

# A New Era in U.S. – Cuba Relations?

# What Obama Can Still Do



On December 17, 2014, President Barack Obama announced the United States would finally end its “outdated... failed,” policy on Cuba. Cuban President Raúl Castro reiterated his country’s “willingness to discuss and solve our differences without renouncing any of our principles.” Their historic words generated a wave of optimism on both sides of the Straits of Florida that fundamental change would soon occur in relations between the two countries.

There have been some positive, significant, but largely symbolic changes: the United States rightly removed Cuba from the State Department’s list of state sponsors of terrorism, the two countries re-established diplomatic relations and re-opened embassies in each other’s capitals. And President Obama has unilaterally eased some travel and financial restrictions.

But much more remains to be accomplished before there can truly be normal relations between the two countries. Most of those changes will need to be made by the United States. Why?



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**The International Committee for Peace, Justice and Dignity** is part of an international network working to end the blockade on Cuba and to bring awareness to its negative impact on the Cuban people and people in the U.S. as well. We are in solidarity with the people of Latin America and people around the world in their struggle for self determination and independence. We also are working for the release of Puerto Rican political prisoner Oscar Lopez. Prior to December 17, 2014 we were the International Committee for the Freedom of the Cuban 5.

### ***Why? The reality is that Cuba did not:***

- impose an economically strangling blockade against the United States.
- expand and reinforce that blockade over 55 years.
- launch attacks from its soil on the United States with the goal of overthrowing its government.
- finance and support clandestine “regime change” programs.
- create provocative propaganda operations like Radio and TV Marti to undermine the government of the United States.

### ***But what about human rights?***

The U.S. and Cuba have very different conceptions of what human rights mean. While the United States claims to focus on individual rights, Cubans see collective human rights — universal health care, for example, and access to free education from pre-school to post-graduate — as critically important human rights.

Whatever our individual views about human rights, the reality is that these are internal matters to be determined by the governments and citizens of each country. The U.S. wouldn't like it for example if the Cubans demanded that the U.S. make healthcare universal, like Cuba has, as a pre condition for improving relations between the two countries. Neither should the U.S. expect to tell Cuba how to conduct its internal affairs.

Normalization involves respectful, country-to-country negotiations involving bilateral issues that affect both countries: like immigration, postal services, travel, provision of financial services, and so on.

For U.S-Cuba relations, of course, the elephant in that room remains what the U.S. government calls the “embargo” and what Cubans experience as the blockade.

### ***What is the embargo/blockade?***

The U.S. blockade, in place since 1962, is “among the strictest and longest-running of U.S. sanctions regimes.” American companies are forbidden to do business with Cuba. In those rare instances when Cuba is allowed to buy American goods — agricultural products, for example — it has to pay cash. Cuban exports — from rum and cigars, to diabetes medicines and lung cancer vaccines — cannot legally be sold in the United States. Most U.S. citizens still aren't legally allowed to travel to Cuba.

In 1996, Congress passed the Helms-Burton Act, extending the embargo to apply to foreign companies trading with Cuba (international financial institutions must routinely pay huge fines simply for processing financial transactions for Cuba), prohibiting U.S. recognition of any government led by Fidel or Raúl Castro and, worst, making it impossible for any president to repeal it on his own.

The blockade has divided the United States from a Latin America that increasingly looks to Cuba for hemispheric leadership, and isolated it even from its usual global allies: each year, the United Nations General Assembly votes overwhelmingly to condemn the blockade.

### ***If President Obama can't end the blockade on his own, what can he do to minimize its impact? Plenty:***

- Authorize the use of the dollar in international transactions with Cuba through U.S. banks.
- Enable Cuban entities to open corresponding accounts in U.S. banks.
- Authorize Cuban vessels and aircraft to transport passengers, cargo and mail between the two countries.
- Reverse the policy of astronomical fines levied against international banking institutions conducting transactions with Cuba.
- Authorize direct exports of U.S. products to Cuba and the importation of Cuban-produced goods into the U.S.
- Allow Cuba to import products, including U.S. components, from third countries.
- Authorize U.S. companies to invest in Cuba.
- Close Guantanamo Prison and return the naval base back to Cuba.
- End the preferential “Wet Foot, Dry Foot” Policy that encourages Cubans to embark on illegal and unsafe migration, as well as other irregular migration situations.
- End the Parole Program for Cuban Medical Professionals that encourages Cuban doctors to abandon Cuba's medical programs abroad for citizenship in the U.S.
- Stop funding USAID and National Endowment for Democracy programs aimed at fomenting dissent in Cuba as well as the defunding of Radio and TV Marti designed for the same purposes.

### ***What can't Obama do, and who can?***

#### **Obama can't unilaterally end the blockade, but Congress can. And Congress can also:**

- overturn the 1992 Torricelli Act that prohibits foreign based subsidiaries of U.S. companies from trading with Cuba.
- end the travel ban to Cuba for purposes of tourism.
- overturn the 1996 Helms Burton Act that codifies into law that the official policy of the U.S. Government towards Cuba is regime change and the overthrow of the Cuban Revolution of 1959.
- overturn the 1966 Cuban Adjustment Act that encourages irregular Cuban migration to the U.S. while criminalizing and persecuting all other migrants from the Caribbean and Latin America.
- End the provision in the 2000 Trade Sanction Reform and Export Enhancement Act requiring Cuba to pay cash in advance on all agricultural and medical products purchased from the U.S.