

## Secret memo exposes U.S. hypocrisy!

*Following is the text to a memo sent by Joseph Sullivan, former head of the U.S. Interests Section in Havana, to former Secretary of State, Warren Christopher, the Central Intelligence Agency (CIA) and the Immigration and Naturalization Service (INS). The memo discusses the difficulties encountered in attempting to find legitimate cases of human rights violations in Cuba, an important element in the U.S.'s propaganda campaign against the Cuban Revolution for the last 35 years. The memo was leaked to the Cubans by "friendly hands", and was distributed by Cuba to member states of the United Nations on March 2, 1994 to provide evidence of the U.S. government's intentional distortion of the human rights situation in Cuba in order to justify its policy aggression against the island. Excerpted from **Granma International**, March 16, 1994:*

---

**FROM: USINT. SECT. HAVANA**  
**TO: SEC. STATE, WASHINGTON**  
**CIA**  
**INS**

**DATE: JANUARY 94**  
**REFERENCE: H/18422/693-4**  
**SUBJECT: UPDATE ON THE CUBAN REFUGEE PROGRAM**

### I. Overview

The processing of refugee applicants continues to show weak cases. Most people apply more because of the deteriorating economic situation than a real fear of persecution. Cases presented by human rights activists proved particularly difficult for USINT [U.S. Interests Section in Havana] officers and INS [Immigration and Naturalization Service] members. Although we have tried hard to work with those human rights organizations on which we exert greater control to identify activists truly persecuted by the government, human rights cases represent the weakest category of the refugee program.

Applications by human rights groups members are marked by general and imprecise descriptions of alleged human rights activity, lack demonstrable evidence of persecution, and do not meet the basic criteria for processing in the program. Common allegations of fraudulent applications by activists and of the sale of testimonials by human rights leaders have continued in recent months. Due to the lack of verifiable documentary evidence, as a rule USINT officers and INS members have regarded human rights cases as the most susceptible to fraud.

### II. Assessment

The decrease in the number of political prisoners led the State Department and the INS three years ago to work together in expanding the categories for processing in the Cuban Refugee

Program. Professionals dismissed from their jobs, human rights activists, and members of religious faiths suffering persecution were introduced as new categories, with processing guidelines developed for each to ensure a fair consideration of cases.

During later INS visits, USINT made a deliberate effort to include cases from all of the categories. As an average, it included ex-political prisoners, religious members, human rights activists, and other cases.

We continue to select for prescreening only cases of probable INS approval. The approvals reflect the careful analysis of cases and the good understanding between USINT officers and INS visiting members.

Although USINT has tried to cover cases in line with the processing criteria, it has nonetheless preserved its flexibility to present cases that may fall short in some areas but represent an interest to US. A deteriorating Cuban economy has provided incentive for new economic migrants to seek the refugee program. Additionally, the expansion of the categories has contributed to an increase in the number of applicants.

It is brazenly acknowledged now by some of the reintegrated ex-political prisoners that they apply for refugee status as a means to escape the deteriorating economic situation, and not because of a current fear of persecution or harassment. Others seem to have been pressed to request refugee status by their adult children hoping to leave with their parents. Most of these adult children of elderly, often retired, ex-political prisoners do not meet the criteria for refugee status in their own capacity.

Regrettably, the general quality of many of the applications is poor. Few of the ex-political prisoners accepted now as refugees would have been accorded such a status in previous years. As a rule, they have served much shorter sentences compared to the early entrants in the program. Most played lesser roles in counterrevolutionary groups, accepted political reeducation in order to have their sentences reduced, and later abandoned political activity to reintegrate into Cuban society.

A significant number of applications have also been received from individuals charged with attempting to illegally exit the country. With the depolitization of "illegal exits" by the Cuban government, sentences for such charges were reduced. INS has generally regarded "illegal exits" as lacking political content.

The generally low quality of the cases, including those in the 1991 new categories, has not kept USINT from continuing to rely on

documentary evidence (i.e., legal documents, dismissal notices, prison release letters) to determine the inclusion in the refugee program. Yet, this is not the case with most human rights applicants.

We have recorded an increase in the number of human rights cases since 1992. However, this increase did not stem from a higher level of human rights activity, membership, or government repression. The majority of cases rarely contain any demonstrable evidence of persecution and frequently give only minimal, hardly credible, evidence of participation in human rights activities.

