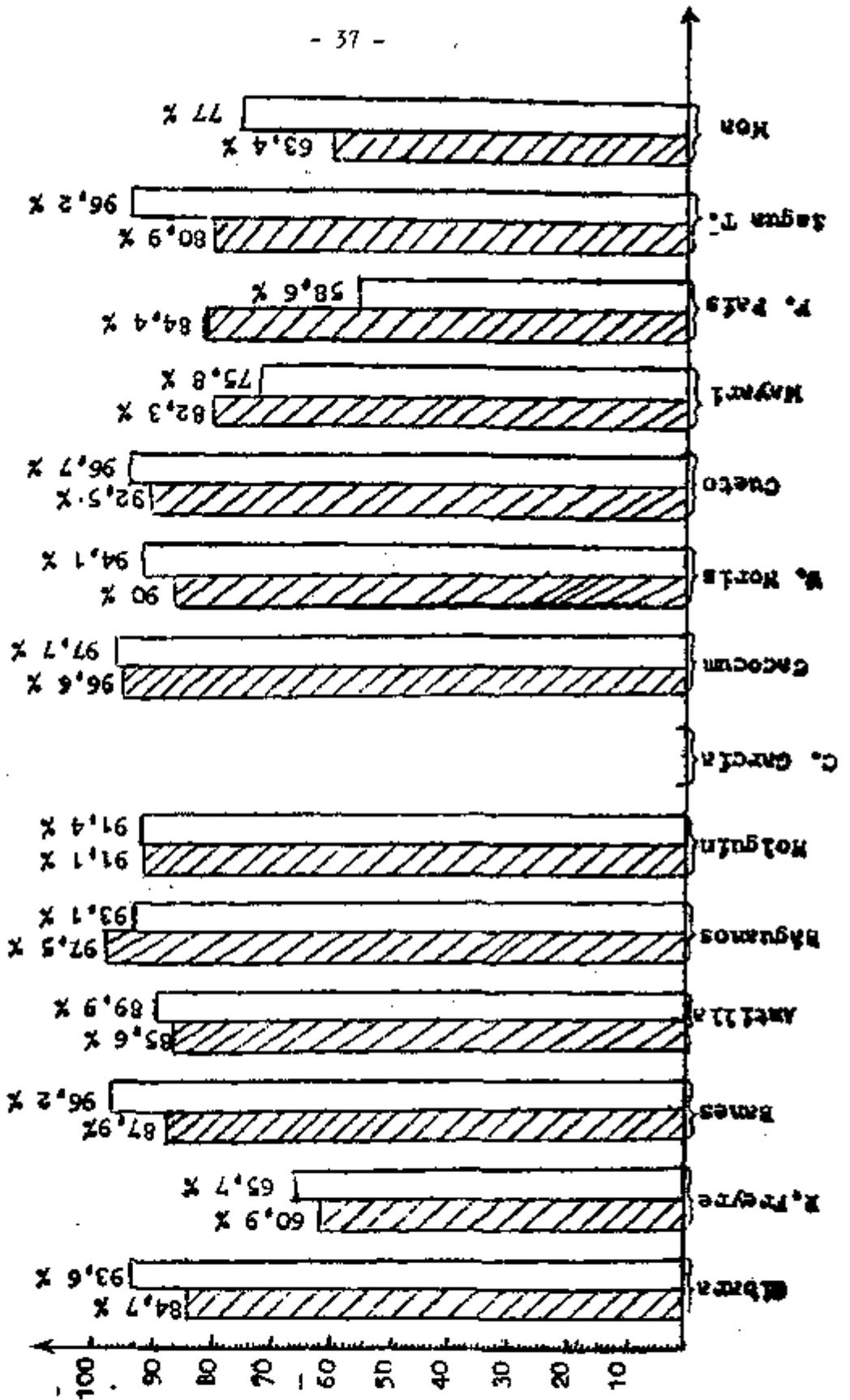
<u>N/O</u>	<u>MUNICIPIOS</u>	<u>TOTAL DE OPINIONES</u>	<u>TOTAL DE NEGATIVAS</u>	<u>[PERCENTAGE] PORCIENTO</u>	<u>TOTAL DE POSITIVAS</u>
1	Gibara	813	761	93,6	52
2	Rafael Freyre	318	209	65,7	109
3	Banes	638	614	96,2	24
4	Antilla	1296	1166	89,9	130
5	Báguanos	397	370	93,1	27
6	Holguín	1764	1613	91,4	151
7	Calixto García	41	32	53,6	19
8	Cacoajm	313	306	97,7	7
9	Urbano Noria	733	690	94,1	43
10	Cueto	762	737	96,7	25
11	Mayarí	1028	780	75,8	248
12	Frank País	162	95	58,6	67
13	Sagua de Tímano	1211	1165	96,2	46
14	M o a	227	175	77	52
	Médico de familia	671	436	64,9	235
	SIDA	382	279	73	103
	<u>TOTALES</u>	<u>10 756</u>	<u>9 418</u>	<u>87,6%</u>	<u>1 338</u>

