

EXTERNAL

AI Index: AMR 25/23/96

7 May 1996

Further information on UA 443/94 (AMR 25/15/94, 14 December 1994) and follow-ups (AMR 25/17/94, 21 December 1994 and AMR 25/21/96, 10 April 1996) - Death Penalty

CUBAHumberto REAL SUÁREZ
Miguel DIAZ BOUSA
Jesús ROJAS
Armando SOSA
José FALCON
Lázaro GONZÁLEZ CABALLERO
Pedro GUISADO

Amnesty International has learned that Humberto Real Suárez has been sentenced to death. It is believed that the other men listed above were sentenced to 30 years' imprisonment. The trial reportedly took place on 25 April 1996 in a court in the town of Santa Clara, Villa Clara province, but the sentence was not formally announced until 6 May.

Following trial, death penalty cases are automatically subject to appeal before the People's Supreme Court. If confirmed, death sentences are then brought before the Council of State, which is presided over by President Fidel Castro, and which makes the final decision on whether execution, which is by firing squad, should go ahead. The time lapse between the trial hearing and the final decision has on some occasions in the past been only a matter of days. Execution usually then goes ahead within hours or days.

The seven men were arrested on 16 October 1994 near Caibarién, 350 kilometres east of Havana, and were charged with infiltrating the country and the murder of Arcelio Rodríguez García, described by the Cuban authorities as a fisherman. The seven men are alleged to be members of a Cuban exile group called the *Partido de Unidad Nacional Democrático (PUND)*, National Democratic Unity Party, which is based in Miami, USA.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and of the right not to be subjected to cruel, inhuman and degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights. Concern about the death penalty in Cuba is exacerbated by the inadequacy, in practice, of full judicial guarantees, particularly the right to defence and especially if there is a political element to the case.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or in your own language:

- urging commutation of the death sentence passed on Humberto Real Suárez;
- stating unconditional opposition to the death penalty in all cases;
- expressing concern and sympathy for the families and friends of the victims of violent crime.

APPEALS TO:

1) President
Dr Fidel Castro Ruz
Presidente de los Consejos de Estado y de Ministros
La Habana, Cuba
Telegrams: Presidente Castro, Havana, Cuba

Telexes: 511122 / 511464 /512950

Faxes: + 53 7 333 085 / + 53 7 335 261 [These telex and fax numbers are for the Ministry of Foreign Affairs - please ask them to forward your message to the President]

Salutation: Señor Presidente / Dear President

2) Attorney General

Dr Juan Escalona Reguera

Fiscal General de la República

Fiscalía General de la República

San Rafael 3, La Habana, Cuba

Telegrams: Fiscal General, Havana, Cuba

Telexes: 511456 fisge

Faxes: + 53 7 333164

Salutation: Sr Fiscal General / Dear Attorney General

3) President of the People's Supreme Court

Dr José Raúl Amaro Salup

Presidente del Tribunal Supremo Popular

La Habana, Cuba

Telegrams: Presidente, Tribunal Supremo Popular, Havana, Cuba

Telexes: 511457 tsupo

Salutation: Sr Presidente del Tribunal Supremo Popular / Dear President of the People's Supreme Court

COPIES TO:

National Union of Jurists

Dra Zenaida Osorio Vizcaina

Presidente

Unión Nacional de Juristas de Cuba

Calle 21, No. 552, esq. D

Apartado 4161

La Habana 4, Cuba

and to diplomatic representatives of Cuba accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 June 1996.