

EXTRA 89/00

Death Pen**CUBA José Hassán Rojas**

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José Hassán Rojas may be facing imminent execution. The Supreme Court is now considering a final appeal, lodged by his mother: if it upholds the sentence, he could be executed at any time.

He was reportedly sentenced to death in July 2000, for a murder committed in November 1998. He has consistently maintained his innocence. Prison doctors have told his mother that he gouged out both his eyes in protest at the sentence, and she says he is now totally blind.

His mother also alleges that he has been beaten repeatedly in prison.

**BACKGROUND INFORMATION**

Cuba maintains the death penalty for a large number of offences, and has recently widened its scope.

In January 1999 President Fidel Castro said in a speech that stronger measures were needed to combat crime, and he hoped judges would not hesitate to use the death penalty. The following month new legislation extending the scope of the death penalty to major drug trafficking, corruption of minors and armed robbery, was passed by Cuba's National Assembly, the *Assamblea Nacional del Poder Popular*. These modifications to the Penal Code (law 87) became effective a month later.

At least 12 people were reportedly executed in 1999, and at least seven have been sentenced to death in 2000. Execution is by firing squad.

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

- expressing concern that José Hassán Rojas has been sentenced to death and urging that his sentence be commuted;
- 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 execute large numbers of prisoners;
- point out that extensive research has shown that in many societies, particularly the USA, the death penalty is used predominantly against the poor, ethnic minorities and disadvantaged groups.

**APPEALS TO:**

Head of State and Government

Dr Fidel Castro Ruz  
Presidente de los Consejos de Estado y de Ministros  
La Habana  
Cuba

**Telex: 511122/ 5111464 (via Ministry of Foreign Affairs)**  
**Fax: via Ministry of Foreign Affairs +53 7 335 261**  
**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 7 669 485**  
**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 7 333 085**  
**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 3 January 2001.