

PUBLIC

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Further Information on UA 39/05 (AMR 25/003/2005, 16 February 2005) Fear of ill-treatment/legal concern

CUBA **Néstor Rodríguez Lobaina (m), aged 38**
Yaíma Ortiz Parra (f), aged 19

Prisoner of conscience Néstor Rodríguez Lobaina was released on 19 July 2005, after five years and four months' imprisonment. He had been detained on 2 March 2000 and sentenced to six years' imprisonment for "disrespect", "public disorder" and "damage" [*desacato*, "*desordenes públicos*" and "*daños*"].

Speaking to a US-based Cuban human rights organisation, the Cuban Democratic Directorate, on 19 July, he said: "To me, political prison is nothing more than the impotence and fear that a tyranny undergoes for those who strongly rebel with the strength of reason to get rid of the yoke and barbaric oppression that these impose. Political prison is nothing more than the temple where souls of freedom fighters regain strength. It constitutes the universities, where the diversity of free and independent thoughts is educated and forged." [*El presidio político para mi no es más que la impotencia y el temor que sufren las tiranías para los que se rebelan con fuerza, con la fuerza de la razón, para sacudirse del yugo y del sojuzgamiento bárbaro que estas imponen a sus pueblos. El presidio político no es más que el templo donde se templan las almas de los legionarios de la libertad. El presidio político constituye la universidad donde se forja y se educa la diversidad del pensamiento libre e independiente.*]

In further communication with the Cuban Democratic Directorate on 12 August he also thanked the UA network for their campaigning efforts on his behalf, saying " I would like to give my deepest thanks to Amnesty International [members] for all the work that they have done to help in my release from prison, for having adopted me as a prisoner of conscience, for all that they are doing for all the other Cuban prisoners of conscience who are suffering unfairly the horror of the prisons of the Cuban Communist tyranny. I am deeply grateful for all of this, and want to tell this prestigious organisation that it has here a volunteer, an activist always at its service as well as my modest efforts to work and cooperate alongside it in this altruistic and humanitarian work." [*Quería agradecerle profundamente a Amnistía Internacional toda la gestión que ellos han hecho a favor de mi excarcelación, por adoptarme como prisionero de conciencia, por todo lo que están haciendo por todos los otros prisioneros de conciencia cubanos que están sufriendo injustamente el horror en las cárceles de la tiranía comunista cubana. Quiero agradecer profundamente todo esto, y decirle a esta institución de prestigio que aquí tienen un voluntario, un activista siempre voluntario a su servicio y mi modesto esfuerzo para trabajar también y cooperar con ellos en esa labor altruista y humanitaria.*]

Only official Communist Party organisations are legal in Cuba. Néstor Rodríguez is the president of the unofficial youth group Movimiento de Jóvenes Cubanos por la Democracia, Cuban Youth Movement for Democracy. Néstor Rodríguez has been arrested and imprisoned several times, and Amnesty International has previously adopted him as a prisoner of conscience. He has now been the subject of four UAs. In two of these cases, he was released shortly after the UA was issued (for details see EXTRA 106/96, AMR 25/31/96, 11 July 1996; UA 307/98 AMR 25/28/98, 9 Dec 1998; UA 169/99 AMR 25/33/99 19 July 1999; and this UA).

There is no further news of Yaíma Ortiz Parra, who was arrested after visiting Nestor Rodríguez in prison in November 2004. It is believed the charges were dropped, pending further investigations, against both Nestor Rodríguez and Yaíma Ortiz Parra following a protest by members of Rodríguez's family in May 2005. We will pass on any further information about Yaíma Ortiz Parra as and when we receive it.

No further action is requested from the UA network. Many thanks to all who sent appeals.