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**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

**Written statement* submitted by World Federation of Trade Unions (WFTU), a non-
governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 February 2005]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Freedom for the 5 Cuban antiterrorist's fighter's prisoners unjustly for more than 6 years in the jails of the government of the United States of North America!

(...)

*My body will be able to have a monster in its entrails
Imprisoned, if in its belly I live,
But my thought is free, with the shout
Of freedom that is born in your mountains.*

Antonio Guerrero - Oda to the Teacher

- 28 of January of 1999

Recently in Berlin, in a Conference commemorating the 86th. anniversary of the murder of the German fighter Rose Luxembourg, a great ovation was given by more than 1000 assistants, to the words of Angela Davis, the world-wide well-known North American fighter for the Human rights, in favour of the Five when she said: ... " *that to fight for the freedom of those worthy Cubans is a duty of all the forces that are against the terrorism anywhere in the world, is to fight in behalf of the cause of many other prisoners, who like they, fulfil unjust sentences in jails of the U.S.A., who is not due to forget....*"

It is not of more to precise than the Dra. Angela Davis, who, within the framework of this Conference, received the Prize by the Human rights of the 2004 granted by the Society for the Protection of the Civil Rights and the Human Dignity, with seat in Berlin, is, without doubt one of the most evident examples in the United States of resistance to an unjustified in a trial and condemns.

As we already indicated it in a DECLARATION when the 60th. period of sessions in the 2004 that maintains total actuality today, the World Federation of Trade Unions is one of the numerous institutions and social groups that support the liberation of the Five Cuban Politic Prisoners unjustly in jail in the United States because fighting terrorism.

All the cruelty of this manipulated judgment is demonstrated in the sentences imposed in December 2001 to the Five Cuban Political Prisoners arbitrarily declared of espionage without the most mini serious proof and in spite of numerous testimonies in favour of them including those of high Americans responsible.

- 1) - double life imprisonment more 10 years**
- 2) - a life imprisonment more 15 years**
- 3) - a life imprisonment more 10 years**
- 4) – nineteen years**
- 5) - fifteen years of imprisonment.**

Year 2004 has been characterized by the expectation before the process of appeal, the new outbreak of the repressive measures and hatred against those men and their relatives, as well as by the growth of international solidarity.

The arguments to properly articulate the resources of appeal established in the Eleventh Circuit of Atlanta were centred in the lack of support of position 3, only imputed to Gerardo and that consists of conspiracy to commit murder, the no admission of the change of place of the trial, the lack of configuration of the espionage crime.

Judges of the Eleventh Circuit of Atlanta celebrated the seeing in the County of Miami Dade, where exerted the defence the lawyers Richard Klug, specialist in appeal resources, Leonard Weinglass and Joaquin Méndez. Each one of them used much more time of which normally it is granted before the questions of the court, in as much the Office of the public prosecutor was left bad shutdown with its weak arguments.

Thus the seeing of March the 10th. finished and since then to the date there has been the great silence in relation to the failure. The panel is studying a case with evident political notoriety that counts on a visible documentation of more than 40 thousand pages.

But solidarity was not crossed of arms, one of the most successful campaigns was the publication of an announcement of complete page in the New York Times product of the participation of committees and individuals of all parts of the world, standing out the own Americans and the Cuban community in the south of Florida.

The article was published, exactly in March, days before the oral seeing of the appeal was carried out in the Circuit of Atlanta. This way the North American people were informed about the case including photos of the 5 and diverse articles of personalities like the intellectuals Noam Chomsky, Alice Walker, and the ex- public prosecutor of the United States, Ramsey Clark.

Also the 2004 have been a year characterized by the new outbreak to the repressive measures against the Five, not only with arbitrary punishments within their penitentiary establishments, but by the directed aggressive policy against their relatives.

The visa refusals are reiterated for the spouses of Gerardo and René, Adriana Perez and Olga Salanueva, this last one cannot accompany the small Ivette to visit its father to whom has not been seeing for 5 years.

Those violations, jointly with the reclamation of justice and freedom for the 5, have been the centre of the campaign of solidarity of hundreds of committees constituted in more than 90 countries.

In Canada, Venezuela, Mexico, Argentina, Brazil, France, Italy, England, Switzerland, and the own United States, among other countries, were made forums and solidarity encounters to propose new actions in favour of the cause. Many included the presence of the relatives to present the truth of the case.

They understand that the trial is in one of the most delicate moments, when the judges are forming their criteria reason why it is the period that needs the greater mobilization of the democratic forces of the planet.

It is the moment at which the voice of the people must be higher listened of the universal legal conscience, of the progressive forces, of the public opinion in general and individual, of the North American in particular.

Gerardo, Ramon, Antonio, Fernando and René never carried a weapon... They were men carrying kindness, good and justice in its acts... For that reason who knows the case admires them.

They were sanctioned because fighting Terrorism!

In order to avoid terrorist actions that have harmed by more than four decades the Cuban people and also of the United States, they were infiltrated in terrorist groups based and protected by the government of Washington in the south of Florida.

These 5 men, examples of dignity and honour, prisoners unjustly for more than 6 years in the jails of the government of the United States of North America, must be released of the cruel pains which they are put under.

Freedom for the 5 Cuban antiterrorist fighters!
