

12-12-2002

Cuba Criticizes Imprisonment of Five Cubans

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/noticen>

Recommended Citation

LADB Staff. "Cuba Criticizes Imprisonment of Five Cubans." (2002). <https://digitalrepository.unm.edu/noticen/9037>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiCen by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Cuba Criticizes Imprisonment of Five Cubans

by LADB Staff

Category/Department: Cuba

Published: 2002-12-12

Over the past year, five Cubans and one US senior intelligence analyst, Ana Belen Montes, have received stiff US prison sentences for passing along information to the Cuban Government about armed plots against the island nation originating in the US (see NotiCen, 2001-06-21). Cuban government officials say that the five imprisoned Cubans are heroes and that their imprisonment represents no more than the hypocrisy of US President George W. Bush's war on terror.

Cuban Officials Accuse Exiles of Sponsoring Terror Cuban officials suggest that, while President Bush speaks with indignation about rooting out terrorism and punishing countries that harbor terrorists, US policy has been quite soft on anti-Castro groups that have committed illegal acts of armed aggression against the island nation. According to Cuban officials like National Assembly president Ricardo Alarcon, the five Cubans who were imprisoned for spying on anti-Castro organizations are heroes who were attempting to defend the country from US-based terrorism.

Among the Cuban exiles living in the US whom Alarcon considers to be terrorists is Orlando Bosch (see NotiCen, 2002-07-18). Bosch is believed to be responsible for the bombing of a Cuban jetliner in 1976 that killed 73 people. While Bosch has denied involvement in the bombing, he reportedly told investigators of the US House of Representatives Select Committee on Assassinations in 1979 that he supported the bombing. He called terrorism a necessary evil in the fight against Cuban President Fidel Castro. Despite a US Department of Justice decision in 1989 to ban Bosch from entering US territory in light of strong evidence of his involvement in the airliner bombing, former President George H.W. Bush allowed Bosch to resettle in the US in 1990.

Cuban-American political leaders, including former US Assistant Secretary of State for Western Hemisphere Affairs Otto Reich, had lobbied Bush on Bosch's behalf. Although the pardon of Bosch was conditioned on his renunciation of violence, more recent statements from him suggest that he has yet to embrace the cause of peace. He has admitted to shipping explosives to Cuba upon resettling in the US. While continuing to deny responsibility for the airliner bombing, he recently remarked, "There were no innocents on that plane."

Another anti-Castro Cuban exile with reported connections to the 1976 airliner bombing is Luis Posada Carriles, who is imprisoned in Panama for attempting to assassinate Castro at the Ibero-American Summit in 2000. In an interview with The New York Times in 1998, Posada Carriles claimed responsibility for various bombings in Havana in 1997, one of which caused the death of a young Italian tourist. These bombings were specifically aimed at tourist locations, such as the Melia Cohiba Hotel in Havana and the Sol Palmeras Hotel in Varadero.

In the Times interview, Posada Carriles explained that he had received abundant funding for the bombings from the Cuban American National Foundation (CANF). He also boasted of his many visits to the US as well as his close links to former colleagues at the CIA, with whom he had

worked in the 1980s on covert military operations against the Sandinista government of Nicaragua. According to the Cuban National Assembly's written statement in defense of the five Cubans imprisoned in the US, CANF is paying for the team of lawyers that is defending Posada Carriles and his fellow plotters of the attempted assassination of Castro.

Many anti-Castro organizations in Florida have openly professed that tourists are legitimate targets of violence in their economic war against Cuba. In 1993, Humberto Perez, then spokesperson for the US-based anti-Castro group Alpha 66, said in a press conference in Miami that the group would extend its war against Cuba to tourists visiting the island. In August 1997, CANF put out a press statement giving unconditional support to the bomb attacks against civilian and tourist targets in Cuba.

Defendants' lawyers say clients are victims of unfair trial

The Cuban government has attempted to work with the US government to protect itself from attacks. It has supplied information to the FBI and other US government agencies about illegal activities among the exile community. In June 1998, Cuban authorities supplied the FBI with incriminating tape recordings of the actions of 40 anti-Castro figures operating in the US. According to the statement by the Cuban National Assembly, the FBI promised a response within two weeks. That response never came, the Assembly statement says.

Three months after the June 1998 meeting, the FBI arrested the five Cubans who had secretly infiltrated the Miami groups. The five were convicted in a Miami court, where, according to the defense, it became clear that a fair trial was virtually impossible. A court-appointed defense expert in psychology, Dr. Gary Moran, testified that he found that 69% of all respondents to a survey in Dade County, and 74% of all Hispanic respondents, were prejudiced against persons charged in the types of activities outlined in the indictment. Moran found that nearly 49% of all respondents actually said they could not be fair or impartial, while approximately 90% of all respondents said that there were no circumstances that would change their opinions. Three of the Cuban defendants were convicted for "conspiring to...create injury to the USA and to the advantage of the Republic of Cuba against the US national defense."

Several retired US military figures and national-security experts testified on behalf of the defense that Cuba posed no national-security threat to the US and that the information gathered by the defendants was public information, not classified information of a sensitive nature to US national security. The main defendant, Gerardo Hernandez, was sentenced to life imprisonment for "knowingly and willfully conspiring to perpetrate murder" against members of the anti-Castro group Hermanos al Rescate. Two Hermanos al Rescate planes were shot down by a Cuban MiG on Feb. 24, 1996 (see NotiSur, 1996-03-01, 1996-07-19).

Hernandez's lawyer, Paul McKenna, argued that, while his client did pass along information about Hermanos al Rescate flight plans to Cuban intelligence, he could not be held responsible for the deaths of the four men in the planes. McKenna pointed out that if Osama Bin Laden tried to fly over the US Capitol in Washington, DC, one would not expect someone who gave information about such

a flight to be held responsible for a military decision made here in the US that involved protecting the US government.

Retired Air Force Col. George E. Buchner, a decorated Vietnam War fighter pilot, testified on behalf of the defense that the Hermanos al Rescate plane had violated Cuban airspace and that Cuba was within its sovereign rights to shoot down the plane. Buchner a former commander of a US military network charged with protecting the US from nuclear missile attacks based his analysis in part on two trips to Havana. While in Cuba, Buchner flew planes, witnessed operations at Havana's air traffic control center, and learned about Cuban radar and radio communication systems.

Although senior Hermanos al Rescate member Arnolando Iglesias insisted on the witness stand that his organization was "a peaceful operation only," he had trouble explaining why he and the organization's founder, Jose Basulto, were known to have test-fired a PVC pipe filled with shotgun shells at Florida's Opa-locka Airport in 1995. Basulto, whose third plane was spared destruction despite also having violated Cuban airspace, is known to have repeatedly entered Cuban airspace before the 1996 shutdown. He had received repeated warnings from Federal Aviation Administration (FAA) authorities that Cuba was planning to take countermeasures in the event that such flights continued.

According to the Cuban defendants' lawyers, five jurors in the trial were filmed by the media as they left the courthouse. Several of the jurors thought that their license plates had been filmed. The defense argued that, in a city characterized by deep hostility against the Cuban defendants, filming of the jurors constituted gross misconduct and intimidation that threatened to deny the defendants their right to be tried by an impartial jury. Judge Joan A. Lenard denied the defense's request for a change of venue, despite the defendants' concession that Fort Lauderdale (the closest city to Miami) would have been an acceptable alternative.

In November, the Bush administration expelled two Cuban diplomats of the Cuban Interests Section, accusing them of connections to Belen Montes' espionage. The Bush administration also requested that two Cuban diplomats at the UN leave the country.

-- End --