

article 14 of the International Covenant on Civil and Political Rights, to which the United States of America is a party”.

▶ How the families are treated

The wives of two of the Miami Five – Adriana, wife of Gerardo Hernández, and René González’s wife Olga, are denied visas to enter the United States to visit their husbands, while the families of the other three are often frustrated by prison ‘lockdowns’ when they do visit and are unable to see their husbands.

- ▶ Adriana has attempted to obtain a visa to visit Gerardo Hernández on eight occasions. She has never been successful. In fact, she has not seen her husband for more than eight years.
- ▶ The nearest Adriana came to visiting her husband was when she obtained a visa in 2002. At Houston, Texas international airport on July 25, 2002, she was detained, photographed, fingerprinted and interrogated by the FBI before being expelled from the country on the grounds of national security. She was accompanied by a diplomatic officer of the Cuban Interests Section in Washington until he was forcibly removed by armed agents of the Immigration and Naturalisation Service. From then onwards she was denied permission to contact the Cuban Consul during her detention.
- ▶ Olga initially applied for visas to enable her and her daughter Ivette to visit René González. This visa was later revoked. René is in fact a US citizen, as is Ivette. Ivette has only ever seen her father once while he was behind bars and even then her mother was denied permission to accompany her. Olga has not seen René since the eve of his trial in November 2000.

So far as the families of the other three prisoners are concerned, it was reported in November 2004 by the US-based National Committee to Free the Cuban Five that mothers, wives and other relatives, have had to wait excessive periods of time to receive entry visas from the US government.

- ▶ Mirta Rodríguez’s, mother of Antonio Guerrero, last visit to her son was cut short when a riot was started causing the prison to be locked down. Prior to this Mirta had not seen her son in a whole year.
- ▶ Rosa Aurora Freijanes has only been able to see her husband Fernando González once or twice a year since his imprisonment 10 years ago.
- ▶ Elizabeth Palmeiro, wife of Ramón Labañino, and the children, Ailí, Lisbet and Laura, have been able to visit him only a few times due to the prison regime and delayed visas in 10 years.

In 2006, Amnesty International wrote an open letter to the US State Department deploring the treatment of the prisoners and their families (see <http://www.counterpunch.org/lee01262006.html>).

According to Amnesty International:

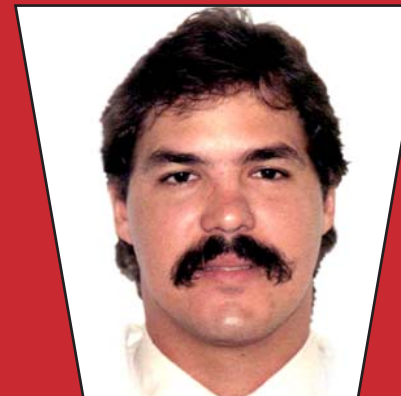
in the absence of a clear and immediate threat posed by such visits, this measure is unnecessarily punitive and contrary both to standards for the humane treatment of prisoners and to states’ obligation to protect family life.

Amnesty International also says that the denial of visas to the wives of the Miami Five means that their children are also denied access to their fathers, causing ‘substantial hardship’. This ‘substantial hardship’ faced by the families ‘is of even more urgent concern’ given ‘the serious questions which have been raised about the fairness of the convictions’.



The Miami Five TEN YEARS ON

Justice for them and their families



Fernando González

Sentenced to 19 years



Ramón Labañino

Sentenced to life plus 18 years

Antonio Guerrero

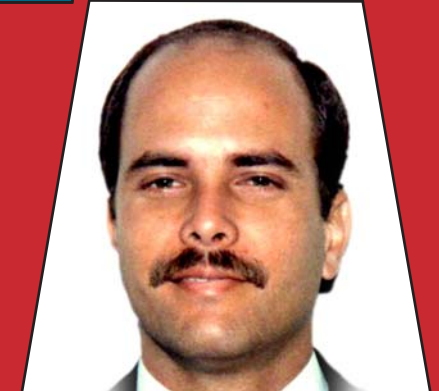
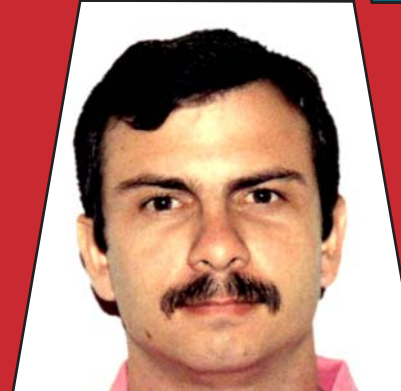
Sentenced to life plus 10 years

René González

Sentenced to 15 years

Gerardo Hernández

Sentenced to two life terms plus 15 yrs.



The Miami Five TEN YEARS ON

Justice for them and their families

The Miami Five are five men and trade unionists who were arrested by the FBI in 1998 while trying to stop right-wing groups in Miami carrying out terrorist attacks against the Cuban people.

The arrest and imprisonment of the five anti-terrorists in Miami in September 1998 has outraged legal opinion and human rights campaigners, including Amnesty International. Condemnation of the treatment of the Five is in fact worldwide.

The treatment of the Five has been described by Amnesty International as **“contrary both to standards for the human treatment of prisoners and to a states’ obligation to protect family life”**.

As the tenth anniversary of their imprisonment approaches, Unite, Unison and many in the British TUC are committed to building the broadest possible public support for the visitation rights which are denied them, and seeking, ultimately, the release of the Miami Five.

