

EXTERNAL

AI Index: AMR 25/11/95

30 August 1995

Further information on UA 439/94 (AMR 25/14/94, 13 December 1994) and follow-up (AMR 25/16/94, 19 December 1994) - Death Penalty / Fear of ill-treatment / Health Concern and new concern: Death threats

CUBA Juvencio PADRON DUEÑAS (known as Juan Carlos)

new names: Felix MOLINA VALDÉS
 Carlos Camilo RODRIGUEZ RODRIGUEZ
 Ricardo RICARDO CRUZ

Juvencio Padron Dueñas, who is facing a possible death sentence, has reportedly received death threats while in prison. According to his family, one of the prison wardens told Juvencio Padron Dueñas, "If we can't shoot you, someone inside the prison will take care of eliminating you", "Si no te podemos fusilar, alguien dentro de la prisión se encargará de eliminarte".

Juvencio Padron Dueñas's state of health also continues to cause concern, and is exacerbated by the fact that he has been denied proper medical assistance while in detention. He was reportedly suffering from a brain haemorrhage at the time of his arrest on 7 September 1994 and is now said to suffer from severe headaches. His father reportedly reserved him a bed in Ciego de Avila provincial hospital recently so that he could be treated by a civil neuro-surgeon. Although this was agreed in principle by the prison authorities, when the bed was ready Juvencio Padron Dueñas was not allowed to go to the hospital. Prior to this, in December, he was reportedly hospitalized for three days, suffering from a stroke.

Juvencio Padron Dueñas has now been held without trial for almost a year, and is reported to have only been allowed to see his lawyer once during this time.

He has been charged, along with the three others named above, with the murder and robbery of two elderly people in Ciego de Avila. He denies the charge, and is said to have been beaten by officials in an attempt to force a confession from him. He is reportedly being held in an isolated cell and is not allowed to speak to other inmates.

Amnesty International has received serious allegations that the real motivation for his arrest may be political. Juvencio Padron Dueñas's brother was reportedly told by one of the co-accused that he (the detainee) was beaten and forced to make a statement, which he now refutes, implicating Juvencio Padron Dueñas. Amnesty International is seeking further information about these reports.

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

- expressing concern at reports that Juvencio Padron Dueñas has received death threats while in detention, and calling for an immediate independent investigation and for anyone found to have issued threats to be brought to justice;
- expressing concern about Juvencio Padron Dueñas's state of health and about reports that he has been denied treatment by a neuro-surgeon, and calling for him to be immediately granted all necessary medical treatment;
- expressing concern that the prosecution is intending to request the death penalty in the case of Juvencio Padron Dueñas and three others at their

forthcoming trial and stating Amnesty International's unconditional opposition to the death penalty in all cases;

- expressing concern that he has been held for almost a year without trial, and urging that he be granted regular access to his lawyer and relatives, and that he be brought to trial promptly in accordance with international standards for fair trial.

APPEALS TO:

1) 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

2) Minister of Justice

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

Telexes: 511331

Telegrams: Ministro Justicia, Havana, Cuba

Salutation: Sr Ministro/Dear Minister

3) Minister of the Interior

General Abelardo Colomé Ibarra
Ministro del Interior
Ministerio del Interior
Plaza de la Revolución
La Habana, Cuba

Telegrams: Ministro Interior, Havana, Cuba

Telexes: 511122/5111464/5122950

Faxes: + 53 7 333085/+ 53 7 335261

(These telex and fax numbers are for the Ministry of Foreign Affairs - please ask them to forward your message to the Ministry of the Interior)

Salutation: Sr Ministro/Dear Minister

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

Director of Ciego de Avila Provincial Prison

Señor Directo
Prisión Provincial de Ciego de Avila

Ciego de Avila, 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 20 October 1995.