

## Reflections on the Perception of the Nobel Prize of Peace by Considering the Example of the Cuban Five

**Author:** Josie Michel-Brüning, member of *Cuba Sí, Berlin*, and the *Committee to free the Five, ¡Basta ya!*  
c/o **Netzwerk Cuba - Informationsbüro - e.V., Weydingerstr. 14-16, 10178 Berlin, Germany**  
**Tel.:** (030) 29494260, [info@netzwerk-cuba.de](mailto:info@netzwerk-cuba.de), **Internet:** [www.netzwerk-cuba.de](http://www.netzwerk-cuba.de), [www.miami5.de](http://www.miami5.de) ;  
**Priv.:** Jan-von-Werth-Str. 80, D-52428 Jülich, Tel.: ++49/2461/8571 e-mail: [josiedirk@web.de](mailto:josiedirk@web.de) ;

**Résumé:** \*1944, 2 daughters (\*'66 and \*'67), '80 wife of Dirk Brüning, both since '97 members of Cuba Sí;

**Education:** 1978 Diploma: *Education Sciences*; 1979 II. State-exam: *Teacher for Primary- and Secondary School*<sup>1)</sup>; 1989 Certification in *Systemically advice and family therapy*; 1996 Certification in *Hypnosystemical conceptions for children and young persons, Permission for practicing psychotherapy as no doctor*,<sup>2)</sup>  
**Occupations:** primary-school-teacher<sup>3)</sup>, adult-education-centre-lecturer<sup>4)</sup>, '90-'01 family advice therapist<sup>5)</sup>;  
Co-author of Jürgen Schubert, "mundtot, Nachkriegsbiographie..." , 1999, ISBN 3-88864-288-4;

Referring to the Nobel Prize of Peace in Alfred Nobel's testament it is said:

"and one part to the person who shall have done the most or the best work for fraternity between the nations, for the abolition or reduction of standing armies and for the holding and promotion of peace congresses."<sup>1</sup>

By this determination, the Nobel Peace Prize became the first mention for working in peace movements throughout the world. This presents an alternative to traditional history books recording mainly the victories of war heroes and on the other hand the martyr deaths of those, who fought for a better world.

Berthold Brecht made Galilei in times when Adolf Hitler took power in Germany say: "Unfortunate that country needing heroes."<sup>2</sup>

Today we should say: "Unfortunate our planet, needing heroes."

Wouldn't it be marvellous, if we would need no heroes any more? If we could use our sense of humor for tolerating our different handicaps and could regard our different respective gifts as enrichments of humanity?

An important step in this direction seems to be to honor respective persons officially as long as they are alive. So, that they can share their insights from out of a safe space with their contemporaries.

This idea reminds me at the questions in Bernard Shaw's epilogue of "Saint Joan" when a bishop asks: "Does each generation really need a new Christ dying for them at the crux ...?" or at Joan's simple-hearted question after just having heard, although canonized not being allowed to return to earth: "When will earth, this wonderful creation, be prepared to welcome her saints?"<sup>3</sup>

Nowadays, especially after „9/11“, wars seem to be waged against the thunderbolt of terrorism.

Being together today for finding solutions, I don't want to analyse how one evil in reaction to the other is increasing human suffering and the number of dead persons inclusively the man-made damages of nature.

This conference offers the opportunity for trying something else. By looking around with a deep fresh breath, we will find examples we can refer to and regain our hope showing us: there is a way out of the disaster. This idea seemed to have had Alfred Nobel in mind at the end of his life, as well.

The Cuban Five received already the highest award in the tradition of José Martí by their people – a tradition developed in reaction to imperialism for surviving in dignity. That means to me, there is already one society on earth "prepared to welcome its saints".

At the 20<sup>th</sup> of March in 2003 in Geneva we heard Aleida Guevara say: The Five were her brothers, they were the real sons of her father, Che Guevara, they made her understand, why she had to grow up without him. Therefore, there is no place on earth, where people would welcome their receipt of Nobel Peace Prize as much as just here.

