

## FACTS ABOUT THE CUBAN FIVE

- The Cuban Five, as they are known, Gerardo Hernández, Antonio Guerrero, Ramon Labañino, Fernando González, and René González, were arrested in Miami on September 12, 1998, and imprisoned by the U.S. government for a total of four lifetimes plus 77 years. They were attempting to prevent further terrorist attacks against Cuba, Canada and the United States itself, by extremist Cuban American groups situated in Florida.
- 3,478 deaths of Cubans alone have resulted from these terrorist attacks since 1959. For example, in 1976, a Cubana civilian airliner exploded in midair from a bomb set by one of these groups killing all 74 passengers on board. A relative of one of the victims of this crash shall speak at the Tribunal. A resident of Montreal vacationing in Cuba was murdered when a bomb exploded in a tourist hotel.
- At the FBI's request, Cuba shared its information regarding terrorist activities with the U.S. government. A change in personnel in the U.S. resulted in a change in focus from co-operation to confrontation, resulting in the arrest of the Cuban Five who were gathering evidence instead of the terrorists.
- The Cuban Five were each held in isolation for seventeen months prior to their trial. Twenty-six conspiracy charges were laid against them; as there was no evidence, a charge of conspiracy to commit espionage has a lighter burden of proof for the prosecution. Seven months after his arrest, Gerardo Hernández was also charged with conspiracy to commit murder. At his trial, the Prosecutor requested that the Judge allow that charge to be withdrawn as he had no evidence to pursue it.
- Although the Elián González affair had only just concluded, the Judge refused to agree to a change of venue for the trial. She refused to withdraw the charges against Gerardo Hernández.
- It has since been proven that journalists were paid by the U.S. government to help create an atmosphere of hysteria around the trial of the Cuban Five. Jurors admitted being fearful about bringing in a verdict of innocence and felt intimidated: for example, their car license plates were being photographed.
- U.S. military testified that no information gathered by the Five impinged on the security of the United States. No person or property was hurt or damaged and information gathered was mostly available in the public sphere.
- In the longest, most complex trial in U.S. history, not one question of clarification was asked by any juror. At a predesignated time, the jury pronounced all Defendants guilty of all charges.
- In 2005, the US Appeals Court unanimously overturned the decisions of the lower court and ordered a new trial.

In an unprecedented move, the Prosecution asked for an opinion from all the Appeal's Court Judges which then overthrew the previous decision. The convictions were reinstated except for slight reductions for three of the five men.

WE APPEAL TO THE MEDIA TO BREAK THE SILENCE ON THIS CASE AND TO BRING OUT THE FACTS FOR THE NORTH AMERICAN PUBLIC! It is only public pressure that will bring justice to these five men.

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