

Committee: Disarmament and International Security

Issue: Ending the embargo on Cuba

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Introduction

51 years have passed since the enactment of the US embargo against Cuba, an island nation 90 miles off the coast of Florida. The embargo, also known among Cubans as "el bloqueo", is a series of economic sanctions against Cuba and restrictions not only on Cuban travel, but also commerce for all people and companies under the US jurisdiction. The embargo does not though refer to the relations between Cuba and third-party countries, but only indicates the decision of removing from circulation all commercial goods traded between the United States of America, who is doing the embargo, and Cuba.

Officially, the embargo was implemented in 1960 during the Cold War with the aim of pressuring the Cuban government to bring about democratic reforms and also to prevent the spread of the Cuban terrorist concepts in the US.

As it has been multiply though proven, Cuba does not –after 51 years since the implementation of the embargo- pose a threat to the United States of America and thus the embargo is often described as “irrational” and “senseless”.

Supporters of the embargo on Cuba maintain that the Cuban nation has not yet met the prerequisites, some of them being the transition to democracy and improvement of the human rights situation, set by the US government so as for the embargo to be lifted. It is claimed that backing down without any concessions from the Castro regime will make the USA appear weak, and that only the Cuban elite would benefit from open trade.

Opponents of the Cuba embargo argue that it should be lifted because the failed policy is a Cold War relic and has clearly been unsuccessful and has not achieved its initial goals. According to common opinions, the embargo hurts the international opinion of the United States and causes harm to the US economy and the Cuban citizens, whereas it prevents opportunities to promote change and democracy in Cuba.

Definition of Key-Terms

Cold war

“A state of political hostility and military tension between two countries or power blocs, involving propaganda, subversion, threats, economic sanctions, and other measures short of open warfare, especially that between the American and Soviet blocs after World War II.” [Source: <http://www.thefreedictionary.com/cold+war>]

Embargo

“Embargo” (from Spanish *embargar*, to *impede*) refers to a government order imposing a trade barrier to a foreign nation, prohibiting certain or all trade and relations with it.

Guerilla

Guerilla generally refers to a member of an irregular armed force fighting a more powerful force by means of sabotage and harassment.

Subsidiary

A company controlled by a company based in foreign country.

Prima facie

Prima facie evidence refers to evidence *“sufficient to establish a fact or to raise a presumption of fact unless rebutted.”* [Source: <http://www.thefreedictionary.com/prima+facie>]

Background Information

History of US-Cuba relations

The United States and Cuba have not always had intense relations. In the late 1800s, the US was purchasing 87% of Cuba's exports and had control over its sugar industry.



In the 1950s, Havana's resorts and casinos were quite popular destinations for American tourists and celebrities.

The United States embargo against Cuba was though partially imposed on Cuba in October 1960, when Washington reduced Cuban sugar import rates in July of the same year (Sugar Act of 1948), about two years after the Batista regime was deposed by the Cuban Revolution. Specifically, the Castro brothers lead a revolt against the authoritarian Fulgencio Batista (Cuban revolution). After coming to power in 1959, Fidel Castro established Cuba as the first Communist state in the Western Hemisphere and created a police state, targeted U.S. commerce, nationalized the properties of United States citizens and became allies

with the Soviet Union. Although Cuba was a small island nation, the Cold War magnified its importance and worldwide influence.

Kennedy-era embargo

President Kennedy approved a 1961 plan to train and arm Cuban exiles trying to overthrow Castro's communist regime, but the "Bay of Pigs invasion" on April 17th 1961 failed, when the outnumbered US military forces were defeated by the Cuban army. The situation became more complex when a US spy plane "caught" the Soviet Union shipping nuclear missiles to Cuba. The so called "Cuban Missile Crisis" (1962), eventually ended up in an agreement with the Union of Soviet Socialist Republics (USSR) to withdraw its weapons from the island.



On February 3, 1962, President Kennedy signed Proclamation 3447 (full implementation on 7th February 1962) to declare "an embargo upon all trade between the United States and Cuba." It is claimed that the night before he signed the embargo, JF Kennedy sent his Press Secretary, Pierre Salinger, to purchase 1,200 Cuban cigars for future use, just before the extended embargo was to come into effect.

