

Cuban Boat 'Hijackers' Give Up--Charged by U.S.

Miami

Two young Cubans who allegedly hijacked a fishing boat surrendered to U.S. Immigration Service authorities yesterday. They were immediately charged with illegal entry as the U.S. government enforced its new anti-hijacking agreement with Cuba.

State Department spokesman Charles W. Bray said in Washington that deportation proceedings have been instituted against Orlidio Hernandez and Heriberto Caridad Perez, both 21, who arrived in Florida last week after their disabled vessel was taken in tow by the U.S. Coast Guard.

The two fishermen, who have parents in Miami, were accompanied by lawyer Ellis Rubin when they surren-

dered to U.S. Immigration and Naturalization Service officials.

Some 56 hours earlier the two jumped overboard from the Cuban-owned fishing boat, a mile from land in the Key West channel, as it was being towed out to sea by the Coast Guard to begin its homeward journey.

Rubin quoted Hernandez as telling an immigration examiner, "We jumped ship so that a shark might eat us or so that we could drown rather than go back to Cuba."

A return to Fidel Castro's Cuba, Hernandez was quoted as saying, would mean they would be imprisoned "or killed by a firing squad."

Rubin said the men told him they swam ashore at Key West after diving from

the 60-foot Cayo Largo and met a fisherman who advised them to hitchhike to Miami. But Rubin said it was unclear whether the men reached here by thumbing a ride or were picked up by members of a Cuban exile group.

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Rubin said Hernandez told examiners the two had been plotting to commandeer a boat for about two years and decided to go to Mexico after reading of the U.S.-Cuba accord in a Cuban newspaper. Rubin said the action was not a violation of the U.S.-Cuba agreement since the hijacked vessel was going to Mexico when the ship became disabled.

"The key issue is whether these boys got to this country on a hijacked vessel. I think I can prove this is not a hijacking case," said the attorney.

Coast Guard officials said Hernandez and Perez, among a crew of nine, took over control of the Cayo Largo March 8 shortly after it had left Cuba. The captain and other crew members were locked in a hold.

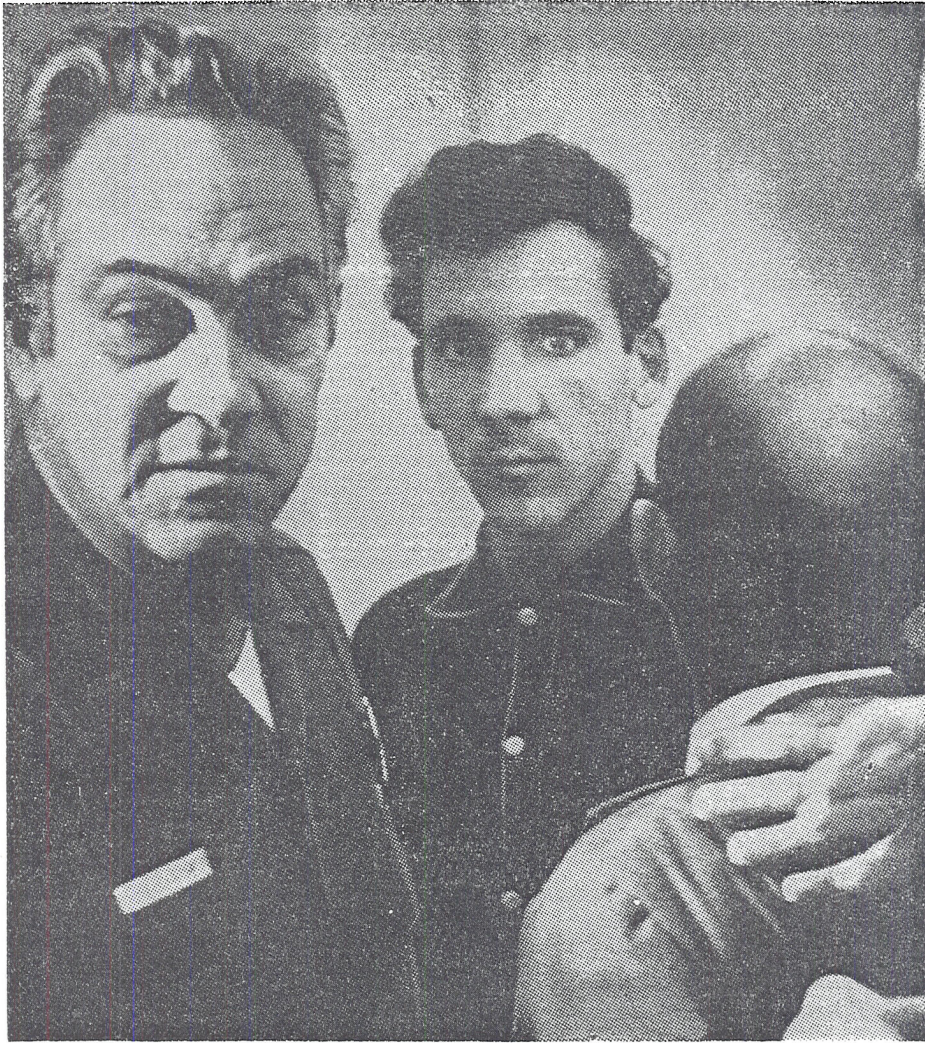
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The two men allegedly steered the boat toward Mexico, but became lost and turned the vessel back to the control of the captain. The vessel was found March 12 out of fuel and adrift 35 miles off Fort Myers, Fla.

The U.S.-Cuba accord on hijacking retains traditional American policy of sheltering political refugees but defines a hijacker as anyone who "seizes, removes, appropriates or diverts" an aircraft or vessel of U.S. or Cuban registry and "brings it to the territory of the other party."

Associated Press

U.S.-Cuban agreement
on hijacking signed
15 Feb 73 (NYTimes
16 Feb 73).



UPI Telephoto

Perez put an arm around his father in Miami. Immigration officer was at left.