

EXTERNAL (for general distribution)

AI Index: AMR 25/02/92  
Distr: UA/SC

UA 16/92

Death Penalty

13 January 1992

CUBA: Eduardo Díaz BETANCOURT  
Daniel Candelario SANTOVENIA FERNANDEZ  
Pedro de la Caridad ALVAREZ PEDROSO

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According to press reports, 38-year-old Eduardo Díaz Betancourt, 36-year-old Daniel Candelario Santovenia and 26-year-old Caridad Alvarez Pedroso were sentenced to death in the first instance by Havana Provincial Court on 11 January 1992 on charges of terrorism, sabotage and enemy propaganda, crimes against state security. The three defendants were arrested on 29 December 1991 as they landed by dinghy on the Cuban coast near Cardenas, Matanzas province, 150 km east of the capital, Havana. At the time of their arrest they were reportedly in possession of weapons, ammunition and incendiary devices. According to the Cuban authorities, the three men confessed to being members of a United States-based terrorist organization whose mission was to carry out sabotage attacks and terrorist actions and to distribute subversive propaganda against Cuba's communist government. The US government has reportedly denied that it allowed Cuban exile terrorist organizations to launch attacks against Cuba from US territory.

A death sentences are automatically referred to the Tribunal Supremo Popular, People's Supreme Court, for review. If confirmed, it will then be referred to the Council of State, which is presided over by President Fidel Castro, for a final decision. This procedure has in some cases taken only a matter of days or weeks. Amnesty International is therefore concerned that execution may be imminent. The death penalty is carried out by firing squad.

**BACKGROUND INFORMATION**

Cuba maintains the death penalty for a large number of offences and it is understood that in recent years consideration has been given to extending its use. Nevertheless, in recent years there has been a reduction in the number of executions carried out. According to official statistics provided to Amnesty International by the Minister of Justice during a visit to Cuba in March 1988, 12 executions had taken place between 1984 and 1987; 11 for common crimes, mainly murder, and one for terrorism, a crime against state security. In a number of other cases the death sentence had been commuted on appeal. However, in July 1989 four senior army officers were executed by firing squad after being convicted by a court martial on a number of charges including hostile acts towards a foreign state, drug-trafficking and abusing their official positions. Two executions are known to have taken place during 1991: Jorge González Norona, convicted of strangling three women, (see UA 430/90, AMR 25/05/90, 24 October 1990) and Joaquín Dueñas Carbonell, convicted of killing two police officers in December 1990 (see UA 82/91, AMR 25/04/91, 4 March 1991).

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 or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights. Concern about the use of the death penalty in Cuba is exacerbated by the lack or inadequacy in practice of full judicial guarantees, particularly the right to adequate defence.

**RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters:**

- urging commutation of the death sentence recently passed on Eduardo Díaz Betancourt, Daniel Santovenia Fernandez and Pedro de la Caridad Alvarez Pedroso;

- stating Amnesty International's unconditional opposition to the death penalty in all cases;

- welcoming the reduction in the use of the death penalty in recent years in Cuba but expressing concern that consideration is reportedly being given to extending its use.

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**APPEALS TO:**

1) President:

Dr Fidel Castro Ruz  
Presidente del Consejo de Estado  
Ciudad de la Habana, Cuba  
**Telegrams: Presidente Castro, Havana, Cuba**  
**Telexes: 51212 P DESP PRESID**

**Salutation: Su Excelencia / Your Excellency**

2) President of the People's Supreme Court:

Dr José Raúl Amaro Salup  
Presidente del Tribunal Supremo Popular  
Ciudad de la Habana, Cuba  
**Telegrams: Presidente, Tribunal Supremo Popular, Havana, Cuba**  
**Telexes: 511 437 TSUPO CU**

**Salutation: Señor Presidente / Dear President**

3) Minister of Justice:

Dr Carlos Amat Forés  
Ministro de Justicia  
Ministerio de la Justicia  
Calle 0 No 216 8v0 piso  
entre 23 y Humbolt  
Vedado, Ciudad de la Habana, Cuba  
**Telegrams: Ministro Justicia, Havana, Cuba**  
**Telexes: 511 331 MINJU CU**

**Salutation: Señor Ministro / Dear Minister**

**COPIES TO:**

Attorney General:

Dr Ramón de la Cruz Ochoa  
Fiscal General de la República  
Fiscalía General  
San Rafael 3  
Ciudad de la Habana, Cuba

**Salutation: Señor Fiscal General/ Dear Attorney General**

Granma

Apartado 6260  
Ciudad de la Habana, Cuba

and to diplomatic representatives of Cuba in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 24 February 1992.