

Cuba's Long Black Spring

Five years after the Castro government cracked down on the independent press, more than 20 journalists remain behind bars for the "crime" of free expression. The island nation has paid the price of international isolation. The journalists and their families have paid in human misery.

By Carlos Lauría, Monica Campbell, and María Salazar

A  special report

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Committee to Protect Journalists

Founded in 1981, the Committee to Protect Journalists responds to attacks on the press worldwide. CPJ documents hundreds of cases every year and takes action on behalf of journalists and news organizations without regard to political ideology. To maintain its independence, CPJ accepts no government funding. CPJ is funded entirely by private contributions from individuals, foundations, and corporations.

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Cuba's Long Black Spring

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Cuba's Long Black Spring

By Carlos Lauría, Monica Campbell, and María Salazar

In her kitchen overlooking Havana's crumbling skyline, Julia Núñez Pacheco recalls the day five years ago when plainclothes state security agents, pistols on hips, stormed into her home. They accused Adolfo Fernández Saíenz, her husband of three decades and an independent journalist with the small news agency Patria, of committing acts aimed at "subverting the internal order of the nation." Over the course of eight long hours, agents ransacked the apartment, confiscating items considered proof of Fernández Saíenz's crimes: a typewriter, stacks of the Communist Party daily *Granma* with Fidel Castro's remarks underlined, and outlawed books such as George Orwell's *Animal Farm* and *1984*. As Fernández Saíenz was hauled away, Núñez Pacheco remembers one of the agents turning to her and saying, "You know, we've been told you are decent, quiet people. No fighting, no yelling. It's a shame you've chosen this path."

Today, the 60-year-old Núñez Pacheco lives alone in this same Central Havana apartment. A blown-up photograph of her husband and autobiographies of Nelson Mandela and Malcolm X rest on a bookshelf. Núñez Pacheco survives on family remittances from overseas, occasional donations from international human rights groups, and her government-issued ration card, which allots for basic provisions. Like most prisoners' relatives, she is blacklisted and unable to work in any official capacity, as the state is Cuba's sole employer. She sees her husband infrequently because of the prison's distance from her home and rules that allow family visits



Courtesy Miriam Leiva

The Damas de Blanco, or Ladies in White, march each Sunday to call for the release of loved ones imprisoned by the Cuban government.

just once every two months. Fernández Saíenz, who is serving a 15-year sentence, is being held in central Ciego de Ávila province, more than 400 miles (650 kilometers) from Havana.

During a three-day span in March 2003, as the world focused on the U.S.-led invasion of Iraq, the Cuban government ordered the abrupt arrest of 75 dissidents—29 of them independent journalists. All of the reporters and editors were convicted in one-day trials and handed sentences that could leave some in prison for the rest of their lives. They were accused of acting against the “integrity and sovereignty of the state” or of collaborating with foreign media for the purpose of “destabilizing the country.” Under Cuban law, that meant any journalist who published abroad, particularly in the United States, had no defense.



Imprisoned journalist Fabio Prieto Llorente at the Kilo 8 Prison in Camagüey on March 11, 2005.

Five years later, 20 of these journalists remain behind bars, along with two others jailed since the crackdown. Like Fernández Saíenz, most are being held in prisons hundreds of miles from their homes under inhumane conditions that have taken a toll on their health, according to an investigation by the Committee to Protect Journalists. At home, their families, unable to work, scrape for basic necessities while being regularly watched and often harassed by state authorities, CPJ found.

Cuba has dismissed international criticism, particularly from the United States, as the work of political adversaries out to weaken its government. But the imprisonment of these journalists in reprisal for their independent reporting violates the most basic norms of international law, including Article 19 of the International Covenant on Civil and Political Rights, which guarantees everyone the right to “seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” Cuba signed the 1966 accord on February 28 of this year, although it said it would place unspecified interpretations and reservations on certain provisions.

These unjust imprisonments have also drawn protests from writers and intellectuals worldwide, including several who are philosophical allies of the Communist regime. “As someone who has always celebrated the achievements of the Cuban Revolution, and particularly its health care and educational systems, I am saddened and outraged each time that freedom of expression is suppressed in Cuba,” the Chilean novelist, playwright, essayist, and human rights activist Ariel Dorfman told CPJ. As much as Dorfman denounces U.S. policies toward Cuba—such as its longstanding embargo, or “blockade,” as it is called in some political corners—he says the Cuban government is unjustified in continuing to hold these journalists.

“Even while condemning the blockade against Cuba and the constant attempts to overthrow its government, I stand firmly on the side of all Cuban journalists, who have every right to inform and criticize without fear of persecution,” Dorfman said. “Liberty is indivisible.”

Over the past five years, Cuba has freed a small number of journalists and dissidents in exchange for international political concessions. Spain, which has sought to reestablish influence with Cuba, has taken the lead in negotiations that have led to the release of some prisoners. Spain deserves credit for helping win the release of these journalists and dissidents, but the Cuban government is obliged by international human rights standards to release all of those who are unjustly jailed. Despite the periodic releases, Cuba remains the world’s second-leading jailer of journalists, behind only China.

Fidel Castro, who stepped down as president in February after 49 years in power, allowed his nation to pay a significant international price for these unjust imprisonments—drawing

rebukes from allies as well as foes, and intensifying his country's isolation in the world. His successor, brother Raúl Castro, could restore bridges to the international community by releasing all of these prisoners. By doing so, immediately and without condition, he could help usher in a new era for Cuba's international relations.

Known in Cuba as the “Black Spring,” the crackdown showed that Castro's government was determined to crush grassroots dissent and tolerate prolonged international protest. Journalists arrested in the crackdown were key members of a movement that began in the mid-1990s, when Raúl Rivero created the independent news agency Cuba Press and Rafael Solano founded the counterpart Havana Press. The aim was to test freedom of speech by filing to overseas outlets critical dispatches and analyses about life on the tightly controlled island. The birth of these news agencies coincided with the growth of the Internet, which enabled the spread of their coverage.

Composed of opposition activists with a political bent and others who took a more straightforward journalistic approach, the nascent independent press contributed to foreign outlets such as *CubaNet*, a U.S.-based online outlet, and Spanish-language publications and Internet sites in Europe, such as the Spanish magazine *Encuentro de la Cultura Cubana*. Journalists provided radio reports to U.S. government-funded Radio Martí, which can be heard in Cuba, and to other Florida-based stations. The media outlets paid small fees per story. The stories drew not-so-small notice. Even before March 2003, the journalists were subjected to harassment and sporadic short-term imprisonments.

“International attention on these journalists was reaching a fever pitch,” said Andy Gomez, senior fellow at the University of Miami's Institute for Cuban and Cuban-American Studies. Cuban officials, he said, feared they might lose their grip over the population by letting people vent their frustrations. “The government decided enough was enough.”

The crackdown was swift. Detentions began on March 18, 2003, and continued for another two days. Police raided the homes of political dissidents and journalists and accused them of being “counterrevolutionaries” or “mercenaries” at the service of the United States. During the hours-long raids, state security agents confiscated tape recorders, cameras, typewriters, computers, and fax machines, as well as books, newspapers, notepads, and research materials. The journalists were handcuffed, hustled from their houses, and taken to the headquarters of the State Security Department (known by its Spanish acronym, DSE), home of Cuba's political police.

At the DSE, they were tossed into small cells with prisoners charged with violent crimes. Their families waited outside for days, trying to assess the situation. One-day trials against them were held behind closed doors on April 3 and 4. In many cases, the families later said, the journalists were unable to meet with their lawyers prior to the hearings, and their defense was given only hours to prepare. On April 7, local courts across Cuba announced their verdicts: The 29 journalists had been handed sentences ranging from 14 to 27 years in prison.

Most have been transferred from prison to prison several times since then, often as punishment for protesting the conditions of their incarceration, CPJ research shows. Many



Reuters/Enrique De La Osa

Raúl Castro addresses the National Assembly after being named president on February 24.

are held far from their families. Given Cuba's deteriorating transportation system and high travel costs, such distances are extreme burdens. Families, who are allowed short visits every four to eight weeks, bring the journalists nutritious meals, hygiene supplies, medicine, and clean clothes—staples not always provided by the prisons.

Cuban Minister of Foreign Relations Felipe Pérez Roque and Dagoberto Rodríguez Barrera, head of the Cuban Interests Section in Washington, did not respond to letters, e-mails, and faxes sent by CPJ seeking comment for this report. The office of President Raúl Castro did not respond to faxes seeking comment.