[COMPARISON OF UNFAVORABLE OPINIONS BY MUNICIPALITY]
COMPARACION DE LAS OPINIONES DESFAVORABLES POR MUNICIPIOS.

Gráfico No. 3

[Chart No. 3]

▨ 2do. Semestre 1986
 □ 2do. Semestre 1987



[CHART # 4]

GRAFICO # 4

MUNICIPIOS	TOTAL DEL MUNICIPIO	HOSPITALES		POLICLINICOS		OTROS						
		TOTAL	%	TOTAL	%	TOTAL	%					
Guabara	613	127	100	315	289	91,7	26	371	345	92,9	26	
Rafael Freyre	318	207	75,8	50	16	61,5	10	85	36	42,3	49	
Bones	638	272	94	16	106	92,9	8	252	252	100	-	
Antilla	1296	714	645	90,3	69	154	100	428	367	85,7	61	
Báguanos	397	219	200	91,3	19	27	100	-	151	143	94,7	8
Holguaín	1764	917	825	89,9	92	332	100	-	515	456	88,5	59
G. Garofa	41	1	1	100	-	6	6	100	34	15	44,1	19
Caocorum	313	-	-	-	-	205	205	100	108	101	93,5	7
Urbano Noris	733	132	117	88,6	15	54	54	100	547	519	94,8	28
Custo	762	137	123	89,7	14	169	169	100	456	445	97,5	11
Mayarí	1028	547	354	64,7	193	266	266	100	215	160	74,4	55
Frank País	162	114	47	41,2	67	-	-	-	48	48	100	-
Sagua de T.	1211	661	633	95,7	28	95	95	100	455	437	96	18
Moa	227	135	83	61,4	5	25	25	100	67	67	100	-

Annex XXXI

"STATUS Y ROL DEL MEDICO EN CUBA", BY DR. OMAR DEL PROZO MARRERO,
MEMBER OF THE MEDICAL COMMISSION OF THE CUBAN COMMITTEE FOR HUMAN
RIGHTS, HAVANA, AUGUST 1988 .

Introduction

As everyone knows, medical practitioners have a position (status) to maintain and a function (role) to perform in the work they do.

In the case of the medical profession in Cuba, however, the significant feature is that, with few exceptions, there is an enormous difference between doctors' status and role.

There are many reasons for this situation, since doctors, like all other persons in Cuba, are subject to all the restrictions and shortages that prevent them from having a status or position in keeping with their profession, including: problems with housing, clothing, food and transport (it is a well-known fact that, because of economic restrictions, cars are virtually impossible to obtain in Cuba because they are very expensive here and, by comparison, Cuban salaries are very low).

As far as housing is concerned, a doctor might have to live in a small, run-down dwelling (where no repairs are likely to be done) or he might have to live with other persons or relatives, such as brothers and sisters, aunts and uncles, parents-in-law, etc. This is all the result of the serious problem of the housing shortage in Cuba.

With regard to clothing, everyone knows that, in Cuba, fashionable, good-quality clothing cannot be bought because it is to be found only in the "Diploshops". Doctors thus have a choice between paying high prices for the clothing they want or not dressing fashionably.

Doctors even have trouble buying their white coats, since the shops that carry them provide only a limited number per year.

The food situation in Cuba is well known to all, since a great deal of information has already been made available on shortages and poor-quality food, which naturally affect doctors as well because even the food served in health centre cafeterias is of poor quality.

The transport situation in Cuba is totally inadequate, particularly since most doctors live far away from the places where they work.

This situation forces doctors to spend hours waiting for buses and, when they finally manage to get on one, there are always large numbers of workers who are also trying desperately to get on because they are worried about being late for work. Like everyone else in Cuba, doctors are packed into a very small space inside the vehicle, standing up in a crowd of people, most of whom are upset and irritated by the heat and the lack of comfort, since the bus probably has faulty shock absorbers and hard seats. When the doctor gets to work, having been irritated by the situation, with his clothing dirty and his shoes scuffed, his work, which is precisely to care for people with health problems, naturally suffers.