As far as I know, the US-sociologist James Petras was the first one, who published the idea of nominating them for this world wide award. I think it was not by accident that his article was published at websites such as [www.antiterroristas.cu](http://www.antiterroristas.cu) in May 2004. Other medias wouldn't have let him explain the following: "The 'Cuban Five's counter-terrorist activities not only saved Cuban lives but also provided a service to independent political leaders and activists throughout the world who opposed US imperialist ambitions." In addition he said "In a deeper sense the Cuban Five risked their freedom for the principles of the United Nations Charter – 'the right of countries to self-determination', the right of a people to decide its own form of

government, and the universal right to defend itself against outside aggressors whose purpose is to impose its rule by force and terror.” By recalling the interventions of the consecutive US-Governments when fighting for their privileges supporting terrorist groups at several places on earth he drew attention to the terrorist groups in his own country, the Cuban exile groups in South-Florida, pointing out at the threat for Washington itself “when its own creations turn against them and we, the citizens of the US, suffer the ugly consequences.”<sup>4</sup>

Thanks Internet, James Petras reached many people on earth sympathizing with Cuba. Most of them were taken by surprise, wondering if his challenging statement might be useful. Those, however, fighting desperately against the wall of silence felt inspired and encouraged by his brilliant idea. Because of this, they managed to join each other and the Cuban Five were really nominated at the end of last January. Even if the Norwegian committee would not choose the Cuban Five out of some 200 nominated persons, the solidarity campaign could utilize their nomination.

This demonstrates once more, if we join each other, we can make progress respectively to our goals.

Apart from this, there was another much more palpable success for justice. I think, it was mainly reached by involving the Human Rights Commission in Geneva, another world wide accepted institution. Olga Salanueva and Adriana Pérez, the wives of René González and Gerardo Hernández, although being not allowed to enter the United States to visit their husbands, they were allowed to enter Switzerland and to visit the Human Rights Commission in Geneva and could present their pain and the case there for three times, in 2003, in 2004 together with Magali Llor, mother of Fernando González and in 2005.

Their compatriots and the international solidarity campaign could only encourage those brave women, but they had to do it themselves. They proved what patient love and the awareness of truth are able to do.

There was another brave woman among the UN Working Group on Arbitrary Detentions, Leila Zerrougui, an Algerian magistrate, who managed that even mainstream newspapers reported since the 14th of July about the opinion among her group.<sup>5</sup>

By this the opinion of the UN Working Group was published world wide and this might have encouraged finally the three judges in Atlanta to publish their, as they called it, “unpopular” opinion. Maybe, they had finished their judgement since a long time, but did not dare to release it.<sup>6</sup>

It appears as if “Common Law” depends not only on law but also on what is “common” not only in a certain community within the US.

The agreement of law, we have to refer to, seems to be a fragile and narrow bridge, which the Five have to balance across above an abyss full of snakes. The entire truth and the respective emotions behind them and behind those at the other side of the bar might be too heavy for carrying across such a bridge. If we only think of the already declassified facts reaching into the time of the assassination of John F. Kennedy, don't we have to tremble, when thinking about what those might be able to do, when fearing to be blamed by all of this in front of the whole world?<sup>7</sup>

That is why, we have to stabilize the bridge of Common Law or choose some other resources.

It reminds me at the scene in “The Magic Flute”, when Tamino and Pamina have to cross fire and dangerous water. Like many heroes in fairy tales, they were innocent young persons, not knowing about the sinister purposes of the Queen of the Night, but motivated by their love to each other, and - having been given a magic flute to play in dangerous situations - they were lucky at the end.<sup>8</sup>

However, the five heroes in real life experienced the suffering of their people among them consciously, and they knew the aggressor before they risked their lives very well. Nevertheless, they dared to go into the “belly of the beast”. - As we know, they saved not only lives without arms, but gathered meanwhile still more details about the crimes of their enemies. They did not act unconsciously. Moreover, they denied “cooperation” after having been arrested, which could have minimized their sentences. Although after having been for 17 months in isolation confinement and after blackmailing attempts against them via their families, they denied “cooperation”.<sup>9</sup>

Their brilliant speeches of defence held in front of the court of Miami show they are sitting just on the peak of a huge iceberg. This uncomfortable situation is predestining them traditionally as martyrs.<sup>10</sup>

