

Havana, May 10, 2002

Mr. Ricardo Alarcón de Quesada

President of the National Assembly of People's Power

Cubans, as human beings, have rights that the prevailing laws do not guarantee, and hence those laws must be changed. The decision to do so must be made by the sovereign people through a popular referendum.

Article 63 of the Constitution of the Republic of Cuba states that Cuban citizens have the right to direct complaints and petitions to the authorities. We are submitting to you, in your capacity as the President of the National Assembly of People's Power, the Varela Project, a bill. With the intention of bringing this bill into effect, over 10,000 voters have signed our petition to hold a referendum. We have met the minimum requirements that a proposal must meet to become a bill as established by the Constitution of the Republic.

Attached to this letter is a list containing the names, addresses, and identity numbers of the 11,020 voters who signed this petition. Alongside the personal information of each individual who has signed, the list indicates the code for the ballot where the corresponding signature appears. The original ballots containing those signatures were delivered to the offices of the National Assembly of People's Power when this letter was delivered. Each letter of request, or ballot, has room for the signature and personal information, including identity numbers, of up to ten voters. On some ballots, there are names and personal information marked with the word VOID, which indicates that those signatures are not valid nor are we claiming that they are. In some cases, a signature is marked void because the personal information provided is not clear. However, many signatures were marked void because we could not verify them, since institutions like State Security have harassed, detained, threatened, and persecuted those citizens who have participated in this legal process and have even arbitrarily seized many signed ballots. In doing so, those institutions have violated the law and the Constitution.

Alongside these documents we are submitting the substantiating documentation required by the Regulations of the National Assembly of People's Power. Those managing the project went to several notaries to request the affidavit required by the Regulations, but the notaries stated that they (the notaries) had received no guidance regarding such affidavits and that such documents are never drafted, so they refused to issue them. Some notaries indicated that all citizens over 16 years of age were, according to the Constitution, eligible voters provided that they had not been disqualified by a court of law. Those notaries also indicated that identity cards are the document that proves that a citizen can vote. Therefore, the requirement set out by the Regulations of the National Assembly of People's Power obstructs a constitutional right. State Security's illegal persecution of the citizens who promoted this initiative is another case of obstruction, one that impedes us from carrying out this and other formalities. We were and are willing to comply with legal requirements wherever possible. We ask that you, the President of the National Assembly of People's Power, along with the Deputies of the National Assembly of People's Power and the

Government, explain to the public that conducting this citizen's petition is a constitutional right and that attempting to impede citizens from doing so is a crime.

A group of us established a Varela Project Management Committee, consisting of Oswaldo Payá Sardiñas, Antonio Díaz Sánchez, Regis Iglesias Ramírez, José Daniel Ferrer García, Miguel Saludes García, Osvaldo Alfonso Valdés, and Pedro Pablo Álvarez Ramos. Their addresses are included on the lists of signatories that we have submitted to you. We would like to request an interview with you, and we are willing to discuss any and all matters related to this bill with government officials and deputies of the National Assembly. We also ask that information on this project be disseminated via State media, and we would like you to contact those in charge of those outlets to tell them to let us explain the Varela project directly to the Cuban public and to let citizens express their opinions through the media. These rights are included among the rights of citizens established in Articles 53, 84, and 87 of the Constitution.

We ask that the National Assembly call a referendum on the five points of the Varela Project, so that the people can decide on these changes to Cuban legislation, which are necessary to guarantee the fundamental rights of all Cubans.

Sincerely,

Oswaldo José Payá Sardiñas  
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*Translated by Ashley Caja*