All of the journalists are suffering from medical problems that have emerged or worsened during their five-year incarcerations, according to CPJ interviews with family members and friends. It is a litany of individual misery and governmental inhumanity: José Luis García Paneque, 42, has suffered malnutrition, chronic pneumonia, and a kidney tumor. José Ubaldo Izquierdo Hernández, 42, suffers from emphysema, a hernia, and circulatory problems. Ricardo González Alfonso, 58, has hypertension, arthritis, severe allergies, and a number of digestive and circulatory diseases. Omar Ruiz Hernández, 60, who suffers from high blood pressure and circulatory problems, recently learned that one of his retinas has become detached. In these and other cases, CPJ research shows, the government has failed to provide adequate medical care.

Prison conditions are appalling, according to these interviews, which have been conducted by CPJ over several years and documented in detail in annual editions of its book on international press conditions, *Attacks on the Press*. Prison authorities not only harass the journalists but also encourage other inmates to bully and assault the political prisoners. The journalists are warehoused in massive barracks or cubbyholed in undersized cells that lack ventilation. Drinking water is contaminated with fecal matter, the food with worms. Protests against these unsanitary conditions often land the journalists in isolation cells.

Their families struggle as well. Ileana Marrero Joa, 39, lives in a rundown Havana suburb with her three children. Her husband, independent journalist Omar Rodríguez Saludes, was imprisoned in 2003. Rodríguez Saludes was considered one of Cuba's most dogged street journalists, riding a bicycle throughout the city to catch press conferences and call in stories to Nueva Prensa Cubana, a small Miami-based agency. Today, Marrero Joa and her children visit the 42-year-old Rodríguez Saludes for two hours once every two months, time spent eating a home-cooked meal and updating Rodríguez on efforts to win release of the political prisoners.

Rodríguez Saludes' 19-year-old son, Osmany, is impressed by his father's strength. "He says he's staying strong for us, so that when he's let out he won't be a broken man," the younger Rodríguez told CPJ. But once separated from his father, the lanky teen returns to his own bleak reality. He, too, is blacklisted. Last November, after months of working off the books hauling bread on and off trucks, he asked his boss if he could become



CPJ/Monica Campbell

Ileana Marrero Joa, 39, and her three children. Her eldest son, Osmany, lost his job because his father is jailed.

an official employee. After being given a series of evasive answers, the younger Rodríguez was told his “criminal past” was a problem. “Having a dad in prison is my crime,” the son says, leafing through a book of his father’s street photography. “I might as well be in there with him. It’s four walls for all of us.”

With the aftermath of the 2003 arrests consuming their lives, families of the imprisoned dissidents have created a tight bond. Two weeks after the crackdown, the Damas de Blanco (Ladies in White) group was formed, gathering on Sundays at Havana’s Santa Rita de Casia Catholic Church. After Mass, they walk 10 blocks to a nearby park. In the spirit of Argentina’s Mothers of the Plaza de Mayo, who call attention to relatives who disappeared during that country’s military dictatorship, the Cuban group dons white, with each woman carrying a pink gladiolus flower and wearing a button with her loved one’s picture that says “prisoner of conscience.” They demand the prisoners’ release and, at least, an improvement in conditions.

Pro-Castro groups attempt to thwart the Ladies in White. Hecklers call the women counter-revolutionaries on the U.S. dole. Photographs taken by a local journalist show a man striking Laura Pollán Toledo, a group leader and wife of jailed journalist Héctor Maseda Gutiérrez, in the back of the head during a protest. “As long as we’re out in public demanding change, freedom, and human rights, we can expect acts of aggression,” says Pollán Toledo, who lost her job as a high school Spanish teacher after the crackdown.

On a recent afternoon at her home in Central Havana, while a friend put her long blond hair in curlers (she would visit her husband the next day), Pollán Toledo pointed to a corner in her living room where she said she recently found a hidden microphone. Pollán Toledo’s home, a popular gathering place for dissidents and relatives of jailed dissidents, is under constant watch. Pollán Toledo realizes that international recognition can provide a layer of security, but she adds that “immunity from punishment by the Cuban government is not guaranteed.”

Yet, for the most part, a small corps of independent journalists continues to operate in Cuba in much the same manner as it did in 2003. There are close to 100 independent reporters working in Cuba today, most of them in Havana, although some provincial reporters are also active. Independent journalists told CPJ they do most of their reporting in the evenings, when they can be more inconspicuous. Though owning a computer in Cuba is unlawful without government permission, some have antiquated laptops; others use even older typewriters. Many just use a pad and a pencil. They usually file their stories by public phones during prearranged conversations with foreign media outlets. Others file by fax, and in some rare cases, through e-mail. Although the vast majority of their work goes to foreign Web sites or publications, Havana-based reporters occasionally use the computer facilities of foreign embassies to print an assortment of news pieces.

“On top of being harassed and not being part of the official press corps in Cuba, independent journalists in Cuba go without some of the most basic reporting tools, from having a cell phone or even a regular phone to steady Internet access,” says Hugo Landa, director of *CubaNet*. “I think that’s why a lot of independent journalists publish opinion pieces and short, firsthand accounts of things they witness on the ground, more than any type of investigative piece. What they are able to publish reflects the realities they run up against. I always feel that they are doing an admirable job, considering the difficult circumstances under which they work.”

They cover what Cuba’s official press largely ignores. The Cuban constitution allows the Communist Party to control the news and filter it through its propaganda-minded Department of Revolutionary Orientation. Press rights are granted only “in accordance with the goals of the socialist society.”

The independent press coverage reflects basic ideas and information protected under international agreements, including the International Covenant on Civil and Political Rights and

the Universal Declaration of Human Rights. CPJ reviewed 40 articles written from January to March 2003 by journalists who were imprisoned during the crackdown, and several dozen articles written by independent journalists, including former political prisoners, between 2006 and 2007. All were published on foreign news Web sites and media outlets in the United States and Spain.

Coverage largely focused on social issues, including food shortages, empty pharmacy shelves, housing problems, unemployment, and poorly equipped schools. Reporters also covered Cuba's dissident community, from the opening of independent home libraries and trade union movements to the harassment of human rights activists. They wrote about police harassment and human rights violations, ranging from the arrest of street vendors to violence against political prisoners. Criticism of the government and its leaders—mainly Fidel Castro—was common but not inflammatory. For example, in a January 2003 story on lengthy lines at a train station, now-imprisoned reporter José Ubaldo Izquierdo Hernández wrote: “How long will we have to wait to wake up from this nightmare that has lasted now 44 years?”

Five years after the crackdown, despite international pressure, Cuba has freed only nine imprisoned journalists. Among the released: Jorge Olivera Castillo, a 46-year-old who served his country as a soldier in Angola and as an editor at the state-run television station Instituto Cubano de Radio y Televisión.

In December 2004, Olivera Castillo was freed from a Guantánamo prison on medical parole after suffering from colon problems. Yet his freedom is conditional. He and his family have U.S.-issued visas, but Cuba denies them permission to exit. In fact, he cannot leave Havana and is barred from attending any public gatherings. His phone is tapped, his mail searched, and, without warning, state security agents pay him visits. They ask about his work and his family, and offer subtle reminders that his freedom is tenuous.

Despite these risks, Olivera Castillo continues to write. Sitting at his kitchen table in his cramped apartment in Old Havana, he taps away at a donated Dell laptop. Along with short stories, he writes political analysis for *CubaNet*. “There was a time when I believed in the revolution, but I then realized that as hard as I worked, I never had savings. I soon realized that a better life for myself and my family was not possible,” said Olivera Castillo, who once tried to leave Cuba on a makeshift raft bound for Florida. He eventually began working with independent news agencies such as Havana Press.

Olivera Castillo's professional experience is rare among the independent press. Many are teachers, physicians, office workers, and engineers turned writers. Others hail from the dissident movement, either activists in independent unions or members of opposition political parties.

Contributing to mainstream foreign news outlets such as *The Miami Herald* and Spain's *El País* are former high-ranking government officials. One of them, economist Oscar Manuel Espinosa Chepe, was part of an elite group of advisors to Fidel Castro in the 1960s and helped craft Cuba's economic cooperation with Eastern Europe. Influenced by glasnost and perestroika in the 1980s, Espinosa Chepe began touting more liberal economic policies, such as loosening limits on land or business ownership. Steadily demoted as Castro rejected such reforms, he was eventually assigned work as a clerk at a small bank near his home.