Characterizing his experiences when he grew up among the Cuban society after revolution René González finally said: “This society in which I grew up and to which I owe having been protected of such damaging feelings like hatred, will defeat terrorism, which is nothing else than defined hatred. And she will defeat it by her enormous and exhaustless resources of moral.”<sup>11</sup>

If we don't want victims of intolerance and hatred any more, we seem to need not only one magic flute, but also a large orchestra playing a historical anthem, the one of all countries of the world. This anthem has to be composed yet. We could produce some harmoniously sounding chords by different instruments intoning the melody of international agreements. We could arrange Caribbean rhythm with some typical American country music produced by financing advertisements.<sup>12</sup> There are brilliant highlights within the leitmotif created by famous intellectuals, artists and church members of the United States themselves.<sup>13</sup>

What about the music interpreting sunrise at a beautiful Norwegian summer morning?<sup>14</sup>

As we know, the Norwegian Committee chose the International Atomic Energy Agency (IAEA) and its head ElBaradei for their important contribution for peace.<sup>15</sup>

In 1991, they freed Mrs. Aung San Suu Kyi by their decision from prison in Myanmar.<sup>16</sup> - Therefore, those of us, who are qualified according to the rules should tell the appreciated Norwegian Committee again: "We need the reasons of our hope alive, in fact not incarcerated, but living among us.

We need Gerardo Hernández, Ramón Labañino, Antonio Guerrero, Fernando González and René González to share their imaginations and resources with us - now.

## REFERENCES:

**Institutions of Education:** <sup>1</sup> "Pädagogische Hochschule, Münster" (University of Education and teacher-training college), student teacher at „Dreifaltigkeitsschule“ Münster, North-Rhine-Westfalia; <sup>2</sup> family therapy: „Molter-Eberbach-Fortbildungen“, Cologne (associated to Institute for Family-Therapy, Weinheim), trainee in Psychiatry „Landeskrankenhaus“ Düren; "Hypnosystemical conceptions for children and young persons": Milton Erickson Institute, Rottweil associated to "Milton Erickson Gesellschaft für Klinische Hypnose" [Association for Clinical Hypnosis], Munich; "Erlaubnis zur Ausübung der Heilkunde auf dem Gebiet der Psychotherapie für nichtärztliche Psychotherapeuten" [Permission for practicing psychotherapy as no doctor] by "Gesundheitsamt, Kreis Düren" (Public Health Department, district Düren); **Occupations:** <sup>3</sup> "Melanchthon-Schule", [a Primary School] Munster; <sup>4</sup> "Volkshochschule" [adult-education-centre], Jülich; <sup>5</sup> practicing in her own office, Wiesenstraße 2, 52428 Jülich (The author had to give up in 2001 because of the economizing of German health-care-system);

## Reflections on the Perception of the Nobel Prize of Peace by Considering the Example of the Cuban Five

---

<sup>1</sup> S. at: [http://www.nobel.no/eng\\_com\\_will2.html](http://www.nobel.no/eng_com_will2.html) Please compare also to Patrick Salmon, **Nobel intentions**, [http://www.hero.ac.uk/uk/inside\\_he/archives/2002/nobel\\_intentions1292.cfm](http://www.hero.ac.uk/uk/inside_he/archives/2002/nobel_intentions1292.cfm)

<sup>2</sup> s. **Bertold Brecht, Das Leben des Galilei [The life of Galilei]**, scene 13, at the end, written in 1938/39, edition Suhrkamp-Verlag, page 114;

<sup>3</sup> **George Bernhard Shaw, Die heilige Johanna [Saint Joan], epilogue:** King Charles VII has a dream in which Joan appears and the persons involved with her execution, in addition a strange person appears from the 20<sup>th</sup> century (1920) at the end proclaiming Joan has just been canonized: During the conversation of these persons appearing in his dream, when chaplain de Stogumber has explained why he felt redeemed by the martyr death of Joan but not by the knowledge of the history of Jesus Christ, Bishop from Beauvais Peter Cauchon asks: "Does each generation really need a new Christ dying for them at the crux to redeem those having no imagination [or fantasy]?", *ibid.*: After just having heard from an appearing representative of the 20<sup>th</sup> century she had been canonized Joan says: "... Saints can accomplish miracles. Now tell me, shall I resurge from death and return alive to you? ..." As all attendees, her contemporaries and the delegate of the 20<sup>th</sup> century, as well, reject this scared she says: "O God, having created this wonderful earth how long shall it last yet, until she is prepared to welcome your saints?" (Curtain), summary of the epilogue and translation of the German edition, "Verlag Suhrkamp", pages 207, 212 and 213 ff.;

