

U.S. plans to deport Bosch



CANDACE BARBOT / Miami Herald Staff

Castro foe called terrorist

Lawyers in Miami to appeal ruling

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The U.S. Department of Justice ruled late Friday that jailed anti-Castro militant Orlando Bosch should be denied political asylum and deported because of his record of international terrorist activities.

The decision rejects a massive campaign on Bosch's behalf that included prominent Dade and U.S. politicians, and it was certain to be controversial among many Cuban exiles who view the 62-year-old pediatrician as a hero of the anti-Communist cause.

"Orlando Bosch has for more than 30 years been resolute and unwavering in his advocacy of terrorist violence," said Joe D. Whitley, acting associate attorney general, who made the announcement in Washington.

"Bosch has advocated, encouraged, organized and participated in terrorist violence in this country as well as various other countries," said Whitley, who cited previously undisclosed government reports of Bosch's alleged terrorist activities in the United States and Central and South America.

"The conclusion is inescapable

THE BOSCH RULING



Orlando Bosch

U.S. POSITION

■ **'Orlando Bosch** has for more than 30 years been resolute and unwavering in his advocacy of terrorist violence. . . . He has repeatedly expressed and demonstrated a willingness to cause indiscriminate injury and death. . . . The conclusion is inescapable that it would be prejudicial to the public interest for the United States to provide a safe haven for Bosch.

JOE WHITLEY,
acting associate
attorney general

DAUGHTER'S RESPONSE

■ **'My father** has not had ties to any terrorist activity for the last 10 to 15 years. Where are they getting this? Castro is waiting for my father. The minute he is deported, they'll kill him.

MYRIAM BOSCH,
Orlando Bosch's daughter

DISAPPOINTED DAUGHTER: A tearful Myriam Bosch is comforted by boyfriend Manny Arvesu and stepmother Adriana Bosch.

PLEASE SEE BOSCH, 20A

U.S. denies Bosch asylum; Castro foe called terrorist

BOSCH, FROM 1A

that it would be prejudicial to the public interest for the United States to provide a safe haven for Bosch," Whitley said. "Appeasement of those who would use force will only breed more terrorists.

"We must look on terrorism as a universal evil, even if it is directed toward those with whom we have no political sympathy."

Bosch's lawyers in Miami said they would appeal the ruling. They said they will ask a U.S. District Court to review the government's exclusion order. Bosch is being excluded from the country, a type of deportation with fewer appeal rights.

If the appeal fails, the United States would have to find a country to agree to take Bosch.

"Up until now, no country has declared it will accept him," said Bosch attorney Raoul Cantero.

Bosch has been jailed at the Metropolitan Correctional Center in South Dade since Feb. 16, 1988, when he returned to Miami from Venezuela minus a visa.

He had fled Miami in 1976, while on parole for a 1968 conviction for his involvement in an attack on a Polish freighter. In Venezuela, he was jailed for 11 years on charges he masterminded the bombing of a Cuban jetliner in 1976, in which 73 people died. He was acquitted three times of the charges.

He has remained jailed here since his arrival — first to serve out a three-month sentence for violating parole, then in the custody of the Immigration and Naturalization Service on charges of entering the United States illegally.

Bosch's family reacted with tears and bravado to the news from Washington, which was announced to Bosch's lawyers at about 4:30 p.m. Friday.

Adriana Bosch said she would again ask Cuban American state legislators and other prominent leaders to rally the exile community in support of her husband.

"We have tried to wait and endure. We thought it was better to wait and follow the laws," Adriana Bosch said.

"It's time for Cuban exiles to show their support. The Cuban exile community will respond energetically."

Bosch supporters — headed by state Sen. Ileana Ros-Lehtinen, a leading Republican candidate for Claude Pepper's congressional seat — mounted an intense campaign in the past year to persuade the INS to free Bosch. Among the many politicians who joined the movement was U.S. Sen. Connie Mack, who on Friday blasted the government's decision.

"The Justice Department showed no compassion in this matter and had no respect for a man who has devoted his life to the cause of freedom," Mack said in a statement.

Ros-Lehtinen said it was unfair for the government to deport Bosch on the basis of information that his lawyers were never able to respond

BOSCH CHRONOLOGY

Anti-Castro militant Orlando Bosch, 62, has spent 16 of the past 21 years in U.S. and Venezuelan prisons. He spent 11 years in Venezuelan custody, accused of masterminding the bombing of a Cuban jetliner in 1976, which killed all 73 aboard. He was acquitted three times. From 1968 to 1972, Bosch was jailed in Florida for firing a recoilless rifle shell at a Polish freighter at the Port of Miami. Following is a chronology of Bosch's brushes with the law:

1964: Police arrest Bosch for towing a homemade torpedo through downtown Miami during rush hour. Prosecution is withheld.

1968: Bosch's Cadillac convertible is stopped at a roadblock by police who find six 100-pound surplus aerial practice bombs stuffed with dynamite in the trunk. Bosch tells the press the explosives were en route to a secret base to "bomb Castro." Prosecution is withheld.

1968: Bosch is acquitted in federal district court in Miami of charges that he extorted money from wealthy Cuban exiles for a "war chest" against the Castro regime.

