

CUBAJorge Luis Rodríguez Mir

Jorge Luis Rodríguez Mir is at risk of imminent execution. He was reportedly sentenced to death for the murder of a policeman on 6 November 1999. His execution was to take place at any time six months after sentencing. He has consistently maintained his innocence.

Jorge Luis Rodríguez Mir has exercised his automatic right of appeal in the People's Supreme Court, which upheld his conviction. His case now rests with the Cuban Council of State, which has the power to commute the sentence. If the Council of State decides the execution should go ahead, Jorge Luis Rodríguez Mir will go before a firing squad, probably within days or even hours.

According to his family Jorge Luis Rodríguez Mir suffers from schizophrenia and epilepsy and has mutilated his hands while in prison. His lawyer has stated that his medical condition was considered at his trial, but that having examined him the authorities decided not to take it into account.

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.

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

- expressing concern that Jorge Luis Rodríguez Mir has been sentenced to death and urging that his sentence be commuted;
- expressing concern that he was sentenced to death despite evidence suggesting that he suffers from mental illness;
- noting that international standards oppose the use of the death penalty against the seriously mentally impaired;
- 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 and that no further death sentences be passed.

If possible please also:

- state that executions are becoming increasingly rare around the world, with most countries having abandoned the death penalty;
- note that only a few nations, for example the USA, Iran, Iraq and Trinidad and Tobago, are increasing their use of the death penalty or have high numbers of executions;

- point out that extensive research has shown the death penalty to be used predominately against the poor, ethnic minorities and disadvantaged groups in many societies, particularly the USA.

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

Telex:511456 fisge

Fax:+ 53 7 669485

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

Telex: 511122 / 511464 / 512950

Fax:+ 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

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 15 June 1999.