Espinosa Chepe's wife, Miriam Leiva, remained a member of the Communist Party and held a high-level post in the Ministry of Foreign Relations. When Espinosa Chepe decided to quit his clerking job and write for foreign outlets, Leiva faced pressure at work to either denounce him as a counterrevolutionary or lose her job. “They thought they were giving me a choice between remaining a somebody or becoming a nobody,” said Leiva, 60. Refusing to cooperate, Leiva was fired and the couple began contributing full-time to foreign media

from their tiny Havana apartment. Leiva wrote about social ills such as prostitution and the disparities between consumer goods available to tourists and those for citizens. Espinosa Chepe produced sharp economic analyses that were circulated underground, and he hosted a weekly Radio Martí show called “Charlando con Chepe” (Chatting with Chepe). He spoke about increasing food imports, rising inflation, and falling investment. “I didn’t get a cent from Radio Martí,” says Espinosa Chepe, 67. “My main concern was getting the word out. We’d always find a way to get by.”



CPI/Monica Campbell

A photo of Oscar Manuel Espinosa Chepe being taken to court in 2003 now hangs in the journalist’s Havana apartment.

That has been extraordinarily difficult at times. Espinosa Chepe was swept up in the 2003 crackdown and languished in prison for more than a year. During his imprisonment, Leiva helped organize relatives of imprisoned journalists to protest, and she published commentaries in U.S. and European newspapers. By the time Espinosa Chepe was freed on medical parole in November 2004, he had lost more than 20 pounds and was suffering from gastrointestinal bleeding, liver problems, and high blood pressure.

Today, Leiva and Espinosa Chepe continue to work from a tiny apartment stuffed with books, many banned by the government.

When asked if they fear another crackdown, Leiva said, “I refuse to be quiet and lose my dignity.” Espinosa Chepe, relaxing in a rocking chair after a home-cooked meal, nods in agreement. “We go on normally with our abnormal lives,” he says.

Remarkably, several imprisoned reporters have continued working behind bars. In prison, Olivera Castillo managed to pass outsiders 37 of his poems, which were eventually published in Spain. Journalists such as Maseda Gutiérrez, González Alfonso, and Normando Hernández González have smuggled out entire memoirs, a few sheets of paper at a time. Others have reported on human rights violations in Cuban prisons. In a recent essay published on *CubaNet*, for instance, Fernández Saínz denounced the treatment of an imprisoned human rights activist.

Since 2003, Cuba has used imprisoned journalists and dissidents as political leverage, sporadically releasing a few in exchange for international concessions. “Cuba has effectively used political prisoners as an element of political negotiation, as bargaining chips,” says Elizardo Sánchez Santa Cruz, president of the Cuban Commission for Human Rights and National Reconciliation, a domestic human rights group that operates despite being officially banned by the government.

Since taking office in April 2004, the left-leaning government of Spanish President José Luis Rodríguez Zapatero has acted as a mediator between the European Union and the Castro government. Relations between Brussels and Havana—already strained by the EU’s 1996 Common Position on Cuba, which demanded improvement in human rights and political liberties in the island—were further damaged after the 2003 crackdown and ensuing EU diplomatic sanctions.

Spain's strategy of engagement with the Cuban government, which differs from U.S. policies aimed at isolating Cuba through economic sanctions and travel restrictions, has gained support from EU members such as Britain while meeting opposition from northern and eastern members led by the Czech Republic. Nonetheless, in January 2005, the European Parliament voted to lift the 2003 diplomatic sanctions after the Cuban government transferred more than a dozen ailing dissidents from jail cells to prison hospitals and granted medical paroles to a number of others, including the writers Rivero and Manuel Vázquez Portal.

This February—just months after Spain announced the resumption of some cooperation programs between the two countries—Cuba freed four more prisoners, including independent journalists José Gabriel Ramón Castillo and Alejandro González Raga. Prominent dissident Oswaldo Payá, leader of the Christian Liberation Movement, says the dialogue between the two governments has been important, “but it can also be used as a smoke screen to hide the fact that there has been no real progress on human rights.”

These are not ordinary times in Cuba, however, as Payá and others point out. The ailing 81-year-old Fidel Castro, who handed over day-to-day power to brother Raúl in July 2006, announced on February 19 that he was officially resigning as president, ending nearly a half century of rule. The National Assembly named Raúl Castro, 76, as president five days later.

With Raúl Castro in charge, there have been hints at economic, agricultural, and administrative reforms. His government's decision to sign the four-decade-old International Covenant on Civil and Political Rights, while a potentially encouraging move, was clouded by the vague caveats it immediately placed on the document. “Signing this agreement is a positive thing,” Payá says, “but in order for the decision to be coherent, the government must release the political prisoners who are jailed for peacefully practicing and promoting these rights.”

Some change is coming from the ground up, as a new generation of tech-savvy bloggers emerges. On a recent afternoon, Yoani Sánchez, a slim 32-year-old wearing baggy surfer shorts and a T-shirt, sits at a small, wooden table in her living room and sips a strong Cuban espresso. Here is where she writes entries for her blog *Generación Y*, created last April. The blog chronicles her everyday observations of Cuba, from the abundance of José Martí statues to bored youth and the workings of Cuba's black market. In a January 8 entry, Sánchez writes how she cannot “conceive a day without immersing myself in the black market in order to buy eggs, cooking oil or tomato paste.”

She heads to one of Havana's Internet cafés once a week, a practice that is extremely expensive. (One hour at an Internet café in Havana typically costs 160 pesos [US\$6], about one-third an average monthly salary on the island.) But Sánchez works fast, quickly uploading her files from a flash memory drive and downloading readers' comments and e-mail. For cash, Sánchez approaches tourists and offers to give them walking tours of the city. “My friends think I'm taking a huge risk with my blog,” says Sánchez,



CPI/Monica Campbell

Blogger Yoani Sánchez, 32, in her Havana apartment.

who posts her real name and a photo of herself on her blog. “But I think it’s my way of pushing back against the system, if only a little bit.”

Other newcomers include *Sin EVAsión*, a blog run by the pseudonymous Eva González, who describes herself as part of the “generation that came of age in 1980,” when Fidel Castro gave permission to any person who wanted to leave Cuba to do so from the port of Mariel, which he declared “open.” As a result, some 125,000 Cuban refugees left the island during what became known as the Mariel boat lift. It’s a generation, she says, that struggles “between disillusion and hope.” Another new blog is *Retazos*, run by the colorfully pen-named El Guajiro Azul, who lives in Cuba “while he has no other option.” Blog entries range from essays on Cuban censorship to the manual work that elderly Cubans turn to in order to supplement their meager pensions.

Most reader comments thank the bloggers for publishing critical views. Others take the bloggers to task. The popularity of Sánchez’s blog—she said thousands have visited—has generated a wave of pro-regime comments from readers who have added pro-government links and slogans such as “Viva Cuba! Viva Fidel!” It is, in its own limited way, a forum for opposing views.

Five years after the crackdown, the independent press movement is far from being deterred. On a recent weekday morning, independent reporter Olivera Castillo makes his way along one of Havana’s main avenues to a pay phone, where he’ll call a contact for a story he’s reporting. On the sidewalks, elderly men play dominoes as a line of people snakes down the block awaiting a crowded bus. Olivera Castillo keeps walking. He has work to do, although he knows that what he writes today could be the tipping point for his arrest and return to prison. But he pays no mind. “I refuse,” he says, “to live in fear for expressing my ideas.”

Carlos Lauría is CPJ’s senior program coordinator for the Americas. María Salazar is the program’s research associate. Monica Campbell is a freelance journalist based in Mexico City.

Joining in CPJ's Call for Freedom

By María Salazar and Carlos Lauría

Cuba has dismissed criticism from Europe and the United States as efforts by ideological adversaries to undermine its government. In truth, many intellectuals from all parts of the political spectrum—including those on the left who have supported Castro and denounced U.S. policy toward the island—have also expressed indignation at the imprisonment and treatment of Cuban journalists.

“Freedom of expression is an irreplaceable support for freedom of conscience, on which is founded modern political democracy as well as any other regime that hopes for international respect,” said Spanish philosopher, writer, and activist **Fernando Savater**. “The jailing of dissident journalists holds hostage not only their liberties but also the liberty of the entire Cuban people, who deserve to know the political alternatives to the dictatorial regime under which they suffer today.”