The embargo resulted in the limitation of the U.S. exports, it harmed diplomatic ties, travel was restricted, Cuban imports were prohibited, American assets in Cuba were frozen, and almost all travel to the island was banned. Washington also exercised pressure on its allies to impose sanctions on Cuba as well. However, these measures only intensified Cuba's reliance on the Soviet Union.

One year later, on February 8, 1963, the prohibition of travelling to Cuba from the United States was enforced and in July the Cuban Assets Control Regulations (CACR) were issued in the form of a comprehensive economic sanction with the aim of outlawing any kind of financial exchanges with Cuba. The regulations also prohibit the purchase or import of any merchandise of Cuban origin, with the exception of "information or information materials", them being publications, recorded music, and certain artwork.

Democratic Solidarity Act of 1966 (Helms-Burton Act)

The 1992 Cuban Democracy Act ("Torricelli Law") and the Helms-Burton Act strengthened the economic embargo by penalizing subsidiaries doing business in Cuba and by prohibiting their trading business in the US.

Both previously mentioned laws were condemned by US allies such as Canada, United Kingdom, Mexico, and France. In spite of the dominant situation and the

embargo, Cuba managed to keep its economy afloat, while receiving aid from the USSR. The collapse of the Soviet Union in 1991 though led to the economic destabilization of the island between 1989 and 1993.

“Wet foot/dry foot” policy

As a result of bilateral migration accords between the two governments, September 1994 until May 1995 constituted a significant time period, when the U.S. policy towards Cuban migrants was greatly altered. The United States granted Cuba an annual of 20,000 legal immigrant visas and, at the same time, determined that Cubans picked up at sea, not having reached the shore, would be sent home just as any other group of “illegal” immigrants. President Clinton's agreement with Cuba led to the resolution of the dilemma of the about 33,000 Cubans then encamped at Guantanamo.

Restrictions of the embargo

According to the U.S. Department of State: *“Cuban Assets Control Regulations are enforced by the U.S. Treasury Department and affect all U.S. citizens and permanent residents wherever they are located, all people and organizations physically located in the United States, and all branches and subsidiaries of U.S. organizations throughout the world. Regulation does not limit travel of U.S. citizens to Cuba per se, but it makes it illegal for U.S. citizens to have transactions (spend money or receive gifts) in Cuba, under most circumstances. Since even paying unavoidable airfare ticket taxes into a Cuban airport would violate the transaction law, it is impossible for ordinary tourists to visit Cuba without breaking the monetary transaction rule.*

The regulations require that persons subject to U.S. jurisdiction be licensed in order to engage in any travel-related transactions pursuant to travel to, from, and within Cuba. Transactions related solely to tourist travel are not licensable.”

The United States Treasury Department's Office of Foreign Assets Control (OFAC) holds any visit in Cuba lasting more than one day as “prima facie” proof of violation.

Bush policies and end of the Castro rule (2001-2008)

The aftermath of Hurricane Michelle in 2001 was devastating for Cuba and ~~it~~ led to the formation of a –reluctant- agreement between the US and the island nation, according to which American companies were allowed to sell food to Cuba, as an indication of provision of humanitarian aid to the nation. This “purchase agreement” was the first trading move of the US after 40 years since the enforcement of the trade embargo and is now the island's second-largest food supplier. Yet, Cuban products still do not enter the US.

The George W. Bush administration moved in 2003 to the announcement of new, harsher measures, aiming at the end of the communist rule in Cuba, adding stricter restrictions to the embargo and increasing penalties in case of their violation to 10 imprisonment and \$1 million in fines. Freedoms, such as visiting one's family in Cuba or sending money to help those relatives, were all restricted to the minimum during George W. Bush presidency.

In 2008 Fidel Castro was forced by illness to step down officially as president of Cuba. Raúl Castro took his place as President of Cuba. He initially had a welcoming attitude towards the implementation of economic reforms that would lead to the normalization of the relations with the United States. Notwithstanding, a series of hurricanes in 2008 caused great damages to Cuba's leading industries and took attention away from political reforms.

