Alliance of Baptists
Statement on the ‘Cuban Five’

More than 20 years ago the Alliance of Baptists entered into a relationship with a partner organization of churches in Cuba (Fraternidad de Iglesias Bautistas de Cuba) that has yielded a sense of mutuality and respect transcending economic and political barriers initiated by the United States against our Caribbean neighbor in 1962. More than a half century into this strategy of isolation, its futility and moral bankruptcy are ever more apparent. Many of our members have observed the effects of the economic embargo and rupture of diplomatic relations in repeated travel to an island nation only 90 miles south of the Florida straits.

Throughout the half-century of our nation’s misguided policies toward Cuba, few examples are more egregious than that of the wrongful prosecution, conviction, and incarceration of a group of intelligence agents from Cuba sent to Miami by the government of Cuba. The sole mission of the ‘Cuban Five’ was to gather intelligence on Cuban-American groups in south Florida whose aim was to engage in provocative and sometimes violent actions inside Cuba. These have included the placing of bombs in hotel lobbies in Havana, which in one instance resulted in the death of an Italian merchant in Cuba on business for his company.

Following their arrest in September 1998, the five were tried in the United States District Court for the Southern District of Florida in Miami, a trial that lasted seven months. They were convicted in June 2001 on all 26 counts brought against them, including a charge of first-degree murder against the group’s leader, Gerardo Hernandez, accused of conspiracy in the shooting down over international waters of a small plane belonging to the Miami-based group Brothers to the Rescue in 1996. Hernandez was sentenced to two consecutive life sentences plus 50 years.

Two of the others – Antonio Guerrero and Ramón Labaniño -- were given life sentences. In October 2009 Guerrero’s sentence was reduced to 22 years; in December 2009, Labaniño’s was lowered to 30 years. Fernando Gonzalez received a sentence of 19 years, later reduced to 18; he was released on February 27, 2014, after serving nearly 15 years. René Gonzalez, sentenced to a 15-year term, was released on October 7, 2011, having served more than 13 years. These last two since have been returned to Cuba.

In August 2005 a three-judge panel of the United States Court of Appeals for the Eleventh Circuit in Atlanta unanimously overturned the convictions and sentences, ordering a new trial outside Miami. Following arguments against this action by the Department of Justice, the full Eleventh Circuit Court of Appeals reversed the three-judge panel in August 2006. On appeal to the U.S. Supreme Court, the nation’s highest court denied review of that ruling on June 15, 2009.

Shortly thereafter, in October 2009, Antonio Guerrero’s life sentence was reduced to 22 years, and in December of that year, Ramón Labaniño’s life sentence was reduced to 30 years.

Many objections to these proceedings have been raised in international settings. In May 2005 the United Nations Commission on Human Rights adopted a report by its Working Group on Arbitrary Detention that the facts and circumstances in the case, including the nature of the charges and harsh sentences, amounted to an unfair trial as
defined in the International Covenant on Civil and Political Rights, to which the United States is a party.

Amnesty International has criticized the treatment of the Cuban Five as “unnecessarily punitive and contrary both to standards for the humane treatment of prisoners and to states’ obligation to protect family life,” given that the wives of Gerardo Hernandez and Rene Gonzalez repeatedly have been denied travel visas by the United States to visit their husbands in prison.

Numerous Nobel Prize recipients, including President Jimmy Carter and Archbishop Desmond Tutu, have called for the release of these prisoners.

Meeting on May 3, 2014, in the city of Portland, Maine, we of the Alliance of Baptists lift our collective voice once again to protest these convictions and sentences. We call upon President Obama to issue a full pardon to each of the Cuban Five, as this is the last remaining legal mechanism available to wipe away the stain of this abject miscarriage of justice.

(Submitted by Stan Hastey, former executive director)