Three other European writers—the Spanish authors **Antonio Muñoz Molina** and **Juan Goytisolo** and the Polish journalist **Adam Michnik**—also voiced support for the liberation of the jailed Cuban journalists when contacted by CPJ.

Throughout the Americas, writers, journalists, lawyers, and activists condemned the situation as well. In the United States, linguist **Noam Chomsky** said he supported CPJ's call for the release of those imprisoned—as did Nicaraguan lawyer, journalist, and writer **Sergio Ramírez** and one of Argentina's most prominent writers and journalists, **Tomás Eloy Martínez**.

CPJ contacted these writers as part of its ongoing effort to draw international attention to the plight of Cuba's independent press. In 2005, more 100 writers and editors joined with CPJ in an open letter to Fidel Castro that sought the release of those unjustly jailed. **Carlos Monsiváis**, one of Mexico's best-known contemporary writers, was one of those who signed the 2005 letter. He reiterated his stance in comments to CPJ this year.

“Just as we don't accept the monstrosity of the [U.S.] blockade and embargo against Cuba, it is not possible to allow the shutting of freedom of expression under an authoritarian ideal,” Monsiváis told CPJ. “If we demand freedom for those journalists who are jailed, it is because we also defend Cuba's right to live without the pressures of American imperialism.” Two other Mexican writers—**Elena Poniatowska** and **Laura Esquivel**—also expressed their fervent support for the release of the 22 jailed reporters. Colombian novelist **Laura Restrepo** and South African author **J.M. Coetzee** said they, too, supported CPJ's call for the journalists' release.

Several said political considerations should be set aside in freeing those in jail.

“As someone who has always celebrated the achievements of the Cuban Revolution, and particularly its health care and educational systems, I am saddened and outraged each time that freedom of expression is suppressed in Cuba,” said Chilean novelist, playwright, essayist, and human rights activist **Ariel Dorfman**.

A Spring Nightmare

CPJ asked Manuel Vázquez Portal, a Cuban writer, poet, and journalist swept up in the 2003 crackdown, to describe the year he spent in prison before being freed in 2004. He chose to describe his imprisonment in nightmare imagery. Vázquez Portal now lives and works in Miami.

By Manuel Vázquez Portal

His obscene symphony reverberates in my ear. With a slap of my hand I put an end to his fragile ferocity. Now, perhaps, he's just a disemboweled black smudge, somewhere in the semidarkness. Or perhaps he escaped the blow. Either way, I've been startled awake.

Sometimes it's mosquitoes. Other times, a rat. She tears through my memory. She threatens a sullen lizard, who runs away. She takes possession of my space. Voracious, she consumes my food. She defecates, then moves on to my books, the photo of my son. She devours them. She defecates. She attacks my toothpaste and my soap, obliterating them. She defecates. She eats everything. She defecates. She starts to nibble at my toes. The tickling excites me. I get an erection. Many months without a woman. Something is hurting. I kick at the air. She defecates. She stalks out of my nightmare.

At midday the lizards eat the mosquitoes. Then come the rats to eat the lizards. I can't eat. Dinner reeks of putrefaction. My stomach rebels against me, my intestines clench and scream. Scream like a hungry rat. But my throat contracts, blocking the entrance of that rotting pigswill. I wake up vomiting.

At night the mosquitoes return with their monotonous music. It's hot as an oven and oppressively dark. They stave off all chances for sleep. They spy on me. They besiege me. I pretend to sleep so that they will come close. I slap at them, assassinate them. But there are many. They gather all over my body. There are many. They puncture me, drain my blood. They smother me. I revive myself in the darkness, covered in welts.

This is a recurring dream, frightened away today by a swat of my hand only to return tomorrow intact. The dream persists, as though rooted in me. Someone is whimpering disconsolately, like a lost child. He's misplaced his little tin soldiers, his childhood sweetheart, his book of poems. He carries his entrails in one hand. They stab him in the patio where he was roasting in the sun. No one hears. Someone is singing, perhaps it's to exorcize his fear. The song is sad. It tells of unrequited love. By dawn he's been hanged. No one heard it happen. There's too much screaming on the inside to hear anyone else's cries. But I can see it all. My eyes sweat from the effort. Or have I woken up crying again?

I try to sleep. I ascend to the whitest reaches of my soul. I climb to the heights of my innocence. I know that I am innocent. My sin is to love liberty, justice, and beauty.



AP/Cristobal Herrera

Vázquez Portal, left, embraces a fellow ex-prisoner, Margarito Broche, shortly after the two men were released in 2004.

I float. I'm on the verge of bliss. But suddenly pins are piercing my nose and lungs. I sneeze. My nose runs. I gasp for air. The Turkish toilet has overflowed and the excrement rises toward my prisoner's cot. There's no water. I can't wash. I can't tidy up. It hits me that I'm imprisoned. That my room is a prison cell measuring five feet in width. That justice has also been held captive by my jailers. I've no one to complain to. Perhaps the rest of the world will sympathize with me. And then a hand gently caresses my hair, and the voice of Yolanda becomes music, telling me that Saturday there's a party at Gabriel's school. I smile weakly. It was only the nightmare again, I tell myself.

But what has become my nightmare today is in fact the reality for Héctor Maseda Gutiérrez and José Ubaldo Izquierdo, for Omar Ruíz Hernández and Juan Carlos Herrera, for Normando Hernández González and Ricardo González Alfonso, who still live this terror after five years in a Cuban jail. And I know that they are innocent. That their crime, too, is the love of liberty, justice, and beauty. We were journalists. We sought out the truth. And we told it. For this, the Cuban government cast us onto the dung heap with the rats, the mosquitoes, the inedible food and the lack of water, the filthy cellblocks and the malicious prison guards.

My nightmare today is the daily suffering of Pablo Pacheco Ávila and Fabio Prieto Llorente and Julio César Gálvez Rodríguez, making Cuba the second-leading jailer of journalists in the world, with 22 thrown in prison since March 2003. And though I know that this atrocious reality will become just a memory, a nightmare, I can't comprehend the reason for their imprisonment.

And worse still, they have been imprisoned for five years, five years during which the world, standing in solidarity, hasn't stopped calling for their freedom so that they, too, can attend a party at their children's school some Saturday.

Translated from the Spanish by Karen Phillips/CPJ.

The Imprisoned

Compiled by María Salazar as of March 3, 2008

JAILED in the 2003 crackdown:

Pedro Argüelles Morán, Cooperativa Avileña de Periodistas Independientes

IMPRISONED: March 18, 2003

Argüelles Morán was working as director of the independent news agency Cooperativa Avileña de Periodistas Independientes in the central province of Ciego de Ávila when he was arrested on the first day of the massive crackdown in March 2003. In April of that year, he was summarily tried and sentenced to 20 years in prison under Law 88 for the Protection of Cuba's National Independence and Economy.

Argüelles Morán, a cartographer, joined the dissident group Comité Cubano por los Derechos Humanos (Cuban Committee for Human Rights) in 1992. According to the Miami-based Web site *PayoLibre*, he began working a year later as an independent journalist under the pseudonym Pedro del Sol. Starting in 1995, Argüelles Morán wrote bylined articles critical of the Cuban regime for several independent agencies. He has continued writing since his imprisonment, publishing articles on overseas news Web sites.

In 2008, the 60-year-old journalist was being held at Canaleta Prison in his home province. CPJ research showed that he had been transferred from prison to prison several times. His wife, Yolanda Vera Nerey, told CPJ that her husband had developed several ailments during his imprisonment, while other health conditions had worsened.



Reuters/Claudia Daut

Combinado del Este outside Havana has housed some of Cuba's imprisoned journalists.

Víctor Rolando Arroyo Carmona, Unión de Periodistas y Escritores Cubanos Independientes
IMPRISONED: March 18, 2003

Arroyo Carmona, a geographer from the western province of Pinar del Río, was a journalist for the independent news agency Unión de Periodistas y Escritores Cubanos Independientes at the time of his arrest in March 2003. He also directed a local independent library run by Proyecto Varela, which boasted one of the largest collections of books not controlled by the Cuban government.

Arroyo Carmona was arrested after a state security raid on his home, during which officials confiscated a computer, a fax machine, and a camera, according to Nueva Prensa Cubana, a Miami-based group dedicated to the protection and promotion of the independent press in Cuba. In April 2003, he was summarily tried and sentenced to 26 years in prison under Article 91 of the penal code for acting “against the independence or the territorial integrity of the state.”