The testimonials of human rights leaders generally carry vague descriptions of human rights activity such as the moral support of family members of political prisoners. These descriptions accurately show the low-level activity and nonconfrontational attitudes of most human rights groups.

On the other hand almost none of the cases show proofs of house searches, interrogations, detention, or arrest. The activists usually claim persecution by State Security, but they rarely can provide properly documented evidence of it. In some instances the applicant claims to have been subject to harassment without arrest. Interviewing officers end up having to rely virtually on what activists tell them.

The general trend has been one of lack of evidence to prove that the person is actually an activist, which leaves the category open for virtually everyone. Young men caught in illegal exit attempts since the economic downturn in 1989 have tended to submit applications as human rights activists. Human rights leaders have told USINT officers that they know that most of their members joined only to take advantage of the refugee program.

Since the inclusion of human rights activists as another category, we have kept a flexible and responsive approach to them. Human rights leaders such as Paula Valiente, the Aspillaga brothers, and others have received proper and quick consideration. A similar treatment has also been given to simple activists. In cases where the activist's supporting evidence is weak, but commitment to US is otherwise clear, prescreening officers have given the applicant the benefit of the doubt.

The leader of one group said that several people left his organization when they knew that it does not give testimonials to members. He complained of pressures from members to obtain strong testimonials of their human rights activity. The latest INS visits have witnessed repeated incidences of fraud and allegations of

fraud by human rights activists. USINT has attempted to address the problem through a revision of internal procedures to identify strong human rights cases. In addition, it met with heads of human rights organizations to determine the objectives, size and other aspects of the major human rights groups. USINT restricted as well the testimonials accepted from the groups to those from leaders we trust, aware that past divisions within human rights groups have produced allegations of unauthorized and fraudulent issuances of testimonials.

To our regret, not even these steps have prevented allegations of fraud and bitter recriminations among top human rights leaders. Shortly before the INS December visit, Gustavo Arcos and Jesus Yanez of the Comite Cubano Pro-Derechos Humanos accused Aida Valdes of selling fraudulent avals. She, in turn, accuses Arcos and Yanez of similar practices for economic profits.

This situation increases the general concern regarding the danger of relying on the testimonials. The deep rivalries and infighting among the human rights groups make it simply inevitable for the recurrence of charges of fraud not to prevail.

Prominent activists have confessed their worries that the refugee program is robbing them of the few dedicated members while at the same time it has become a magnet for opportunists. During a meeting with USINT and the INS, Felix Donne, the head of the group Corriente Civics, called the refugee program "the primary focus of many human rights leaders and organizations"

The involvement by some of the best-known human rights leaders in Cuba in these serious allegations clearly illustrates that our refugee program has become a divisive and increasingly controversial focus of attention for many human rights groups, whose leaders appear almost obsessed with the program. USINT has even received appeals to give human rights organizations a formal role in the refugee program.

Out of the 225 cases presented by USINT to INS during its December visit, 47 claimed involvement in human rights I, activity although many fell into other categories, like professionals dismissed from their jobs and persons attempting to commit illegal exits. Although this was our best effort to work with human rights groups to present the strongest cases, interviews clearly showed the weakness of most cases.

Of all 47 human rights cases, only one claimed a total of more than 30 days detention over the last five years for human rights activity, and even he could not provide evidence of the detentions. The rest, in general, only claimed house searches

or a few undocumented summons to police stations. Most activists gave only vague descriptions of their involvement in human rights groups. And only 19 were finally approved.

Despite being only 20 percent of the total human rights cases represented more than half of the denials. The overall refusal rate for the December visit as a result was 22 percent. This rate, although significantly higher than in past INS visits, has on the sideline the advantage of hopefully resulting in a higher level of activity by the groups.

### Considerations

In the face of a general decline in the quality of the Cases, including those involving ex-political prisoners, USINT will need to work harder in identifying the best cases. With a view to help in this effort, it will introduce additional changes in the processing of cases.

The problems encountered in the processing of the bulk of the human rights cases point to the need for USINT to continue its close work with the INS to select strong cases.

However, the USINT will maintain the flexibility to present cases that may not meet all of the criteria but that given their nature may prove useful for US interests.

Given CIA's expressed interests in the subject of human rights, and its greater involvement with and better knowledge of the different groups, we suggest a closer cooperation with USINT in line with our common goals.

**-Sullivan**

---