One might think that this would be enough to impair the doctor's mental and physical condition and hamper him in his work, but it is not really the most important problem: there are many other problems that are the result of the way the work place is organized and of Marxist ideological and political precepts. For example, work assignments are decided by the management of the health centre where the doctor works and, naturally, they take account not of the doctor's interests and needs, but of the management's plans and goals. In addition, the Communist Party has a "cell" in the health centre and it issues political guidelines that apply to the doctor, whether or not he is a Party activist. These work guidelines take only the political interests of the system into account and therefore place the doctor under stress.

The health centre's trade union is another State body that plans political meetings - always in favour of the system - and requires workers to achieve "goals" in terms of working hours and output that correspond not to the workers' and doctors' possibilities, but to plans formulated by the State.

Doctors also get caught up in the tentacles of the Territorial Troop Militias through mobilizations, guard duties and threats of enemy invasions at every turn (all for the purpose of keeping Cubans busy and obsessed with such activities so that they will forget their real domestic problems).

The distribution and planning of consultations take account only of the political goal of projecting the image that the system guarantees the population the best possible care. They take account not of quality, but only of quantity, and do not consider the doctor's possibilities or limitations, since he has no say in such planning, but is simply one of the workers who have to comply with it, like nurses, technicians, etc. Planning is completely dominated by the management of the centre and the above-mentioned State organizations.

Thus, local consultations are not planned in terms of the very large number of patients (to give the impression that socialism provides medical attention without limitations of any kind). The natural consequence is that the doctor can spend only a very short time on each case, rather than the amount of time it requires. This is most obvious in psychiatric consultations, where, given their inherent features, the increase in the number of patients has had the result that little time can be spent on each case and the psychiatrist can do no more than to prescribe drugs; treatment is thus incomplete and the important question of the patient's mental problems is neglected.

At first sight, it might seem that, because so many patients require treatment, quality could be sacrificed somewhat so that they could all be cared for, even though the required standard of medical treatment might not be met. However, a careful analysis shows that these consultation schedules are so full because medicine has become a way for Cubans to escape their psychological, physical and social problems and because the bureaucratic anarchy that reigns in the Ministry of Public Health means that a patient has to show up for several consultations at different times and on different days. If medical care was such that doctors were not subject to so many restrictions and shortages and could treat cases freely without so many requirements in the way of references and documents and without fear of their superiors, most problems could be solved in a more organized way and patients would not have to wait so long or go to several different health care centres for the same illness, which is often a minor one that could be easily cured.

It is obvious, as everyone in Cuba knows, that all measures, plans, meetings, assemblies, mobilizations, "voluntary work" and work schedules (including Saturdays and Sundays) are of an official nature and are ordered by the Government and implemented by its agencies at various levels in different sectors, provinces and municipalities. Some are openly compulsory, while others appear to be optional, but if they are not complied with, they are used as an indication that they worker - the doctor, in this case - is deviating from Marxist-Leninist doctrine. Depending on how far he strays off course and for how long, the system may deprive him of his rights and even subject him to

punishment, including "self-criticism" sessions, the loss of the right to work, assignment to remote posts or posts with bad conditions, expulsion from organizations, administrative penalties, branding as an "ideological deviationist" or "counter-revolutionary" and deprivation of liberty, all in accordance with the many grounds for offences provided for in the Cuban Penal and Labour Codes.

We have tried in this paper to describe a few of the many shortcomings of the Cuban health system and their characteristics, although we realize that it is not possible to deal with them all, since they are numerous and have many causes and effects.

Dr. Omar del Pozo Marrero
Activitist member of the Cuban Human Rights Committee

Annex XXXII

"DERECHOS HUMANOS Y EDUCACION EN CUBA", BY SEBASTIAN ARCOS CAZABON
OF THE CUBAN COMMITTEE FOR HUMAN RIGHTS, HAVANA, AUGUST 1988

Universal Declaration of Human Rights, United Nations, 1948

Article 26:

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

If you ask any defender of the "Cuban Revolution" to identify those rights which are respected in Cuba, he is sure to begin by saying: "Education is free and open to all in Cuba." Just how true is this assertion? Certainly, no Cuban living on the island has to spend anything on his own education or on that of his children; accordingly, university entrance depends solely on the student's qualifications, and as a result, anyone, regardless of his economic or social position, is able to obtain a degree. Superficially, that is so; however, is something free merely because we are not charged hard cash for it? Is it really true that any Cuban may attend university?

