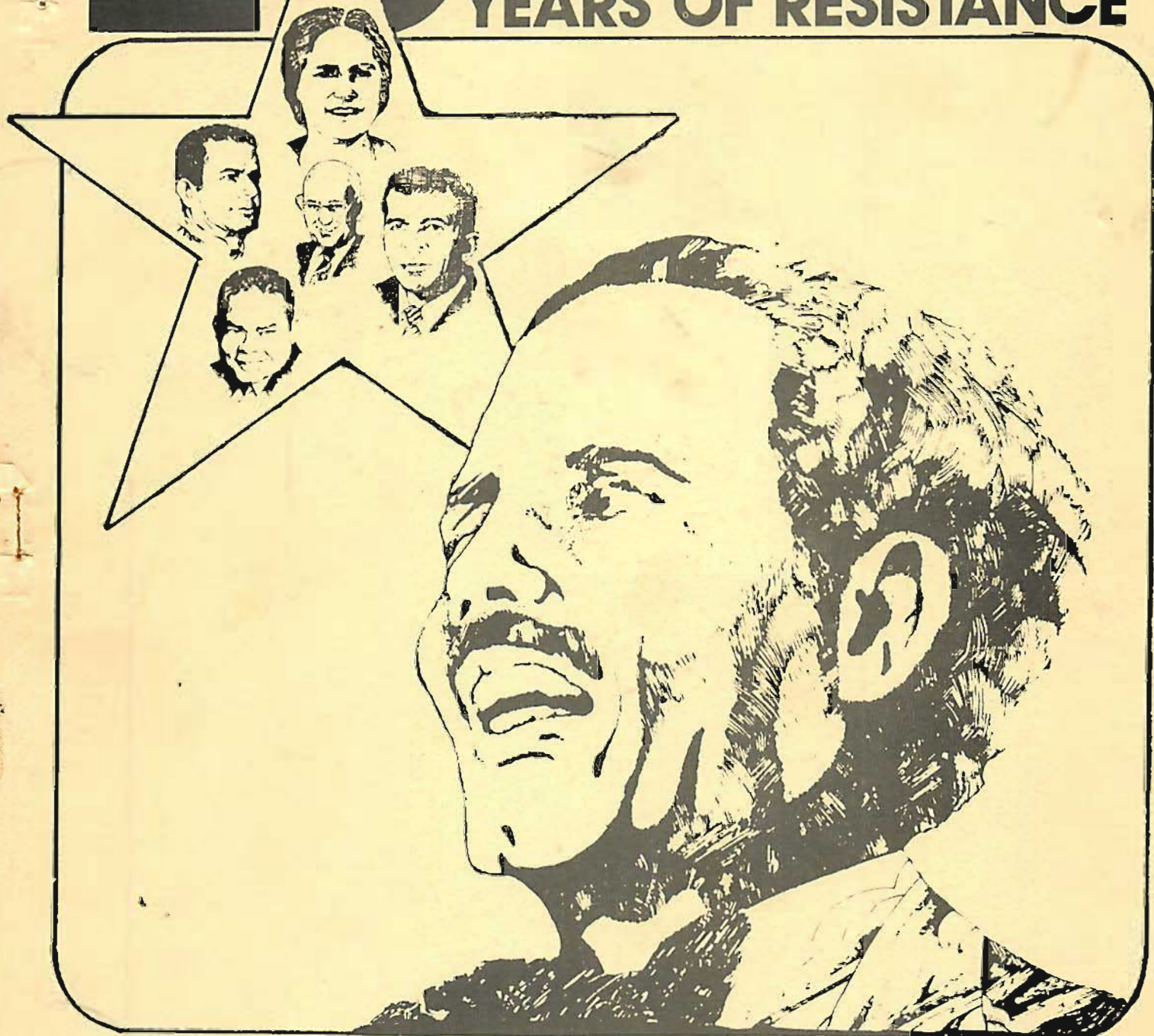


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**YEARS OF STRUGGLE
YEARS OF RESISTANCE**



Esta lucha vá llegar a la guerra popular

Document No. 1

**National Committee to Free the
Four Puerto Rican Prisoners of War**

1671 North Claremont, Chicago, Illinois; (312) 384-5016

INTRODUCTION

The National Committee to Free the Four Puerto Rican Prisoners of War is pleased to publish this collection. This collection has a twofold purpose: on the one hand, it puts to rest the myth that their struggle can be separated from the struggle to free Puerto Rico; the four succinctly state that they will never utilize humanitarian or legal arguments to advance their personal freedom; on the other hand it advances the position that the U.S. not only violated international law when it invaded and took over Puerto Rico, but has continued to violate both the spirit and the letter of every international declaration in regards to colonial peoples.

Contained herein are the principled positions which have traditionally characterized the Nationalists. Positions which are based upon an uncompromising policy with the foreign intruder including his colonial state mechanisms. For the Nationalists have clearly understood Fanon's maxim that "colonial society is the meeting of two forces, opposed to each other by their very nature, which in fact, once their originality to that sort of substantification which results from and is nourished by the situation in the colonies. Their first encounter was marked by violence and their existence together..... was carried on by dint of a great array of bayonets and cannon." Therefore, since the enunciation of the Albizuist thesis that Puerto Rico is a militarily intervened nation, the Nationalists have contended that there can be no collaboration with any branch or subdivision -- whether insular or federal -- of the colonialist regime.

Departing from the premise that since 1898, there has existed a state of war between Puerto Rico (the intervened nation) and the United States (the intervenor), the Four Nationalists, along with their comrade Andres Figueroa Cordero, have always insisted that they are not mere political prisoners, but are in reality, prisoners of war. They are freedom fighters involved in a national war of liberation, who, as stated in this collection, were and are to be treated according to the principles of the Geneva Convention.

It is important that we underline the fact that they are freedom fighters. They and their actions are not of a past political experience (as some would like us to believe). They are the embodiment of our strategy (revolutionary action) and of our goal (a free Puerto Rico). They have not renounced their revolutionary deeds and their incarceration has served as a beacon of hope for all those who in the outside, for freedom grope. From the darkness of their prison cells their stoic heroism illuminates the path of the Puerto Rican resistance. The years of imprisonment have not dulled their spirits, they are as firm and as committed as when they entered. As Lolita Lebron has written;

"Nuestro movimiento libertador ha confrontado a los tiranos opresores de la Nacionalidad. Su Lucha por la Emancipacion Nacional representa la altura y la militancia de Puerto Rico por su liberacion desde el Grito de Lares hasta esta cuarta del siglo XX en que continua su transcurso hasta la victoria arin desde las prisiones -- donde no deja de sev ni de obrar, porque la prision no puede matar el espirita real y eterno de los pueblos."

("Our movement for liberation has confronted the oppressing tyrants of the Nationality. Its struggle for national emancipation represents the heights and the militancy of Puerto Rico for its liberation since the Grito de Lares to this quarter of the 20th Century in which its course has continued to final victory even within the prisons -- where it has not ceased to be and to struggle, because prisons cannot kill the real and eternal spirit of a people.")

With the same indelible spirit of resistance, Rafael Cancel Miranda has stated;

"Si defender a mi pueblo contra la opresin y la explotacion, si defenderlo bajo cualquier medio necesario es terrorismo, entonces, quiero su el terrorista mos peligroso con que si haga topado el imperialismo de los Rockefeller y demos parositos que se chirpan la sangre de los pueblos."

("If to defend my people against oppression and exploitation, if to defend them by any means necessary is terrorism; then I want to be the most dangerous terrorist with which the imperialism of Rockefeller and the other parasites who suck the blood of the people has ever come in contact with.")

So, it is this firm revolutionary valor that permeates their whole existence which can give us the almost legendary deeds of an Andres Figueroa Cordero, a Lolita Lebron, and a Don Bernardo Diaz y Diaz, to cite three. Andres Figueroa Cordero knowing that his final hour neared and under extreme pressure from the government authorities, refused to sign any papers to commute his sentence and be released. Don Bernardo Diaz y Diaz was an elderly Nationalist -- seventy years old -- who after serving two decades of incarceration refused to leave his jail cell even though he had been released. Don Bernardo insisted that he could not leave the jail while his five comrades remained in federal prisons. It took the force of four policemen to remove him from the jail. For the rest of his days he wore a prison suit in order to protest the continued imprisonment of Oscar Collazo, Irvin Flores, Andres Figueroa Cordero, Rafael Cancel Miranda, and Lolita Lebron. And, Lolita Lebron, who while in jail has lost her beloved children and who, like her comrades, has past what Albizu called the "trial by fire", has refused every offer by the U.S. government to free her including a possible trade with the Cuban government. Not because she does not want to be free, but because she will not accept any conditional release, nor any deal which leaves her comrades in. It is obvious that their courage has permitted them to walk firmly and serenely through the shadow of death. As Albizu once stated;

"Cuando el hombre pasa serenamente sobre las sombras de la muerte es que entra en la inmortalidad."

("When a man passes serenely through the shadows of death, it is when he enters into immortality.")

So, while on the one hand, in this collection that tremendous spirit of resistance manifests itself, a resistance which emanates from an inner fire that has made their lives a living and growing part of our struggle rather than a dying isolation that the imperialists sought to make of them -- on the other hand, in these documents, it becomes quite apparent that not only is Puerto Rico held illegally, but so are the Four. Illegally not in the context of U.S. law, but in the context of the laws of nations. In many of the international resolutions and statements of such bodies as the United Nations, it is clearly stated that freedom fighters are to be treated according to the provisions of the Geneva Accords, and not according to the law of the colonial power.

For example, United Nations Resolution 2621 (XXV) states that:

"All freedom fighters under detention shall be treated in accordance with the relevant provisions of the Geneva Convention relative to the treatment of prisoners of war."

In closing, we would like to state that we hope this collection will enlighten progressive forces in this country to clearly understand that the struggle to free the Five is intrinsically tied to the struggle to free Puerto Rico. That there are no legal remedies within the context of the imperialist regime, or humanitarian grounds within the false and hypocritical human rights campaign of President Carter that the Four will utilize to seek their individual freedom. As Lolita Lebron once stated;

"To love me is to love my country."

We say to struggle for their freedom along revolutionary anti-imperialist lines is to struggle for the emancipation of our homeland.

The National Committee to Free the
Four Puerto Rican Prisoners of War.

Leavenworth, Kansas, U.S.A.
April, 1978

To Our Comrades and Compatriots

We have in our possession a document sent to us by the National Committee for the Liberation of the Nationalist Prisoners, from Puerto Rico, in which law Professor John Luis Passalacqua expresses in legal terms, proper to his profession, the reasons why he thinks that the Nationalist prisoners have scant hopes of bringing Puerto Rico's political case before an International Tribunal that would be willing to listen to our complaints. After explaining about the various stumbling blocks we would encounter in our endeavor, he goes on to express his fear that we might expose ourselves to ridicule while trying to reach those international forums because we lack the juridical power to do so; that only those peoples who enjoy sovereignty or who have the backing of other sovereign nations possess that power.

It would be almost an impossible task to analogize the rights established by law with political idealism, but because in our case we have no knowledge of law, the only avenue left to us for the expression of our sentiments and opinions is that based on our patriotic and political views:

1. It is precisely because our country lacks juridical standing internationally that we are struggling to reach some international forum that might be willing to listen to us.

2. Were we to obtain such a courtesy, we would not go there to plea for our personal freedom. We have only one objective: to challenge the legality of United States' presence on Puertorican territory before world opinion. In trying to obtain our objective, we intend to present the following arguments:

- a. Two sovereign powers have the absolute right to enter into negotiations and to reach and sign agreements concerning the transfer from one to the other of a territory that is not inhabited....provided there is not a third power with legitimate claim over the foresaid territory. They can agree on transfer of real-estate, material properties or territory, but never on the transfer of human beings, since these are not negotiable merchandise.

- b. The territory of Puerto Rico was not only inhabited by the time of the signing of the Treaty of Paris the 11th of April 1899, a fact that made it qualify as the third sovereign party, and which had to be consulted in any negotiations, but its population reached almost the million inhabitants.

- c. Puerto Rico was an autonomous nation during the time that the Treaty of Paris was signed and had in right to be consulted during the negotiations in which the sovereignty of the people of Puerto Rico was involved.

d. When the Treaty of Paris, through which Spain transferred to the United States its political control over the territory of Puerto Rico was signed without consulting the third sovereign -- in this case the Puertorican nation -- the said treaty was null and without value as pertained the human rights of our people.

e. The presence of the United States in Puerto Rico starting from the 25th July, 1898, constitutes a criminal act of force and power without any semblance of legality at all.

f. There has always existed and today exists in Puerto Rico a strong independentist movement. Due to our colonialist condition, to the repressive and criminal environment and to the absolute control that the invading power exercises over the most important and effective means of propaganda and information, it has become an almost impossible task for this movement to reach the masses of the people, the reason why the colonial elections would never be an exact and honest reflexion of the feelings and will of our people.

Why We Should Not Carry On Our Legal Battle Before The Imperialist Courts

The Nationalist prisoners allowed the filing of some legal motions before the courts of the United States as a means to bring pressure on the government to obtain the release of one of our comrade who was close to death. Once we obtained the release of our comrade, there's no urge to follow our legal battle before those courts. Since the beginning we explained very clearly our position to our lawyer friends and they manifested their willingness at all times to respect our political principles.