He had been handed two prison sentences before. The first, for 18 months, came in 1996 for the unauthorized publication of his book *El Tabaco* (Tobacco), which detailed tobacco cultivation in Pinar del Río. He was arrested again in 2000 while buying toys for an independent charitable foundation and charged with “hoarding public goods,” for which he served a six-month term.

In 2005, Arroyo Carmona was sent to Holguín Provincial Prison in eastern Cuba, where he staged a two-week hunger strike to protest his imprisonment. His sister, Blanca Arroyo Carmona, told CPJ that in 2007, her brother shared a barracks with numerous hardened prisoners. Arroyo Carmona, 55, has been diagnosed with diabetes, hypertension, and a case of pulmonary emphysema worsened by inmates’ cigarette smoke and the prison’s lack of ventilation.

Miguel Galván Gutiérrez, Havana Press
IMPRISONED: March 18, 2003

Galván Gutiérrez was born in 1965 in Havana. A mechanical engineer with several graduate degrees, he joined the independent Colegio de Ingenieros y Arquitectos de Cuba (College of Engineers and Architects of Cuba) in 1999 and was subsequently expelled from his job for having opinions that ran counter to those of the regime, the Miami-based Web site *PayoLibre* reported.

In February 2002, Galván Gutiérrez began reporting for the independent news agency Havana Press. He was arrested in March 2003 and tried under Article 91 of the penal code for acting “against the independence or the territorial integrity of the state.” Following a one-day closed-door trial on April 7, 2003, Galván Gutiérrez was sentenced to 26 years in prison.

In 2004, while at the maximum security Agüica Prison in western Matanzas province, Galván Gutiérrez was placed in solitary confinement and later moved into a cell with hardened criminals, who were encouraged by prison authorities to attack him, according to the Miami-based news Web site *CubaNet*. In August 2007, authorities transferred the journalist to Guanajay Prison in his home province, where conditions were better, his sister, Teresa Galván Gutiérrez, told CPJ.

Julio César Gálvez Rodríguez, freelance
IMPRISONED: March 18, 2003

Gálvez Rodríguez started his journalism career as a sports commentator in 1977. According to the Miami-based Web site *PayoLibre*, Gálvez Rodríguez had a promising career in the official media, where he worked as an editor, a presenter, and a scriptwriter until 2001, when he resigned to work as a freelance reporter. His wife, Beatriz del Carmen Pedroso, is also an independent journalist.

Gálvez Rodríguez was tried in April 2003 under Law 88 for the Protection of Cuba's National Independence and Economy. He was sentenced to 15 years in prison for "aiming at subverting the internal order of the nation and destroying its political, economic, and social system." In June 2003, the People's Supreme Tribunal, Cuba's highest court, upheld his conviction.

He has been transferred to different prisons over the years, and has been repeatedly admitted to local hospitals for months at a time with different ailments, stepson Lionel Pérez Pedroso told CPJ. In 2008, Gálvez Rodríguez, 63, was being held at Havana's Combinado del Este Prison, where his family was allowed only one visit per month.

José Luis García Paneque, Libertad

IMPRISONED: March 18, 2003

García Paneque, a physician who specialized in plastic surgery, was fired in 1997 from Ernesto Guevara Hospital in eastern Las Tunas in retaliation for his participation in dissident activities, according to the Movimiento Cubano de Jóvenes por la Democracia (Cuban Youth for Democracy Movement). In 1998, he joined the independent news agency Libertad, and three years later, he was named its director.

He was tried and convicted in April 2003 under Article 91 of the penal code for acting "against the independence or the territorial integrity of the state." Authorities sentenced him to 24 years in prison.

Following a number of prison transfers, García Paneque was sent to Las Mangas Prison in the eastern Granma province in November 2005, said his wife, Yamilé Llénez Labrada. In 2007, she told CPJ that her husband's health had deteriorated significantly since he was first imprisoned. According to CPJ research, the 42-year-old has been diagnosed with a kidney tumor, internal bleeding, malnutrition, and chronic pneumonia.

In early 2007, because of continuous harassment, Llénez Labrada and her four young children were forced to flee Cuba for the United States, she told CPJ.

Ricardo González Alfonso, freelance

IMPRISONED: March 18, 2003

A scriptwriter for the state-owned Televisión Cubana and a poet, González Alfonso joined the independent news agency Cuba Press in 1995 as its deputy director, according to a biographical note published in his poetry compilation *Hombres sin Rostrros* (Men Without Faces). In 2001, he founded the Manuel Márquez Sterling Journalist Association. A year later, he started the newsmagazine *De Cuba*, which earned a special citation from Columbia University's Mariah Moors Cabot Prizes, which recognize outstanding reporting on Latin America.

González Alfonso also worked as a freelance reporter alongside his wife, independent journalist Alida de Jesús Viso Bello. His stories on everyday life in Cuba were published in foreign media outlets, including *The Miami Herald* and U.S.-based Radio Martí. A fierce believer in freedom of expression and information, he was Havana's correspondent for the Paris-based press freedom group Reporters Without Borders and the director of the Biblioteca Jorge Mañach, an independent library, his sister Graciela González-Degard told CPJ.

He was detained on the first day of the 2003 crackdown after a raid on his home, which doubled as an office for the independent journalist association Sociedad de Periodistas Manuel Márquez Sterling. According to official documents, state security agents confiscated a fax machine, a telephone, a tape recorder, typewriters, a radio, a video camera and a still camera, two computers, a printer, several books, and copies of *De Cuba*, among other things. In April, the Havana Provincial Tribunal sentenced him to 20 years in prison under Article 91

of the Cuban penal code for acts “against the independence or the territorial integrity of the state.”

González Alfonso was initially jailed hundreds of miles from his home. The People’s Supreme Tribunal, Cuba’s highest court, upheld his conviction after a June 2003 appeal. In 2005, he was transferred to Havana’s Combinado del Este Prison, where he has been held in solitary confinement and has been harassed by hardened criminals.

The 58-year-old reporter has been diagnosed with hypertension, arthritis, allergies, and several digestive and circulatory ailments. He has suffered from hepatitis and has had four different surgeries for problems linked to his digestive tract, according to family members.

Léster Luis González Pentón, freelance

IMPRISONED: March 18, 2003

González Pentón, 31, was trained as a baker. In 1998, he became a member of the dissident Partido Pro Derechos Humanos (Pro Human Rights Party). He continued to be involved with human rights groups until 2002, when he began working full-time as an independent reporter, according to the Miami-based Web site *PayoLibre*.

In 2003, González Pentón was working as a freelance journalist in the central province of Villa Clara. He was arrested on March 18. Weeks later, the Villa Clara Provincial Tribunal sentenced him to 20 years in prison under Article 91 of the penal code for acting “against the independence or the territorial integrity of the state.”

González Pentón was transferred several times among different prisons before being sent to Villa Clara Provincial Prison. His mother, Mireya de la Caridad Pentón, told CPJ that her son has been diagnosed with chronic gastritis, sinusitis, and lower back pain. In addition, she said, his imprisonment and the separation from his young daughter, Claudia, have caused him severe anxiety.

Iván Hernández Carrillo, Patria

IMPRISONED: March 18, 2003

At the time of his arrest in March 2003, Hernández Carrillo lived with his elderly grandmother in Colón, a city in western Matanzas. He worked as a correspondent for the independent news agency Patria, and was his grandmother’s sole provider.

In the early 1990s, Hernández Carrillo had been expelled from a local university, where he was studying computer engineering, for participating in dissident activities, according to the Miami-based Web site *PayoLibre*. In 1992, he was convicted of distributing “enemy propaganda and disrespecting Fidel Castro,” for which he served two years in prison. In 2002, he became Patria’s correspondent in Colón.

On April 7, 2003, Hernández Carrillo was sentenced to 25 years in prison following a summary trial under Law 88 for the Protection of Cuba’s National Independence and Economy.

Since then, he has been transferred among several prisons, and has waged multiple hunger strikes. In 2005, Hernández Carrillo was placed at Pre Prison in central Villa Clara, close to his home. The 36-year-old is permitted family visits only once every two months, according to foreign press reports.

Alfredo Pulido López, El Mayor

IMPRISONED: March 18, 2003

In April 2003, Pulido López, then director of the independent news agency El Mayor in Camagüey, was sentenced to 14 years in prison. He was tried under Article 91 of the penal code for acting “against the independence or the territorial integrity of the state.”

