

EXTERNAL (for general distribution)

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Death Penalty

24 October 1990

CUBA: Jorge Luis GONZALEZ NORONA

According to press reports, 23-year-old Jorge Luis González Norona was sentenced to death in the first instance by a Cuban court on 1 October 1990. He was convicted of killing three women, aged 77, 73 and 51, between 3 and 9 May 1990 in Havana while on the run from prison. He is said to have dressed in a doctor's white coat to gain the confidence of his victims and then strangled or suffocated them. The case will now go to appeal to the Tribunal Supremo Popular, People's Supreme Court, and subsequently to the Council of State, which is presided by President Fidel Castro, for a final decision. It is not clear when this will happen but in the past the whole procedure has on occasion taken only a matter of days or weeks. Amnesty International is therefore concerned that execution may be imminent.

#### BACKGROUND INFORMATION

Cuba maintains the death penalty for a large number of offences and a debate is at present taking place to decide whether to extend its use to serious drugs-related cases. 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. Although the defendants denied that their actions were politically motivated, Amnesty International was concerned that the prosecution may have introduced political charges to permit the application of the death penalty. No executions are believed to have taken place since July 1989.

According to the Cuban Penal Code, the death penalty is only to be used exceptionally. It cannot be passed on people under 20 years of age or on women who were pregnant at the time the offence was committed or at the time of sentencing. Once sentence has been passed in the first instance, cases go automatically for appeal to the People's Supreme Court, and subsequently to the Council of State which, on the basis of a recommendation from the Minister of Justice, decides whether the prisoner is to be executed or granted clemency.

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:

- welcoming the reduction in the use of the death penalty in recent years in Cuba but expressing concern that consideration is being given to extending its use to serious drugs-related cases;

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

- urging commutation of the death sentence recently passed on Jorge Luis González Norona.

APPEALS TO

Dr José Raúl Amaro Salup  
 Presidente del Tribunal Supremo Popular  
 Ciudad de la Habana, Cuba

Telegrams; Presidente, Tribunal Supremo Popular, Havana, Cuba  
 Telex: 511122 minrex

Sr Carlos Amat Forés  
 Ministro de Justicia en funciones  
 Ministerio de Justicia  
 Calle 0 No. 216, 8vo piso  
 entre 23 y Humboldt  
 Vedado, La Habana  
 Cuba

Telegrams: Ministro Justicia, Havana, Cuba  
 Telex: 511331 MINJU CU

COPIES TO:

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

Granma  
 Avda. General Suárez y C. Territorial  
 Plaza de la Revolución José Martí  
 Apdo. 6260  
 Ciudad de la Habana, Cuba (newspaper)

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 5 December 1990.