It would be a hypocritical attitude of us as Puertorican Nationalists to say that we are fighting Northamerican imperialism on one hand while on the other we go to plead before their courts for the protection of our constitutional rights. In the first place, we don't consider ourselves citizens of the United States. The American citizenship was imposed on us by a Congress in which we have no representation and after the United States had established an illegitimate government of force over Puertorican territory.

We do aspire to enjoy the advantages, privileges and rights guaranteed under a constitution, but this will be only under the sovereign, free and independent Republic of Puerto Rico.

If our personal freedom depends on the genuflexions we might be ready to make before the criminal, sadist empire that holds our homeland under the degrading yoke of colonialism, we'll never descend to such lowness.

Signed:

Oscar Collazo
Irvin Flores Rodriguez

Leavenworth Kansas
8th April, 1978

DECLARACION DEL NACIONALISTA RAFAEL CANCEL MIRANDA

STATEMENT BY RAFAEL CANCEL MIRANDA, ONE OF THE FOUR PUERTO RICAN
NATIONALIST PRISONERS OF WAR

1) I am a Puerto Rican citizen. United States citizenship was forcefully imposed upon us by the United States Government. I do not recognize the laws of a legal framework forcefully imposed. Therefore, I do not recognize nor do I accept, nor have I ever accepted United States citizenship. I am a foreigner, held prisoner in a yankee jail.

2) The North American government invaded the Puerto Rican homeland by force. My homeland has been militarily occupied by a foreign power, (just as France occupied Algiers, Portugal occupied Angola, Belgium occupied the Congo, just as Great Britain occupied India, and so on.)

3) I do not believe in the validity of colonial plebiscites. Anyone that has any common sense realizes that only those who are free are able to make choices. In the case of colonized nations, these do not enjoy the powers of making choices, since the real power lies in the hands of the colonizers, who not only have control over the survival of the colonized, but also over the minds of the majority, since they control the means of mass communication and "education". Puerto Rico is a colony of the United States, and that has been recognized by world opinion. Therefore, we are not a sovereign People, and only Sovereign Peoples have the power and needed criteria to determine their destiny. During the war for United States independence, the majority of the people feared independence, and if a colonial plebiscite would have taken place, the immense majority of those people in the thirteen colonies would have voted in favor of the monarchy of England. England did not have the means to overwhelm the colonies with their mass propaganda.

4) I support the right of my nation to struggle for its independence through the utilization of any means necessary. I do not recognize nor believe in the right of the United States to occupy our national territory, though they do believe in their right to dominate and subjugate us by any means.

5) As a citizen of a militarily occupied and a politically, economically and culturally oppressed country, I believe in our right to attack our invaders, and especially those who specifically ordered the invasion of our homeland, and who through their troops continue to occupy my nation as well as other nations. I believe that my attack on the Yankee Congress is justified.

6) In short, the Yankee courts do not recognize the validity of those five points mentioned above. The Yankee courts are not an impartial body. This is why we are moving our case to the International Courts.

To the Secretary-General of the United Nations

THE PEOPLE OF PUERTO RICO

ex. rel.

LOLITA LEBRON
RAFAEL CANCEL MIRANDA
IRVIN FLORES RODRIGUEZ
OSCAR COLLAZO
ANDRES FIGUEROA CORDERO

vs.

James Carter, President, United States
Griffin Bell, Attorney General, United States
United States District Court for the District of Columbia

CHARGES AND DOCUMENTATION OF 25 YEARS OF HUMAN RIGHTS VIOLATIONS
AGAINST THE IMPRISONED PUERTO RICAN NATIONALISTS, PRISONERS OF WAR

For presentation to the United Nations Commission on Human Rights

Submitted by:

National Committee for the Freedom of the
Puerto Rican Nationalist Prisoners
(Puerto Rico)

National Committee to Free the Four
Puerto Rican Prisoners of War (United States)

TABLE OF CONTENTS

INTRODUCTION	Page 1
I. FACTUAL BACKGROUND	2
II. PETITIONERS	15
III. STANDING	20
IV. EXHAUSTION OF REMEDIES	21
V. ACCUSATION	
A) THE DETENTION, TRIAL AND CONTINUED IMPRISONMENT OF PETITIONERS BY THE UNITED STATES GOVERNMENT VIOLATES INTERNATIONAL HUMAN RIGHTS PROTECTIONS	24
B) THE NATIONALISTS HAVE BEEN SUBJECTED TO OVER TWO DECADES OF HUMAN RIGHTS VIOLATIONS WHILE CONFINED IN UNITED STATES PRISONS	35
C) THE CONTINUED REFUSAL OF THE UNITED STATES GOVERNMENT TO REPATRIATE PETITIONERS WITHOUT CONDITIONS VIOLATES THEIR HUMAN RIGHTS	41
VI. CONCLUSION	44
APPENDIX	

INTRODUCTION

Lolita Lebron, Rafael Cancel Miranda, Irvin Flores, Oscar Collazo and Andres Figueroa Cordero* have been held in U.S. prisons for over two decades for armed acts carried out in furtherance of their legitimate aspirations for the independence and freedom of their homeland, Puerto Rico. Despite the political nature of their actions they were tried as common domestic criminals, given barbaric sentences, sent to the most cruel and inhumane prisons in the United States, and subjected there to severe political isolation and special punishment for over 24 years.**

The charges contained in this document are the result of extensive interviews with the prisoners, their attorneys and their comrades in the struggle for the independence of Puerto Rico.

After 24 years of separation from their family, friends and beloved Puerto Rico, there can be no reason, consistent with human rights and decency, for the continued refusal by the United States government to recognize their fundamental right to repatriation. Their continued punitive and isolative imprisonment violates the spirit and substance of the United Nations Charter and General Assembly Resolutions, the Geneva Convention, Relative to the Treatment of Prisoners of War as Supplemented by Additional Protocol I & II (June 8, 1977), the Universal Declaration of Human Rights and other International Human Rights Covenants.

*Suffering from terminal cancer caused by the willful neglect of the United States government; public pressure forced President Carter to release Andres Figueroa Cordero in October, 1977.

**Nationalist Oscar Collazo has been confined in U.S. prisons since 1950, twenty-eight years.

I. FACTUAL BACKGROUND

From the late fifteenth century until 1898, Puerto Rico was a colony of the Spanish Empire. The eighteenth century marked the beginning of the end of Spanish world dominance. During this period the Puerto Rican economy and population expanded rapidly, and an early independence movement arose in opposition to the use of slaves, slave trade, and the harsh Spanish colonial rule. Inspired by Ramon Emeterio Betances, considered the father of the Puerto Rican independence struggle, an uprising took place in Lares on September 23, 1868, which proclaimed the First Republic of Puerto Rico. The revolutionary insurrection of Lares was savagely repressed by Spanish troops, but the Cry of Lares (Grito de Lares) is a symbol and clarion of the continuing struggle for independence by the Puerto Rican people.

Weakened by attempts to maintain its vast colonial empire, Spain was forced to grant autonomy to Puerto Rico in 1897. The Charter of Autonomy, a document negotiated between representatives of the Puerto Rican people and the Spanish Crown, provided a series of important rights to the insular government of Puerto Rico. The Puerto Rican peoples' power of internal legislation was limited only by the Spanish constitution. Puerto Rico retained complete power to establish its own currency and postal system; determine tariffs on products entering from abroad; enter into commercial treaties, and reject or approve treaties negotiated by Spain, which would effect the economic interests of Puerto Rico. Most significantly, the Charter provided that it could not be legally amended except with the approval of the Puerto Rican Parliament.

The United States, which since the early nineteenth century had begun to look upon the Caribbean as a natural area for territorial expan-

sion, saw Spain's weakened position as allowing for the emergence of an independent Cuba and Puerto Rico. In order to protect their expansionist designs, the United States declared war on Spain on April 23, 1898. For the following three months the North American forces concentrated their efforts in crushing the last enclaves of Spanish resistance in Puerto Rico. Having accomplished this goal, the United States forces under the leadership of General Nelson A. Miles, the American Indian slaughterer, invaded the island of Puerto Rico on July 25, 1898.

A group of Puerto Rican patriots fought the invading forces at gun point and throughout the island the Puerto Rican people valiantly resisted with only machetes as weapons.

Telling the people of Puerto Rico that they had not come to make war but for their own protection "and to bestow upon you the immunities and blessings of the liberal institutions of our government...", the invading forces were able to overpower the resistance and penetrate the Puerto Rican nation. United States Senator Henry Cabot Lodge crowned this imperialistic endeavor with the following words:

With its population and advantageous strategic position, the island of Puerto Rico, the easternmost and most beautiful of the Antilles, had constantly been on the minds of the Army and Navy from the very moment the war had begun; and this war was to constitute the last step in an inexorable movement begun by the United States a century ago to expel Spain from the Antilles.

Once assured of its hegemony over the island, the United States imposed a military regime, ignoring the existing autonomous Puerto Rican government.

On December 10, 1898, the Treaty of Paris, negotiated between Spain and the United States without any representatives from Puerto Rico, formally ceded Puerto Rico from Spain to the United States. Thus, despite the Charter of Autonomy which provided Puerto Rico with powers of self-government, and the Charter's provision that it could not be amended

except at the request of the Puerto Rican Parliament, the United States forced Spain to ignore these fundamental sovereign rights of the Puerto Rican nation. The Treaty of Paris further provided that "the civil rights and political condition of the territories here ceded to the United States will be determined by Congress." The Treaty of Paris as applied to Puerto Rico, violated prior existing treaties and under international law was null and void.*

In mid-1900, the United States Congress ended direct military rule with the passage of the Foraker Law which provided for civilian colonial rule, putting all power into the hands of United States-appointed officials. The Foraker Act, which was the legal basis for the functioning of Puerto Rican political and economic life, made all United States laws applicable to Puerto Rico; required all laws passed by the Puerto Rican legislature be submitted to the U.S. Congress for approval; put stringent restrictions on who could vote; and prohibited Puerto Rico from making commercial treaties with other nations or setting its own tariffs. The Act gave the U.S. Congress ultimate power in the making of laws and trade relations affecting the Puerto Rican people.

*See Writ of Certiorari, filed by Don Pedro Albizu Campos, Esq. in People of Puerto Rico, Petitioner, vs. Luis F. Velasquez, Respondent October Term, U.S. Supreme Court, 1935 #243. Nationalist Party leader Albizu Campos directly challenged the legality of the Treaty of Paris in the U.S. courts. His basic position was three-fold: a) that the Charter of Autonomy of 1897 had conferred upon the island full sovereign powers (Puerto Rican juridical personality achieved international recognition upon being accepted as a member of the Universal Postal Union); b) that according to its own wording the Charter could not be altered except at the request of the popularly elected Puerto Rican Parliament; and c) that the transfer of Puerto Rico to the United States resulting from Article Two of the Treaty of Paris violated the basic principles of international law since Puerto Rico was not res in commercium.

See also Document of Nationalist Party filed with the United Nations Decolonization Committee, 1967, entitled "Constitutional Relationship Between the United States of American and the Commonwealth of Puerto Rico" attached as Appendix A.

In March of 1917, the United States took another major step to consolidate the colonial status of the Puerto Rican nation with the passage of the Jones Act. The Jones Act imposed United States citizenship on all Puerto Ricans en masse. This imposition of citizenship was done against the express will of the legislative representatives of the Puerto Rican people on the eve of World War I, to permit wholesale conscription of young Puerto Rican men to fight in the imperialist war. Despite the "gift" of U.S. citizenship to the Puerto Rican people, the United States Supreme Court ruled that this did not mean that Puerto Rico was part of the United States, and thus the protections provided by the United States Constitution to its citizens did not fully apply to Puerto Rico. See e.g., Balzac v. People of Puerto Rico, 258 U.S. 298 (1922). The Supreme Court ruled that Puerto Rico "belongs to but is not part of" the United States. The Foraker and Jones Acts, known as the Organic Acts, provided the "legal" framework for the emergence and development of a dependent-colonial economy.

In 1930 the leadership of the Puerto Rican Nationalist Party, initially a cultural association, was assumed by a brilliant young lawyer, Pedro Albizu Campos. Albizu Campos transformed the Nationalist party into a militant anti-imperialist force for independence. He identified Puerto Rico as a militarily intervened nation, that had the absolute right to total independence by any means necessary, including force of arms. The Party challenged the legality of the entire colonial relationship to the United States; Albizu Campos proclaimed that, "Nationalism is the nation organized to recover its sovereignty."

Popular support for Albizu Campos and the Nationalist Party began to grow in the 1930's throughout the island. In 1934 Campos was asked to represent the thousands of striking sugar cane workers. As the influence and effectiveness of the Party grew, United States-directed repression against their movement intensified. In October, 1935, four Nationalist

Party activists were gunned down by police at a rally in Rio Piedras. In retaliation, in February, 1936, Nationalist martyrs, Hiram Rosado and Elias Beauchamps, assassinated Colonel Francis Riggs, the U.S. Chief of Police on the island, and were murdered in the police station after their arrest. The United States government further responded by indicting Albizu Campos and the main leadership of the Nationalist Party for conspiracy to overthrow the United States government in Puerto Rico. All the leaders of the Party were convicted by a hand-picked jury, and sent to U.S. prisons, Albizu Campos for 10 years.