In autumn this year, the mistreatment of the Miami Five will be the basis for two major union-led events at the Labour Party Conference and the TUC Congress. Additionally, we will be taking the case to MPs and opinion formers, as well as to our millions of members across the UK and Ireland.

We have already taken the call for justice for the Miami Five to international gatherings, including recent conventions held by the SEIU, America’s largest union, and the United Steel Workers, and will continue to press the highest levels of the Democratic Party, including the Presidential candidate Barack Obama, to ensure that the case for visitation rights is made directly to those who have the power to deliver change.

We are now seeking the support of our Prime Minister and the UK government in this campaign for human rights and justice. We recognise that however self-evident we believe the case for visitation rights, and ultimately release of the men to be, the government

will require a strong and detailed briefing for this case to be given full consideration.

This briefing is provided by legal experts, Amnesty International and human rights activists, and others who have followed this case closely and been deeply concerned by the absence of fundamental justice for the Five.

The denial of visitation rights to the families of the Miami Five to visit their fathers, sons and brothers imprisoned in the jails scattered across the United States is widely regarded as inhumane and unjustifiable.

Consider this:

- ▶ Ten-year old Ivette has only been allowed to see her father, René González once. Ivette has only ever seen her father in prison and was not allowed to have her mother accompany her on that visit. His wife Olga is not allowed to enter the United States to visit him. Ironically, René was born in Chicago and Ivette is a US citizen.
- ▶ Adriana, the wife of Gerardo Hernández is also denied a visa to enter the US and visit her husband. Adriana has attempted to obtain a visa on seven occasions. She has never been successful. In fact she has not seen her husband for more than eight years.
- ▶ Mirta Rodríguez, mother of Antonio Guerrero, is only able to see her son less than once a year.

These are only three examples of the treatment endured by the families and men of the Miami Five. It is our understanding that no other US prisoner, no matter how heinous a crime committed, is denied the basic contact with loved ones which visitation rights provide.

We believe that our government will share our conviction that this brings shame on the United States – in fact, it would bring shame on any country. We ask our government, therefore, to seek urgently an assurance

from the government of the US that this cruelty will cease forthwith so that visitation rights are restored.

In finishing, there is no doubt, bearing in mind the “special relationship” that our government has with the US administration, Britain will be central in helping to broker basic visiting rights, and in doing so begin to tackle the injustice and inhumanity endured by both the families and prisoners themselves. This would be a tremendous first but important step towards full justice for these five trade unionists.

Who are the Miami Five?

Arrested in Miami in 1998 and charged with various conspiracy-related offences, the Miami Five are:

- ▶ **Gerardo Hernández:** Born Havana in 1965, Gerardo married Adriana in 1988. He has been sentenced to two life terms plus 15 years; Adriana has applied unsuccessfully eight times to the United States authorities for permission to visit him.
- ▶ **Antonio Guerrero:** Born Miami in 1958, his parents returned to Cuba after the revolution. He has two sons, Antonio, aged 22, and 16-year-old Gabriel. He has been jailed for life plus 10 years and is held in Colorado.
- ▶ **Ramón Labañino:** Born Havana in 1963, Ramón married Elizabeth in 1990. They have two children: Laura, aged 16 and 12-year-old Lisbet and Ramón has another child, Ailí, 20, by a previous marriage. Sentenced to life plus 18 years, he is held in Texas.
- ▶ **Fernando González:** Born in Havana in 1963, and married to Rosa. Sentenced to 19 years and held in Wisconsin. Awarded a medal of honour for bravery while defending Angola from apartheid South Africa.
- ▶ **René González:** Born in Chicago in 1956, his parents returned to Cuba in 1961 with their two sons. René is married to Olga, and they have two daughters: Irma, 24, and 10-year old Ivette. René has been jailed for 15 years and is held in Florida. Olga is banned from entering the US, while their daughter Ivette has only been allowed to see her father once behind bars and even then her mother was not allowed to accompany her.

What did they do?

For nearly fifty years Miami-based terrorists opposed to the Cuban government have targeted Cuba.

Nearly 3,500 people have died in terrorist attacks, including the 1976 bombing of a Cuban airliner which killed 73 people and bomb attacks aimed at the island’s economy and tourism industry.

In the 1990s Cuba sent five men to work undercover in Miami, where most of the terrorist attacks originated. Their mission was to gather advance information on the terrorists’ plans.

Meanwhile, Havana continued to press the United States to take action to curb the terrorists, who were widely acknowledged to be funded and assisted by the CIA and other Washington agencies.

Ironically, it was after the United States Federal Bureau of Investigation asked Havana for details of planned terrorist attacks – exposed by the Miami Five – that the Cuban anti-terrorists were arrested in Miami, where they had uncovered details of the terrorists’ plans. The FBI took no action against those planning further attacks on Havana.

The Five were eventually convicted in 2001 by a court in Miami – where the anti-Havana Cuban émigré community wields enormous political power – on a range of charges including being foreign agents and conspiracy to commit murder.

In August 2005, a three-judge panel of the 11th Circuit Court of Appeals overturned the convictions and ordered a new trial outside of Miami. However, this decision was reversed by the full 11th Circuit Court of Appeals, which in June 2008 upheld its earlier reversal.

The United Nations Commission on Human Rights adopted a report by its Working Group on Arbitrary Detention calling into question the fairness of the trial of the Miami Five:

“...it arises from the facts and circumstances in which the trial took place and from the nature of the charges and the harsh sentences handed down to the accused that the trial did not take place in the climate of objectivity and impartiality that is required in order to conform to the standards of a fair trial as defined in