

Spy chief says he acted in defense of Cuba

In a first-ever interview from prison, a convicted Cuban spy told the BBC about the goal behind the Castro government's espionage mission in South Florida a decade ago.

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A convicted Cuban spy network leader admitted in a prison interview that he was an "agent" for Cuba's government, but that he infiltrated South Florida to defend his homeland against alleged attacks by Miami exile "terrorists."

Gerardo Hernandez, imprisoned for life in a federal penitentiary in California, said he was not guilty of conspiring with the Cuban air force to shoot down exile pilots over the Florida Straits in 1996 as part of his spy mission.

"Absolutely not," Hernandez, 40, said in an interview with the BBC World Service program *Newshour*, which airs today. During the exclusive interview, Hernandez said the "worst part" of his imprisonment was not being able to see his wife of 19 years because the U.S. government has rejected giving her a visa.

Hernandez said he also spoke by phone two years ago with Fidel Castro, who said "he was confident that justice will prevail" in the spy case.

Hernandez and four other Cuban spies, accused of being part of an espionage network that penetrated U.S. military installations and Miami exile groups, were convicted in 2001 by a dozen Miami federal jurors in one of South Florida's most politically laden criminal cases. The so-called Cuban Five have garnered the sympathy of a broad group of supporters across the globe, with a Free the Five Web page backed by a San Francisco-based organization.

Hernandez was the only defendant also convicted of conspiring with the Cuban government to murder four Cuban exile pilots in the February 1996 shoot-down.

Last summer, an Atlanta appellate court found that pretrial publicity did not make it impossible to impanel a neutral jury in Miami. The court dismissed the notion that the defendants couldn't get a fair trial because of the city's long-standing anti-Castro sentiment.

The appellate judges overturned a smaller panel of the same court that ruled the Cuban defendants were entitled to a new trial because of overwhelming anti-Castro publicity that could poison a prospective jury in Miami. No Cuban Americans served on the jury.

The case, however, is still not settled.

Although the Cuban Five lost their appeal on the issue of trial venue, they have a second opportunity to appeal their convictions to the 11th U.S. Circuit Court of Appeals. Oral arguments on claims of insufficient evidence are set for Aug. 20.

Hernandez's attorney, Paul McKenna, said his client never denied at trial that he was working undercover for the Cuban government.

"The question has always been why were they here and what were they doing," he said. "We were trying to show the jury that they were here for their country's national security and to identify people who were trying to harm Cuba."

In the BBC interview, Hernandez said he came to South Florida to spy on exile ``terrorist groups."

"They are people who've got training camps there in paramilitary organizations and they go to Cuba and commit sabotage, bombs and all kinds of aggressions," he told the BBC. ``And they had impunity, so at a certain point Cuba decided to send some people to gather information on those groups and send it back to Cuba to prevent those actions."

He added that in 1998 Cuba passed some information about those alleged exile militant groups to the FBI in the hope that the bureau would "do something against them." Instead, he said, the FBI arrested the Cuban infiltrators who had initially gathered the information for the Cuban government.

While the FBI conceded it has done investigations into militant exile activity in South Florida, the Cuban spy case was "totally unrelated" to those probes, said Judy Orihuela, spokeswoman for the bureau's field office in Miami.

"That's not how we found out about this case," she said.

She added that the Cuban government has helped the FBI on past exile sabotage probes that cross the Florida Straits -- but not the spy investigation in South Florida.

Hernandez told the BBC of the Wasp network's mission -- a "necessity to defend" Cuba against exile plots to kill Castro and attack the country. He cited a series of 1997 tourist site bombings killing an Italian tourist that were allegedly led by Luis Posada Carriles.

Hernandez accused the exile militant, a former CIA operative trained in explosives by the agency, of masterminding the deadly bombing of the 1976 Cuban airliner off the coast of Barbados, killing 73 people.

Posada, 79, has denied the allegations. A federal judge in Texas recently threw out immigration fraud charges against Posada, who was accused of lying about how he sneaked into the United States two years ago. The Justice Department appealed the decision.

In the BBC interview, Hernandez denounced his conviction on conspiring with the Cuban air force to kill the Brothers to the Rescue pilots on Feb. 24, 1996, saying the U.S. government knew the Castro regime was threatening to take action against the exile relief group if it crossed into Cuba's territorial waters.

He said the group, led by Jose Basulto, who survived the Cuban air force's assault, violated Cuba's air space and dropped anti-Castro leaflets over the island.

"The [U.S.] government charged me with conspiracy and they said that is because I knew the plane would be shot down," Hernandez said. ``And because I knew that the plane would be shot down over international waters, which had no sense at all, it was crazy.

``But they needed to blame somebody and they chose me."