In March, 1937, in Ponce, a demonstration was held to protest the arrest of Nationalist leaders, and to commemorate the abolition of slavery. Under direct orders from the United States colonial governor Winship, police opened fire with machine guns on the unarmed gathering, killing 21 and wounding more than 150 people.* The parents of Petitioner Rafael Cancel Miranda were at the Ponce Massacre and miraculously returned home without being shot. The next day, six year old Rafael refused to stand in school and pledge allegiance to the United States flag--as was required in all public schools in Puerto Rico at the time. This was his first act as a Nationalist.

With the Nationalist leadership in prison, and the coming of the Second World War, a plan for the total economic penetration of the island and the expropriation of its agriculture, maritime industry and mineral resources was developed by the United States. Puerto Rico was to be a United States showcase for industrial development. "Operation Bootstrap", whereby Puerto Ricans were supposedly to better their economic conditions, entailed the complete transformation of the Puerto Rican economy to serve North American corporate interests. Driven off their land, Puerto Rican people flocked to the industrial centers to find jobs, only to find that

*See Report of the Commission of Inquiry on Civil Rights in Puerto Rico, July 17, 1942 (Arthur Garfield Hays, General Council of the American Civil Liberties Union, Chairman) condemning acts of Governor Winship and police.

the capital-intensive technology of the United States industrialization (particularly the petroleum and petrochemical industry) provided no jobs for the masses of people. Faced with rising unemployment, thousands of Puerto Rican workers (ultimately totaling 2 million) were forced to migrate to the United States and the ghetto slavery of the large Northern cities. The repression of the Nationalist Party continued as its members refused to be inducted into the United States Army, and many were rounded up and imprisoned.

In December, 1947, after ten years in the U.S. prison at Atlanta, Georgia, Albizu Campos returned to Puerto Rico, greeted by thousands, and dedicated as strongly as ever to the cause of Independence. Albizu Campos was refused permission to speak at the University of Puerto Rico, and a five month student strike took place. Hundreds of students and teachers were jailed, arrested and beaten.

The level of agitation increased and the Puerto Rican legislature in 1948, with strong pressure from the United States Congress, drafted and approved Law 53. This law adapted the infamous anti-communist Smith Act to Puerto Rico, making it illegal to advocate independence for Puerto Rico. In April, 1950, President Harry Truman sent his Secretary of Defense to confer with Colonial Governor Munoz Marin* about the need to eliminate the Nationalist threat.

The Nationalist Party learned of the U.S. government's plans to arrest its leadership and decided to act first. Coordinated attacks were carried out in ten cities by Nationalist Party members. On October 29, 1950, led by Blanca Canales, Nationalists seized control of the Police Headquarters in Jayuya, raised the flag over the post office, and proclaimed the first free territory of the Second Republic of Puerto Rico.

*Munoz Marin was the first so-called popularly elected governor; however, 42% of the electorate abstained from voting at the urging of the Nationalist Party.

The U.S. government and press called it a civil war, a fight between Puerto Ricans, caused by criminal elements. In fact, the United States military was directly involved. The U.S. Air Force dropped bombs on Jayuya. U.S. tanks patrolled the streets of Ponce and Mayaguez. Battalions of U.S.-financed and trained National Guardsmen, armed with U.S. machine guns, attacked towns and villages. The Nationalists were poorly equipped and greatly outnumbered. Hundreds were shot, and more than 3,000 were arrested and imprisoned, including Albizu Campos.

In New York, Petitioner Oscar Collazo, the President of the New York branch of the Nationalist Party, and Griselio Torresola, decided that they had to stage a dramatic action to bring to the attention of the American people and the world the brutal U.S. suppression of the Nationalist uprising. Purchasing one-way tickets to Washington, D.C., Collazo and Torresola had a shoot-out in front of Blair House, the then temporary residence of President Truman. Their specific intent was not to assassinate Truman, as the U.S. government claimed, but to carry out an armed action at the sacrifice of their lives, to force the American people to see what was happening in their beloved homeland. In Petitioner Collazo's own words:

The 1950 action was a direct consequence of events taking place in Puerto Rico. The Nationalist Party was forced to fight for its life because the U.S. government was intent on its destruction. We in New York were constantly reading the newspapers to find out what was happening in our country. In all the newspapers we read, the U.S. involvement was never important. Instead they tried to portray the revolution as a Civil War, a war between Puerto Ricans, and not a fight against U.S. colonialism. That made us decide that we had to bring about an action in the United States that would expose the direct U.S. involvement in the repression of 1950. We were also concerned about the massacre which was taking place in Puerto Rico and we thought the only way we could stop this slaughter was to expose the United States.

In their attack Torresola was slain, along with a Secret Service Agent, and Collazo was seriously wounded. He recovered and was tried and found guilty in an atmosphere of intense anti-communist hysteria, and sentenced to death. Only through an international campaign was President Truman forced to commute his sentence to life imprisonment.

With the 1950 revolution crushed and Don Pedro Albizu Campos back in jail, the U.S. government moved quickly to cover up the continuing colonial status of Puerto Rico. In 1951, the United States Congress passed Law 600, which purported to allow the Puerto Rican people to draw up their constitution, subject to approval by the U.S. Congress, with a new status called "Commonwealth" or "Free Associated State". In 1952, a referendum was held posing a choice between the traditional colonial relation and the new "Commonwealth" status. Independence was not an option in this referendum, which was boycotted by half the eligible voters.

The "Commonwealth" was nevertheless approved, and the United States then demanded that the United Nations remove Puerto Rico from its list of colonies, and that it be declared a self-governing territory. Despite the clear evidence that the "Commonwealth" meant no real change in the colonial relationship between Puerto Rico and the United States,^{*} the U. S., in an exercise of great diplomatic coercion, forced the United Nations in a close vote, 22 to 18, to remove Puerto Rico from the list of colonial possessions, in 1953.

Just when the United States believed that it had finally repressed and covered up the demand of the Puerto Rican people for independence

*Congressman Joseph Mahoney of the House Committee on Interior and Insular Affairs in explaining the Commonwealth status to his colleagues stated: "The United States Constitution gives the U.S. Congress complete control, and nothing in the Puerto Rican Constitution could affect or amend or alter that right."

**The Ambassador to the United Nations from El Salvador, for example, after being forced to change his vote in favor of the United States spoke in English as an act of protest.

and freedom, the heroic actions of the four other Nationalists, Lolita Lebron, Rafael Cancel Miranda, Irvin Flores and Andres Figueroa Cordero, again brought the colonial case of Puerto Rico to the attention of the world. On March 1st, 1954, the four patriots attacked the House of Representatives. Firing shots from the gallery onto the House floor, they unfurled a Puerto Rican flag and loudly demanded independence for their country. In the purse of Lolita Lebron was the following statement:

Before God and the world my blood cries for the independence of Puerto Rico. My life I give for the freedom of my country. This is the cry of victory in our struggle for independence against the United States, which for more than a half a century invaded and robbed that land that belongs to Puerto Rico.

I state that the United States of America are betraying the sacred principles of mankind in their continuous subjugation of my country, violating their rights to be a free nation and a free people, and in their barbarous torture of our apostle of independence, Don Pedro Albizu Campos.

The attack was a commando action to represent and state the freedom of Puerto Rico and to remind the American people and their representatives that the spirit and determination of the Puerto Rican people for independence was still alive. Their actions proclaimed the independence and sovereignty of Puerto Rico.

In the words of Petitioner Irvin Flores, explaining these actions:

It was an intolerable situation which forced us to take some action that would expose the political masquerade that the imperialists were trying to impose on us. We had to show the world the true facts - that Puerto Rico was still a colony. It is bad enough when someone oppresses, exploits and enslaves you. But when they say you are satisfied with it, that is like adding insult to injury.

The United States government chose to ignore the clear political motivation of the actions of the four, charging and trying them as common criminals, for assault with intent to kill. Prior to their trial they were branded in the press for weeks as terrorists and lunatics.

The United States Court prohibited any political explanation of their actions, and the government sought punishment substantially more severe than that given to an ordinary person charged with a similar offense. Instead of the maximum penalty of fifteen years provided by law, the four were given consecutive terms of fifteen years for each of the five Congressmen who were wounded, for a maximum sentence of 75 years.* In addition, immediately after their trial they were shipped to New York where, along with 13 Nationalist Party leaders from New York and Chicago, they were placed on trial for conspiracy to overthrow the United States government. In addition to their 75 year sentence, the four received additional six-year terms, and many of the remaining Nationalist leaders in the U.S. were also sent to prison.

The Nationalist patriots, the longest-held political prisoners in the Western Hemisphere, have languished in the dungeons of the United States for a quarter of a century. They have been subjected to politically motivated specially punitive treatment (see below), and the massive demand in Puerto Rico, the United States and throughout the world for their unconditional freedom has been ignored by the government of the United States.

* * * * *

At the same time the government of the United States continues to violate the Petitioners' human rights, it acts in concert with U.S. multinational corporations to continue the economic, social and political plunder of the Puerto Rican nation. Almost 70% of the population of Puerto Rico has been force to live off of U.S. government food stamps;

*Petitioner Lebron was not convicted of assault with intent to kill but only assault with a deadly weapon and thus received a lesser maximum sentence of 50 years. Lolita Lebron fired at the capitol ceiling irrevocably proving her claim that she attacked the Congress of the U.S.A.

unemployment in the cities is over 40%, and as high as 95% in rural areas. In the United States, 33% of all Puerto Rican families who are victims of forced migration subsist below the poverty level. In addition, as part of a clear policy of genocide against the Puerto Rican people, over 35% of Puerto Rican women of child-bearing age have been sterilized by government program, and the country's land and water are seriously threatened by unchecked industrial pollution.

While the people of Puerto Rico exist under such poverty and oppression, over 12 billion dollars in profits have been taken out of Puerto Rico by U.S. corporations in the last decade, almost all of it tax-free. The abuse of imperialist power over a colonized nation is best understood when one sees the actions taken by the U.S. Navy on the Island of Vieques.* With a total disregard for life, property and the wellbeing of the people, the Navy took over three-quarters of the Island in 1941. The townspeople are not only limited by imposed barriers (the east and mid-west end of the island is the area designated for target practice, to the west is a naval base), but also restricted by time and areas to be used for fishing-- which is the people's main livelihood. During maneuvers, when bombing of the island is carried out on a 24 hour a day basis, people are faced with unbearable noise, serious damage to their homes, and prohibition of fishing. After maneuvers, townspeople are left with no possible area for cultivation; chickens will lay no eggs, stock will produce no milk, and unexploded bombs and mines have maimed and killed men, women and children.

In previous years these maneuvers were held on the island of Culebra, where people confronted the U.S. forces by placing themselves before the targets of the bombers. It was this fact, and mass demonstrations by

*The country of Puerto Rico is really comprised of three populates islands. The larger island or Isla Grande, as it is referred to by viequenses, is Puerto Rico, following Culebra and the Vieques.

the Puerto Rican people, which made the U.S. government stop maneuvers there. On February 6, 1978, a group of fishermen from the island of Vieques were able to stop the U.S. Navy and other NATO forces from scheduled maneuvers on their island by getting in the way of the tankers. One of the fishing boats was rammed by a U.S. Navy tanker. Understanding that the colonial government cannot stop future maneuvers through court action, viequenses have taken upon themselves to stop, at any risk, the continuous attacks being carried out against them.

The United States government also continues its campaign of repression against the Puerto Rican Independence Movement. Since the 1960's the U.S. government has carried out an extensive special program of counter-intelligence against the independence groups and their leaders.* Independentista labor leaders, political activists and their families have been assassinated, imprisoned on frame-up charges, spied upon, and their work disrupted. Today the Federal Bureau of Investigation has improperly subverted the federal grand jury system to subpoena Independence activists and their supporters in the United States, and jail them without trial or criminal charges.

Despite the intense repression, the support of the Puerto Rican people for independence has gained tremendously. This increased sentiment of the Puerto Rican people for Independence, coupled with a swiftly rising labor militancy among rank and file workers, has created a mass movement which directly challenges the colonial government. Recent maneuvers by the United States and its Puerto Rican colonial agents to cover up the rising colonial contradiction by pushing to make Puerto Rico the 51st U.S. state, have only exposed the continuing sham of the Commonwealth status and the desperation of the United States.

*See Appendix B for several Cointelpro Documents.

In 1972 the Decolonization Committee of the United Nations, applying General Assembly Resolution #1514(XV), recognized the inalienable right of the People of Puerto Rico to self-determination and Independence. The following year, the Committee adopted another resolution, in which it reaffirmed the inalienable right of the Puerto Rican people to self-determination and independence, and called upon the United States government to refrain from adopting any measure likely to impede the full and free exercise by the people of its inalienable right to self-determination and independence. This resolution, as contained in the Committee's report was ratified by the United Nations General Assembly on December 14, 1973, by a vote of 104 to 5. Despite intense diplomatic pressure in the United States, the United Nations now considers Puerto Rico subject to the decolonization resolutions of the General Assembly.

The Puerto Rican Nationalist patriots, who have kept the flame of independence alive in the darkest hours of their historic struggle, must be returned to their homeland to directly participate in the realization of their country's just demand for total emancipation.

II. THE PETITIONERS

A.) OSCAR COLLAZO was born in Florida, Puerto Rico in 1914.

He has been incarcerated in U.S. federal prisons since November, 1950, making him the longest-held political prisoner in the Western Hemisphere.

