

Officials: Deportation may never come

By CHRISTOPHER MARQUIS 6-29-89-1B
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When the United States ruled last week that Orlando Bosch is a dangerous terrorist who should not stay in this country, his supporters voiced grim predictions.

"He is a dead man if he is deported," daughter Myriam declared. "Castro will kill him."

Yet speedy deportation is just one scenario, perhaps the least likely, Bosch could face in coming months, lawyers, diplomats and U.S. officials said Wednesday.

Bosch's legal recourses are extensive and the obstacles to his deportation great.

"Everybody's making a big deal out of

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this," said Ira Kurzban, former president of the American Immigration Lawyers Association. "If there's no country willing to take him, he won't go anywhere."

Bosch, 62, is being held at the Metropolitan Correctional Center in Southwest Dade while the government decides his fate. The Justice Department has promised not to deport him for two weeks while an appeal gets under way in federal court.

In the meantime, federal officials are looking for a country — other than Bosch's native Cuba — to accept him, said Justice Department spokesman Dan Eramian.

One veteran U.S. diplomat, who requested anonymity, said the search could prove futile: Countries might rebuff Bosch because of his politics, his unpredictability or simply because he is not their problem.

By federal law, the United States selects destinations for deportees using the following list, in order of priority:

■ The country they left to enter the United States.

- Their country of birth.
- Any country in which they once lived.
- Any country that will accept them.

Bosch spent 11 years in Venezuelan jails on charges that he planned the mid-air bombing of a Cuban jetliner that killed 73 people. He was never convicted. In February 1988, weeks after he was released from jail, Venezuelan authorities issued Bosch an emergency passport and allowed him to board a flight to Miami.

"Venezuela did its best to get rid of him. They sent him to the United States without a visa," said a foreign diplomat in Caracas. He said he doubted Venezuela would take Bosch back.

For Venezuela, talk of taking Bosch back could not come at a worse time. Two weeks ago, Venezuela and Cuba normalized diplomatic relations that had languished after a near break in 1980. The cause of the original rupture: A Venezuelan court's acquittal of Bosch.

Would Venezuela take Bosch back?

The official government response is guarded. The United States has made no formal U.S. request to return Bosch, a spokesman at the Venezuelan Embassy in Washington said Wednesday. "Until we have a visa request from Mr. Bosch, we can't say yes or no," said embassy officer Ramon Hernandez.

Another possible destination for Bosch is Chile. Bosch lived there briefly in the mid-1970s. His wife, Adriana, is a Chilean citizen.

"I don't think he'd have a problem going to my country," a mid-level Chilean diplomat said.

The Chilean embassy in Washington, however, would not comment.

The only country that expressly wants Bosch is the one the United States has ruled out: Cuba.

The Cuban government tried Bosch in absentia for the plane bombing and sentenced him to death.

"We feel badly about his presence in the United States," said Clinton Adlum, a spokesman for the Cuban Interests Section in Washington. "We feel badly about him being any place but Cuba."

While the U.S. government seeks a country for him, Bosch can fight the process in federal court.

His lawyers can — and say they will — file a number of appeals and requests for stays of deportation, all the way to the way to the U.S. Supreme Court.

Kurzban, the immigration attorney, estimated lawyers could tie up the case for up to three years if successive stays are issued.

In the meantime, the government can keep Bosch in jail indefinitely.

But the government can also free Bosch on parole even as they look to deport him.

That happened to Felipe Rivero, a Bay of Pigs veteran accused of terrorism in 1967. He was ordered deported, but the government found no country to take him. Rivero was released.

Today, Rivero has his own show on Miami cable television. He long ago ended weekly meetings with parole officers.

"I don't have a crystal ball," Rivero said, "but I think something very similar will happen with Bosch."