

Fate of 5 in U.S. Prisons Weighs on Cubans' Minds

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HAVANA, July 29 — In [Cuba](#), they call them “the five.” Their faces are plastered on walls and billboards everywhere. Merely being a relative of the five grants celebrity status. Even children know them by their first names — Gerardo, René, Ramón, Fernando and Antonio.

They are not a boy band.

They are middle-aged men who have been sentenced to long prison terms for spying, Cuban officials maintain, not on the United States government, but on right-wing Cuban exiles in Miami who are considered terrorists by the government here.

“The whole country knows their story by heart,” said Elena Portala, a 50-year-old bookbinder, as she walked by a blocklong wall with the men’s names and inspirational quotations from each of them. “The radio and the press talk constantly about them. They should be let out of prison. They haven’t done anything wrong.”

These days, many Cubans are pinning their hopes on a hearing set for Aug. 20, before the United States Court of Appeals for the 11th Circuit in Atlanta, where federal judges will decide on whether the evidence was insufficient to support the convictions.

The five men were among 10 Cuban immigrants arrested in September 1998 and accused of being part of a spy ring called the Wasp Network. Four others were indicted but never apprehended. Prosecutors presented evidence that the network had infiltrated [Brothers to the Rescue](#) and other militant exile groups in Miami. Some were also accused of seeking United States military intelligence.

Half of the arrested men pleaded guilty, but the famed remainder stood trial in Miami after a Federal District judge, Joan A. Lenard, denied a

motion to move the proceedings to another venue. In June 2001, a federal jury in Miami convicted them. No Cuban-Americans were on the jury.

All five — Gerardo Hernández, Ramón Labañino, Antonio Guerrero, René González and Fernando González — were convicted of acting as unregistered foreign agents and conspiracy to commit crimes against the United States. Three were also convicted of conspiracy to commit espionage, on the strength of evidence that they had gathered information on military activity at a naval air station in Key West. In addition, Mr. Hernández was convicted of conspiracy to murder in connection with the deaths of four Cuban exiles whose two light aircraft were shot down by the Cuban Air Force over the Straits of Florida in 1996.

Judge Lenard threw the book at them. Mr. Guerrero and Mr. Labañino were sentenced to life in prison. Fernando González was sentenced to 19 years, and René González to 15 years. (They are not related.) Mr. Hernández was sentenced to two consecutive life terms.

Since their convictions, the five have been on a legal roller coaster. In August 2005, a three-judge federal appellate panel in Atlanta threw out the verdicts, saying the defendants could not receive a fair jury trial in Miami because of anti-Castro bias among the exiles. Two months later, a majority of the 11th Circuit reinstated the convictions but agreed to hear an appeal on the sufficiency of the evidence, among other issues.

Meanwhile, the “five heroes” have become the biggest propaganda tool that the one-party, Communist government of Cuba has come up with since Che Guevara. Their names and faces appear on walls and signs all over Cuba, with the word “volverán,” meaning “they will return.” Cuban officials never fail to mention them as heroes in official speeches and ceremonies.

One reason for their popularity is the government’s simplified version of their ordeal: brave men who tried to ferret out right-wing terrorists determined to hurt Cuba while sheltered in the United States.

That approach carries the message that Washington is hypocritical in its “war on terror,” jailing the five for the equivalent of trying to find [Osama bin Laden](#) in his presumed haven of Pakistan.

That argument has become even more persuasive to Cubans since May, when Luis Posada Carriles was released from jail in the United States. The Cuban government has long accused Mr. Posada Carriles, now 79, of plotting to assassinate Mr. Castro and says he masterminded the 1976 bombing of a Cuban airliner, which killed 73 people, and a string of bombings of Havana hotels and nightclubs in 1997. Efforts to extradite him to Venezuela, where he is also wanted in the jetliner bombing, have failed.

“I am convinced they are real heroes,” said an accountant who, like many Cubans, preferred to remain anonymous to avoid possible harassment from the police. “Any person who is against terrorism has to be for them. And the government of the United States is very unjust to have them locked up while Posada Carriles is free.”

Even 13-year-olds here follow the government’s argument. “They are like brothers to us,” said Lizbet Martin, a schoolgirl. “They shouldn’t be jailed.”

In a recent interview with the BBC, Mr. Hernández acknowledged he was gathering information about what he described as paramilitary groups determined to topple the Cuban government. He maintained that the Cuban government informed the [Federal Bureau of Investigation](#) about the 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.”

But Mr. Hernández denies vehemently that he helped the Cuban Air Force shoot down the two exile planes. “They needed to blame somebody, and they chose me,” he said.

Alicia Valle, a spokeswoman for the United States attorney’s office in Miami, declined to comment on the case. According to court documents, the United States government agreed that the five had spied on anti-Castro groups like Brothers to the Rescue and Movimiento Democrático.

But the United States government maintained that they were well-trained spies, not amateurs, involved in a range of espionage, and that none of them informed the government of their presence, as federal law requires, court documents show.

The case of the Cuban five has spawned some strange commentary. High-ranking officials in the Cuban government, which regularly jails people without public trial for speaking out against Communism, talk at length and in detail about the lack of evidence in the case, and they rail about the lack of “due process” in American courts.

In a recent interview, Ricardo Alarcón, the president of Cuba’s National Assembly, said the men’s sentences were excessive in comparison with other spy convictions and insisted they were not seeking information about the United States government. He noted that in July a former F.B.I. analyst, Leandro Aragoncillo, had received only 10 years for passing top secret documents to the Philippine government.

The families, too, have become celebrities, if to a lesser degree. They are asked to appear at all sorts of state affairs. In one week in July, family members attended a graduation of Cuban doctors and the annual National Rebellion Day celebration. Speakers at each event tipped their hats to the families, calling the jailed men heroes.

But after the hoopla, back at home, some said, they must face the task of raising children without fathers and living without husbands.

“It has turned my life upside down,” said Olga Salanueva, the wife of René González, who was a pilot at an airport where one of the exile groups kept airplanes. “No one is prepared to live so separated from her husband. And to see a person so humane, so noble, suffer again and again.”

She added: “We don’t have much confidence in the justice system of North America. We know it is very difficult, because it has become a political matter.”

Ms. Salanueva said that the United States had repeatedly denied her a visa to visit her husband on the grounds that she was deported in 2000 and under current rules can never apply for a visa again.

Adriana Pérez, the wife of Gerardo González, has also been turned down every year for a visa to visit him. State Department officials declined to comment on the women’s visa applications. Elizabeth Palmeiro, the wife of Mr. Labañino, said she feels pained every time she looks at their two daughters, now 15 and 10, and realizes how much of their lives he has missed. One girl was an infant and the other was 5 when he was imprisoned.

“I feel a mixture of pain, of sadness, of fury, and pride,” she said.