Collazo was moved to join the Nationalist Party after hearing a speech by its great leader, Pedro Albizu Campos, at the commemoration of the birthday of Jose De Diego, an early 20th century independentista. Upon entering the nationalist movement, Collazo joined the Cadets of the Republic, a paramilitary youth group affiliated with the Nationalist Party. Between the years of 1930 and 1950 Collazo, like many other Puerto Ricans, traveled between the United States and Puerto Rico, trying to find work and support his family.

In the early 1940's Collazo was appointed the 1rst Secretary of the Puerto Rican Nationalist Party, a position he retained until the 1950 attack on Blair House. Following the attack, Collazo was kept in a detention hospital until he was able to stand trial. Upon being brought to trial for murder, Collazo made it clear that he did not intend to defend himself, but rather to "defend his country." Despite his efforts to present the political implications of his actions, the Court reached the only result consistent with U.S. imperialism. A murder conviction. A death sentence.

An international campaign was undertaken by progressive people in Puerto Rico and the United States which ultimately forced President Truman to commute Collazo's death sentence to life in prison. At no point in time did Collazo ask the government for pardon or commutation, because he believed to have done so would have been to legitimize U.S. control over him and his country. Even today, he and the other nationalists remain consistent in their position of non-recognition

of the United States courts and other U.S. governmental apparatus. This is best illustrated by their refusal to accept parole or ask for a pardon, and their consistent demand for unconditional release. (See "Why We Demand Unconditional Release," by Oscar Collazo, Appendix C.)

Following his conviction, Collazo was sent to Atlanta, Georgia, for one year and then to Leavenworth, where he has remained for twenty-five years.

B.) LOLITA LEBRON was born in the historic city of Lares, in 1919. At the age of 28, in New York City, she took the oath of the Puerto Rican Nationalist Movement, directed by the apostle of independence, Don Pedro Albizu Campos. She began as a member at large and rose to the position of the Nationalist Party General Delegate to the United States of America, the position she was officiating on March 1rst, 1954. Don Pedro Albizu Campos bestowed her with sovereign power, second only to that of the leader himself. Petitioner Lolita Lebron submits the following statement:

"Lolita Lebron hereby states, that she requests to be heard at the United Nations International Council of Human Rights, on the subject of the United States of America's denial of the fundamental Human Rights of freedom and sovereignty, self-determination, self-development and progress to the Puerto Rican Nation. In particular she will present accusations against the United States Government for her mistreatment and violation of her human rights as a Puerto Rican freedom fighter and political prisoner. In the event that she will be able to address this world forum in person or by writing, she will also defend mankind's human right to peace and progress, liberation and justice and therefore, defend humanity's human rights to the total abolition of the nuclear weapons, and the elimination of all man-made sources and practices of atomic and nuclear radiation threatening mankind's existence, leading to the destruc-

tion of human life and of the planet earth.

Her political mission upholds the concept and the conviction that the time is ripe for all the political powers of the world to begin a new system where violence and terror like that of atomic weapons, and the traditional concept and practice of human destruction, will not predominate and would become obsolete.

It is well known that the terror and violence of the world has not been established and perpetuated by the captive, exploited, oppressed and colonized people of the world, such as the Puerto Rican Nation and other people of the world striving for freedom and progress, but rather it is the great political powers of the world, oppressors of the masses of human beings, that have through the centuries of time created, supported, mastered and maintained the system, philosophy and practice of political terror and violence. This strategy and tactics of the status quo of the political system of the world against small nations must change into a new order for solving the problems of the oppressed people whose right is to be free.

Lolita Lebron will be able to prove to the world and to history that the United States of America has used political machination and scientific sophistication of their almost infinite means, tactics and maneuvers, in their pursuit to destroy her, if it would have been possible. Lolita Lebron further states, that it has been her God given privilege to survive and to look forward to bringing to world consciousness and attention, her almost indescribable experience and great triumph against the United States of America's determination to have her destroyed one way or another. "

C.) RAFAEL CANCEL MIRANDA was born in Mayaguez, Puerto Rico, to a family with a long history of involvement in the Puerto Rican Nationalist

Party. As a teenager he joined the Cadets of the Republic. In 1948, consistent with the principles of the Nationalist Party, Cancel Miranda refused induction into the U.S. Army and was consequently imprisoned for 2 years in a U.S. penitentiary. Upon his release, he went to Cuba and began working with various liberation forces until the Cuban government had him deported back to Puerto Rico.

In the early 1950's Cancel Miranda moved his wife and their young child to New York. He worked in a shoe factory and continued his political work with the Party until the 1954 attack in Washington.

Since his conviction, Rafael Cancel Miranda has been incarcerated in Alcatraz, Leavenworth and currently in Marion, Illinois. He has been involved in numerous activities to demand that prisoners be given their basic human rights. While in prison he has taught classical guitar and music theory to his fellow prisoners.

C.) IRVIN FLORES RODRIGUEZ was born in Cabo Rojo, Puerto Rico, to a large rural family. Before joining the Nationalist Party, he was a member of the Puerto Rican Independentista Youth Organization (Juventud Independentista Puertorriquena) where he first met Rafael Cancel Miranda who became one of his closest friends. Rafael, Irvin and other young men participated in a radio project where they wrote editorials favoring independence and read them over the air.

Flores was active not only in the independence movement, but also in the labor movement. He was one of the first and most well-respected labor organizers in the Western part of Puerto Rico. He was elected to a high position in the Government Workers Union, but, when required under the Taft-Hartley law to sign a loyalty oath, he refused and was discharged from his position in the union.

In 1948, Flores refused induction into the United States Army and became a fugitive. In the early 1950's, after participating in the Nationalist uprising, he moved to New York where he met Lolita Lebron, Andres Figueroa Cordero and his old friend Rafael Cancel Miranda. After his conviction for participating in the attack in the Capitol, he was sent to the U.S. prison in Leavenworth, where he is presently incarcerated.

D.) ANDRES FIGUEROA CORDERO was born in Aguada, Puerto Rico in 1924 to a large rural family. His initiation into the Nationalist Movement was through the Cadets of the Republic. He moved to the U.S. in the early 1940's and continued to work with the Nationalist Party Junta in New York.

After his conviction in 1954 he was sent to the U.S. prison in Atlanta and then transferred to Leavenworth. In the last six years, due to the extreme neglect of prison health officers and staff, Figueroa Cordero became stricken with cancer and underwent 3 major operations. In October, 1977, a campaign to obtain his freedom was successful in forcing President Carter to release him. Although the government continued Cordero's incarceration for years after it was determined that he had terminal cancer, they tried to force him to repent and apologize for his actions in the 1954 attack on Congress. Even when it was medically determined that he only had weeks to live, the government persistently tried to force him to ask for a pardon. Yet he never entered such a request and was granted an unconditional release. Since his return to Puerto Rico, he has been active in the campaign to free his Nationalist compatriots.

III. STANDING

This petition is brought in the name of the People of Puerto Rico, on their behalf and in their interest. It is the broad masses of Puerto Rican people who have taken up the demand for unconditional freedom for the Nationalist Prisoners, as a cause of national unity.

The people of Puerto Rico, regardless of their varying position on the Independence question, have expressed their desire for the freedom of the Nationalist Prisoners through every available channel and institution. A joint resolution of both Houses of the Puerto Rican legislature has demanded their freedom as have resolutions of the highest bodies of the Episcopal, Methodist and Catholic churches, labor unions, professional organizations, student councils, cultural groups, as well as clandestine liberation forces and the four former governors of Puerto Rico. (See Appendix D.) In addition the demand for the unconditional freedom of the prisoners has been supported by progressive countries, movements and individuals throughout the world. The 1975 and 1976 Conferences of Non-Aligned Countries in Sri Lanka and Colombo passed resolutions for their freedom, as did conferences of the World Peace Council, and the United States National Council of Churches. The unanimous sentiment of the Puerto Rican people requires action by the world body to determine the Petitioners' fundamental rights.

IV. EXHAUSTION OF REMEDIES

The Petitioners have exhausted all reasonable and available means to obtain their freedom. Their supporters have sent delegations to a attempt to meet with the U.S. president, but were refused such meetings, and were allowed to meet only with low echelon aides. They have sent letters, telegrams and thousands of petitions to the U.S. President, demanding the release of the Nationalists. They have organized concerned and responsible people throughout the world, even including members of the United States Congress, to request that the President free the Nationalists; but to no avail. They have marched and demonstrated in Washington, D.C., Puerto Rico, and in almost every major city in the United States, without positive response from the U.S. government.

Keeping in mind that the slavemaster will not give freedom to the slaves, and that any rational system of law does not require an idle act, there is no remedy available to the Petitioners and their supporters from the United States government.

In May of 1976, faced with the terminal cancer condition of Petitioner Andres Figueroa Cordero, Petitioners decided that they would bring an action in the U.S. District Court in Washington, D.C. Petitioners consider themselves citizens of the illegally colonized Puerto Rican nation, and have raised international human rights protection as the basis of their claim for Andres' release, and the cessation of discriminatory treatment as to the other four. Despite the serious cancer condition on Figueroa Cordero, which had been caused by willful and wanton medical misdiagnosis and maltreatment, the Government denied that Andres suffered from active cancer. Rather than answer Petitioners' case on the merits, the Government, with the aid of the U.S. District Court, employed a series of procedural "stonewall" tactics, ultimately dividing the case into four

separate jurisdictions in separate rural areas in the United States.

As lawyers for Petitioners continued to challenge the government's refusal to address the issue of special politically motivated punitive treatment, and Figueroa Cordero's right to immediate release, the government continued to claim that Figueroa Cordero was not suffering from cancer. Finally, after persistent pressure from Petitioner's supporters, the government admitted that a large new inoperable tumor was discovered in Figueroa Cordero's lung, and that he could die at any time. This information was disclosed almost one year after the filing of the law suit, and after several denials by the U.S. government that Figueroa had active cancer. Even after this admission by the government, the U.S. Court was unable to act, and only public pressure forced U.S. President James Carter to grant Andres his unconditional release.

Petitioners have now removed all further proceedings from the United States courts. (See Notice of Removal, Appendix E.) Petitioners' fundamental claim is that their actions in 1950 and 1954 were part of a legitimate war of national liberation for the freedom of their country. They contend that the United States illegally invaded their country with force of arms, that the Treaty of Paris in which Spain ceded Puerto Rico to the United States is null and void, and that the U.S. government, with the assistance of its judicial arm, has enforced over eighty years of illegal colonial rule. As independence freedom fighters, Petitioners maintain that they are entitled to be repatriated to their homeland. Petitioners further claim that their two decades-plus of imprisonment has been so excessive and punitive, that it has gone beyond any reasonable punishment and is clearly designed to suppress the growing movement for independence for Puerto Rico.

It is impossible for the United States courts, which have acted since 1898 as a legitimizer of U.S. colonial rule through the manipulation of the rule of law, to fairly and impartially decide the fundamental issue of sovereignty and self-determination raised by Petitioners. The Petitioners maintain that the U.S. courts have no jurisdiction over Puerto Rico or Puerto Ricans. U.S. citizenship was forced upon them without their consent. The U.S. presence and relationship to Puerto Rico was initially based on military subjugation and the refusal to recognize Puerto Rico's right of sovereignty which existed prior to the illegal Treaty of Paris. The people of Puerto Rico can never exercise their own choice of political status while the United States maintains economic, social, political and military control over their country.

In order for a judicial tribunal to properly entertain Petitioners' claims, it must be willing and able to recognize the illegality of the Treaty of Paris as applied to Puerto Rico. A court would also have to consider United Nations General Assembly Resolution #1514(XV) and subsequent resolutions which guarantee all countries the right to true self-determination, and the 1972, 1973 and 1976 resolutions of the De-Colonization Committee recognizing the inalienable right of the people of Puerto Rico to self-determination and independence. Such a tribunal would have to acknowledge United Nations recognition of the right to use armed force to liberate people from colonialism, and the right of repatriation for Prisoners of War. In addition, that tribunal would have to fairly and impartially determine whether the treatment of the Five by the U.S. government was in violation of international human rights standards. The Courts of the United States cannot determine these questions because they are part and parcel of the violations themselves.

The proper forum for Petitioners to raise their claims of twenty-five years of continuous human rights violations is this Commission.

V. ACCUSATION

A.) THE DETENTION, TRIAL AND CONTINUED IMPRISONMENT OF PETITIONERS BY THE UNITED STATES GOVERNMENT VIOLATES INTERNATIONAL HUMAN RIGHTS PROTECTIONS.

"I think that the United States judicial system violated international law... We are prisoners of a battle of liberation; the enemy has no moral or political right in international law to judge us. Our case should be tried by a world court. The United States tried us as "common criminals" in violation of all known national and international rights -- to cover up the right and mandate of our Puerto Rican people to nationhood."

Lolita Lebron

Petitioner's armed actions in 1950 and 1954 were direct responses to the illegal occupation and colonization of Puerto Rico by the United States. These actions were part of the long history of resistance to colonialism and exploitation which has been carried on by the people of Puerto Rico and other countries around the world. Petitioners were all militants in an organized and popular political party, the Nationalist Party, which advocated the total independence of Puerto Rico.* Under the direction of the Party leader, Don Pedro Albizu Campos, the Nationalists took up arms to liberate their homeland from U.S. domination. Each petitioner had a long history of activity in the Independence movement, and without question, each is a dedicated patriot committed to the freedom of their homeland.

