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by LADB Staff

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A former Immigration and Naturalization Service (INS) officer convicted of espionage-related crimes is sentenced to five years in prison. The State Department first confirms then backs away from a newspaper account of alleged Chinese arms sales to Cuba. A witness at a congressional hearing on Cuba says the island poses a cyber-warfare threat to US national security. A bipartisan Senate bill proposes sending cash and goods to assist political dissidents in Cuba. Dissidents say it is a bad idea, but Cuban government "endorses" it.

Former INS officer sentenced in spy case

On June 29, the US district judge in Miami sentenced a former Immigration and Naturalization Service (INS) officer to five years in prison for revealing US government secrets to Cuba. The Federal Bureau of Investigation (FBI) arrested Mariano Faget in February 2000 in a sting operation and charged that he conspired with Cuban Vice Consul Jose Imperatori of the Cuban Interests Section in Washington to send secret information to Cuba. The information Faget turned over to Cuba was based on a false story invented by the FBI for the sting operation.

The FBI told Faget that Cuban diplomat Luis Molina wished to defect to the US and that Faget who was a high official in the Miami INS office should prepare the necessary papers. Faget told the FBI that the reason he passed the information about Molina on to his business partner Pedro Font was that he, Font, and Molina had business plans involving investment in Cuba after Faget's retirement from the INS. Imperatori was deported and Faget was charged with violating national security laws and giving confidential information to an unauthorized person (see NotiCen, 2000-03-02).

In May 2000, Faget was convicted on four counts of violating the Espionage Act by disclosing classified government documents, lying to federal authorities, and failing to report his foreign business interests on a federal security-clearance application. The classified information was the FBI file on Molina (see CubaSource, 2000-07-10).

The Cuban government and Imperatori insisted that there was no contact with Faget involving espionage and that the FBI operation was designed to counter bad publicity the anti-Castro Cuban leaders in Miami were receiving because of their botched handling of the Elian Gonzalez case (see NotiCen, 2000-07-13). Faget's arrest was announced at the start of a court hearing on the case.

Federal prosecutors asked Judge Alan Gold to send Faget to prison for 10 years. Gold chose the lighter five-year sentence to be served at a minimum-security facility in Florida. To justify leniency, Gold cited Faget's good work record at the INS. He also noted that the government had not shown that Faget's actions had harmed the US or been of value to the government of Cuba since the information the FBI gave Faget about Molina's intention to defect was false. "What is unusual about

this case is that it involved a sting operation where part of it was classified and the other part was disinformation," Gold said.

Although none of the charges involved spying, US Attorney Guy Lewis said the case demonstrated the government's commitment "to detect, investigate, and prosecute crimes involving espionage." In March 2000, the FBI acknowledged that Faget had not spied for Cuba but insisted on prosecuting him for passing on the false tale about Molina's supposed defection.

US concerned about alleged purchase of Chinese arms

The Washington Times reported June 12 that China was selling arms to Cuba. Citing an anonymous US government source, the Times said China had shipped three loads of arms and ammunition to the Cuban port of Mariel in the past few months through its government-owned Ocean Shipping Company (COSCO). The newspaper reported the following day that State Department official James Kelly had confirmed to the House International Relations Committee that the shipments took place. Kelly, who is assistant secretary of state for East Asian and Pacific affairs, told the committee, "We are very much concerned with this PLA [People's Liberation Army] cooperation and movement of military equipment in Cuba."

Reps. Ileana Ros-Lehtinen (R-FL) and Robert Menendez (D-NJ) called for sanctions against China and Cuba. However, the State Department moved quickly to distance itself from the Times report and suggested Kelly had misspoken. State Department spokesman Philip Reeker said the department could not confirm the statements made in the newspaper articles.

President Fidel Castro responded on June 18 that Cuba had received shipments from China but that they consisted of various nonlethal cargoes such as clothing and food. On the nightly television panel discussion Mesa Redonda, Castro said Cuba had not imported any weapons from China in more than 30 years and no arms whatever since the end of Soviet aid in the 1990s. The three most recent shipments from China, said Castro, consisted of fabrics, rice, beans, boots, buttons, needles, thread, medical equipment, and components of explosives for use in excavating tunnels. Castro criticized the US media for picking up the undocumented Times story and repeating it as if it were fact.

Still citing no evidence, the Times said on June 16 that State Department officials, Sen. John McCain (R-AZ), and others in Congress were worried about the supposed arms shipments to Cuba. A spokesperson at the Chinese Embassy told the Times that China made no arms deliveries to Cuba and that the only military goods shipped to Cuba in recent years have been goods for logistical uses, not weapons.