Sept. 18, 1968: Bosch is part of a group of eight people who fire a recoilless rifle at the Polish freighter Polonica, docked at Dodge Island. He is arrested after the group causes minor damage to the ship's hull.

Nov. 15, 1968: Convicted for the freighter attack, Bosch is sentenced to 10 years in the Atlanta Federal Penitentiary.

Dec. 15, 1972: Bosch is paroled and returns to Miami.

April 12, 1974: Bosch flees Miami, in violation of his parole, after he is subpoenaed in connection with the murder of exile leader Jose Elias de la Torre.

1974-78: During two years of semi-secret travel across Latin America, Bosch surfaces in Chile, Costa Rica and the Dominican Republic. Costa Rican officials deported him after he was arrested in connection with an alleged Chilean-backed assassination plot against the nephew of Salvador Allende, the late president of

Chile.

Oct. 6, 1976: Seventy-three people die when Cubana Airlines Flight 455 blows up and sinks off the coast of Barbados.

Oct. 14, 1978: Bosch is arrested in Venezuela in connection with the bombing. He is subsequently charged with masterminding the attack.

1980-87: A Venezuelan military tribunal secretly tries and absolves Bosch. A higher military court overrules the decision. Amid hunger strikes in protest, Bosch is acquitted two more times, though three co-defendants are convicted.

Aug. 7, 1987: Bosch is released by Venezuelan authorities.

Feb. 16, 1988: Bosch flies to Miami. He is arrested by U.S. marshals at the airport for violating parole in 1974.

May 18, 1989: After serving a three-month sentence for the parole violation, Bosch is placed in the custody of the U.S. Immigration and Naturalization Service. INS detains him for illegal U.S. entry and begins deportation proceedings against him.

May 19, 1989: After a year of studying his case, INS Southern Regional Commissioner Stephen Martin decides that Bosch may apply for political asylum and places the matter under the authority of the Miami district office.

May 24: The U.S. attorney general's office snatches the case from Miami's INS district director, Perry Rivkind, for further review.

June 23: The Justice Department denies Bosch's request for political asylum and rules that he should be excluded from the United States.

The confidential information also cited Bosch's activities as the leader of CORU, a terrorist group he formed in the 1970s. The government allegations against CORU, Coordination of United Revolutionary Organizations, include:

● That CORU agents were involved in 1977 in plans to assassinate a high-ranking Cuban diplomat.

● That between June 1976 and March 1977, CORU agents were engaged in 16 episodes involving bombings, attempted kidnappings, assassination and attempted assassination in the United States, Spain, the Caribbean and Central and South America.

● That the Oct. 6, 1976, Cuban airline bombing for which Bosch was imprisoned but never convicted was a CORU operation under the direction of Bosch.

● That from 1979 to 1984, while imprisoned in Venezuela, Bosch was in contact with agents of CORU and other anti-Castro groups and advocated acts of violence and sabotage.

● That Bosch ordered the bombing of Venezuelan facilities while in prison in Venezuela.

Whitley's ruling goes against earlier rulings by INS Commissioner Alan Nelson and the Southern regional commissioner, Stephen Martin. Bosch's immigration case had been taken out of the hands of the local INS district director, Perry Rivkind, in 1988 on the grounds that the confidential government material should be reviewed by Martin.

After a year of studying the records, Martin ruled on May 19, 1989, that the confidential material was insufficient to order Bosch deported without a more thorough hearing. Martin ordered the case sent back to Rivkind, an order that Nelson, his superior in Washington, approved on the same day.

However, on May 24, the attorney general's office overruled Martin and Nelson and took over the review of the case. Friday's decision rejected Martin's conclusions on the merits of the confidential information.

"I am convinced that the regional commissioner substantially understated the weight of the evidence," Whitley said Friday.

"I think Fidel Castro's agents are really responsible for loading up the Bosch file with information which at best is incorrect, and at worst is totally biased," she said.

Bosch's daughter Myriam wept before reporters as she refuted the government's allegations that Bosch was involved in terrorist activities as recently as 1984, while still imprisoned in Venezuela.

"My father has not had ties to any terrorist activity for the last 10 to 15 years," she said. "Where are they getting this?"

She also said Bosch's life would be in danger if he were sent abroad. "Castro is waiting for my father," Myriam Bosch said. "The minute he is deported, they'll kill him."

Whitley cited confidential FBI, CIA and State Department reports

on Bosch that have been reviewed by INS officials but have never been made public.

The previously secret material disclosed by Whitley included allegations that Bosch was involved:

● Between 1961 and 1968 in more than 30 acts of sabotage and violence in the United States, Puerto Rico, Panama and Cuba. These acts included the May 4, 1968, bombing of the British vessel "Granwood"; the May 30, 1968, bombing of the Japanese vessel "Asaka Maru"; and the June 1, 1968, bombing of the Japanese vessel "Mikagesan Maru."

● In the attempted assassination of the Cuban ambassador in Buenos Aires in August 1975.

● In the Sept. 1, 1976, bombing of the Mexican Embassy in Guatemala City.