The action of Petitioner Oscar Collazo and the martyr Torresola, was a direct consequence of the United States military's participation in the 1950 campaign of annihilation against the Nationalist Party, and its attempt to portray the anti-colonial struggle as a civil war. Similarly, the

*All Nationalists took the following oath personally administered by Albizu Campos:

"We solemnly swear to defend the Nationalist idea and to sacrifice our property and our life, if necessary, for the independence of the fatherland."

1954 attack was a commando action, to notify the United States government and the world that the Puerto Rican people would continue to fight for freedom despite the United States' attempt to destroy the independence movement and cover up the colonial case of Puerto Rico. Both actions were a continuation of the War of National Liberation waged by the Puerto Rican people against U.S. colonialism since 1898.

Despite the clear intent of Petitioners' actions -- the United States government tried, sentenced and imprisoned them as common domestic criminals. Even today, after a quarter century of harsh penitentiary imprisonment, the United States continues to publicly claim that the Petitioners are normal felons, entitled to the same status as a mugger or a rapist, while at the same time a special regime of punishment and isolation has been imposed against them for the very reason of their role in the Puerto Rican national liberation struggle.

THE RESOLUTIONS OF THE UNITED NATIONS GENERAL
ASSEMBLY AND THE DECOLONIZATION COMMITTEE CONFER
PRISONER OF WAR PROTECTIONS ON PETITIONERS

In General Assembly Resolution 1514 (XV) (14 December, 1960) the United Nations recognized the right of all countries to independence and self-determination, and mandated "a speedy and unconditional end (to) colonialism in all its forms and manifestations". In order to facilitate the ending of colonialism, the United Nations pursuant to resolution 1654 (XVI) (27 November, 1961) established the "Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples". (Hereinafter "Decolonization Committee").

The Decolonization Committee pursuant to General Assembly Resolution 2621 (XXV) (12 October, 1970) developed a program of action for the full implementation of the declaration of the granting of Independence to colonial countries and peoples. Specifically, the program and resolution declared that further continuation of colonialism in all its forms and manifestations was a crime, constituting a violation of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the principles of International Law. It reaffirmed "the inherent right of colonial peoples to struggle by all means at their disposal against colonial powers which suppress their aspiration for freedom and independence". Further, General Assembly Resolution 2621 (XXV) specifically provided that "(6)(a) All freedom fighters under detention shall be treated in accordance with the relevant provisions of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949 (United Nations, Treaty Series, Vol 75 (1950))".

Subsequent resolutions of the General Assembly specifically reaffirmed the legitimacy of the peoples' struggle for liberation from colonial and foreign domination by all means available, including armed struggle (see #2708 (14 December 1970); 33070 (XXVIII) (30 November 1975); and that persons participation, in resistance movements for independence and self-determination, in case of arrest, be treated as Prisoners of War in accordance with the principles of the Geneva Convention. (See #2852 (XXVI) (20 December 1971); #3103 (XXVIII) (12 December 1973).

In 1972 and again in 1973, the Decolonization Committee specifically adopted a resolution recognizing and reaffirming the inalienable right of the Puerto Rican people to self-determination and independence, and called on the U.S. government to refrain from adopting any measure likely to impede the full and free exercise by the people of their right to self-determination and independence. The 1973 resolution was ratified by the United

Nations General Assembly on 14 December 1973 by 104 votes to 5 (France, Portugal, South Africa, the United Kingdom and the United States) with 19 abstentions.

The member countries of the United Nations, except for a small few, have taken a clear and strong position against colonialism and in support of those peoples fighting for their independence. Many of the countries have fought their own wars of national liberation, and are well aware of the cruelty and oppression of colonialism. The United Nations has specifically recognized the right of people fighting against colonialism to resort to armed struggle, and, in order to insure the maximum protection to liberation fighters, has mandated that all captured armed combatants be treated as Prisoners of War.

Although the General Assembly Resolutions on these rights of anti-colonial freedom fighters were not established until after Petitioners' capture and trial, the United States government continues to ignore these resolutions in its treatment of Petitioners. Petitioners remain confined in brutal and inhuman penitentiaries, and, after a quarter century of imprisonment, the government refuses to commute their excessive and illegal sentences so that they can be released and return home.

THE ADDITIONAL PROTOCOL TO THE GENEVA CONVENTION RELATIVE
TO THE TREATMENT OF PRISONERS OF WAR ALSO CONFERS PRISONER
OF WAR PROTECTIONS ON PETITIONERS

The Additional Protocols (I and II) to the Geneva Conventions of 12 August 1949 adopted on 8 June 1977 by the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable to Armed Conflict expanded the Geneva Convention to protect those fighting against colonialism and foreign domination, and conferred prisoner of war status to anti-colonial freedom fighters. Article I concerning

the scope of the Convention's application provides, under paragraph (4)

"The situations referred to in the preceding paragraph includes armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes, in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations."

This paragraph specifically applies the protections of the Geneva Convention to wars of national liberation, and codifies what has been recognized by most countries of the world, that such wars have an international character for the purpose of the application of humanitarian law. It is important to note that, at the 1974 session of the Diplomatic Conference, it was pointed out by the representative of Cuba that his delegation had voted in favor of the new Article I "on the understanding that the text was interpreted as referring not only to the national liberation movements present at the Conference and those recognized by the Organization of African Unity and the League of Arab States, but also others such as the Puerto Rico liberation group."*

Article 43 of the Additional Protocol provides that the armed forces of a Party to a conflict "consists of all organized armed forces, groups and units which are under a command responsible to the Party for the conduct of its subordinates, even if that Party is represented by a government or authority not recognized by an adverse Party". Article 44, in defining Combatants and Prisoners of War, recognized that "owing to the nature of hostilities", an armed combatant can not always distinguish

*See Rosas, *The Legal Status of Prisoners of War*, Helsinki, 1976 at page 274, fn. 265.

himself from the civilian population and that, provided that such combatant carries his arms openly during each military engagement and is visible to the adversary while engaged in military deployment preceding the launching of an attack, he shall retain his status as a combatant.

In determining the applicability of the Geneva Convention to Petitioners it is imperative that their actions be judged in the historical context in which they were carried out. At the time of the Petitioners' actions, the entire leadership of the Independence movement had been killed or imprisoned at the direction of the United States government. United States Imperialism was at its height and the United States was able to force the United Nations General Assembly to fraudulently declare that Puerto Rico was no longer a colonial territory of the United States but a "free associated State". The legitimacy of dependent peoples' struggles for national liberation was a minority position within the United Nations. The Cuban Revolution was six years away, the Vietnamese People had not yet achieved their anti-colonial victory against the French and the continent of Africa was still entirely under colonial domination.

The armed actions of the Petitioners were among the opening blows of the era of national liberation and independence for colonial people. Their actions were the necessary legitimate response to the actions of the United States government, and critical to the continued development of the Puerto Rican Independence Movement. The Petitioners in the darkest hour of their people's struggle, kept the flame of resistance alive, for all the world to see. They brought the question of Puerto Rico directly home to the seats of power of the United States government.

The Additional Protocols to the Geneva Convention, which have been expanded to protect National Liberation fighters under the spirit of its humanitarian development, should apply with full force to the Puerto Rican Nationalist Prisoners. Any other interpretation would be anti-historical and against the will of a majority of the people of the world who oppose the evils of colonialism and racism.

In determining whether a combatant is a prisoner of war, Article 45 of the Additional Protocol provides that a combatant shall be presumed to be a prisoner of war and shall be entitled to that status "until such time as his status has been determined by a competent tribunal". Paragraph 2 of Article 45 further provides that if a prisoner is held not to be a prisoner of war and is to be tried for an offense arising out of hostilities "he shall have the right to assert his entitlement to prisoner of war status before a judicial tribunal and to have the question adjudicated. Finally, Article 45 paragraph (3) provides that if a prisoner is determined not to be a prisoner of war he shall still have the right to the protections of Article 75 of the Protocol. Article 75, among other protections, provides the right to be tried by a fair and impartial tribunal, and prohibits imposing a heavier penalty than applicable at the time of the offense. The spirit of Article 45 as well as the entire Additional Protocol I is to confer as liberally as possible prisoner of war protections on legitimate national liberation combatants.

THE UNITED STATES GOVERNMENT HAS REFUSED TO CONSIDER
ANY PRISONER OF WAR STATUS OR ANY OTHER INTERNATIONAL
RIGHTS OR PROTECTIONS IN ITS TREATMENT OF PETITIONERS

After their arrest the government generated a public campaign of hysteria, lies and slander in the United States press against these patriots. Using the anti-communist mania of the 1950's, the media painted a picture of foreign terrorists that completely hid the clear purpose of the petitioners' actions. Petitioners and their families were subjected to intense threats and interrogation. Petitioner Collazo's wife and his two young daughters were arrested without cause, interrogated for hours and accused of being Soviet agents. After their arrests in 1954 the Petitioners were subjected to weeks of interrogation, without counsel, as well as constant threats and harrassment.

The charges placed against them were common criminal charges. Petitioner Collazo was charged with murder and the other four petitioners were charged with assault with intent to kill. The authorities specifically ignored the possibility of charging petitioners under a statute which prohibited acts of rebellion and insurrection (18 U.S.C. 2313).

Throughout the course of the Petitioners' trials, all attempts at explanation of the nature and purpose of their actions were ruled irrelevant. Of course, petitioners were not allowed, either prior to or during their trials, to claim that they should be treated as prisoners of war.

Just prior to the beginning of Petitioner Collazo's trial a lawyer offered to join the defense team and donate \$15,000 if Collazo would plead insanity. Petitioner Collazo refused this obvious attempt to compromise his political beliefs. Although Collazo and his court-appointed lawyer explained to the jury the conditions in Puerto Rico, the judge told the jury that this evidence could not be considered.

Petitioners at the 1954 trial were denied attorneys of their choice and were prohibited from offering any explanations about the nature of their actions. The court-appointed attorneys repeatedly tried to put forward an insanity defense and claims of mental incompetency, which the Petitioners clearly refused. In addition, Petitioners, who spoke very little English, were denied translation of their court proceedings, conducted totally in English except for their own testimony. Petitioners were thus prevented from meaningful participation in their defense.

The sentence imposed on the Petitioners were designed to make them an example to all who oppose United States colonialism and to keep these dedicated young patriots in the dungeons of United States imperialism for the rest of their active lives. It was a deliberate attempt to bury them alive, and to still the voice of independence. In a cruel and unusual manner of sentencing, since the sentence was to punish a political act, each Petitioner received a fifteen year sentence for each of the five Congressmen who were wounded by the spray of gun-fire onto the floor of

the Congress. Petitioners were punished five times for the same act! Despite the fact that the average sentence in Washington D.C. at that time for assault was four years, Petitioners received sentences of 50 and 75 years.

Petitioners' trials and sentences violated all international human rights safeguards. The Petitioners were not tried by an independent and impartial tribunal, as guaranteed by Article 10 of the Universal Declaration of Human Rights (General Assembly Resolution 217A (III) (10 December 1945) in force at the time of Petitioners' trials. See also, Article 75(4) Additional Protocol to the Geneva Convention: American Convention on Human Rights Article 8; American Declaration of the Rights and Duties of Man, Article XVIII. The United States Courts have operated for eighty years as part and parcel of the machinery to effect United States colonial domination over Puerto Rico. The actions of the Petitioners were acts of war against the United States government, including the Courts, and therefore the United States Courts could not in any way be considered impartial and independent, to judge and punish the actions of the Petitioners. The Courts refusal to allow the political motivations of the Petitioners to be considered, clearly exposes their inability to sit in judgment of the Petitioners. Nor were the Petitioners allowed to challenge their treatment as common criminals rather than prisoners of war before any tribunal. (See Article 45 Additional Protocol to Geneva Convention.)

The refusal of the Courts to hear Petitioners' motivation for their actions in the context of the anti-colonial struggle of Puerto Rico also deprived them of the ability to put on a defense in their own behalf. See Article 11, Universal Declaration of Human Rights; American Convention on Human Rights (Article 8). The outcome of Petitioners' trials was pre-determined by the imperial-colonial relationship of the United States and its

Courts to Puerto Rico.

The excessive and barbaric sentences imposed on Petitioners further exposes the prejudice of the United States Court system and its role of enforcer of United States Imperialism. Petitioners' sentences, which constituted a grossly heavier penalty than that was applicable at the time of the offense, violated numerous human rights covenants. See e.g. Universal Declaration of Human Rights Article 11(2); International Covenant on Political and Civil Rights; Article 75(4c) Additional Protocol Geneva Convention.

B.) THE NATIONALISTS HAVE BEEN SUBJECTED TO OVER TWO DECADES OF HUMAN RIGHTS VIOLATIONS WHILE CONFINED IN UNITED STATES PRISONS.

Despite the claim of the United States government that the Nationalists are not political prisoners, it has initiated, at the highest level, a special program and policy of punitive treatment and isolation designed to destroy the resistance of the prisoners and their continuing relationship to the struggle for Puerto Rican Independence. From the first moment of their incarceration in United States prisons, they were labeled as "special offenders" and subjected to cruel and discriminatory treatment in violation of International Human Rights protections, contained in the United Nations Charter (Articles 55 and 56) and General Assembly Resolutions; United Nations' Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; United Nations' Standard Minimum Rules for the Treatment of Prisoners; American Convention on Human Rights; The American Declaration of the Rights and Duties of Man and the Geneva Convention Relative to the Treatment of Prisoners of War, as supplemented by Additional Protocols I & II (June 8, 1977), Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations; Declaration on the Granting of Independence to Colonial Countries and Peoples (1514 XV); Programme of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (2621 XXV); Conference on Security and Co-operation in Europe (Helsinki Accords, August 1, 1975).

