

EXTERNAL (for general distribution)

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Further information on UA 418/94 (AMR 25/13/94, 29 November 1994) - Fear of Death Penalty/Fear of ill-treatment

CUBA Ramón Fidel BASULTO GARCÍA, aged 26

Amnesty International has learned that the trial of Ramón Fidel Basulto García, accused of murder and piracy, is due to take place on Friday 21 April 1995 at the People's Provincial Court for the City of Havana. The prosecution in the case is requesting that he be sentenced to death and to 30 years' imprisonment for piracy.

If the death sentence is passed, the case will automatically go to appeal to the People's Supreme Court. If the appeal is confirmed, the Council of State will then decide whether the execution, which is by firing squad, should go ahead or be commuted to 30 years' imprisonment. Trial hearings normally only last one or two days. The time lapse between the first trial hearing and execution, if it is passed, has sometimes in the past been only a matter of days or weeks.

Ramón Fidel Basulto García was one of a group of eight people arrested in Havana in connection with the attempted hijacking of a boat called the "Baragua" on 4 August 1994. A policeman, Gabriel Lamoth Caballero, reportedly died while attempting to prevent the hijacking. The prosecution alleges that Ramón Fidel Basulto knocked the policeman to the ground while trying to disarm him and caused him to almost lose consciousness. Another policeman intervened and succeeded in pushing Ramón Fidel Basulto García into the water. Gabriel Lamoth Caballero is said to have lost his balance and also fell into the water.

After being held for 70 days in the Headquarters of the Department of State Security, known as Villa Marista, Ramón Fidel Basulto García was transferred to the Carlos J. Finlay Military Hospital. According to reports, such a transfer was due to "his deplorable state of general health" despite the fact that at the time of his arrest he was in good health. There have been no further reports regarding his health.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:

- nothing that the trial of Ramón Fidel Basulto García (case No. 37-94) is due to take place on Friday 21 April 1994 at the People's Provincial Court for the City of Havana;
- expressing concern that the prosecution is requesting the death penalty in the case of Ramón Fidel Basulto García;
- stating Amnesty International's unconditional opposition to the death penalty in all cases;
- requesting that the trial for Ramón Fidel Basulto García be conducted in accordance with international standards and, in particular, that Ramón Fidel Basulto García be granted full access to a lawyer of his choice.

APPEALS TO:

1) Head of State and Government

Dr. Fidel Castro Ruz
Presidente de los Consejos
de Estados y de Ministros
La Habana, Cuba

Telexes: via Ministry of Foreign Affairs

Faxes: via Ministry of Foreign Affairs

Salutation: Su Excelencia/Your Excellency

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

Telefax: 511 456 FISC

Salutation: Sr Fiscal General/Dear Attorney General

3) Minister of Justice

Dr. Carlos Amat Forés
Ministro de la Justicia
Ministerio de la Justicia
Calle O # 216, 8º piso
e/ 23 y Humboldt, Vedado
La Habana, Cuba

Telefax: 511331

Salutation: Señor Ministro/Dear Minister

4) Minister of Foreign Affairs

Sr. Roberto Robaina González
Ministro de Relaciones Exteriores
Ministerio de Relaciones Exteriores
Calzada No. 360, Vedado
La Habana, Cuba

Fax: + 537333085/+537335261

Salutation: Señor Ministro/Dear Minister

COPIES OF YOUR APPEALS TO:

National Union of Jurists

Dra. Zenaida Osorio Vizeaina
Presidenta
Unión Nacional de Juristas de Cuba
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Apartado 4161
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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 1 June 1995.