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An den
Bundesminister des Auswärtigen
Herrn Joschka Fischer, MdB
Werderscher Markt 1

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Kirchhundem, den 26. März 2004

Behandlung von 5 kubanischen Gefangenen, die zur Zeit in US-amerikanischen Gefängnissen einsitzen

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Sehr geehrter Herr Bundesminister,

den anliegenden Abdruck meines Briefes vom 22. März 2004 an Ihren nordamerikanischen Kollegen Colin Powell übersende ich Ihnen mit der Bitte um Kenntnisnahme. Vielleicht gelingt es Ihnen ja, ihn daran zu erinnern, daß die USA völkerrechtliche Vereinbarungen auch dann zu respektieren haben, wenn ihnen dies lästig ist, und ihn dazu zu bewegen, sich gemäß der Wiener Konvention von 1963 zu verhalten. Daß die USA ihre Probleme mit dieser Konvention haben, wissen wir in Deutschland ja seit dem Fall der Brüder LaGrand.

Soweit es um die von mir in meinem Brief ebenfalls angesprochene Weigerung von US-Behörden geht, den Ehefrauen von zwei der Gefangenen sowie einem fünf Jahre alten Kleinkind die zum Besuch ihrer Ehemänner beziehungsweise ihres Vaters erforderlichen Visa zu erteilen, so sollte dies Ihre Kollegin Claudia Roth in ihrer Eigenschaft als Beauftragte der Bundesregierung für Menschenrechtspolitik und Humanitäre Hilfe interessieren. Amnesty international hat schon mit einem Brief vom 2. Dezember 2002 an den Justizminister John Ashcroft im einzelnen dargelegt, welche internationalen Standards die USA verletzen, wenn sie den Gefangenen den Kontakt mit ihren Familien verhindern. Dieser Vorstoß blieb ohne Resonanz. Bis heute sind den betroffenen Frauen und dem Kind keine Visa erteilt worden, obwohl sie immer wieder beantragt wurden.

Sehr dankbar wäre ich Ihnen, wenn Sie sich dazu entschließen könnten, meine Anliegen zu unterstützen.

Mit freundlichen Grüßen

(Günter Belchus)

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Secretary of State Colin Powell
U.S. Department of State
2201 C Street, NW
Washington, DC 20520
USA

Kirchhundem, 22 March, 2004

Dear Secretary of State,

**Re.: Restrictions on Cuban consular visits to 5 prisoners in U.S.prisons,
known as the "Miami Five"**

much to my amazement I learnt some days ago that the U.S. Department of State recently informed Cuban consular officials in Washington that visits to Cuban prisoners in the U.S. will be restricted to one visit every three months, instead of monthly visits. I guess that this is directed especially against the prisoners Gerardo Hernández (# 58739-004), Fernando González (alias Rubén Campa; # 58733-004), René González (# 58738-004), Ramón Labañino (alias Luis Medina; # 58734-004) and Antonio Guerrero (# 58741-004), generally known as the "Miami Five", who are currently serving prison terms from 15 years to life in various federal maximum security penitentiaries.

I urge you to immediately reverse the restrictions imposed on Cuban consular officials in their visits to the above-mentioned prisoners, as this decision violates the 1963 Vienna Convention of Consular Relations, to which your country is a party (cf. Articles 5 i - Consular Functions, 34 - Freedom of Movement and 36 - Communication and Contact with Nationals of the Sending State).

This - as I would like to qualify it - unjust action also ruled out visits by Cuban consular officials to the Five prior to their appeal hearing in Miami on 10th March denying them the right to support their compatriots under the provisions of the aforesaid Vienna Convention.

Finally, I urge you to reverse the State Department's denial to Cuban consular officials of their right to accompany family members to visit their relatives and immediately grant entry visas to Olga Salanueva and her five years old daughter Ivette González, wife and daughter of René González, and to Adriana Pérez, wife of Gerardo Hernández.

Dear Secretary of State, some days ago I found in the Internet your column, with which you urged solidarity with democracy advocates in Cuba. I read it very carefully and with great interest. You are speaking there of "selfless men and

women" who "are serving out their draconian sentences under inhumane ... prison conditions". Sorry to say so, but the same characteristics you find in the case of the Five: selfless men, whose only guilt was aiming to prevent terrorist acts against their country on the one side, and on the other side the unusual and - in my opinion - inadequate length of the sentences imposed on them. Besides that, the fact has to be mentioned that those five men have been placed in solitary confinement under extremely bad conditions at least twice, the last time in March 2003, without giving reasons for such measure. Amnesty international qualified those measures as violating international standards to ensure that nobody is subjected to conditions which amount to cruel, inhumane or degrading treatment or punishment. Last, but not least, I would like to draw your attention to another example of human rights violation committed in Cuba: the imprisonment and treatment of more than 650 persons captured in Afghanistan two years ago and now concentrated under most miserable, most pitiable conditions in the U.S. naval base of Guantánamo (Cuba). They really are in need of our solidarity.

Yours faithfully,

(Günter Belchus)