Upon their conviction and sentence, the Petitioners were confined and remained confined in the harshest, most repressive United States prison institutions. Petitioner Rafael Cancel Miranda was sent to the notorious Alcatraz Prison, after being badly beaten by a New York prison

guard while there for the conspiracy trial. After six years at Alcatraz he was sent to Leavenworth, Kansas, a maximum security prison, and then to Alcatraz's replacement, the infamous Marion Federal Prison in rural southern Illinois.* Petitioners Collazo, Flores and Figueroa Cordero (excepting the time he was in the Springfield Medical Prison) have been imprisoned at Leavenworth. Petitioner Lolita Lebron has been imprisoned at the Federal maximum security prison for women at Alderson, West Virginia.

Each of the Petitioners has not only been confined for over two decades in these rural maximum security prisons, thousands of miles from their homeland; within these prisons they have each been subjected to long periods of special restrictive and segregated confinement to further isolate them from their homeland and contact with the independence struggle.

Petitioner Rafael Cancel Miranda, in addition to spending substantial periods of time in punitive segregation at Leavenworth, was subjected to sixteen months confinement in a special behavior modification unit at Marion Prison. Miranda was confined to this special control unit along with over one hundred other prisoners in retaliation for a peaceful work stoppage in protest of the severe beating of a fellow prisoner by guards. Although 70% of the inmates were released, the prison officials refused to release Petitioner Miranda and thirty-five other prisoners. Only as a result of a Court order holding that the prisoners had been subjected to cruel and unusual punishment were Miranda and the others finally released from the behavior modification unit. During Miranda's confinement in this unit, he was deprived of personal property, and proper hygiene and exercise.

*Marion Prison has installed a behavior modification unit that has caused the deaths of 8 inmates in the last five years. Some prisoners are confined in sensory-deprivation cells, solid steel fronted cells, commonly called "boxcars", 24 hours a day for periods often exceeding several months.

Petitioners Figueroa Cordero, Flores and Collazo have been subjected to long periods of confinement in the Leavenworth Special Control Unit, simply because of their classification as "special offenders". From 1972-1974, they were confined in a special segregation unit which severely restricted their right of access to other prisoners and each other.

In further pursuance of the United States government's policy of isolation and special punishment, the prison officials have enforced severely discriminatory and restricted rules concerning the Nationalists' rights to visits, correspondence and literature. For almost the entire period of their imprisonment, the Nationalists, unlike almost all other federal prisoners have been prohibited from receiveing visits from anyone except immediate family members. Because the Nationalists' families all reside in Puerto Rico, the great distance and expense severely limits the possibility of family visits. Irvin Flores didn't receive a single visit for the first fourteen years he was in prison. The United States government refuses to allow visits by anyone Petitioners were involved with politically prior to their arrests, or anyone they did not know prior to their arrests, thereby eliminating all potential visitors who are active and concerned about the struggle for the Independence of Puerto Rico, or the campaign for their release.

In addition, even when immediate families are able to visit from Puerto Rico they have been subjected to long delays, degrading treatment and shortened visits. In May of 1976 a special rule was announced at Marion Prison requiring the forty-five year old wife of Petitioner Miranda, who had been visiting him for over two decades, to submit to an illegal and degrading strip search each time she visited him. In July of 1972, Petitioner Miranda's wife after traveling from Puerto Rico to Marion, Illinois, had her visit limited to one hour and was required to visit with

her husband while a guard stood over them. In a subsequent visit she was forced to visit her husband of almost three decades, with a glass partition between them, talking with each other over a telephone.

When immediate family members travel from Puerto Rico to see one of the Petitioners, they are not even allowed to see another of the Petitioners. The daughter of Oscar Collazo has been refused permission to see Irvin Flores and Andres Figueroa Cordero, two of her father's closest comrades, despite the fact that on her return to Puerto Rico, she would be able to visit the families of these prisoners.

Even clergy and legal visits have been illegally and selectively restricted and denied. Bishop Antulio Parrilla, a respected clergyman from Puerto Rico who is acquainted with the families of the prisoners, was refused permission to visit Petitioner Miranda. In addition, when Bishop Parrilla visited Petitioners Figueroa Cordero, Collazo and Flores, he was required to limit his visit to fifteen minutes, to visit in the Warden's office, and to speak in English. On numerous occasions Petitioners' attorneys from Puerto Rico have been refused admittance, or subjected to long delays before being allowed a shortened visit. In January of 1978, Attorney Emilio Soler was unable to visit with Collazo and Flores after traveling all the way to Leavenworth, Kansas, because the prison refused to allow him visiting time to coincide with his travel schedule. The Petitioners have received however regular periodic visits from U.S. repressive agency representatives, Federal Bureau of Investigation and Secret Service. The agents constantly try to interrogate Petitioners as to their political beliefs.

The Petitioners have been subjected to the discriminatory use of mail censorship on their outgoing and incoming letters unlike other U.S.

prisoners, the Petitioners have had their correspondence with friends, family, and supporters severely censored, restricted and even destroyed.

Petitioners have had personal mail sent to them returned under a special rule prohibiting them from receiving correspondence from people they did not know prior to their incarceration, over two decades ago. Further, Petitioners, although they are long-time friends and comrades have on most occasions been prohibited from writing to each other. Even Christmas cards sent by Petitioner Lebron to the other Petitioners have been returned, as well as a get well card from Petitioner Lebron to Petitioner Figueroa Cordero who was recovering from a major cancer operation.

Further, the United States government has consistently restricted Petitioners' right of access to news and literature about their homeland, and the struggle for independence. Publications which carry news about the Puerto Rican Independence Movement and other struggles of people for freedom and liberation are usually kept from Petitioners, or are received after long delays.

The nature and extent of the Human Rights violations perpetrated against the Nationalists can be clearly understood when the case of Petitioner Andres Figueroa Cordero is examined. In 1971 Petitioner Figueroa Cordero developed bleeding from the rectum. Instead of properly examining and diagnosing Petitioner's condition, he was told that he had hemorrhoids. Subsequent to that diagnosis, Cordero was illegally placed in punitive segregation as the result of a prison work stoppage. For two weeks Figueroa Cordero was confined to a cell with fourteen other men for twenty-four hours a day. The unfurnished, overcrowded cell was filthy and filled with excrement. For the three months Figueroa Cordero was

confined in punitive segregation. Despite the fact that he was bleeding almost daily from his rectum, he was denied access to a doctor.

Upon his release from the segregation unit, through outside pressure, Figueroa Cordero was transferred to Springfield for an examination. At Springfield, it was diagnosed for the first time that Figueroa Cordero had cancer of the colon. The cancer had reached such an advanced state that immediate surgery was required, removing Figueroa Cordero's colon and leaving him to eliminate through a hole in his side.

Because of the negligent misdiagnoses and treatment, the surgery had come too late. The cancer metastasized, and operations were carried out on the left lung and right lung. Figueroa's condition had become incurable, but the United States government continued to deny his demand for release, claiming his cancer was no longer active. Only after another inoperable tumor was finally admitted to be present in Figueroa Cordero's left lung, and the government believed that Cordero had only weeks to live, did they allow his release.

Due to the strength and resolve of Petitioner Figueroa Cordero, he continues to live, free and active in his beloved Puerto Rico. But he lives on borrowed time as the result of the U.S. government's criminally negligent indifference to his health and well-being.

The U.S. government has also waged a campaign of harassment and repression against those most active in the campaign to free the Nationalist prisoners. Nelson W. Canals, President of the Puerto Rico Committee, has had his travel records subpoenaed by a federal grand jury, and has been labeled by the F.B.I. through the U.S. media as a subject of a bombing investigation, because of his activity on behalf of the prisoners. In addition, six leading members of the National Committee to Free the Four

Puerto Rican Prisoners of War have been subpoenaed to a federal grand jury in Chicago, also allegedly investigating bombings. Two of the Committee members were imprisoned for over five months, without charge or trial, for their refusal to cooperate with this investigation and attack on the Free the Five Campaign and the entire Independence movement.

C.) THE CONTINUED REFUSAL OF THE UNITED STATES GOVERNMENT TO REPATRIATE PETITIONERS WITHOUT CONDITIONS VIOLATES THEIR HUMAN RIGHTS.

Despite over twenty-four years of imprisonment, isolated from their families and supporters, the United States government still seeks to impose its authority over Petitioners by placing conditions upon their release. The U.S. government requires that Petitioners renounce their political beliefs as a condition for their release.

The Petitioners do not recognize the authority of the United States over them or their country. They will not formally ask the U.S. government for their release, nor accept any restrictions on their release. Knowing this, the government has sought to force Petitioners to compromise their fundamental political beliefs by offering them conditional parole release^{*}, which would require a formal petition on behalf of the Petitioners, a recognition of U.S. jurisdiction over them and an acceptance of restrictions on their political activity once released. In addition, the United States government through various agents and emissaries has let it be known that if Petitioners admit that their actions were wrong and renounce violence as a legitimate means of struggle, their release

*Petitioners Collazo and Lebron have been eligible for conditional parole since 1966 and 1973, but do not recognize the authority of the United States to place conditions on their freedom and will not apply. Petitioners Cancel Miranda and Flores Rodriguez have been told to file individual petitions for clemency, which would provide for an early parole release.

ould be effectuated immediately. Even when the government finally admitted that Petitioner Figueroa Cordero had inoperable terminal cancer and could die at any time, it still attempted to get him to sign a paper asking for a medical pardon. Figueroa Cordero refused to sign the paper, and, finally, President Carter was forced to give him his unconditional release.

Article 118 of the Geneva Convention Relative to the Treatment of Prisoners of War states, "Prisoners of War shall be released and repatriated without delay after the cessation of active hostilities." As has been previously discussed, under recent United Nations General Assembly Resolutions Concerning the Granting of Independence to Colonial Countries, captured national liberation freedom fighters are entitled to treatment as prisoners of war under Geneva Convention III. Also, the Additional Protocol I of the Geneva Convention itself has expanded its scope to include those combatants who are involved in wars of national liberation against colonial domination and alien occupation.*

The struggle of the Puerto Rican people to rid their country of U.S. colonial domination has been going on since the United States invaded Puerto Rico in 1898. It is a protracted War of National Liberation. The Puerto Rican people will be at War with the United States until they have achieved their true freedom and independence from U.S. domination.

However, the spirit and purpose of Article 118 was intended to

*It should also be noted that Protocol II Additional to the Geneva Convention Relative to the Protection of Victims of Non-International Conflicts provides as to combatants not covered by Article 1 that:

- 5) at the end of the hostilities, the authorities in power shall endeavor to grant the broadest possible amnesty to persons who have participated in armed conflict, or those deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained.

accomplish the return of prisoners of war as soon as possible. The Geneva Convention is based upon humanitarian principles, and Article 118 was intended to avoid the physical and mental deterioration of combatants caused by prolonged captivity. "The underlying fundamental humanitarian principles in the entire Convention require that prisoners of war should not be interned indefinitely."* Prisoners who are kept in captivity beyond the conclusion of active hostilities are being punished beyond the original intent of the captivity.

The 1950 and 1954 armed actions which Petitioners carried out were part of the struggle of the Nationalist Party for independence, and in response to the intense repression of the U.S. government. Every Nationalist combatant imprisoned in Puerto Rico as a result of the 1950 revolution has been released. Petitioners are the only Nationalist combatants who are still in prison as a result of the 1950 events. The "active hostilities" by militants of the Nationalist Party have ceased, and there can be no possible interpretation of Article 118 which would not mandate the immediate repatriation of Petitioners.

The attempts of the U.S. government to force Petitioners to relinquish their political principles as a ransom for their freedom and repatriation, violates all civilized notions of Human Rights. Article 118, mandating repatriation of prisoners of wars, is unconditional, and prohibits any political conditions or concessions on combatants' rights to repatriation.

Further imprisonment by the United States have absolutely no rational purpose other than political suppression against the movement of which they are heroes and leaders. This is in direct violation of the U.N. Charter the Resolutions of the General Assembly, and the Universal Declaration of Human Rights.

*Delessert, Release and Repatriation of Prisoners of War at the End of Active Hostilities, page 107-8, Schulthess Polygraphischer Verlag Zurich.

VI. CONCLUSION

The United States, particularly under the administration of the present President, James Carter, holds itself out to the World as a protector of Human Rights. Yet, right at home, four people, anti-colonial freedom fighters, have spent over two decades illegally confined in the United States prisons. Petitioners' actions were motivated by deep feelings of love and dedication to the independence of their country, like Pedro Albizu Campos, Ho Chi Minh and Amilcar Cabral, yet they have been subjected to years of isolation and punitive treatment.

The Petitioners specifically request that this Commission conduct a full inquiry into the accusations contained herein allowing the Petitioners to give direct testimony; declare that the continued confinement of Petitioners is in violation of international law; and condemn the United States government for their refusal to grant Petitioners' release.