Pulido López, 47, studied medicine at the Instituto Superior de Ciencias Médicas in Camagüey. He worked as a dentist until 1998, when he was expelled from his practice for becoming a member of the dissident Movimiento Cristiano Liberación (Christian Liberation Movement). In 2001, he joined the independent news agency El Mayor, and soon became its director. The oldest of four brothers, he is married to Rebeca Rodríguez Souto.

Pulido López was first jailed in Havana. There, he began several hunger strikes to protest his imprisonment and was held in solitary confinement for a year, Rodríguez Souto told CPJ. In August 2004, he was transferred to Kilo 7 Prison in Camagüey, where he was being held in 2008.

Pulido López has been diagnosed with chronic bronchitis, high blood pressure, hypoglycemia, osteoporosis, and loss of eyesight. He has lost a significant amount of weight and has complained to his wife of depression.

Omar Rodríguez Saludes, Nueva Prensa Cubana

IMPRISONED: March 18, 2003

Rodríguez Saludes, 42, started working as an independent photojournalist in 1995, according to the Miami-based Web site *PayoLibre*. In March 2003, when he was arrested, he was Havana director of the independent news agency Nueva Prensa Cubana.

The photojournalist, who also worked on several documentaries, was tried in April 2003 under Article 91 of the penal code for acting “against the independence or territorial integrity of the state,” and was handed a 27-year prison sentence. He is married to Ileana Marrero Joa, with whom he has three children.

In 2008, Rodríguez Saludes was being held at Toledo Prison in Havana, where his wife said he was in overall good health. The photographer has been diagnosed with gastrointestinal ailments and hypertension.

Mijaíl Barzaga Lugo, Agencia Noticiosa Cubana

IMPRISONED: March 19, 2003

Barzaga Lugo, a reporter for the independent news agency Agencia Noticiosa Cubana, was tried and convicted under Law 88 for the Protection of Cuba’s National Independence and Economy in April 2003. He was given a 15-year prison sentence.

The reporter has been held at the maximum security Agüica Prison since 2005, his sister, Elquis Barzaga Lugo, told CPJ. As of 2008, Barzaga Lugo, 40, shared a cell with 16 other inmates, and was allowed family visits every six weeks. His sister said authorities allowed the family to give him medicine but not always food during the visits.

Adolfo Fernández Saíenz, Patria

IMPRISONED: March 19, 2003

Fernández Saíenz, 59, studied English language and literature at Havana University before leaving on a three-year humanitarian mission to Ethiopia, according to the Miami-based Web site *PayoLibre*. For 10 years, he worked as a government interpreter. During an economic crisis in the early 1990s, he became troubled by contradictions in official documents he was translating and decided to resign from his job, *PayoLibre* reported. Fernández Saíenz subsequently joined the Partido Solidaridad Democrática (Democratic Solidarity Party) and began writing articles on everyday life in Cuba for local independent news agencies and foreign media outlets.

In 2003, he worked as Havana correspondent for the independent news agency Patria. On the afternoon of March 19, he was arrested following a state security raid on his home. He was tried and convicted under Law 88, which punishes anyone who commits acts “aiming at

subverting the internal order of the nation and destroying its political, economic, and social system.” Authorities handed him a 15-year prison sentence, which was upheld in June 2003 by the People’s Supreme Tribunal, Cuba’s highest court.

Fernández Saínz was transferred among several Cuban prisons before being sent to Canaleta Prison in central Ciego de Ávila province, hundreds of miles from his home in Havana. He suffers from chronic hypertension, emphysema, osteoporosis, and a kidney cyst, CPJ research shows. His wife, Julia Núñez Pacheco, said the reporter was permitted family visits only once every two months.

Alfredo Felipe Fuentes, freelance

IMPRISONED: March 19, 2003

At the time of the crackdown in March 2003, Fuentes worked as a freelance reporter in his hometown of Artemisa in the western Havana province. After his arrest, he was tried and convicted under Article 91 of the Cuban penal code for acting “against the independence or the territorial integrity of the state.” He was sentenced to 26 years in prison.

His wife, Loyda Valdés González, said Fuentes holds a degree in economics. In 1991, he was fired from his government job for lacking loyalty to the Communist Party. As a response, Fuentes joined human rights groups in Artemisa and began writing for the local independent press. Because of his involvement in activities considered antirevolutionary by the Cuban regime, Fuentes was harassed by local authorities throughout the 1990s and early 2000s, his wife wrote in an account on the Miami-based Web site *PayoLibre*.

The 58-year-old Fuentes is serving his sentence at Kilo 5 1/2 Prison in the province of Pinar del Río. Valdés González told CPJ that her husband has lost a significant amount of weight and that he suffers from chronic and severe back problems.

Normando Hernández González, Colegio de Periodistas Independientes de Camagüey

IMPRISONED: March 19, 2003

Hernández González, 38, began his career as an independent journalist in 1999. Until his arrest in March 2003, he published articles in foreign media outlets on the Cuban health system, the judicial system, education, culture, agriculture, and tourism, according to the official charges against him as detailed on the Miami-based news Web site *CubaNet*.

At the time of his arrest, Hernández González worked as director of the news agency Colegio de Periodistas Independientes de Camagüey. He and his wife, Yaraí Reyes Marín, had just celebrated their daughter’s first birthday.

Following a one-day summary trial in April 2003, Hernández González was sentenced to 25 years in prison under Article 91 of the penal code, which punishes those who act “against the independence and territorial integrity of the state.” According to CPJ research, he was transferred to several different prisons over the next few years. In September 2006, Hernández González was sent to the maximum security Kilo 7 Prison in his home province of Camagüey, Reyes Marín told CPJ.

Hernández González has been diagnosed with intestinal ailments that have made it difficult for him to eat and have caused a significant loss of weight. He has also suffered from pneumonia, while prison doctors told him in 2007 that he had tested positive for tuberculosis, though he had not yet developed symptoms of the disease. Reyes Marín said she requested medical parole for her husband in July 2006, but Cuban authorities did not respond.

Juan Carlos Herrera Acosta, Agencia de Prensa Libre Oriental

IMPRISONED: March 19, 2003

Herrera Acosta, a trained metalworker and cook, was unable to find work because of his political views, according to a posting by Cuban opposition leader Oswaldo Payá on his self-named Web site. In 1996, Herrera Acosta joined the dissident Movimiento Cubano de Jóvenes por la Democracia (Cuban Youth for Democracy Movement). A year later, he was sentenced to a five-year prison term on antistate charges, Payá and others wrote.

Upon his conditional release from prison in 2001, Herrera Acosta became an independent reporter. While working as the Guantánamo correspondent for the Agencia de Prensa Libre Oriental (Eastern Free Press Agency), in April 2003, he was again brought to trial. Convicted under Law 88 for the Protection of Cuba's National Independence and Economy, he was sentenced to 20 years in prison.

Since then, Herrera Acosta has consistently protested his imprisonment with hunger strikes, self-inflicted wounds, and anti-Castro slogans, CPJ research shows. In turn, prison authorities have mistreated him and subjected him to arbitrary prison transfers, according to press reports.

José Ubaldo Izquierdo Hernández, Grupo de Trabajo Decoro

IMPRISONED: March 19, 2003

Izquierdo Hernández, a reporter in the western Havana province for the independent news agency Grupo de Trabajo Decoro, was sentenced to 16 years in prison following an April 2003 trial. He was charged with acting “against the independence or the territorial integrity of the state” under Article 91 of the penal code. The People's Supreme Tribunal upheld his conviction upon appeal in June 2003.

Izquierdo Hernández, 42, had links to several opposition parties and human rights groups in his hometown of Güines. As a journalist for Grupo de Trabajo Decoro, he reported on everyday life in Cuba, according to the Miami-based Web site *PayoLibre*. His stories appeared on overseas media outlets such as Radio Martí and the news Web site *CubaNet*, both based in Miami.

Izquierdo Hernández has been hospitalized numerous times during his imprisonment. CPJ research shows that he has been diagnosed with a series of digestive ailments and circulatory problems, as well as emphysema and asthma. In 2007, news reports said that he was receiving inadequate medical care at Guanajay Prison in his home province, where he was then being held.

Héctor Maseda Gutiérrez, Grupo de Trabajo Decoro

IMPRISONED: March 19, 2003

An electronic engineer with a graduate degree in nuclear physics, Maseda Gutiérrez was expelled from his government job in retaliation for his political views. According to his wife, Laura Pollán Toledo, he began working as an independent journalist in 1995. Four years later, he became a founding member of the independent news agency Grupo de Trabajo Decoro.

