

RELEASE IN FULL

From: H <hrod17@clintonemail.com>
Sent: Friday, July 22, 2011 7:04 PM
To: 'abedinh@state.gov'
Subject: Re: Jailed American addresses Cuban top court in appeal (Reuters)

Are you up?

From: Abedin, Huma [mailto:AbedinH@state.gov]
Sent: Friday, July 22, 2011 03:06 PM
To: H
Subject: Fw: Jailed American addresses Cuban top court in appeal (Reuters)

From: OpsNewsTicker
Sent: Friday, July 22, 2011 02:47 PM
To: NEWS-WHA; NEWS-Mahogany; SES-O
Subject: Jailed American addresses Cuban top court in appeal (Reuters)

HAVANA (Reuters) - Imprisoned U.S. aid contractor Alan Gross appealed his 15-year sentence in Cuba before the island's Supreme Court Friday, backing up legal arguments with a personal courtroom address to the judges.

Gross, 62, was allowed to speak for himself at the closed-door hearing after his defense lawyer presented arguments against his conviction and sentencing in March for crimes against the Cuban state.

He was arrested in Havana in late 2009.

The jailing of the American aid contractor, whom Cuba's government has accused of being part of U.S. government efforts to subvert communist rule on the Caribbean island, has soured U.S.-Cuban relations and stalled U.S. President Barack Obama's moves to forge better ties.

Gross was detained in Cuba while working on a secretive pro-democracy program funded by the U.S. Agency for International Development (USAID) that sought to build an Internet platform on the island whose communist authorities tightly control access to the Internet.

Gross denies his work was a threat to the Cuban government, saying he was trying only to improve Internet connectivity for the country's small Jewish community.

Foreign journalists were excluded from Friday's Supreme Court appeal hearing, which lasted nearly 1-1/2 hours and was held in a building within view of Revolution Palace where Cuban President Raul Castro's offices are located.

Gross's Cuban lawyer, Nuris Pinero, and three U.S. diplomats from the U.S. Interests Section in Havana attended.

A short Cuban government statement confirmed the hearing of Gross's appeal had taken place and said his lawyer presented his arguments for contesting the conviction and sentence handed down in March by a lower

Cuban court.

"Alan Phillip Gross, exercising the right to speak granted by the court, laid out the arguments that he considered relevant and expressed thanks for the chance to explain them personally to the judges of the People's Supreme Court," the official Cuban statement said.

It gave no details of what Gross told the court.

Cuba's highest court would announce its "definitive sentence in the next few days," the Cuban statement said.

Local and international experts believe there is only a slight chance the Cuban Supreme Court would throw out the lower court's conviction of Gross and set him free. They said it was far more likely to uphold the verdict and possibly reduce the sentence.

OBSTACLE TO BETTER TIES

Before the hearing started, security personnel checked cars as they entered the area of the court building. Plain-clothes security agents could also be seen.

The U.S. government and Gross's lawyers and family have called for his immediate release on humanitarian grounds.

"Alan's incarceration remains an increasingly difficult situation for the entire Gross family," Gross's U.S. lawyer, Peter Kahn, said in statement before Friday's hearing.

Gross's lawyers and his family have said both his daughter and mother-in-law have been battling cancer. His wife Judy, who did not attend Friday's hearing, has said Gross has health problems and has lost 100 pounds in jail.

U.S. officials have made clear any further initiatives to improve bilateral ties would require his immediate release.

Obama had initially eased U.S. travel restrictions to Cuba and allowed a free flow of remittances to the island as part of measures to increase contacts. But more significant moves to relax long-running U.S. economic sanctions against the island are unlikely without movement in the Gross case.

Sources with knowledge of Gross's secretive trial in Havana in March said he admitted entering as a tourist several times to distribute communications equipment to Jewish groups. But his defense argues he did not understand he was working for a U.S. program aimed at promoting political change in Cuba.

Cuban state prosecutors said his activities were hostile.

"Considerable evidence from witnesses, experts and documentation demonstrated his direct participation in a subversive project of the U.S. government to try to destroy the Revolution," the government said in a note earlier this month announcing the appeal hearing date.

Cuba's security services view new communications technology and social media as the latest battlefield in the long ideological war between the two nations.

NewsTickers alert senior Department officials to breaking news. This item appears as it did in its original publication and does not contain analysis or commentary by Department sources.