



Lothar Mark

Mitglied des Deutschen Bundestages
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June, 16, 2006/fm

Dear colleagues,

In a letter of 1 July 2004, a number of Members of the German Bundestag highlighted to you the problematic case of five Cubans sentenced to long prison terms by a US court and asked for your intervention. The persons concerned are:

Fernando González, René González, Antonio Guerrero
Gerardo Hernández and Ramón Labañino.

Regrettably, no response was received to this letter. The five detainees remain in various high-security prisons.

As you are probably aware, these five Cubans were sentenced to long custodial sentences in December 2001. The trial took place in Miami, Florida. This judgment was, however, overturned by the 11th Circuit Court of Appeal in Atlanta in August 2005, on the grounds that it had not been "fair and impartial". It was decided that a retrial should take place in a court in a neutral location. Unfortunately though, this judgment never became final. The District Attorney appealed against it, and a decision is still awaited. Since that point, on 14 February of this year, an oral hearing has at least taken place. The course which the hearing took gives reason for optimism regarding the success of the five detainees' appeal.

We, the undersigned Members of the German Bundestag, appeal to you once again to:

- do everything in your power to help ensure the rapid release of the five above-mentioned persons, so that they can wait for the end of their criminal prosecutions as free men; and
- help to ensure that their loved ones are able to visit the prisoners as often as is provided for under United States law and international law.

In particular, we note with incomprehension the continued refusal of government agencies to allow Adriana Pérez, wife of Gerardo Hernández, and Olga Salanueva, wife of René González, to enter the US to visit their husbands. In the latter case, this also means that the their

daughter, Ivette González, who is now eight years old, is being denied the opportunity of having and maintaining personal contact with her father.

The five Cuban nationals are accused in particular of espionage or conspiracy to commit espionage or, in one case, conspiracy to murder. The proceedings against them were the longest in the legal history of the United States. They spent 16 months in solitary confinement which considerably impeded their defense.

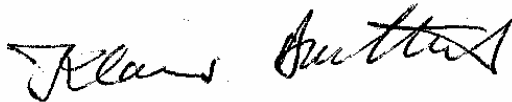
Having analyzed the case over two years, the Working Group on Arbitrary Detention of the United Nations Commission on Human Rights published an opinion in Geneva on 27 May 2005, with a six page explanation and a recommendation to the US government - Opinion No. 19/2005 (United States of America). In this opinion, the Working Group states that the detention of the five Cuban prisoners appeared arbitrary and thus "in contravention of article 14 of the International Covenant on Civil and Political Rights". The Working Group requested the US government to take steps to remedy the situation.

Please take this letter as an opportunity to re-examine the case of these five persons and consider giving your support to the detainees.

Yours sincerely,



Lothar Mark
Member of the Bundestag



Klaus Barthel
Member of the Bundestag



Klaus Uwe Benneter
Member of the Bundestag

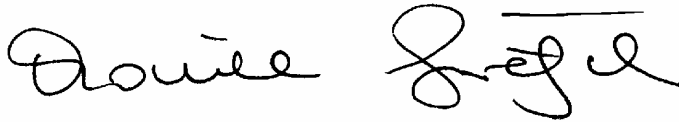


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