The Obama Administration

"The Cuban embargo has failed to provide the sorts of rising standards of living, and has squeezed the innocents in Cuba and utterly failed to overthrow Castro, who has now been there since I was born. It is now time to acknowledge that that particular policy has failed."- Barack Obama, 2004

After his election as President of the US, Barack Obama lifted in 2009 restrictions on family travel and sending remittances to Cuba. Yet, despite his opposition to the Cuba embargo, he has seemed reluctant to lift it, as long as the Cuban government does not fulfill its duties by releasing political prisoners and providing people with their basic human rights, in order for the US to be fully engaged with the Cuban nation.

Some people hope that a new Cuban regime will make the reforms necessary for the blockade to be repealed, while others expect President Obama to once and for all end the embargo, regardless of Cuba's actions. After 50 years of the ongoing embargo and economic sanctions of the US against Cuba, the debate over whether to maintain or lift the embargo continues.

Major Countries and Organizations Involved

Cuba

Cuba has been under the trade embargo imposed by the US since the early 1960s. Being a close ally of the Soviet Union, Cuba and its communist regime has been thought to be posing a threat for the US sovereignty, whereas its humanitarian status, in combination with its non-US-compatible policies, has led the USA to the maintenance of the embargo for over 50 years. The Cuban people hope for the embargo to be lifted soon and thus seek to have friendly relations with one of the greatest powers in the world, the United States of America. Yet, the lacking efforts of the Cuban government to normalize relations with the US shows otherwise. It is

widely thought that Raul Castro has not moved to any effective actions to fulfill the necessary conditions, because the normalization of the relations between the two nations would mean the weakening of the Castro rule and the loss of power, since “El Bloqueo” may be the single guarantee of their continued hold on power. However, Raul Castro has continuously indicated a warm attitude and has been welcoming his engagement in talks with the United States of America.

European Union (EU)

The European Union is opposed to the US blockade against Cuba and has many times expressed its disapproval of the embargo, often calling for the elimination of the barriers to free trade. As stated by Thomas Dupla del Moral, the director for the Americas Department of the European Service for External Action in 2008: *“The EU doesn’t have the least doubt — as we’ve demonstrated for a long time, as we do year after year — that we are opposed to extraterritorial measures affecting trade, of which one of those cases is Cuba.”*

The objective of the European Union in its relations with Cuba is the encouragement of transition to pluralist democracy and respect for human rights and all fundamental freedoms, as well as the enhancement of the living standards of the Cuban people.

Russian Federation

Since the fall of the Soviet Union in 1991, Cuba and Russia have maintained their diplomatic relations. After the announcement of Vladimir Putin as President in 2000, relations between the two nations were strengthened. Russia has repeatedly called for the lifting of the embargo on Cuba. Russia is still Cuba's leading creditor and the two countries keep close economic ties with each other. Over the years joint cooperation with each other in the fields of economics and politics has greatly increased.

United States of America (USA)

The United States have maintained a firm policy towards Cuba with the maintenance of the trade embargo for over fifty years. The initial purpose of the embargo was to minimize the possible threat that the Cuban communist regime poses for the US democracy and sovereignty. This is also the reason why various US presidents have many times endeavored in the previous decades to “normalize” Cuba according to their standards, something that not even through the harshest measures has yet been achieved. Current president Barack Obama has proposed a series of steps that Cuba could take in order to demonstrate a willingness to open its closed society, including releasing political prisoners, allowing American telecommunication companies to operate on the island and ending government fees on U.S. dollars sent by relatives in the United States.

Yet, the American government stays firm and states that it shall not lift the embargo, unless Cuba shows its willingness to cooperate and to compromise.

United Nations (UN)

The UN has passed a great number of resolutions on the issue of the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. The UN has denounced the US embargo against Cuba for 21 straight years. The vote against the embargo was 188-3 in 2012, with only Israel and Palau supporting the United States.

