

# Cuba Takes Cue From U.S. in U.N. Demand

By Trevor Rowe  
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UNITED NATIONS, April 28—Cuba asked the Security Council today to demand that the United States hand over two Cuban exiles who Havana charges were behind the 1976 bombing of a Cubana Airlines jetliner over Barbados.

The request was viewed by many diplomats as an attempt to embarrass the United States, which along with Britain and France has engaged the council in efforts to extradite two Libyans accused in the 1989 bombing of a Pan Am airliner over Lockerbie, Scotland. The council's president said the legal merits of the Cuban request were "under consideration."

U.S. Ambassador Thomas Pickering limited himself to saying that "it's a 20-year-old question that is extremely complex involving Cuba, Venezuela and the U.S."

The reference to Venezuela stems from the fact that two suspects in the case, Orlando Bosch and Luis Posada Carriles, were arrested there and tried on charges of

having masterminded the bombing, which killed 73 people.

Bosch was held for 11 years by Venezuelan authorities, during which time he was acquitted twice of responsibility. Bosch, once described by U.S. attorney general Dick Thornburgh as an "unreformed terrorist," earlier had been convicted in a 1968 bazooka attack on a Polish freighter in Miami.

Bosch served four years of a 10-year sentence in an Atlanta federal penitentiary, then violated parole by leaving the country without permission. He currently lives in Miami, where—after a prolonged legal battle and an apparent renunciation of terrorist activities—he lives under strict house arrest.

The whereabouts of the other suspect, Carriles, were not known. But Cuba charged that both men are under U.S. "protection." Posada escaped from a Venezuelan jail. In 1987, he was named in Senate hearings as having played a key financial role in the Nicaraguan contra resupply effort led by Lt. Col. Oliver North.

Venezuela's ambassador here,

Diego Arria, said he doubted Bosch could be extradited from the United States. "He was already tried in Venezuela. He can't be tried twice."

Ruth Wedgwood, an associate professor of law at Yale University, noted that "almost every extradition treaty has a double-jeopardy provision." She added that she could not "imagine the council not respecting the original acquittal unless it suspects the original trial process was not fair."

Cuban Ambassador Ricardo Alarcon de Quesada described the original trial as a "judicial aberration" in which Bosch was tried in both a civilian and a military court.

"Current President Carlos Andres Perez and others had the moral conviction he was guilty," said Alarcon. "Why doesn't Bosch take legal action against Venezuela if he feels he was unjustly imprisoned for those 11 years?"

By making its request, Cuba is attempting not just to secure the extradition of the two men but to have the council act on what it charges are "terrorist actions" being carried out against the island

from the United States. "With a huge press coverage and in an open way, terrorist groups in the United States territory organize themselves militarily, train themselves in the use of weapons and explosives and shamelessly announce their plans to invade Cuba," stated the Cuban letter.

The letter quoted from the recent resolution imposing sanctions on Libya, which says that "every state has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another state, or acquiescing in organized activities within its territory directed towards the commission of such acts, when such acts involve a threat or use of force."

The Cuban letter said, "We demand that the Security Council condemn the sabotage against the Cubana airplane with the same firmness that we condemn the sabotages against the Pan American and Union of Transports Aeriens airplanes," a reference to the Lockerbie bombing and the destruction of a French UTA jetliner in 1989 that left a total of 441 people dead.