**Excerpt from the introduction of this edition:** "[...] By his 'classical piece' originated in 1923 about the farmer's girl Jeanne d'Arc, who left her guidance alone to her inner voices, who ended as a heretic at bonfire in 1431 and after posthumous revision of her conviction to death was canonized by the catholic church in 1920, Shaw's producing reached its climax: In his human most adult opus the impassionate scout renounces over-subscription by acuminating, black humor and unerring jokes in favor of perfectly balanced dialectics which does not need a 'bad guy' and a basic antagonist of the hero any more. Shaw rather wants to allegorize individuals by whom contemporaries of other epochs have to recognize each other affectedly. History becomes a possible presence, a presence even in an upgraded design. ...", German edition by Ursula Michels-Wenz *ibid.* translation into English by the author;

<sup>4</sup> **James Petras suggests nominating the Cuban Five for Nobel Prize of Peace**, s. at: <http://www.antiterroristas.cu/index.php?tpl=noticia/anew&noticiaid=1578&noticiafecha=2004-05-12>. German summary and excerpts at: <http://www.miami5.de/informationen/petras-040512.html>

The explanatory statement for sending the proposal to the Norwegian Committee created by Coordinadora Graciela Ramírez, Comité Internacional por la Justicia y Libertad de los Cinco, Cuba, and Günter Belchus, Minister Departmental (in retire), member of ¡Basta ya! Committee to free the Five, Germany, supported by the Argentinean committee to free the Five which was circling in December 2004 and was signed by respective nominators was: "We strongly support the proposal of the well-known US-sociologist, James Petras, to nominate our five brothers, currently unjustly incarcerated in the United States of America for defending their homeland against terrorism, for the Noble Peace Prize. We are deeply convinced by their motives when, fighting peacefully, without arms and in a sense of altruism, they risked their lives and their freedom to counter the terrorism originating in Florida which has threatened Cuba for decades. The Five

---

have contributed in an important way to the fight against the modern plague of terrorism and have given a notable example of the better world that is possible.

According to the rules of the Norwegian Committee of the Noble Peace Prize, the following persons are able to make proposals

Members of the National Parliament and the Government

Chancellors of Universities or Professors in Social Sciences, History, Philosophy, Law and Theology

Former Winner of the Noble Prize of Peace

(Further information is available at: <http://www.nobel.no> , and the nomination forms may be downloaded at: [http://www.nobel.no/eng\\_com\\_index.html](http://www.nobel.no/eng_com_index.html).)

This is a request for activists to contact all persons who are eligible to seek nominations for the Five in an effort to further our campaign to have them awarded the Nobel Peace Prize.

Deadline for close of nominations: January 31, 2005

Previous winners of the Noble Peace Prize include: Oscar Arias Sanchez (Costa Rica), Rigoberta Menchú (Guatemala), Adolfo Pérez Esquivel (Argentina) and the South Africans Nelson Mandela and Desmond Mpilo Tutu.

(The letter was translated from Spanish into English in cooperation by Simon McGuinness, Solidarity Campaign with the 'Miami Five' in Ireland and the author, member of ¡Basta ya! Germany.)

<sup>5</sup> **The UN Working Group on Arbitrary Detentions** adopted its opinion on May 27, 2005; "Leila Zerrougui, an Algerian magistrate, has the title of Special Reporter. - Zerrougui told the AP by phone from Algeria that she could not comment on the decision because it was sent to the U.S. government for comment." (s. The Miami Herald, July 15;)

<sup>6</sup> **OPINION of the 11th Circuit Court of Atlanta**, released at August 9 2005 (93 pages), s.

