

AMICUS CURIAE BRIEFS FILED WITH THE US SUPREME COURT SHOW WORLDWIDE SUPPORT ON BEHALF OF THE CUBAN FIVE

Today, March 6, 2009, 12 amicus curiae (friend of the court) briefs were filed with the Supreme Court of the United States in support of the position for the Court to review the case that was presented by the Defense of the Cuban Five on January 30.

This is the largest number of amicus briefs ever to have urged Supreme Court to review a criminal conviction.

Ten Nobel laureates signed the amicus, among them **Timor Leste President Jose Ramos Horta, Adolfo Perez Esquivel, Rigoberta Menchu, Jose Saramago, Wole Soyinka, Zhores Alferov, Nadine Gordimer, Gunter Grass, Dario Fo and Mairead Maguire**, as well as the **Mexican Senate, the National Assembly of Panama, and Mary Robinson, the former UN High Commissioner for Human Rights and former President of Ireland (1992-97)**.

In addition were **hundreds of world legislators**, including:

- 75 members of the European Parliament, including two former presidents and three current vice presidents of this Legislature
- 85 Mexican Deputies
- 87 members of the United Kingdom House of Commons
- 9 senators and 33 deputies of the Irish Parliament
- 11 members of the Parliament of Scotland
- 17 senators and 138 deputies of Brazilian National Congress
- 4 senators and 8 deputies of the National Congress of Chile
- 4 representatives, a senator and a former senator of the Belgian Federal Parliament
- 7 members of the German Parliament (Bundestag)
- 2 members and 2 former members of the House of Councillors and 5 members and an ex member of the House of Representatives of the National Diet of Japan.

Other amici were presented in the name of **numerous legal and human rights associations of different countries, international personalities and legal and academic organizations in the United States**, among which are:

- The International Association of Democratic Lawyers and the American Lawyers Association
- The Ibero-American Ombudsman Federation
- The International Human Rights Federation
- The Order of Lawyers of Brazil
- The Center for International Policy, Council of Hemispheric Affairs, Civil Rights Clinic at Howard University School of Law, Cuban-American Scholars, National Association of Criminal Defense Lawyers, Florida Association of Criminal Defense Lawyers, the National Jury Project, The National Lawyers Guild and the National Conference of Black Lawyers, the William C. Velasquez Institute and the Mexican-American Political Association
- 14 law professors and 18 lawyers from Great Britain
- Former UNESCO Director General and former Minister Federico Mayor Zaragoza, 6 human rights and legal organizations, 6 law professors, Santa Cruz de la Palma Law School, and 94 lawyers and 14 different lawyers associations of Spain
- The Flemish Bar Association and the Bar Association for French and German Speakers of Belgium
- The Berlin Bar Association, the League of Human Rights and the Defense Bar Association, the Association of Republican Lawyers and the Working Group law students at the University of Humboldt in Germany.
- The Human Rights Program at the Autonomous University of Mexico City
- The Argentinean League for the Rights of Man, the Argentinean League for the Rights of Man Rosario Province, the Human Rights Study and Research Center of the Rosario National University Law School, Rosario Permanent Assembly for Human Rights, and the Rosario organization of Families of the Disappeared and Detained for Political Reasons.
- The Committee for Human Rights of the Portuguese Bar Association of Portugal
- The Foundation for Human Rights in Asia, the Lawyers Social-Democracy Center, 46 lawyers and 3 law professors of Japan
- Director Juez Juan Guzman Tapia of the Central University of Chile Human Rights Studies Center and the primary magistrate in the trial of Dictator Augusto Pinochet
- Chile Group of Families of Political Executed and the Chilean National Group of Ex Political Prisoners

- Permanent Assembly of Human Rights (APDH) of Ecuador
- The Collective Corporation of Lawyers José Alvear Restrepo, Profesor Renan Vega Cantor, Doctor in Political Studies and professor at the National Teaching University in Bogota, Colombia
- The Ecumenical Committee of Panama, the National Indigenous Lawyers Union, the Coordinator of Human Rights of People, the Peace and Justice Service, the Association of Independent Attorneys, the Association of Litigant Lawyers, the Istmeña Academy of International Law, Dr. Hernando Franco Muñoz, former legal advisor of the President of the National Assembly of Panama as well as the Assembly's international relations legal advisor and currently Director of the Department of Public Law, Department of Law and Political Science at the University of Panama, Ramiro Guerra Morales, member of the Board of Directors of the National College of Attorneys, Carlos Ayala Montero, Advisor to the National Assembly's Commission on Work and Social Welfare and Executive Director of the Panamanian Academy of Labor Law, among others.

The United Nations Human Rights Commission has condemned the Miami trial of the Cuban agents, marking the first and only time in history that that body has condemned a U.S. judicial proceeding. Citing a "climate of bias and prejudice" in Miami, the Commission's Working Group on Arbitrary Detentions concluded that the "trial did not take place in the climate of objectivity and impartiality that is required to conform to the standards of a fair trial."

Several of the amicus briefs filed by U.S. organizations also ask the Supreme Court to review the prosecution's striking African-Americans from the jury. The prosecutor used seven of nine "peremptory challenges" (where no explanation need be given to strike a juror) to strike black jurors. The Court of Appeals ruled that no inquiry need be made into the prosecutor's motives because three other black jurors, a minority on the 12-person jury, were seated. Amici maintain that this allows prosecutors to mask their manipulation of the racial make-up of a jury.

The U.S. government's brief in opposition is presently due April 6. The Court is likely to decide whether to grant review before its summer recess in June.