Respectfully submitted,

Michael Deutsch

Michael Deutsch
Dennis Cunningham
Counsel for Petitioners and National Committee
to Free the Four Puerto Rican Prisoners of War
(U.S.)
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Chicago, Illinois 60604
312-663-5046

Emilio Soler Mari
John D. Passalacqua
Counsel for Petitioners and National Committee
for the Freedom of the Puerto Rican Nationalist
Prisoners (Puerto Rico)
848 Hostos Avenue
Hyde Park
Rio Piedras, Puerto Rico 00927

APPENDIX

COINTELPRO DOCUMENTS

SAC, San Juan (105-3353)

August 4, 1960

Director, FBI (105-66754)

PERSONAL ATTENTION

GROUPS SEEKING INDEPENDENCE
FOR PUERTO RICO - COUNTERINTELLIGENCE PROGRAM
(SUBVERSIVE CONTROL) Secret

The Bureau is considering the feasibility of instituting a program of disruption to be directed against organizations which seek independence for Puerto Rico through other than lawful, peaceful means.

Because of the increasing boldness apparent in the activities of such organizations, their utter disregard of the will of the majority, the inevitable communist and/or Soviet effort to embarrass the United States, and the courage given to their cause by Castro's Cuba, we must make a more positive effort, not only to curtail, but to disrupt their activities.

San Juan and New York should give this matter studied consideration and thereafter furnish the Bureau observations, suggestions and recommendations relative to the institution of such a program to reach the Bureau no later than 8-25-60.

In considering this matter, you should bear in mind the Bureau desires to disrupt the activities of these organizations and is not interested in mere harassment. No action should be taken in this program without Bureau authority, at any time.

A copy of this communication is designated for the Chicago Office and a copy for the Washington Field Office for information.

MAILED 6
AUG 4 1960
COMM-FBI

- 2 - New York (105-32872) MGT EX 109
- 1 - Chicago (105-5581) REC 894 105-93124-1
- 1 - Washington Field 3 50 14 88

1 - 62-7721 (NPPR)

TC/baw
(9)

AUG 11 1960

- Mr. Tolson
- Mr. DeLoach
- Mr. Mohr
- Mr. Bishop
- Mr. Casper
- Mr. Callahan
- Mr. Conrad
- Mr. Felt
- Mr. Gale
- Mr. Rosen
- Mr. Sullivan
- Mr. Tavel
- Mr. Trotter
- Tele. Room
- Miss Holmes
- Miss Gandy

64 AUG 10 1960

MAIL ROOM TELETYPE UNIT

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~~CONFIDENTIAL~~

Letter to San Juan
RE: GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
105-93124

Developing this intimate knowledge should not be difficult. Your live informants, through their present associations with these leaders, can answer questions or obtain the information desired. Informants can tell you if the individual is weak, strong, cowardly, dedicated, or an opportunist. These individuals have been interviewed by Bureau Agents. The Agents' observations could be pertinent to this matter.

San Juan and New York should compile the information on the above-listed Puerto Rican independence leaders in your respective offices. Submit the information in letter form, utilizing a dual caption consisting of the caption of this letter and the caption of the individual's case file. You should include your observations and recommendations as to how the information obtained may be utilized to disrupt the activities of the individual and/or the organization of which he is a part. Reference should be made to this communication and the original and two copies are sufficient for the Bureau.

The influence of domestic and international communism developing in these organizations make it imperative that we emphasize this phase of our responsibilities.

NOTE ON YELLOW:

This program was initiated in August, 1960, for the purpose of disrupting the activities of Puerto Rican independence groups which seek Puerto Rico's independence by unlawful means.

[

~~CONFIDENTIAL~~

SAC, San Juan (105-3353 Sub 1)

June 12, 1961

Director, FBI (105-93124)

~~CONFIDENTIAL~~

GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
(COUNTERINTELLIGENCE PROGRAM)
SUBVERSIVE CONTROL SECTION

In order to appraise the caliber of leadership in the Puerto Rican independence movement, particularly as it pertains to our efforts to disrupt their activities and compromise their effectiveness, we should have an intimate detailed knowledge of the more influential leaders as individuals.

The names of each of the leaders listed below are maintained in the Security Index.

SAN JUAN

NEW YORK

[REDACTED]

[REDACTED]

Your files will contain descriptive information appropriate to our investigative reporting. We should, however, for the purposes of this program, delve deeply into that part of their lives which do not show on the surface; for example, we must determine their capabilities of influencing others, capabilities of real leadership, why the intense desire for Puerto Rico's independence, what they expect to gain from independence, and the support they have from other leaders and rank-and-file members. We must have information concerning their weaknesses, morals, criminal records, spouses, children, family life, educational qualifications and personal activities other than independence activities.

2 - New York (105-32872)

DECLASSIFIED BY 6080 *the* 1977

SEE NOTE ON YELLOW, PAREC-23

105-93124-25 *W/S*

TC:djw
(6)

Classified by 1008
CDS
JUN 13 1961

TELETYPE UNIT

APPROV. FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF DATE

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COMM-FBI

- Tolson _____
- Belmont _____
- Mohr _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Malone _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Ingram _____
- Gandy _____

57 JUN 15 1961

~~CONFIDENTIAL~~

JFB
HPB

Memorandum

Personnel	
Director	
Deputy	
Chief Clerk	
Chief of Staff	
Deputy Chief of Staff	
Executive Secretary	
Administrative Secretary	
Telephone Room	
Director's Office	
Mail Room	
Copy Room	

1 - Mr. Parsons
1 - Mr. Belmont

TO : Mr. A. H. Belmont *abw*

DATE: May 11, 1961

FROM : Mr. [REDACTED]

1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]

SUBJECT: GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
(COUNTERINTELLIGENCE PROGRAM)
SUBVERSIVE CONTROL SECTION

During November, 1960, we began a Counterintelligence Program directed against the Puerto Rico nationalists with particular emphasis on the Federacion Universitarios Pro Independencia (FUPI), a student organization in Puerto Rico which has become increasingly procommunist. *TEST*

One of the countermeasures directed against FUPI was an editorial prepared by the San Juan Office for printing in the Spanish language newspaper "El Mundo."

The material emphasized the communist infiltration of FUPI and was utilized in an editorial which appeared in the 4-26-61 edition.

San Juan advises the editorial has had the following results to date:

1. FUPI leaders have planned to discontinue pro-Castro demonstrations.
2. A well-known communist prepared a cablegram in support of the Cuban Government and asked FUPI to add its name. FUPI leaders declined in an attempt to show noncommunist members they are not under communist control.
3. A former FUPI member came to the San Juan Office 5-1-61 and said he had read the editorial and desired to furnish information about FUPI in order to fight communism.
4. A present FUPI member, who had participated in the picket of the San Juan Office on 4-13-61, came to the San Juan Office and furnished information. His cooperation is attributed to the editorial.

*De la ...
Result: ...
5-15-61*

EX-105 REC-96 101-7-21

ACTION:

16 MAY 18 1961

In view of the results being obtained, continued emphasis will be placed on this phase of our investigations.

105-93124
RMH:flw (7)

Handwritten signatures and initials

SUBV. CONTROL

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (105-93124)

DATE: 9/27/61

FROM : SAC, NEW YORK (105-32872)

SUBJECT: GROUPS SEEKING INDEPENDENCE
FOR PUERTO RICO
(COUNTERINTELLIGENCE PROGRAM)
SUBVERSIVE CONTROL SECTION
(OO: San Juan)

ReNYlet 7/31/61, and Bulet 8/14/61.

Careful consideration has been given to the existing relationship of [redacted] and [redacted] and what possible action could be taken, based on this relationship, to further the counterintelligence program. It is believed that to achieve any degree of success in this respect, the existing relationship must be held up to ridicule in connection with their official positions with the United Nations. The relationship should be exposed to those circles which frown upon, and will not condone, such a relationship, as opposed to those areas which accept, or at the very least, apologize for such relationships. The counterintelligence move will have to be so directed as to reflect upon the illegal Puerto Rican independence movement, and accomplish the ultimate and desired result, disruption of this movement. At the same time it may be possible to cause some embarrassment to the government of Cuba.

It is believed that a "leak" could be arranged to an appropriate local newspaper of the relationship of the two Cuban delegates to the United Nations. However, such would only have a local effect and it is felt that more than this is desired. If it could be brought to the attention of a nationally syndicated columnist that the wife of the titular head of the Nationalist Party of Puerto Rico (NPPR) is cohabiting with a fellow Cuban delegate in NYC, it would have a much greater effect. If it could be

-P-

- 2 - Bureau (105-93124) (RM)
- 2 - San Juan (105-3353 Sub 1) (RM)
- 1 - New York [redacted]
- 1 - New York [redacted]
- 1 - New York (105-32872)(413)

REC-30

OCT 2 1961

JTT:jt *cc destroyed*

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CONFIDENTIAL

NY 105-32872

brought out that while [redacted] has been writing about the imprisonment of her beloved husband and the great desire she has for his release, she has in fact been living with [redacted] it could be forcefully impressed upon thousands of the hypocritical nature of these individuals. This would serve to bring ridicule, not only upon these two individuals, but also upon the government of FIDEL CASTRO.

If this could be accomplished on a national scale, it could be followed up locally in a Spanish language newspaper in the form of a suitable letter to the editor, critical of the NPPR and its relationship with the government of Cuba.

There is another aspect which could fit in with this endeavor and, it is believed, should be considered. If mention of the relationship of the two Cuban delegates should be made on a national scale, consideration should be given to alerting the State Department to this relationship. They, in turn, could utilize this information within the United Nations as a matter of general conversation among friendly groups. In doing this it is hoped that an atmosphere of some ridicule would develop concerning the Cuban delegation.

The Bureau is requested to consider furnishing this information to a friendly columnist, advising the proper sources within the State Department, should the information be published, and advising the NYO concerning the sending of the letter to a Spanish language newspaper. A copy of the proposed letter would be furnished to the Bureau for approval prior to the submission of such a letter to a newspaper.

UNITED STATES GOVERNMENT

Memorandum

Mr. W. C. Sullivan *WCS*

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. [REDACTED]

DATE: 8/5/66

- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

Tolson	_____
DeLoach	_____
Mohr	_____
Wick	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

SUBJECT: GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO COUNTERINTELLIGENCE PROGRAM (SUBVERSIVE CONTROL SECTION)

As part of our continuing program to disrupt the militant subversive groups seeking independence for Puerto Rico, the New York Office prepared a letter attacking one of the leaders of the Nationalist Party of Puerto Rico. The letter was written as though it were from a member of the Movimiento Pro Independencia de Puerto Rico (MPIPR) and was mailed anonymously on 7/12/66 from New York City to selected nationalists in both Puerto Rico and New York City. These two organizations are the largest and most dangerous of the proindependence groups.

The effect of the letter was immediate. A San Juan informant reported on 7/18/66 that members of the Nationalist Party of Puerto Rico were outraged by the letter and considered it a "character assassination" of one of their leaders perpetrated by the MPIPR. The acting Secretary General of the MPIPR, in the absence of Juan Mari Bras who was in New York at the time, directed a letter to the Nationalist Party of Puerto Rico in which he denounced the anonymous letter as another trick of the Central Intelligence Agency. That denial was then published in the two MPIPR publications thereby giving the anonymous letter much greater publicity. In the meantime, Mari Bras in a speech in New York City, referred to the Nationalist Party of Puerto Rico as "so called Nationalists" who are "behind the times, confused and in error." This, coming on the heels of the denial of authorship of the anonymous letter, has further confused the rank and file nationalists as to the true state of affairs within the independence movement.

OBSERVATIONS:

REC-13

It appears that the anonymous letter has achieved its purpose of confusing the independence leaders, exploiting group rivalry and jealousy and inflaming personality conflicts. This will undoubtedly thwart any unified action by the two principal independence groups within the near future.

ACTION:

For information.

14 AUG 22 1966

TWK:sjs

(6) AUG 25 1966

1 - Mr. [REDACTED]

8/4/66

Airtel

EX-110

To: SAC, New York (105-32872) REC-13

From: Director, FBI (105-93124) - 187 PERSONAL ATTENTION

GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
COUNTERINTELLIGENCE PROGRAM
(SUBVERSIVE CONTROL SECTION)

Re San Juan airtels 7/28/66 and 7/19/66.

It appears from referenced San Juan airtels that the anonymous letter submitted by your office by letter dated 6/8/66 has been unusually successful in widening the schism between the Nationalist Party of Puerto Rico and the Movimiento Pro Independencia de Puerto Rico. You are requested to advise the Bureau of the results achieved by this counter-intelligence measure among the Puerto Rican nationalists in New York. In addition, you are requested to submit your recommendations concerning commendations for responsible personnel. Handle promptly.

1 - San Juan (105-3353 Sub 1)

TWK:lam
(5)

MAILED 19
AUG 4 1966
COMM-FBI

NOTE:

Subversive Control Section, Domestic Intelligence, has a continuing program to disrupt the activities of the Puerto Rican Nationalist groups. New York submitted letter 6/8/66 for anonymous mailing to selected members of the NPPR and the MPIPR. This letter was highly critical of one of the NPPR leaders and was so written to indicate that it was from an MPIPR member. By airtel 7/19/66 San Juan advised that an NPPR informant stated that NPPR members were outraged by the letter and were discussing actions to take against the MPIPR. San Juan airtel 7/28/66 states that an MPIPR publication contains a letter from the political commission to the NPPR; official involved. In this letter the MPIPR denied involvement and placed the blame on the CIA. San Juan points out that MPIPR is obviously concerned over the effects of the letter within the Independence Movement and that it believes the distrust created by the anonymous letter will open new avenues to utilize counter-intelligence measures.