<http://www.freethefive.org/updates.htm?value=legalFront/LF11thCirOpinion08-09-05.pdf>

The appeal for a new trial was filed in April 2003 the hearing of the attorneys of defence was held by three judges of Atlanta at March 10, 2004 in Miami. They needed 1 ½ year for the release of their decision saying the trial in Miami was unfair, by which the convictions were null and void. Nevertheless, the Cuban Five have to remain in their high-security prisons together with serious offenders who murder each other occasionally, compare to Elizabeth Palmeira's report about the events at August 12-13, when her husband was "lock down" like all his inmates because of this, and she could not visit her husband.

At August 30, an open letter to Attorney General Alberto Gonzales and Secretary of State Condoleeza Rice was published, signed already by 3,000 well-known persons among them 6 nobel prize winners like Wole Soyinka, Rigoberta Menchú, Adolfo Pérez Esquivel, Nadine Gordimer, Desmond Tutu and José Saramago.

At September 23, the author received a letter from the secretary of Günter Grass, Katharina Erdmann, in which is said, Günter Grass wanted to add his signature too. As Granma reported at the 24<sup>th</sup>, this was the seventh nobel prize winner supporting the open letter among worldwide more than 4,000 more or less famous people. Konstantin Wecker a famous German songwriter, singer and musician, Dietrich Kittner a cabaret artist and Wolf Dieter Narr a social scientist at the Humboldt University belong to them.

**Miami Prosecutor Wants Cuban Case Reheard**, By THE ASSOCIATED PRESS, Published: September 28, 2005, Filed at 11:57 p.m. ET

MIAMI (AP) -- Federal prosecutors asked the full 11th U.S. Circuit Court of Appeals to reconsider the case of five suspected Cuban spies whose convictions and sentences were tossed out last month. U.S. Attorney R. Alexander Acosta said in a statement Wednesday that the dismissals by a three-judge panel of the court ran counter to Supreme Court decisions in similar cases. [In contradiction to this statement Leonard Weinglass, attorney of Antonio Guerrero, had said such a case was nonrecurring until now] He did not elaborate.

The panel ruled Aug. 9 that the convictions and sentences of the Cubans were invalid because of extensive pretrial publicity, community prejudice in Miami and inflammatory remarks by prosecutors. The judges ordered that a new trial be held outside Miami.

The five, part of the Miami-based Wasp Network, were convicted in 2001 of illegally serving as agents of a foreign government. The ringleader, Gerardo Hernandez, and two others also were convicted of espionage Conspiracy and Hernandez was convicted of murder conspiracy for his role in the deaths of four Cuban exiles shot down by Cuban MiGs in 1996.

All the men remain in federal prison, pending the outcome of further litigation. Three received life sentences, one got 19 years and one got 15 years.

Paul McKenna, Hernandez's trial attorney, predicted the government would have trouble winning its latest appeal. "It was so heavily fact-laden that it is going to be very difficult or impossible to get a full court to reverse the decision," McKenna said.

The five acknowledged being Cuban agents but said they were spying on exile groups opposed to Cuban President Fidel Castro, not the United States. (Filed in the New York Times and Sun Sentinel, Florida)

---

<sup>7</sup> Compare to **Tom Crumpacker, *The Terrorist and the CIA's Operation 40, Who has What to hide About Luis Posada Carriles?*** <http://www.counterpunch.org/crumpacker07022005.html>

and, *The Posada Case*, When Injustice is Justice, at <http://www.counterpunch.com/crumpacker09092005.html>, German translation at <http://www.miami5.de/informationen/cp-050702.html>

<sup>8</sup> Compare to “**The Magic Flute**” Opera by Wolfgang Amadeus Mozart, second act;

<sup>9</sup> “**El Hueco**” is a special housing for those prisoners, who had been rowdyish within the usual penitentiary.

Personal communication with Olga Salanueva Arango at February, 3 in 2003, together with Dr. Carlos Parra, Yamila Pita, Noel Carriles, Katrien Demuyne/ Belgium, Dirk Brüning and the author.

“**Olga Salanueva** confirmed that five out of ten members of the “Wasp Network” arrested at September 12, 1998, “admitted guilt, cooperated with the prosecution ...” by accusing the other five. That was why, they received less high terms of imprisonment. Most of them could be free by now.

