

NLG Resolution Calling For Full Normalization of U.S. Cuba Relations

On October 24, 2015, the NLG convention unanimously adopted a resolution praising the promised direction of U.S. policy to normalize relations with Cuba, while calling for all levels of the administration to act consistently with the public expressions. The NLG cited the continued administrative enforcement of the economic blockade of Cuba, including against banks and institutions in third countries, and the continuation of administrative regulations implementing this blockade that could largely be rescinded without congressional action. The NLG also cited three specific examples of administrative action that ran contrary to the public perception of normalization. Three days later, a consensus of the UN General Assembly voted 191-2, calling on the U.S. to end its continuing sanctions regime against Cuba which has severely affected its legal commerce with countries other than the U.S.

Since then, President Obama made a historic visit by a U.S. President to Cuba, where he said we should not dwell on past differences, but should look ahead and move forward towards mutual cooperation. After many years of waiting, administrative regulations based on the travel restrictions passed by Congress have been modified to allow individuals without special status to travel to Cuba to interact with the Cuban people as part of a general license for education, so that costly tours by U.S. operators are no longer required. The end of the prohibition on use of the U.S. dollar in international transactions involving Cuba has also been announced, if not yet clearly implemented. Direct, regular flights by major U.S. airlines between the U.S. and Cuba have also been promised, as well as direct postal and telephone service.

However, each of the negative actions cited in our 2015 resolution remains in place, including: repeated and unreasonable delays in issuing U.S. visas to mainstream Cubans invited to speak in the U.S.; the politically inspired pending IRS action against Pastors for Peace/IFCO; and a still-pending \$100,000 penalty action initiated in May, 2015 against a prominent Cuban American advocate in Florida, based on travel to Cuba some five years ago which advanced U.S./Cuba cooperation.

The Obama administration's revised regulations are clearly designed to force privatization on Cuba, even in services such as healthcare. E.g., in February 2015, a U.S. Commerce Department briefing clarified that since its newly "liberalized" regulations only allow for U.S. construction supplies and tools to be sold to *private enterprises* in Cuba which only serve *privately owned structures*, the regulations did not allow for such a sale if the private Cuban recipient would service Cuban hospitals.

The administration has continued extra-territorial enforcement of the U.S. economic blockade of Cuba. Aside from a series of billion dollar penalties imposed on European banks which serviced their business clients' legal trade with Cuba, U.S. companies and their foreign subsidiaries have continued to block even nonprofit organizations in third countries from engaging in ordinary commercial transactions. The companies cite compliance with U.S. law as their justification. Just in recent months, the UK-based Cuba Solidarity Campaign found its bank accounts with Co-Op Bank closed because of its completely legal Cuba-related activities. PayPal, the money transfer company, has blocked or cancelled legal transactions, including fundraising by expatriate Cubans in Britain to buy a piano there to send to a Cuban school.

We thus call on the Obama administration and U.S. Congress to take the following actions:

*The right of U.S. residents and citizens to travel to Cuba for purposes including tourism should be recognized and all contrary U.S. restrictions should be repealed.

*Guantánamo Bay should be returned to Cuba as its sovereign territory, which has been illegally held based on a coerced arrangement imposed on Cuba over 100 years ago. Even that imposed lease agreement has been materially breached by the U.S., since it specifically provided for this territory to be used "as coaling or naval stations only, and for no other purpose" – and thus not for an international prison camp. This is aside from the abusive practices within the camp including torture and over a decade of illegal indefinite detention.

*The Cuban Adjustment Act should be repealed, and President Obama should meanwhile use his broad executive authority to end the discriminatory U.S. immigration practices, in luring and favorably admitting and subsidizing Cuban immigrants who manage to reach U.S. soil illegally, compared to detention and deportation of those from all other nations who have also come to U.S. territory without legal documents.

*The Torricelli and Helms-Burton acts of 1992 and 1996, respectively, should be repealed, including all extra-territorial and other restrictions on trade with and shipping to Cuba. This includes the provision of Helms-Burton stating that it is an “act of aggression” for Cuba to freely allow emigration to the U.S., and the dangerous advance authorization for any U.S. President to meet such supposed "aggression ... with an appropriate response in order to maintain the security of the national borders of the U.S.”

Submitted by Art Heitzer for the NLG Cuba Subcommittee, with implementation to be handled by the NLG Cuba Subcommittee, which has agreed to do so by distributing this to relevant organizations, officials and media, working with the national office and the International Committee.

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