Newspaper raises scare about cyber attacks from Cuba

During a Senate Intelligence Committee hearing in February, Rear Adm. Thomas Wilson, director of the Defense Intelligence Agency, said Cuba posed a threat to the US through "information warfare or computer network attack." Such an attack could "disrupt our access or flow of forces to the region," Wilson said. Sen. Ron Wyden (D-OR) had called the admiral to testify in support of his view

that Cuba did not pose a military threat to the US. But after the admiral's testimony, Wyden, other members of Congress, and Pentagon officials expressed concern about Cuba's potential to wage a cyber war against the US. Wilson's remarks echoed a 1999 report by Florida International University professor Manuel Cereijo that suggested Cuba could develop the capacity to wage cyber terrorism. Furthermore, the sudden interest in Cuba's potential as a cyber power revived a debate that flares up from time to time on whether Cuba presents a military threat to US national security.

In 1998, a Defense Department report concluded that Cuba's military capability had "diminished" and no longer posed a security threat to the US. However, anti-Castro forces in Miami and in Congress demanded that the report be rewritten to portray Cuba as more threatening, especially in areas such as biological warfare. Sen. Bob Graham (D-FL) said Cuba could produce biological weapons and use mass migration to the US as a weapon. He did not suggest the threat of cyber warfare. The Pentagon subsequently revised its assessment to increase the level of threat (see EcoCentral, 1998-04-16). The re-emergence of the security issue coincides with the recent conviction and sentencing of five Cubans charged with espionage-related crimes (see article in this issue and CubaSource, 2000-07-10) and the visit to Havana by Chinese President Jiang Zemin in April (see NotiCen, 2001-04-19).

Citing a US government official, the Associated Press reported the US was concerned with the close ties between Cuba and Iran because of Iran's alleged program to build weapons of mass destruction. While not suggesting Cuba also had such a program, the officials said military cooperation between Cuba and Iran could not be ruled out. The cyber scare also comes as the media increasingly focuses on high-tech computer warfare and countermeasures.

In January, USA Today said that cyberspace was "the next battlefield," and that the Defense Department was developing information warfare (IW) capability to prevent enemies from disarming US weapons and information systems with electronic measures. The article also said China was developing cyber warfare capability as were other countries, including Cuba. Castro called the cyber stories "craziness." He suggested that someone was pulling Sen. Wyden's leg. Cuba, he said, did not have the interest or capacity to mount cyber attacks. Bill would send money to Cuban dissidents

In May, Sens. Jesse Helms (R-NC) and Joseph Lieberman (D-CT) introduced the Solidarity Act of 2001, a bill designed to bring democracy to Cuba. The bill would allocate US\$100 million in cash and material assistance to Cuban dissidents, nongovernmental organizations, and victims of repression during the next four years. This amount would significantly increase the indirect aid given to dissidents under the 1996 Helms-Burton Act. A similar bill introduced by Rep. Lincoln Diaz-Balart (R-FL) is pending in the House. President George W. Bush has said he would sign the final version.

Both bills reflect the views of Jose Mas Santos, head of the Cuban American National Foundation (CANF), who called for direct aid to dissidents in February. The bill would also relax the embargo to allow sale in the US of certain independently made private-sector products from Cuba, such as crafts, and to permit a maximum transfer of US\$4,000 per year to Cuban microbusinesses. The bill would cut aid to Russia as a penalty for its assistance to Cuban intelligence-gathering facilities. Lieberman referred to Castro's fainting spell on June 23 to add urgency to the bill's passage. He said that what was "critically important is that post-Castro Cuba be a free Cuba."

Historian Jane Franklin called the Helms-Lieberman bill "an attempt at bribery" to encourage dissidents to overthrow their government. And she pointed out a section of the bill seldom mentioned. Section 8 requires the president within six months of the bill's passage to have the attorney general begin a criminal investigation of Cuban officials for the "willful, premeditated attack on two unarmed Brothers to the Rescue humanitarian aircraft on February 24, 1996, which resulted in the death of four individuals on such aircraft." The investigation would extend to the involvement of Cuban officials in drug trafficking and money laundering.

Cuban dissidents Pedro Pablo Alvarez Ramos and Hector Palacios Ruiz wrote in The New York Times that the Helms-Lieberman bill was a bad idea because it could expose those who accepted the aid to retaliation from the Cuban government. Since 1996, cooperation with US policy or US agents is a criminal offense in Cuba. Dissident leader Elizardo Sanchez also opposed the bill. "You can't bring liberty to any people with money," he said. "The government has said many times that we are paid by Washington, and this is a lie. But now, to propose this kind of legislation gives the Cuban government more justification to attack us."

The Cuban government quickly "endorsed" the bill saying it would plainly show that the US tries to subvert the Cuban government. Foreign Minister Felipe Perez Roque said the bill was "authentic testimony" to the Cuban charge that the US finances Cuban dissidents. "In all countries, to receive money from a foreign power to organize subversive activities inside the country is a crime," Perez Roque said.

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