CPJ research shows that Maseda Gutiérrez, 65, wrote about social, economic, environmental, and historical issues that were ignored by the official Cuban press. His articles appeared in independent Cuban media based abroad, such as the newsmagazine *Encuentro de la Cultura Cubana* and the news Web sites *Encuentro en la Red* and *CubaNet*. Before being jailed, Maseda Gutiérrez worked on a series of articles exposing the brutality of Cuban prisons. The series was published only in part.

In April 2003, Maseda Gutiérrez was sentenced to 20 years in prison under Article 91 of the Cuban penal code, for acting “against the independence or the territorial integrity of the

state,” and Law 88 for the Protection of Cuba’s National Independence and Economy. He had been arrested in March, following a state security raid on his Havana home, the journalist wrote in his prison memoir, *Enterrados Vivos* (Buried Alive). Maseda Gutiérrez’ book was smuggled out of prison, a page at a time, and published in the United States in 2007.

In June 2003, Cuba’s highest court, the People’s Supreme Tribunal, dismissed his appeal. Pollán Toledo told CPJ that in 2004 she also sought amnesty for her husband, but the Cuban government did not respond.

Pablo Pacheco Ávila, Cooperativa Avileña de Periodistas Independientes

IMPRISONED: March 19, 2003

Pacheco Ávila holds a degree in physical training. According to the Miami-based Web site *PayoLibre*, he joined the Ciego de Ávila dissident movement at an early age. He was sentenced in 1991 to three years and six months in prison for “spreading enemy propaganda.” Seven years later, he became a reporter for the local independent news agency Cooperativa Avileña de Periodistas Independientes.

On March 19, 2003, Pacheco Ávila’s home was raided by state security agents, who confiscated a typewriter, journalism books, and stacks of blank paper, according to *PayoLibre*. The reporter was tried on April 4, his 33rd birthday, and sentenced to 20 years in prison under Law 88 for the Protection of Cuba’s National Independence and Economy.

In 2008, Pacheco Ávila was being held at Morón Prison in his home province. His wife, Oleyvis García Echemendía, told CPJ that since 2003, the journalist had developed inflammation and joint problems in both knees, which required surgery. Pacheco Ávila has also been diagnosed with high blood pressure, severe headaches, acute gastritis, and kidney problems, his wife said.

Fabio Prieto Llorente, freelance

IMPRISONED: March 19, 2003

Prieto Llorente began working as a reporter for the independent news agency Havana Press in western Isla de la Juventud province in 1997, according to the Miami-based news Web site *Bitácora Cubana*. In 2001, he became a freelance journalist.

He was tried in April 2003 under Law 88 for the Protection of Cuba’s National Independence and Economy and sentenced to 20 years in prison.

In 2008, Prieto Llorente was being held at El Guayabo Prison in his home province, his sister, Clara Lourdes Prieto Llorente, told CPJ. Prison authorities allowed one family visit every month. Prieto Llorente, 45, has been diagnosed with emphysema and high blood pressure, CPJ research shows. The reporter has suffered from depression as well, his sister said.

Omar Ruiz Hernández, Grupo de Trabajo Decoro

IMPRISONED: March 19, 2003

Ruiz Hernández began his career as an employee at a government-run company in the central province of Villa Clara, where he was constantly watched and eventually fired for his political views, according to the Miami-based Web site *PayoLibre*. In 1990, he joined a local dissident movement and became interested in human rights. Seven years later, he began working as an independent reporter, first for Agencia Centro Norte and later for Grupo de Trabajo Decoro, *PayoLibre* reported.

After his arrest in March 19, 2003, Ruiz Hernández was sentenced to 18 years in prison. He was tried under Article 91 of the penal code for acting “against the independence or the territorial integrity of the state.”

In November 2005, Ruiz Hernández was sent to Nieves Morejón Prison in central Sancti Spíritus. He had been transferred twice before, his wife, Bárbara Maritza Rojo Arias, told CPJ. The 60-year-old reporter has been diagnosed with high blood pressure and other circulatory problems.

JAILED since the 2003 crackdown:

Guillermo Espinosa Rodríguez, Agencia de Prensa Libre Oriental

IMPRISONED: October 26, 2006

Espinosa Rodríguez worked as a reporter for the independent news agency Agencia de Prensa Libre Oriental in the eastern city of Santiago de Cuba at the time of his arrest in October 2006. Three months before his detention, Espinosa Rodríguez had been fired from his government job as a nurse because of his reporting.

Since July 2006, Espinosa Rodríguez had actively covered a local outbreak of dengue fever, which had been ignored by the official press. According to his cousin, Diosmel Rodríguez, the reporter had been detained for a few hours at a time at least three times during the months leading up to his arrest. Local authorities warned Espinosa Rodríguez that he would go to jail if he continued to write “lies,” his cousin told CPJ.

On November 6, 2006, Espinosa Rodríguez was convicted during a 45-minute trial on the vaguely worded charge of “social dangerousness” contained in Article 72 of the penal code, and sentenced to two years of home confinement. Diosmel Rodríguez said his cousin, who is forbidden from leaving Santiago de Cuba and from practicing journalism, is allowed to leave his house only to go to work.

Oscar Sánchez Madan, freelance

IMPRISONED: April 13, 2007

Sánchez Madan earned a bachelor’s degree in history and social sciences in Lvov, Ukraine, where he attended school on a Cuban government scholarship. He served five years in the army, according to the Miami-based Web site *PayoLibre*, before being discharged for expressing discontent with the Castro regime. He was later dismissed from a teaching position after refusing to renew his Communist Party affiliation, the Web site said.

Sánchez Madan began working as an independent journalist in 2005, reporting on a local corruption scandal and social problems in the western Matanzas province. Local authorities detained him twice in early 2007 and warned him to stop working as an independent reporter, Matanzas-based journalist Hugo Araña told CPJ.

In April of that year, Sánchez Madan was detained again and convicted of “social dangerousness,” a vaguely worded charge contained in Article 72 of the penal code. Following a one-day trial, he was handed the maximum sentence of four years in prison.

In 2008, Sánchez Madan, 44, was being held at the maximum security Combinado del Sur Prison, outside the provincial capital of Matanzas, where he shared a 19-by-10-foot cell with more than a dozen prisoners, according to family friend and local human rights activist Juan Francisco Sigler Amaya. Sigler Amaya said prison authorities encouraged inmates to threaten and intimidate the reporter.

FREED on February 17, 2008:

José Gabriel Ramón Castillo, Instituto Cultura y Democracia Press

IMPRISONED: March 18, 2003

Ramón Castillo, 50, known as Pepín among his colleagues, worked for transportation companies and as a professor at vocational schools in his hometown of Santiago de Cuba throughout the 1980s. After a year of military service, he joined the official Unión de Jóvenes Comunistas (Union of Young Communists).

In 1992, he founded the independent Partido Patria Independencia y Libertad (Homeland, Independence, and Freedom Party) and the magazine *Salir al Mundo*. Four years later, he created the Instituto Independiente Cultura y Democracia (Independent Culture and Democracy Institute), which organized cultural events, according to the Miami-based Web site *PayoLibre*. As part of the Institute's mandate, Ramón Castillo also founded the news bulletin *Fueros* and reported for foreign-based media outlets such as the news Web site *CubaNet*, Radio Martí, and the newsmagazine *Hispano Cubana*.

On March 18, 2003, state security agents raided Ramón Castillo's home as well as his parents' house during an operation that lasted more than eight hours. Ramón Castillo was tried weeks later under Article 91 of the penal code for acting "against the independence or the territorial integrity of the state," and was given a prison sentence of 20 years. His house was confiscated and handed over to local authorities, *PayoLibre* reported.

Prison authorities restricted the amount of food, medicine, and personal hygiene items the journalist's family members were allowed to bring during their periodic visits, his wife, Blanca Rosa Echavarría, told CPJ. Ramón Castillo, who in 2008 was being held at Boniato Prison in Havana, has been diagnosed with cirrhosis, diabetes, hypertension, and stomach ulcers, his wife said.

Alejandro González Raga, freelance

IMPRISONED: March 18, 2003

An independent freelance reporter in the central Camagüey province, González Raga was tried and sentenced to 14 years in prison in April 2003 under Article 91 of the Cuban penal code, which punishes those who act "against the independence or the territorial integrity of the state."

