

EXTERNAL

AI Index: AMR 25/16/99

Further information on EXTRA 32/99 (AMR 25/14/99, 4 March 1999) - Death Penalty
/ Imminent execution 23 March 1999

CUBA Francisco PORTUONDO MEDINA

Raúl Ernesto CRUZ LEON, Salvadorean national, aged 27

NEW NAME: Otto René RODRÍGUEZ LLERENA, Salvadorean national, aged 40

Salvadorean national Raúl Ernesto Cruz León was sentenced to death on 23 March 1999, following a trial on 8 March.

He had been detained in September 1997 and charged with carrying out bomb attacks against several hotels and a restaurant in Havana. According to Cuba's official newspaper, *Granma*, he was convicted of "*un delito continuado de terrorismo*", "sustained terrorist activity ". At his trial he confessed to setting off six explosions in hotels and a restaurant in a bid to wreck Cuba's rapidly growing tourism industry.

Another Salvadorean national, Otto René Rodríguez Llerena, charged with terrorism, is also in danger of being sentenced to death. He was tried on 15-16 March 1999 and is currently awaiting the verdict. State prosecutors had originally asked for a 30 year jail sentence, but in a surprise move on the second day of the trial changed their petition to the death penalty. Otto René Rodríguez Llerena had been arrested in July 1998 at Havana's international airport, trying to bring explosives into the country. He pleaded guilty to the charge of terrorism for that act and for planting a bomb in a Cuban hotel in August 1997.

There is no further news about Francisco Portuondo Medina, who was sentenced to death on 3 March 1999.

Amnesty International fears that all three men are at risk of imminent execution, as death sentences in Cuba are sometimes carried out within weeks of trial judgment. Condemned prisoners appeal automatically against their death sentences at the People's Supreme Court. If that court upholds their sentences, they must then be ratified by Cuba's ruling Council of State. Execution is by firing squad.

Amnesty International opposes 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 treatment or punishment, as proclaimed in the Universal Declaration of Human Rights. Concern about the death penalty in Cuba is exacerbated by the authorities' failure to uphold their own guarantees of fair trial, particularly the right to defence.

BACKGROUND INFORMATION

Cuba maintains the death penalty for a large number of offences. In March 1999 new legislation extended it to new offences including major drug-trafficking and armed robbery.

The last people sentenced to death in Cuba were Sergio Antonio Duarte Scull and Carlos Rafael Pérez Prieto, condemned in January after they were convicted of killing four foreigners (see EXTRA 10/99, AMR 25/03/99). In 1998 several death sentences were handed down and at least five people executed. Since the reporting of human rights issues in the country is restricted and the authorities do not compile statistics on such matters, the true figure may be higher.

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

- expressing concern that Raúl Ernesto Cruz León and Francisco Portuondo Medina have been sentenced to death and urging that their sentences be commuted;
- urging that Otto René Rodríguez Llerena not be sentenced to death;
- 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 or 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.

APPEALS TO:

Head of State and Government

Dr Fidel Castro Ruz

Presidente de los Consejos de Estados y de Ministros

La Habana, Cuba

Telegrams:Presidente, Havana, Cuba

Telexes:511122/ 5111464 (Via Ministry of Foreign Affairs)

Faxes:+ 53 7 333 085 / 335 261 (Via Ministry of Foreign Affairs)

Salutation:Su Excelencia / Your excellency

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

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:00 (537) 57 07 95

Salutation: Sr Fiscal General / Dear Attorney General

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 335261 / 333085

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

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 23 April 1999.