

Exile Bosch Charged With Murder

Venezuela Indicts 4 in Cuban Air Crash

11-3-76

By Joanne Omang

Washington Post Foreign Service

CARACAS, Venezuela, Nov. 2—A Venezuelan judge today indicted four men, including Cuban refugee leader Orlando Bosch, on murder charges in the crash of a Cuban jetliner Oct. 6.

The crash off the coast of Barbados killed 73 persons, 57 of them Cuban, after a reported bombing. It has become the focus of leftist charges that a terrorist network of Cuban refugees, orchestrated by the Central Intelligence Agency, is seeking the overthrow of Cuban Prime Minister Fidel Castro.

The homicide charges—which were termed “qualified,” meaning they are less than first-degree murder—carry a maximum penalty of 30 years in jail under the Venezuelan civil code. They indicate that sufficient evidence has been collected to convince Judge Delia Estava Moreno that the Cubana Airlines DC-8 actually was blown up deliberately, an issue that has been contested in some circles here.

The charges surprised observers by going heavily against Bosch, whose involvement in the case had seemed to be the most tenuous. His attorney said last week that a charge of falsification of documents, also leveled today, was the only possible one he could foresee, a reference to the false Costa Rican passport with which Bosch entered the country.

The indictments make it unlikely that Bosch, 49, will be handed over soon to U. S. authorities, who have asked that he be returned as a parole violator. He is also wanted for questioning in the assassination in Washington Sept. 21 of former Chilean Foreign Minister Orlando Letelier and in connection with several bombings and deaths in Miami, according to Washington sources.

A Venezuelan spokesman said the trial and appeals could take “several months” and that Bosch could not be sent out of the country until the procedures are completed.

Also charged were Bosch's fellow Cuban refugee, Luis Posada Carriles, 47, a former Venezuelan security agent and owner of a private detective agency; Hernan Ricardo Losano, 25, a photographer and one of Posada's employees; and Freddy Lugo, 31, also a photographer. Five others were released without charges.

Ricardo and Lugo, suspected of being the ones who actually planted the



ORLANDO BOSCH

... involvement seemed tenuous

bomb, were arrested in Trinidad the day after the crash when a taxi driver taking them to their hotel overheard them discussing and laughing about the incident.

Trinidad police later said they had proof that Ricardo contacted his boss

Posada from the hotel, while Ricardo's girlfriend and his secretary both confirmed in Caracas that they had passed on a message for Posada: “The truck has left with a full load.” The two men have since said they went to the Caribbean to check prices on camera equipment.

All but Lugo were also charged with illegal possession of weapons.

The indictments leave undecided for the present the question of whether the case is to continue in the civil courts or be transferred to military jurisdiction. The decision is expected to be made shortly by the government, some of whose highest members have argued that a military trial would preempt any future opposition claim that eventual rulings might be politically tainted.

President Carlos Andres Perez and several of his ministers have repeatedly sworn to follow the plane crash investigation wherever it might lead, saying they refuse to tolerate the use of Venezuelan territory for terrorism of either the left or the right. Still, the case has raised the ticklish problem of reconciling Perez' pro-Castro stand with the rightist elements in his party.

The numerous Cuban exiles here and the party's rightists have stopped just short of applauding any terrorist attack or other difficulties suffered by the Castro government.