In 2004, González Raga was transferred to Kilo 7 Prison in Central Camagüey, according to his wife, Berta María Bueno Fuentes. In February 2006, González Raga sent an open letter to overseas Web sites pleading for his freedom. In the letter, he said his health was deteriorating under poor prison conditions.

His wife, who said she was allowed to see the reporter for two hours every 45 days, said González Raga shared a barracks with more than 100 hardened prisoners. Bueno Fuentes told CPJ that her husband had been suffering from a series of mental health ailments, including depression. He has also been diagnosed with hypertension and cardiovascular problems.

International Guarantees and Cuban Law

Universal Declaration of Human Rights

Adopted by General Assembly resolution 217 A (III) of December 10, 1948.

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.

International Covenant on Civil and Political Rights

Adopted and opened for signature, ratification, and accession by General Assembly resolution 2200A (XXI) of December 16, 1966. Entry into force March 23, 1976, in accordance with Article 49.

- Article 19:**
- (1) Everyone shall have the right to hold opinions without interference.
 - (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
 - (3) The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (order public), or of public health or morals.

Cuban Penal Code Article 72

Any person shall be deemed dangerous if he or she has shown proclivity to commit crimes demonstrated by conduct that is in manifest contradiction with the norms of socialist morality.

Cuban Penal Code Article 91

The person who, in the interest of a foreign state, commits an act with the intent to cause damage to the independence of the Cuban state or the integrity of its territory, shall be punished with 10 to 20 years in prison or death.

Law 88 Protection of Cuba's National Independence and Economy

CHAPTER I

Generalities

Article 1: The purpose of this law is to categorize and penalize those acts directed at supporting, facilitating, or collaborating with the objectives of the "Helms-Burton" Law, the blockade and the economic war against our people, aimed at breaking the internal order, destabilizing the country and liquidating Cuba's socialist state and independence.

Article 2: Given the special nature of this law, its application will be preferential to any criminal legislation that precedes it.

Article 3.1: The dispositions contained in the general part of the penal code are applicable to the crimes foreseen in this law.

3.2: The tribunal can impose the confiscation of goods as an accessory sanction to the crimes foreseen in this law.

3.3: The crimes foreseen in this law are sanctioned with independence from those committed for their execution or as a result of it.

CHAPTER II

Criminal Infractions

Article 4.1: Any person who supplies directly or through a third person the government of the United States of America, its agencies, dependencies, representatives or officials with information that facilitates the objectives of the "Helms-Burton" Law, the blockade or the economic war against our people, aimed at breaking the internal order, destabilizing the country and liquidating Cuba's socialist state and independence, commits a crime punishable by a prison sentence of seven to 15 years.

4.2: The prison sentence is eight to 20 years if it coincides with one of the following circumstances:

- (a) if the deed is committed with help from more than two people;
- (b) if the deed is committed in search of profit or by means of a handout, remuneration, reward or promise of an advantage or benefit;
- (c) if the offender came to knowledge or possession of the information through a surreptitious manner or any other illicit manner;
- (d) if the offender came to knowledge or possession of the information because of the position he holds;
- (e) if, as a consequence of the deed, there is serious damage to the national economy;
- (f) if, as a consequence of the deed, the government of the United States of America, its agencies or dependencies, adopt repressive measures against Cuban or foreign industrial, commercial, or financial entities or entities of another nature, or against one of its directors or their families.

Article 5.1: Any person who seeks classified information to be used for the application of the "Helms-Burton" Law, the blockade or the economic war against our people, aimed at breaking

the internal order, destabilizing the country and liquidating Cuba's socialist state and independence, commits a crime punishable by a prison sentence of three to eight years, or a fine of five thousand quotas, or both.

5.2: The prison sentence is five to 12 years if it coincides with one of the following circumstances:

- (a) if the offender came to knowledge or possession of the information through a surreptitious manner or any other illicit manner;
- (b) if the deed is committed with help from more than two people.

5.3: The prison sentence is seven to 15 years if the obtained information, because of the nature of its content, creates serious damage to the national economy.

Article 6.1: Any person who accumulates, reproduces or spreads material of a subversive nature received from the government of the United States of America, its agencies, dependencies, representatives and officials or from any foreign entity for the support of the objectives of the "Helms-Burton" Law, the blockade or the economic war against our people, aimed at breaking the internal order, destabilizing the country and liquidating Cuba's socialist state and independence, commits a crime punishable by a prison sentence of three to eight years, or a fine of five thousand quotas, or both.

6.2: The same sanction is applied to any person who with the same purposes brings into the country any material that refers to the above paragraph.

6.3: The prison sentence is four to 10 years if one of the deeds referred to in the above paragraphs coincides with one of the following circumstances:

- (a) if the deeds are committed with help from more than two people;
- (b) if the deeds are committed in search of profit or by means of a handout, remuneration, reward or promise of an advantage or benefit.

6.4: The prison sentence is seven to 15 years if the material, because of the nature of its content, creates serious damage to the national economy.

Article 7.1: Any person who with the intent of succeeding in the objectives of the "Helms-Burton" Law, the blockade or the economic war against our people, aimed at breaking the internal order, destabilizing the country and liquidating Cuba's socialist state and independence, collaborates by any means with foreign radio and television stations, newspapers, magazines or other media outlets commits a crime punishable by a prison sentence of two to five years, or a fine of three thousand quotas, or both.

7.2: Criminal responsibility in the cases cited in the above paragraph will be attached for those who use said media, and not for foreign reporters legally accredited in this country, if that is the medium employed.

7.3: The prison sentence is three to eight years, or a fine of three to five thousand quotas, or both if the deed described in paragraph 1 is committed in search of profit or by means of a handout, remuneration, reward or promise of an advantage or benefit.

Article 8.1: Any person who disturbs public order with the purpose of cooperating with the objectives of “Helms-Burton” Law, the blockade or the economic war against our people, aimed at breaking the internal order, destabilizing the country and liquidating Cuba’s socialist state and independence commits a crime punishable by a prison sentence of two to five years, or a fine of three thousand quotas, or both.

8.2: Any person who promotes, organizes or incites disruptions of the public order, referred to in the above paragraph, commits a crime punishable by a prison sentence of three to eight years, or a fine of three to five thousand quotas, or both.

Article 9.1: Any person who in order to favor the objectives of “Helms-Burton” Law, the blockade or the economic war against our people, aimed at breaking the internal order, destabilizing the country and liquidating Cuba’s socialist state and independence goes through with any act intended to impede or damage the economic relations of the Cuban state, or its public or private industrial, commercial, or financial entities commits a crime punishable by a prison sentence of seven to 15 years, or a fine of five thousand quotas, or both.

9.2: The prison sentence is eight to 20 years if the deed coincides with one of the following circumstances:

- (a) if violence, intimidation, blackmail or other illicit media are used in order to accomplish the deed;
- (b) if the deed is committed in search of profit or by means of a handout, remuneration, reward or promise of an advantage or benefit;
- (c) if, as a consequence of the deed, the government of the United States of America, its agencies or dependencies, adopt repressive measures against Cuban or foreign industrial, commercial, or financial entities or entities of another nature, or against one of its directors or their families.

Article 10: The prison sentence is two to five years, or a fine of three thousand quotas, or both for any person who:

- a) proposes or incites others, by any means or way, to commit one of the crimes foreseen in this law;
- b) coordinates with other people to commit one of the crimes foreseen in this law.

Article 11: Any person who, for the commitment of the deeds foreseen in this law, directly or through a third person, receives, distributes or participates in the distribution of financial or material resources or resources of any other kind coming from the government of the United States of America, its agencies, dependencies, representatives and officials or from private entities, commits a crime punishable by a prison sentence of three to eight years, or a fine of three thousand quotas, or both.

Article 12: Any person who commits any of the crimes foreseen in the above articles with help from a third state that collaborates with ends established by the government of the United States, will be accountable for the sanctions established above.

Translations of Cuban statutes by María Salazar/CPJ.

CPJ's Recommendations

CPJ calls on the government of President Raúl Castro to implement the following recommendations:

- Immediately and unconditionally release all imprisoned journalists.
- Vacate the convictions of the nine journalists who were released on medical parole since the 2003 crackdown.
- Ensure the proper care of all journalists in government custody. We hold the government responsible for the health and welfare of those incarcerated.
- Fully meet its commitments under the recently signed International Covenant on Civil and Political Rights by allowing journalists to work freely and without fear of reprisal.