A hint regarding the methods by which such a “cooperation” could have been achieved might be Olga Salanueva’s description of her personal experiences by meeting the US authorities. When after two years at the 16<sup>th</sup> of August in 2000 she had been finally allowed for the first time to visit her husband in prison accompanied by her two daughters, Irma (then 15 years old) and Ivette (then 2 years and 4 months old) René González was chained at his seat during the entire time. This sight of her father must have reminded little Ivette at a bandog, when she cried out: “Wow, wow!” The memory of this situation must have been sustainable traumatic for the child, because later on when being in Cuba already Ivette ran to her mother with a kitchen knife saying words like: “Mama, I want to go to America and cut Papa’s chains by this!” Olga Salanueva credibly said, that **the authorities tried to blackmail her husband** by his love to his family, they would have asked him to admit his guilt and to blame his 4 other co-defendants, otherwise they would arrest his wife too and for his part he would receive a longer term of sentence.

After having firmly refused to agree with this – from René’s sight of view – immoral choice, his wife Olga was arrested few days later and had spent 3 months in jail, Fort Lauderdale/Florida. Meanwhile their eldest daughter Irma had spent her holidays from school with her grandparents in Cuba and their youngest daughter Ivette was parented by her grand-grandmother, the grandmother of René, who lived in Florida. This grand-grandmother would have taken care for the baby since René had been arrested, because Olga would have to go for working to earn the living of her family. After her imprisonment for three months, Olga was deported to Cuba without her baby, although she had asked for being able to travel with her little daughter.

The mother of her husband, Irma Schwerert, finally managed to fetch little Ivette out of the USA to Cuba for being with her mother.

The psychological strain of the mother Olga increased by the circumstances of those days because of the tension dominating the residents in Miami. **The case of Elian González was topical then.** They tried to prevent the return to his Cuban father. Therefore, the mother was afraid, her child would be put into an US orphanage, if they had got to know it was with his grand-grandmother, who parented it and who would not be regarded as authorized to care for a baby in her time of age.” (This is a part of a letter the author wrote to Secretary of State Condoleezza Rice.)

Compare also to: Rafael Rodríguez Cruz, An Empire Against a Child, September 2004, in German: Ein Imperium gegen ein Kind: Die Geschichte von Ivette González Salanueva, von Rafael Rodríguez Cruz, September 2004 at: <http://www.miami5.de/informationen/juristen-041004.html>

**The psychological torture continues since now**, because Olga and her little daughter are still not allowed to visit René in prison.

The same treatment is applied to **Adriana Perez O’Connor**, wife of Gerardo Hernández.

Letter by **Amnesty International** to “The Honorable John Ashcroft, U. S. Department of Justice, 950 Pennsylvania Avenue N.W. Room 440, Washington DC 20530-0001, USA , **2 December 2002**

[...]It has been reported that Ms Perez O’Connor, the wife of Gerardo Hernandez Nordelo, also obtained a visa for the purpose of visiting her husband but was detained upon her arrival at the international airport at Houston, Texas, on 25 July 2002. She was reportedly isolated, photographed, fingerprinted and interrogated by the FBI before being expelled from the country 11 hours later. She was allegedly denied permission to contact the Cuban Consul during her detention, despite the efforts of a diplomatic officer of the Cuban Interests Section in Washington who had accompanied her to the USA. Such a denial would be contrary to Article 36 of the Vienna Convention on Consular Relations which the US has ratified and other international



---

standards. Relatives of the other prisoners reportedly requested visas to visit them several months ago, but have not received a response. [...]The Body of Principles for the Protection of all Persons under Any Form of Detention or Imprisonment provides that:

"19. A detained or imprisoned person shall have the right to visit and to correspond with, in particular, members of his family ... subject to reasonable conditions and restrictions as specified by law or lawful regulations."

The Standard Minimum Rules for the Treatment of Prisoners provide that:

"37. Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits."