First of all, let us examine the notion of "free". From the time a young person reaches seventh grade and until he completes twelfth grade he is required to spend 30 days each year working on the land. Until recently the period was 45 days for pre-university students. If the student is the recipient of a grant at a Rural Basic Secondary School (ESBEC), then he faces a double working day, during the morning in the fields, and during the evening

in class, or vice-versa. In neither case is he paid in cash as might be expected, and any student who does not carry out his work in the fields is simply barred from going to university.

If they wish to get into the Carlos J. Finlay Medical Science Unit, which nowadays represents the sole means of studying medicine in Cuba, applicants must apply for entry while they are in the eleventh grade, and not in the twelfth grade, as is the case for all other students. This allows time for their political and moral background to be "checked" by means of personal interviews and "secret" visits to the Committee for the Defence of the Revolution in their block. (The person under investigation is never informed of the time of such visits or whether they have been carried out.)

As if this were not enough, at the beginning of his first year the would-be doctor is required to take an "oath of unconditional support for the Revolution" and for its principles. The word "unconditional" puts things in a nutshell: you qualify as a doctor, but you have to do whatever the "Revolution" decides.

While other disciplines do not go so far as to require an oath, everybody is aware of the commitment he takes on, and if anyone refuses to do his "social service", a period of some three years' work carried out by the graduate wherever he is sent (almost invariably to a distant province), his degree is withdrawn, and he is thus prevented from exercising his profession.

It may seem only fair to reimburse the State in this way for its investment in the professional's training, but it is not; not when the student is offered an education "free" as a "generous concession by the Revolution", and above all when he has no choice between a free and a fee-paying education. He is only offered the "free" education - accept it and take the consequences.

Furthermore, it is common knowledge that, in order to be able to leave the country, thousands of Cubans have had to pay in hard cash for the training they have completed (naturally, those who pay are their relations abroad, and in United States dollars), because the State refuses to allow those who have received "free" professional training to leave the country.

Let us now examine whether university entry is open to all Cubans. The present writer was dishonourably expelled from the University of Havana for having attempted to illegally leave the country with all of his family. His sister, a second-year student at the Higher Institute for the Teaching of Foreign Languages (ISPLE) suffered the same fate.

Following the events of 1980, a campaign was unleashed under the slogan "The University for Revolutionaries". Anybody could be expelled if he did not maintain "an attitude in keeping with the principles of the Revolution". Failure to attend the activities of the Federation of University Students (FEU), which are almost exclusively political, failure to stand guard at the Faculty, lack of a "combative attitude towards inefficiency", expressing opinions which are "not in keeping with those expected of a young revolutionary", practising any form of religion, and even a preference for Western music, fashion or other products, are examples of such unacceptable attitudes. Any of these pretexts may still be used, although not with the vehemence which was customary at that time.

Currently, in order to enter university, students are required to pass an entry examination to show they possess the basic knowledge required. In order to take this examination students need a letter from the Committee for the Defence of the Revolution vouching for their "political and moral background". I am familiar with the case of one person who was unable to take the examinations because the letter from by his Committee for the Defence of the Revolution stated that he "had friendly relations with elements who wished to leave the country".

So far we have considered matters covered by paragraph 1 of article 26 of the Universal Declaration of Human Rights. Let us now look at paragraph 2.

From early childhood Cubans are taught to hate everything connected with the United States. Universal history is falsified and reduced to a question of "good guys and bad guys", in which, naturally, the "good guys" are always the communist countries and the "bad guys" are always the capitalist countries. They are taught that religion is "the opium of the people" and that those who believe in God are simply ignorant.

Politicization is pushed to an extreme; schoolchildren are taught Marxism from the eleventh grade. Political courses are part of all studies, and students are assessed in them as in any other subject: dialectical and historical materialism, political economy, scientific communism and the history of the workers' movement.

Military training is also given to students in all years, and at the end of their studies there is the so-called "intensive military course", which lasts between 15 and 45 days.

In contrast, no mention is made of human rights, unless it is to assert that they are violated by the capitalist countries and observed by the communist countries; the Universal Declaration of Human Rights is neither taught nor mentioned at any level of education in Cuba.

With regard to the third and last paragraph of article 26, it has to be stated that in Cuba the only type of education offered is that provided by the State. Once again, Cubans have no choice.

END

Havana, summer 1988.

(Signed)
Sebastian Arcos Cazabón