

EXTERNAL

AI Index: AMR 25/38/96

27 September 1996

Further information on UA 439/94 (AMR 25/14/94, 13 December 1994) and follow-ups (AMR 25/16/94, 19 December 1994; AMR 25/11/95, 30 August 1995 and correction, 13 September; AMR 25/12/95, 3 October; AMR 25/17/95, 15 November; AMR 25/03/96, 29 January 1996) - Death Penalty / Fear of Ill-treatment / Health Concern / Death Threats

CUBAJuvencio PADRON DUEÑAS (known as Juan Carlos)  
Félix MOLINA VALDÉS  
Carlos Camilo RODRIGUEZ GORRÍN  
Carlos CRUZ SEGUIS

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Amnesty International has received reports that there is again serious concern for the health of Juvencio Padrón Dueñas, who the organization believes may be a prisoner of conscience. There have also been some significant developments regarding his legal situation and that of the other three people involved in the case, all of whom were convicted of murder in September 1995.

Juvencio Padrón Dueñas, who is in his mid-30's, had suffered from a brain haemorrhage before his arrest on 7 September 1994 and shortly afterwards suffered another stroke for which he was briefly hospitalized. During the initial period of his detention, he was also reportedly beaten. Since his arrest, he has reportedly suffered from serious migraine attacks, sometimes lasting 4-6 hours. Recent reports indicate that he is also suffering from movement impairment due to his condition, which is consistent with serious high blood pressure. According to reports, he is not receiving adequate medical attention for his condition in the prison. His family was told that they could make an appointment for him with a neurologist outside the prison. However, when they had obtained an appointment for him, the prison authorities claimed there was no transport available to take him to the hospital. When a prominent religious leader reportedly offered the use of his car to take him to the hospital, this was refused. Despite his poor state of health, his usual daily diet in the prison reportedly consists of sugared water for breakfast and boiled banana at lunch and supper, plus limited amounts of food his relatives can bring him at visiting time which is every two months.

In a separate development, the Minister of Justice has recently requested a review of the sentences passed on the four men on the grounds that serious irregularities occurred during the investigation period and the first trial hearing when three of the men, including Juvencio Padrón Dueñas, were sentenced to death. The death sentences were later commuted on appeal to the People's Supreme Court to 30 years' imprisonment. Amnesty International had received serious allegations following the arrest of the four that Juvencio Padrón and at least one of the others were subjected to beatings and that they were forced to sign statements under duress, in the case of Juvencio Padrón Dueñas with a pistol held to his head, and has since received additional information that casts serious doubt on many other aspects of the case. The Minister of Justice's request for a review does not refer specifically to the allegations of ill-treatment but does acknowledge that the defendants retracted their statements during the initial trial hearing and that there are serious grounds to doubt the veracity of other supposed evidence against them. The review is due to be carried out by the People's Supreme Court between 1 and 10 October 1996.

Amnesty International very much welcomes this move, which is a very unusual step for the Cuban authorities to take, and urges that it be conducted in accordance with international standards for such procedures. The organization continues to believe that the charges against Juvencio Padrón Dueñas were almost certainly brought for political motives and that he is probably a prisoner of conscience.

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

- welcoming the decision by the Minister of Justice to request a review of the sentences passed on Juvencio Padrón Dueñas and the other three men;
- urging that the review be conducted in accordance with international standards for such procedures and that, should it be found that there is no evidence to implicate them in the murders, that the sentences be annulled and they be released immediately and unconditionally;
- expressing continuing concern for the state of health of Juvencio Padrón Dueñas and urging that, as long as he remains in detention, he be granted full access to all necessary medical attention and provided with an adequate diet.

**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) 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**

4) Minister of Foreign Affairs

Sr Roberto Robaina González  
Ministro de Relaciones Exteriores  
Ministerio de Relaciones Exteriores  
Calzada No. 360

Vedado, La Habana, Cuba

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**Salutation: Sr Ministro / Dear Minister**

**COPIES TO:**

National Union of Jurists

Unión Nacional de Juristas de Cuba

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La Habana 4, Cuba

Director of Ciego de Avila Provincial Prison

Señor Director

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 November 1996.