- Tolson _____
- DeLoach _____
- Mohr _____
- Wick _____
- Casper _____
- Tallent _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

MAIL ROOM TELETYPE UNIT

[Handwritten signature]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (105-93124)

DATE: 8/10/66

FROM : SAC, NEW YORK (67-1777)

SUBJECT: GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
COUNTERINTELLIGENCE PROGRAM
(SUBVERSIVE CONTROL SECTION)
IS-PRN INTERNAL SECURITY - PUERTO RICAN NATIONALS

SA [REDACTED]
SA [REDACTED]
RECOMMENDATION FOR COMMENDATION

DECLASSIFIED BY 60501/LE
ON 6-21-77

Reference is made to NYlets 6/8 and 22/66; SJlet 6/15/66; Bulet 6/30/66; SJairtels 7/19 and 28/66; NYairtel 8/3/66 and Buairtel 8/4/66.

The pro-independence movement both in Puerto Rico and the continental United States has historically been led by the Nationalist Party of Puerto Rico (NPPR). In recent years, a competitive organization has appeared in the form of the Movimiento Pro-Independencia de Puerto Rico (MPI), which in some respects, particularly in membership, overtakes the NPPR and has been able to command more popular appeal to some degree, garner international support as evidenced by close ties to Cuba. The effectiveness of the NPPR has been compromised by the jailing of many of its leaders with resultant poor direction from inadequately trained and educated individuals having to assume positions of leadership; loss of active members, and factionalist squabbles. Predominantly figuring in the latter category, over a protracted period, [REDACTED] has probably been responsible for more ill feeling in the organization than any other of its leaders. At the February 27, 1966, General Assembly of the NPPR in Puerto Rico, [REDACTED] was elected Vice President of this organization, which, in itself, created an air of uneasiness, and in some quarters, feelings of dismay and resentment.

With the moving of [REDACTED] to Puerto Rico to assume his new position, the possibility of a counterintelligence technique based on [REDACTED] personality, manner and previous tactics, became evident to [REDACTED]

- (4) - Bureau (RM)
- (1 - Personnel File SA [REDACTED])
- (1 - Personnel File SA [REDACTED])
- 1 - San Juan (Personnel File SA [REDACTED])
- 1 - New York (Personnel File SA [REDACTED])
- 1 - New York

REC 5 105-93124-111

SEE ADDENDUM PAGE FIVE

Handwritten notes:
6/15/66
6/30/66
7/19/66
7/28/66
8/3/66
8/4/66

Vertical list of names:
Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

ORIGINAL FILED IN

5-2-67 1

airtel

To: SAC, San Juan (105-3353 Sub 1)

From: Director, FBI (105-93124) - 212

EX 109

GROUPS SEEKING INDEPENDENCE
FOR PUERTO RICO
COUNTERINTELLIGENCE PROGRAM
(SUBVERSIVE CONTROL SECTION)

Reurairtel 4-25-67.

The Bureau concurs with you that the refusal of the Committee of 24 of the United Nations to take up the so-called colonial status of Puerto Rico offers an excellent opportunity to utilize a counterintelligence measure to discredit the leaders of the independence movement and particularly Juan Mari Bras. It appears, however, that your proposed anonymous letter as it stands might provoke Mari Bras into taking violent action to overcome this defeat in the eyes of his followers.

It might be desirable to blame the communist bloc and particularly Cuba for the failure in the United Nations and to criticize Mari Bras and the others for isolating the Puerto Rican independence forces from the democratic countries. This would imply that Mari Bras erred in aligning the Movimiento Pro Independencia de Puerto Rico with the communist countries but would not directly attack his leadership.

Your comments concerning the above are solicited. If you concur with the above, submit a proposed letter for anonymous mailing in line with the Bureau's observations.

TWK:mh (5)

FBI - JUSTICE

NOTE: Puerto Rican independence groups in an effort to block the plebiscite scheduled in Puerto Rico for 7-23-67 sought to have the Committee of 24 which handles colonial matters in the United Nations take up the colonial status of Puerto Rico. This was defeated 4-19-67. San Juan proposes to anonymously mail a letter to the independentists in Puerto Rico attacking the leadership and stating that Mari Bras has proven himself to be without influence in vital Puerto Rican independence matters.

MAY 2 - 1967

COMM-FBI

- Mr. Tolson _____
- Mr. DeLoach _____
- Mr. Mohr _____
- Mr. Bishop _____
- Mr. Casper _____
- Mr. Callahan _____
- Mr. Conrad _____
- Mr. Felt _____
- Mr. Gale _____
- Mr. Rosen _____
- Mr. Sullivan _____
- Mr. Tavel _____
- Mr. Trotter _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

62 MAY 10 1967

MAIL ROOM TELETYPE UNIT

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SAC, New York (105-32872)

12/13/66

Director, FBI (105-93124)

1 - Mr. [REDACTED]
1 - Mr. [REDACTED]

**GROUPS SEEKING INDEPENDENCE FOR PUERTO RICO
COUNTERINTELLIGENCE PROGRAM
(SUBVERSIVE CONTROL SECTION)**

Reurairtel 12/5/66 captioned "Nationalist Party of Puerto Rico, IS - PRN."

It appears that the underlying reason for the reorganization of the New York junta of the Nationalist Party of Puerto Rico was to overcome the factionalism which has prevailed therein for a considerable period of time.

As you are aware, a unified Nationalist Party of Puerto Rico junta in New York is undoubtedly much more dangerous than it has been in the past few years. You are, therefore, requested to devise suitable counterintelligence measures to cause dissension within the New York junta, and submit your recommendations to the Bureau for consideration.

This matter should receive your immediate attention.

TWK:rdp (6)

1 - 62-7721 (Nationalist Party of Puerto Rico)

NOTE: The NPPR has a violent history dating back to 1920's. New York junta was reorganized on 12/4/66.

[REDACTED]

956131966

- Tolson
- DeLoach
- Mohr
- Wick
- Casper
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

SI-114

105-93124-211

F336

REC 26

25 DEC 13 1966

MAIL ROOM TELETYPE UNIT

Handwritten signatures and initials:
JPH
WAT
TWK

NY 67-1777

[REDACTED] after preparing a colloquial translation, from his experience was able to make an indicated change in context which made the translation more authentic and realistic to the Spanish reader. His wide knowledge of the individuals constituting the NPPR and the MPIPR in Puerto Rico enabled him to compile a suggested list of persons who would probably respond to the contents of the letter. By design, the mailing was restricted to heighten the appearance of authenticity.

After this, the counterintelligence letter was presented to the Bureau and was approved. It was prepared in a non-professional manner, in mimeographed form, according to the exact directions of [REDACTED] and was mailed from New York on July 12, 1966, to those on the list prepared by [REDACTED].

The results of this mailing, to date, have been highly successful. Within a week of this mailing, a San Juan informant reported those NPPR members in San Juan who received the letter were outraged and were firmly convinced that it emanated from the MPIPR; further, they were attempting to determine what action could be taken against the MPIPR. Subsequently, the July 20, 1966, edition of "Carta Semanal", the official MPIPR weekly newsletter sent out to the rank and file membership and sympathizers, devoted an entire page to the repudiation of the anonymous letter. An open letter to [REDACTED] from the [REDACTED] of the MPIPR, [REDACTED] was set forth, in which authorship of the letter was denied, the CIA was accused as its author and [REDACTED] was assured of continued MPIPR support.

It is also noted the July 20, 1966, issue of "Claridad", self described as the official organ of the MPIPR, similarly carried the above repudiation which, as a matter of interest, is circulated in approximately 9000 copies, the vast majority of which is outside the pro-independence movement.

[REDACTED] purposely did not mail the anonymous letter to New York subjects in order to heighten the curiosity concerning it and to promote knowledge of it through word-of-mouth, thus leaving room for personal distortions and exaggerations. The effectiveness of this was shown in a speech given by JUAN MARI BRAS, Secretary-General of the MPIPR, in New York City on July 29, 1966, at an MPIPR General Conference, attended by numerous non-members and sympathizers. With the leadership of the NPPR-New York Junta present, MARI BRAS attacked the NPPR, calling them "behind the times, confused and in error", as well as "so called Nationalists".

NY 67-1777

The NPPR-New York Junta leaders stormed out of the meeting and later voiced anger and confusion. [REDACTED] of the NPPR-New York Junta, in referring to the scathing attack made by MARI BRAS, stated that they (New York NPPR members) did not know what was going on in Puerto Rico to cause MARI BRAS to make the statements he did. She angrily denounced his speech and heatedly commented that such remarks "create a bad and confused situation". The President of the NPPR-New York Junta instructed [REDACTED] to correspond with the President of the NPPR to advise him of MARI BRAS' comments and to strongly suggest that the NPPR sever all association with the MPIPR.

The success of this document may be judged by the reaction of the two individual organizations. The NPPR recommended that all associations with the MPIPR be severed and the MPIPR felt the necessity for a public repudiation, thereby giving the matter greater circulation than the NYO could have achieved by direct mailing. The overall result can best be evaluated from the view that the schism between the MPIPR and the NPPR has been widened, that additional animosity has been created, that personal conflicts have been aroused, and the limited strength of both groups has been further weakened by creating a situation which will diminish any prospects of unity in the pro-independence field.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

- 1 - Mr. C. O. DeLoach
- 1 - Mr. T. E. Bishop
- 1 - Mr. W. C. Sullivan

Tolson	
DeLoach	
Mohr	
Bishop	
Casper	
Callahan	
Conrad	
Felt	
Gale	
Rosen	
Sullivan	
Tavel	
Trotter	
Tele. Room	
Holmes	
Gandy	

DATE: 5/15/70

FROM : Mr. [REDACTED]

- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

SUBJECT: GROUPS SEEKING INDEPENDENCE
FOR PUERTO RICO
(COUNTERINTELLIGENCE)
INTERNAL SECURITY - PUERTO RICAN NATIONALISTS

W. [unclear]
66-170-1

Memorandum is to advise of positive results achieved against the Puerto Rican Socialist League (LSP). The LSP is a militant Red-Chinese-oriented Puerto Rican proindependence group.

During latter part of 1969, information available to Bureau indicated major disagreement existed among leaders and members of the LSP. Information also showed LSP members were questioning the leadership of [REDACTED]. Bureau at that time instructed San Juan to prepare counterintelligence move targeted against [REDACTED] and the LSP. It was felt a successful counterintelligence move against [REDACTED] and the LSP could remove from prominence this militant dangerous separatist and could weaken and/or neutralize the LSP.

San Juan prepared anonymous letter which pointed out shortcomings of [REDACTED] leadership and his indiscretions in leaking information to police source which led to arrests of a number of LSP members. Letter was so written that it was felt additional dissension would be created within the LSP. With approval of the Director, San Juan's letter was sent on 12/19/69 to selected LSP members in San Juan.

A current analysis of situation in San Juan shows a number of dissident LSP members (all of whom were recipients of our letter) have broken off from LSP and have formed a splinter group. The LSP at the moment, in view of this, is disorganized and [REDACTED] is reported attempting to recruit new members in order to restore life into the LSP. It appears reasonable to conclude this counterintelligence effort has succeeded in taking advantage of noted dissension in LSP and has created an irreparable split between [REDACTED] and a number of his most devoted lieutenants.

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Enclosure *sent 5-20-70*
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16 MAY 22 1970

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SEE ADDENDUM, DOMESTIC INTELLIGENCE DIVISION, PAGE 2

5-17-70

NY 67-1777

In an effort to exploit [redacted] possibility, [redacted] NPPR case agent at New York, reviewed the internal situation within the NPPR both at New York and San Juan. Based on this review, his long experience in Puerto Rican independence matters, his close association with the individual subjects in this area and his knowledge of the animosity created by [redacted] prepared a document pointed toward discrediting [redacted]. This document, in the form of an anonymous letter, was designed to be mailed from New York to specific individuals in Puerto Rico with the hope of creating disagreement within the NPPR over the elevation of [redacted] to the second highest leadership position, and/or to promote further disagreement between the NPPR and the MPIPR.

The preparation of such a letter posed several problems; one, the matter of focusing attention for its preparation toward an organization or individual who could have reason and capacity for preparing such a letter; second, the necessity for so wording such a letter that in translation it would appear to have been written in the Spanish vernacular; third, the placing in proper context of various telling bits of information to lend credence to the entire document; and fourth, the statement of facts in such a manner to evoke anger and promote dissension.

[redacted] successfully anticipated and overcame these problems. His letter was prepared attacking [redacted] as a dictator, interested only in personal gain and as an individual who could not be trusted. By innuendo, it was made to appear that [redacted] had not been acceptable as a leader to the late [redacted] the esteemed NPPR titular head, and [redacted] election after his death could only be construed as a mockery of [redacted] ideals. In order to heighten the suspicion of the MPIPR as the source of this letter, certain slogans and catch phrases commonly used by the MPIPR in their official publications were utilized by [redacted].

To assure the authenticity of this document, it was forwarded to the San Juan Office where it was assigned to [redacted] for review and translation into Spanish. [redacted] as had considerable experience in the investigation of pro-independence matters and is well cognizant of the feelings existing both in the NPPR and the MPIPR. He has been particularly adept at realizing weak points in the pro-independence movement and exploiting these for counterintelligence purposes.

INDEPENDENCIA