

PUBLIC

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Death Penalty

28 July 2000

CUBA

Edimir Torres Sifonte, aged 26

Edimir Torres Sifonte was sentenced to death by firing squad on 25 January this year, according to reports recently received by Amnesty International.

He appealed in May against his conviction for the rape and murder of a young woman, but the result of this appeal is still not known. He is being held in solitary confinement, and his relatives say he has been beaten by prison guards.

BACKGROUND INFORMATION

Cuba maintains the death penalty for a large number of offences and has recently widened its scope. President Fidel Castro gave a speech in January 1999, in which he said he hoped that judges would not hesitate to use the death penalty, since stronger measures were needed to combat crime. On 15 February 1999 Cuba's National Assembly, the *Asamblea Nacional del Poder Popular*, passed new legislation (Law 87), extending the scope of the death penalty to major drug-trafficking, corruption of minors and armed robbery. These modifications to the Penal Code became effective a month later. At least 13 people were reportedly executed in 1999.

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 authorities' failure to uphold their own guarantees of fair trial, particularly the right to adequate defence.

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

- expressing concern that Edimir Torres Sifonte has been sentenced to death and urging that his sentence be commuted;
- expressing concern at reports that Edimir Torres Sifonte has been beaten in custody, and urging a full, prompt and impartial investigation into these reports;
- expressing unconditional opposition to the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading punishment;
- expressing sympathy for the victims of violent crime and their families and friends, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments;
- urging that all other pending death sentences be commuted, that no further death sentences be passed and that the death penalty be abolished from national legislation.

APPEALS TO:

Head of State and Government

Dr. Fidel Castro Ruz

Presidente de los Consejos de Estados y de Ministros

La Habana

Cuba

Telex: 511122/ 5111464 (Via Ministry of Foreign Affairs)

Telegrams: Presidente, Havana, Cuba

Fax: + 53 7 333 085 / 335 261 (Via Ministry of Foreign Affairs)

Salutation: Su Excelencia / Your excellency

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

Minister of Foreign Affairs

Sr Felipe Pérez Roque

Ministro de Relaciones Exteriores

Ministerio de Relaciones Exteriores

Calzada No. 360

Vedado, La Habana, Cuba

Telegrams: Ministro Relaciones Exteriores, Havana, Cuba

Telexes: 511122 / 511464 / 512950

Faxes: + 53 7 335261 / + 53 7 333085

Salutation: Sr Ministro / Dear Minister

COPIES TO:

National Union of Jurists

Sr. Arnal Medina Cuenca

Presidente

Unión Nacional de Juristas de Cuba

Calle 21, No. 552, esq. D

Apartado 4161

La Habana 4, Cuba

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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 8 September 2000.