Article 23, paragraph 1, of the International Covenant on Civil and Political Rights (ICCPR), which the US has ratified, states: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State". In its General Comment 15 on "The position of aliens under the Covenant" (twenty-seventh session, 1986), the Human Rights Committee states:

"1. Reports from States parties have often failed to take into account that each State party must ensure the rights in the Covenant to "all individuals within its territory and subject to its jurisdiction" (art. 2, para 1). In general, the rights set forth in the Covenant apply to everyone, irrespective of reciprocity, and irrespective of his or her nationality or statelessness." and

"5. The Covenant does not recognize the right of aliens to enter or reside in the territory of a State Party. It is in principle a matter for the State to decide who it will admit to its territory. However, in certain circumstances an alien may enjoy the protection of the Covenant even in relation to entry or residence, for example, when considerations of non-discrimination, prohibition of inhuman treatment and respect for family life arise." (AI emphasis)

In General Comment 21. "Humane treatment of persons deprived of liberty (article 10 of the ICCPR) (Forth-fourth session 1992), the Committee states:

"3. Article 10, paragraph 1, imposes on States parties a positive obligation towards persons who are particularly vulnerable because of their status as persons deprived of liberty, and complements for them the ban on torture or other cruel, inhuman or degrading treatment or punishment contained in article 7 of the Covenant. Thus, not only may persons deprived of their liberty not be subjected to treatment that is contrary to article 7 ... but neither may they be subjected to any hardship or constraint other than that resulting from the deprivation of liberty; respect for the dignity of such persons must be guaranteed under the same conditions as for that of free persons. Persons deprived of their liberty enjoy all the rights set forth in the Covenant, subject to the restrictions that are unavoidable in an enclosed environment." and

"4. Treating all persons deprived of their liberty with humanity and with respect for their dignity is a fundamental and universally applicable rule... This rule must be applied without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." (AI emphasis)

The denial of visas has meant that the young children of some prisoners have been unable to maintain contact with their fathers. Article 24 of the ICCPR provides that "Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property of birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State".

We note also that Article 10 of the Convention on the Rights of the Child, signed but not ratified by the USA, states that " A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances, personal relations and direct contacts with both parents [...]Susan Lee, Program Director, Americas Regional Program. " s. [www.antiterroristas.cu](http://www.antiterroristas.cu), January 13, 2003

**In addition, the five arbitrarily had been put into isolation confinement during the entire March in 2003.** They were released from that because of the international protest, inclusively that of Amnesty International.

(Compare to respective reports in 2003, at [www.freethethefive.org](http://www.freethethefive.org), [www.antiterroristas.cu](http://www.antiterroristas.cu) and (in German) [www.miami5.de](http://www.miami5.de);

According to the **alleged grounds for denying Adriana Pérez and Olga Salanueva entry into the United States** compare to: **Radio Havana Cuba Interview with Paul McKenna, Gerardo Hernandez's lawyer, Bernie Dwyer, Radio Havana Cuba, 10th August 2005, at [www.antiterroristas.cu](http://www.antiterroristas.cu)**

"[...]

[BD]: Gerardo Hernandez has served seven years of his two life sentences plus fifteen years and during that time he has not been able to receive a visit from his wife Adriana. Is that going to change now?

[PMK]: I think the saddest part of Gerardo's case is that he has not seen his beautiful wife, Adriana, in seven years. I don't know a couple that is as devoted to each other or love each other as much as Gerardo and Adriana. They have a truly beautiful love. Adriana is such a strong person and she has been fighting for seven years to see her husband. She must be so happy with this news. And I am so happy for her.

---

And I think now that after seven years we have to re-dedicate ourselves to contact the highest people in the American government to just grant the basic humanitarian decency, the courtesy of allowing a wife to see her husband. That's a universal principle. It doesn't matter what country you are from, what religion or politics you have, that's a fundamental human right; a man can see his wife if he is in prison and we have to be able to get Adriana to come to the US now.

He is an innocent man again. He is presumed innocent. All his convictions are vacated. They don't mean anything anymore. As a free man, as an innocent man, as a man that is presumed not to have done any crime, he has a right to see his wife and we must contact the highest people in the US government to make this happen.

[BD]: Can you explain why it is that Adriana has not been able to go to visit Gerardo?

[PMK]: The government claims that at one point they thought that possibly Adriana might be linked to some of the acts charged. But she wasn't and now so much time has passed that they couldn't even charge her even if they wanted to.

In the United States, you can only be charged with a crime within five years of having committed it. And she didn't commit any crime in the first place but they haven't charged her with any crime either. They shouldn't be using these accusations of denying her entry into the United States. I'm going to contact them and I'm going to suggest that she should be allowed to come to Miami when he has returned here.

