

# Castro Could be Arrested and Prosecuted in the United States

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Tampa attorney Ralph Fernández, with extensive experience as a criminalist and prosecutor, is convinced that there exist elements of fact and law to prosecute dictator Fidel Castro in the U.S., and to find him guilty of murder of the 4 members of Brothers to the Rescue who died in the downing of two small aircraft by MIGs of the Castro regime on the 24th of February 1996.

Fernández is the legal representative of José Basulto, president of Brothers to the Rescue, and of said organization, in the case of U.S. v. Gerardo Hernández, in which Caroline Heck-Miler [sic] has been serving as the prosecutor and where the chain of command and cause for the death of the four members of Brothers to the Rescue – three of them citizens of the US and one resident – supposedly begins with Fidel Castro.

Castro, therefore, is in the referenced case accused of murder and under investigation for murder; and if he sets foot on United States territory he can be arrested and brought before the justice of this country. That is the opinion of attorney Fernández, and that is how he just told it to DIARIO LAS AMERICAS.

Castro plans to attend on December 1st in Seattle, Washington, at the meeting of the World Trade Organization (initials WTO in English), and already the Republican Congressmembers for Miami, Ileana Ros-Lehtinen and Lincoln Díaz-Balart, have initiated a series of steps with other colleagues, to impede the granting of a visa to the tyrant, or, in that case, that he be arrested to face United States justice.

In this respect, affirms Fernández that the Federal Prosecutor of South Florida Thomas Scott, has the capacity – and is obligated by the nature of his duties to exercise it – to order the prosecution of the dictator, order his arrest, just as he would have to do with any person that he finds in these circumstances.

Fernández revealed that he has asked that there be made public certain facts related to the criminal process pending against Fidel Castro in the Southern District of Florida, "At this very moment there are conspirators accused but not being prosecuted for the downing of the small aircraft of Brothers to the Rescue, including Fidel Castro," expressed Fernández. In public declarations at the root of this inconceivable incident, the tyrant admitted knowing what could result from the act and justified it. "But there is resistance in the prosecutors to go directly against Castro, who was the one that ordered the massacre and afterwards accepted his responsibility for this terrorist act," said Fernandez.

Fernández believes that the U.S. Attorney of the District of South Florida, has authority and authority, which is where the case is based in which Fidel Castro is accused and investigated, "against whom the information and the evidence points directly," said Fernández.

Pursuing these arguments, on Friday afternoon several Cuban exile organizations announced that on Monday they will put forward a petition to the U.S. Attorney for the District of South Florida, Thomas Scott, urging him that Fidel Castro should be prosecuted

for a charge of murder.

“If Fidel Castro is permitted to visit the U.S. and is not prosecuted, when there exists and is valid a charge of terrorist homicide against him, or it is under investigation, our whole system of justice will be in doubt. To not charge Castro at this moment diminishes the entity of the formulated charge, and encourages lack of respect for the law. Moreover, it sends a message that Castro is above our laws, in other words, it would affect 270 million inhabitants of this country who would see their own case reflected in this one when they prepare for justice to be done,” said Fernández.

And further clarifying his concept of the responsibility of justice to not let itself be interfered with by political pressure, Fernández reiterated that which was said at the end of a press release which was conducted on Wednesday: “When a prosecutor of the country raises his hand and swears to obey and enforce the law, he has to foresee that there will be a moment in which, no matter what the consequences, he should do what is just and that which he has been entrusted to do. It is not up to the other three thousand prosecutors in this country to worry about this case, just one. If Thomas Scott chooses to not prosecute Fidel Castro, he will be abandoning his duty and will have to live forever with his decision.”

It was not possible to contact prosecutors Scott and Heck-Miller this weekend to get their points of view.