Timeline of Events

Date	Description of event
1959	Castro leads a 9,000-strong guerrilla army into Havana, forcing Batista to flee. Castro becomes president.
1960	All US businesses in Cuba are nationalized without compensation; US cuts off diplomatic relations with Cuba and imposes a trade embargo in response to Castro's reforms.
1961	Invasion by Cuban exiles at the Bay of Pigs; Castro proclaims Cuba a communist state; alliance with the Soviet Union.
1962	Cuban missile crisis-brink of nuclear war.
28 October 1962	Resolution of the missile crisis when the USSR agreed to remove the missiles in return for the withdrawal of US nuclear missiles from Turkey
1980	Around 125,000 Cubans, many of them released convicts, flee to the US, when Castro temporarily lifts restrictions.
21 March 1982	Cuba is added to the State Sponsors of Terrorism list. ¹
1993	US tightens its embargo on Cuba; market reforms in order to stem the deterioration of its economy.
1994	Cuba signs an agreement with the US; the US agrees to admit 20,000 Cubans a year in return for Cuba halting the exodus of refugees.

¹ According to the US State Department, Cuba remains on the list as it opposes the global fight against terrorism by supporting members of insurgent groups and by having previously presented terroristic attitudes.

1996	US trade embargo is made permanent in response to Cuba's shooting down of two US aircraft operated by Miami-based Cuban exiles.
1998	The US eases restrictions on the sending of money to relatives by Cuban Americans.
November 2001	US exports food to Cuba for the first time in more than 40 years (humanitarian aid after Hurricane Michelle).
May 2002	US Under Secretary of State John Bolton accuses Cuba of trying to develop biological weapons; addition of Cuba to Washington's list of "axis of evil" countries.
October 2003	US President George Bush announces measures to hasten the end of communist rule in Cuba; a new body, the Commission for Assistance to a Free Cuba, is created.
August 2006	President Castro undergoes surgery, power is handed over to his brother Raul; George Bush urges Cubans to work for democratic change.
July 2007	Raul Castro: open to a warming of relations with the US; he offers to engage in talks, but only after the 2008 US presidential election.
February 2008	Raul Castro is officially announced president; Washington calls for free and fair elections, states that its trade embargo will remain.
4 November 2008	Barack Obama is elected US president.
April 2009	President Obama lifts restrictions on family travel and remittances to Cuba.
December 2009	US citizen Alan Gross imprisoned in Cuba (accusation: spying for Washington).
December 2011	US calls for the release of Alan Gross; Cuba's refusal to free him freezes relations for months.
September 2012	Cuba: ready to negotiate with Washington on finding a solution to the Gross case.

Relevant UN Treaties, Resolutions and Events

Since the initiation of the US embargo on Cuba, various resolutions have been composed, aiming at the final ending of the embargo and the tensions between the

two nations. All the resolutions on the issue have been passed with the majority of the votes of the member states, whereas the USA and Israel have been the two member states always voting against.

Just recently, in 2012, the United Nations passed a resolution condemning the embargo for the 21st consecutive year.

Since 1992 there have been 21 resolutions on the issue of ending the embargo:

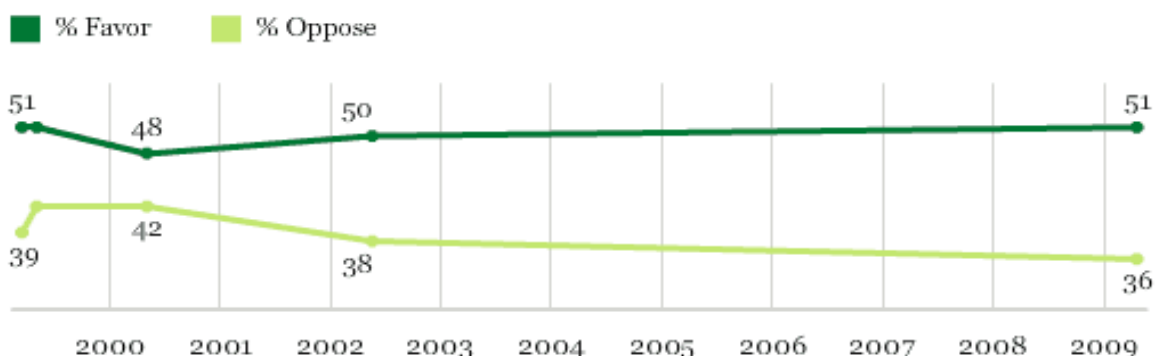
1992: A/RES/47/19	2003: A/RES/58/7
1993: A/RES/48/16	2004: A/RES/59/11
1994: A/RES/49/9	2005: A/RES/60/12
1995: A/RES/50/10	2006: A/RES/61/11
1996: A/RES/51/17	2007: A/RES/62/3
1997: A/RES/52/10	2008: A/RES/63/7
1998: A/RES/53/4	2009: A/RES/64/6
1999: A/RES/54/21	2010: A/RES/65/6
2000: A/RES/55/20	2011: A/RES/66/6
2001: A/RES/56/9	2012: A/RES/67/4
2002: A/RES/57/11	

