

EXTERNAL

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Death Penalty

31 May 1996

CUBA Humberto COS DE BAUZA

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Humberto Cos de Bauza, sentenced to death in late 1995 by the People's Provincial Court for the city of Santiago de Cuba, is now awaiting the decision of the People's Supreme Court on his sentence. If it is ratified there, the Council of State will then decide whether his execution, which is by firing squad, should go ahead or whether the death sentence should be commuted. In past cases the time lapse between the trial judgment and execution has sometimes been only a matter of weeks.

Humberto Cos de Bauza, arrested in September 1995, is alleged to have killed his five-year-old son and eight-year-old stepson in a fit of jealousy against his wife, the mother of both the children. He is currently reported to be held in the maximum security area of Boniato prison, known as "Boniatico", in Santiago de Cuba.

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.

#### **BACKGROUND INFORMATION**

Cuba maintains the death penalty for a large number of offences. In recent years there has appeared to be a reduction in the number of executions carried out. Amnesty International is aware of 12 executions that have taken place since 1988, although death sentences are known to have been passed in a number of other cases. Given the limitations on the reporting of human rights issues in Cuba and since the authorities do not make statistics on such matters public, it is possible that other executions may have been carried out. The last executions known to have taken place were those of two men accused of murder, Armando Grinan Bell and Mario Magdaleno Pedrozo Cosme, on 4 May 1995.

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

- 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 concern that Humberto Cos de Bauza has been sentenced to death for the murder of his son and stepson in 1995;
- 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 the death sentence on Humberto Cos de Bauza be commuted and that no further death sentences be passed.

#### **APPEALS TO:**

1) 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**

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) Minister of Foreign Affairs

Sr Roberto Robaina González

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 333085 / +53 7 335261**

**Salutation: Sr Ministro / Dear Minister**

**COPIES TO:**

National Union of Jurists

Dra Zenaida Osorio Vizcaina

Presidente

Unión Nacional de Juristas de Cuba Boniato

Calle 21, No. 552, esq. D

Apartado 4161

La Habana 4, Cuba

Director of Boniato Prison

Tte. Coronel Israel Cobas Duzú

Director de la Prisión de

Boniato

Apartado 5007

Puerto Boniato

Santiago de Cuba, Cuba

Granma (daily newspaper)

Granma, Apdo 6260, La Habana, 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 25 July 1996.