

Justice served after 35 years

Escrito por Granma

Jueves, 19 de Enero de 2017 23:15 -



The prison sentence of Puerto Rican independence fighter, Oscar López Rivera, who has spent the last 35 years in prison in the United States, will expire on May 17, after it was commuted by President Barack Obama, on January 17, according to media outlets citing a Whitehouse source.

A commutation or offer of clemency is the reduction of a prison sentence, either totally or partially; while a pardon represents complete or partial remission of a sentence issued by a court of law.

According to Puerto Rican newspaper El Nuevo Día, both commutations and pardons can be

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granted by the President or ruler of a country.

Obama also announced the commutation of another 208 sentences, including that of Chelsea (Bradley) Manning, a U.S. Army intelligence analyst. Manning was convicted in 2010 of leaking thousands of documents related to U.S. military and diplomatic activities around the world, via WikiLeaks.

Speaking to the press on January 17, following the announcement of the commutation of Oscar López Rivera's sentence, his lawyer Jan Susler stated that "Oscar is grateful for all the love and solidarity — in Puerto Rico, in the United States, and throughout the world — that made this happen."

According to Susler, who had the privilege of announcing the news to Oscar herself, justice was finally achieved after a long and difficult journey. The attorney, speaking to UK newspaper The Guardian by phone, added that "He's a very centered, peaceful human being, and that's how he received the news."

López Rivera, prisoner 87651-024 — who has served 35 years in prison, most recently at the Terre Haute penitentiary in Indiana —, will be released in four months.

Oscar was born in 1943 in Puerto Rico, is a leader of the pro-independence movement in his native country, and a decorated Vietnam War veteran.

After returning to Chicago following the conflict, he joined the Puerto Rican independence struggle, and participated in acts of civil disobedience and peaceful protest.

In 1976, he joined the movement's clandestine struggle as a member of the Armed Forces of Puerto Rican National Liberation (FALN). In 1981, he was captured by the U.S. Federal Bureau of Investigations (FBI) and accused of "seditious conspiracy" for being a member of the FALN.

Upon his capture, López Rivera, declared himself to be a prisoner of war, under Protocol One of the 1949 Geneva Convention, which protects individuals arrested in times of war or struggle against colonial occupation.

Washington rejected López Rivera's position and sentenced him to 55 years in prison, 12 of which he spent in solitary confinement. His prison sentence was later raised to 70 years, after he allegedly tried to escape.

In 1999, former U.S. President William Clinton offered him a conditional pardon. The offer was made to 13 convicted FALN members, all of whom accepted, apart from López Rivera, whose conditions stipulated that he serve 10 more years in jail with good behavior.

Speaking to El Nuevo Día in 2013, López Rivera stated that "I never left anyone behind, not in Vietnam, not in the streets. It was difficult for me knowing that I could get out before them. Also I couldn't commit a single infraction in the additional 10 years in prison, and in prison you never know what the jailer might want to do."

Meanwhile, Mayor of San Juan, Yulín Cruz, noted that the municipality is already preparing for his welcome, reported El Nuevo Día yesterday, January 17.

“Tomorrow I am going to sign an executive order for a day of celebration in the municipality of San Juan on Monday, thus the festivities taking place along San Sebastián Street will in theory be extended, but it’s a day of celebration and rejoicing,” stated Cruz.

A COMMON CAUSE

Leaders from across the world, as well as human rights organizations have been demanding Oscar López Rivera’s release for years. On June 18, 2012, the UN Decolonization Committee approved a resolution, submitted by Cuba, requesting that Puerto Rico’s right to independence and self-determination be recognized and calling for the release of independence fighters imprisoned in the United States.

Following the news of the commutation of Oscar’s sentence, Granma spoke with decorated Hero of the Republic of Cuba Gerardo Hernández, who emphasized the Puerto Rican’s example, describing him as a source “of inspiration for the Five.”

“Today we can celebrate. We knew his sentence was long and that he had been in prison longer than we had. If Oscar didn’t falter, neither could we. We are happy for him and his family,” stated Hernández.

René González, another member of the Cuban Five, described the commutation of López Rivera’s sentence as “an act of delayed justice, and delayed justice is justice denied, but it is a way of ending unnecessary and absurd harm caused a man simply for having dignity.

“I wish Oscar all the best, I know that his daughter, his family and the Puerto Rican people are awaiting him with much love, and I am sure that it’s going to be a celebration which all those who called for his release deserve,” he stated.

René went on to note that the U.S. has always considered the Puerto Rican to be inferior given that he is Latin American, a people despised by the brutal North, but that he showed the prosecutors, jailers and U.S. government that he was far superior, much more dignified, which is why he provoked their rage.

Meanwhile, Kenia Serrano, president of the Cuban Institute of Friendship with the Peoples (ICAP), sent a message of joy and congratulations in which she noted that the unity of the Puerto Rican people to secure López Rivera’s release must also be the driving force to continue in the larger struggle for the Caribbean country’s full independence.

Speaking to Granma via telephone, Eduardo Villanueva, former President of the Puerto Rican Bar Association, noted that he was deeply thankful to his people for their unity, commitment and bravery in the struggle for the release of a compatriot who gave everything for his country. He also gave special thanks to Latin American countries such as Cuba, Nicaragua, Venezuela and others that did so much for Puerto Rico’s cause.

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Finally, the lawyer noted that Oscar López Rivera represents an example as one of the many men and women who give their all for an ideal of justice.