Previous Attempts to solve the Issue

The only attempts that have taken place and aim at the lifting of the US embargo against Cuba are the resolutions, which the UN has passed and which firmly condemn this action by the US.

Apart from their diplomatic relations, do you favor or oppose the United States government ending its trade embargo against Cuba?

Asked of a half sample



GALLUP POLL

The people oppose to the embargo (Chart above) and hope for its lifting. The majority of Cuban-Americans support lifting the travel ban or loosening the embargo

or taking up some steps towards liberalization and normalization. Yet, neither the US nor Cuba have achieved any mutual agreements on finding a solution to the long lasting embargo that has brought around rather destructive results for both Cuba and the US over the decades.

Possible Solutions

Solutions to this issue are no other than the total lifting of the embargo by the United States. But how could that possibly be achieved, judging from the fact that no way to convince the US government to lift the blockade has proved successful during the last half century?

What is needed is mutual reconsideration of policy by both the a) American and the b) Cuban government.

(a)

- The United States of America should recognize that Cuba does not anymore pose a threat to the American sovereignty, as it previously did during its cooperation with the Soviet Union and the Cuban Missile crisis.
- Instead of simply demanding changes to be done in Cuba, the US should assist the Cuban government in its efforts to meet the conditions it is called to fulfill in order to normalize relations with America.
- A key component of renewing relations would be ending illicit emigration. Retiring the "wet/dry-foot" policy and normalizing immigration laws could stop the Cuban brain drain and renew the relations of the two countries. At issue is the 1966 Cuban Adjustment Act, which encourages disaffected Cubans to risk their lives in exchange for the reward of an open path to US citizenship upon reaching American soil.
- As a democratic nation, the US should consider the embargo as an indirect violation of human rights, which it "imposes" by prohibiting Americans to travel to Cuba and by practically keeping Cuba as an isolated society, since the island nation refuses relations with one of the –currently- most powerful nations in the world, the US.

(b)

- Cuba should reconsider compromising with the standards set by the United States, which aim at the development of the island nation and its transition to a democratic, non- isolated state.
- Improving the humanitarian situation in Cuba would prove to be a step towards the lifting of the embargo. As a 2005 UN Human Rights Commission vote condemned Cuba's human rights record, it is thought that ending the violation of human rights on the island would not only be a step towards the

ending of the US blockade, but also towards the normalization of the relations between Cuba and America.

- The Cuban government should also take into account the issue of the Guantanamo Bay, which has been a suspending factor in the warming of the US-Cuban relations. Despite the fact that Obama ordered Guantanamo to be closed by the 22nd January 2010, the facility is still open and is likely to stay in operation for a long time.
- Another issue to be taken care of is the one of the Cuban exile community, as the Cuban-American community in southern Florida has negatively influenced the U.S. policies towards Cuba.

The above mentioned measures only indicate a “solution line”, which delegates could follow in order to think of effective ways to finally end the US embargo against Cuba. The Disarmament and International Security Committee is a challenging one and delegates are thus called to come up with innovative ideas and solutions. They should keep in mind that various resolutions have already been proposed in the actual UN and have also passed, yet no one of them has brought any changes. Delegates, try to make this change!

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