She could stay with me if she wants to. I'll take her to the jail. I'll take her for her visits and when the visits are over, I will take her to the airport. She is a perfectly decent honorable human being who only wants to see Gerardo after seven long years. I'm going to everything I can to make sure that happens. [...]"

In September 15, 2005 Jean Guy Allard reported in *Granma* about the visit of Rosa Aurora Freijanes in Paris. She is the wife of Fernando González sentenced for 19 years imprisonment because of having monitored the activities of one of the most notorious terrorists, Orlando Bosch (accomplice of Posada Carriles) Rosa said: "**We have to be part of the fight for the freedom of the Five**" and "We don't stay at home drowning our sorrows in tears," and "In her conversation with **Granma International**, Rosa Aurora recalled how impressed she was with the words of Argentine Hebe de Bonafini, president of the Plaza de Mayo Mothers, who spoke at the anti-terrorist event in Havana recently. 'That woman, with her white headscarf, said that one day she decided to go out into the street to fight, precisely because one of her family had been snatched from her.'"

<sup>10</sup> S. "**Con Honor, Valentía y Orgullo – Alegatos presentados en las vistas de sentencia por los Cinco Patriotas Cubanos injustamente condenados por un tribunal federal de la ciudad de Miami**, or "With Honor, Courage and Pride" or in German: "Mit Würde, Mut und Stolz", by Gerardo Hernández Nordelo, Ramón Labañino Salazar, René González Sehwerert, Fernando González Llort y Antonio Guerrero Rodríguez;

German edition: in January, 2003, ISBN 3-933544-72-6, Spotless-Verlag Berlin, <http://www.spotless.de>

<sup>11</sup> **Letter of René González from July, 22, 2005**, compare to scan below;

<sup>12</sup> Compare to the **advertisement in "The New York Times" posted at March 3, 2004**, financed by the different solidarity groups of the entire world, it became especially precious because of the famous persons supporting it like "Alice Walker, Noam Chomsky, Ramsey Clark, Cynthia McKinney, Dolores Huerta, Detroit Auxiliary Bishop Thomas Gumbleton, Nobel Peace Prize winner Rigoberta Menchú, National Lawyers Guild, International Association of Democratic Lawyers, and many others, in this critical cause for justice";

<sup>13</sup> At February 14, [www.antiterroristas](http://www.antiterroristas) announced a "**New Book: US Terrorism against Cuba. The Case of the Cuban Five [...] presented at Havana Book Fair [...] by Salim Lamrani**, a young French intellectual, William Blum, the former US State Department employee; Noam Chomsky, the celebrated linguist who is considered by the New York Times to be the most important intellectual of our time; Piero Gleijeses, prestigious professor of US foreign policy at John Hopkins University; Nadine Gordimer, South African writer and winner of the Nobel Prize for Literature; Saul Landau, former investigator for the US State Department and distinguished university researcher; Gianni Mina, the well-known Italian journalist; Michael Parenti, one of the most progressive thinkers in the United States today; Ignacio Ramonet [...], Michael Stephen Smith, attorney and writer who is well known in the United Nations; Jitendra Sharma, attorney and president of the International Association of Democratic Lawyers that is represented in UNESCO, UNICEF and 96 countries; Wayne Smith, former head of the US Interests Section from 1979-1982 and expert on US -Cuban relations; attorney Leonard Weinglass, who represented Jane Fonda, Mumia Abu Jamal and Amy Carter and is now defence attorney for one of the Cuban Five, Antonio Guerrero; and Howard Zinn, one of the most prestigious US historians."

Prensa Latina announced at July 14 the edition of the book by the US Common Courage Press, entitled:



---

**"Superpower Principles: Terrorism against Cuba".**

<sup>14</sup> compare to **Edvard Grieg, Peer Guint Suite, Nr. 1**, first part "Morgenstimmung" [morning sentiments]

<sup>15</sup> In 2004 **Prof. Wangari Maathai received the award** for her foundation of and work for the "Green Belt Movement" in Kenya.

<sup>16</sup> In 1991, the Committee for **Nobel Prize of Peace decided for a political prisoner in Myanmar**, opposition leader Mrs. Aung San Suu Kyi was freed by this.