

Emergency Resolution
Opposing the Latest Attacks on Cuba's Sovereignty, Imposing Illegal Unilateral Sanctions,
Activation of Title III of the Helms-Burton Act and Restricting U.S. Citizens' Freedom of
Travel and Movement

WHEREAS, the Trump administration has increased its attacks on Cuba, activated unlawful and hostile provisions of the economic blockade, further restricted U.S. citizens' right to travel and to freedom of movement as understood by international human rights law, and has attempted to illegally intervene in the foreign affairs of Cuba and Venezuela;

WHEREAS, Congress passed the Helms-Burton Act in 1996 to codify the economic, financial and commercial blockade against Cuba, which consists of four chapters;

WHEREAS, on April 17, 2019, President Trump decided to end a decades-long presidential practice of waiving the most draconian provision of the Act, known as Title III, which creates a private cause of action and illegally allows for former Cuban nationals to sue foreign nationals in U.S. courts for anyone who "traffics" property that was nationalized;

WHEREAS, Title III has been suspended every six months since its enactment in 1996 by every previous president, given that Title III's intent is to cripple the Cuban economy and with it Cuba's triumphant socialist revolution, which nationalized property previously owned by oligarchs in accordance with international legal standards;

WHEREAS, the extraterritorial application of Title III violates international law, including the prohibition on unilateral coercive sanctions and the U.N. Charter;

WHEREAS, Title III activation and the Helms-Burton Act overall disrupts economic planning, investments in Cuba and illegally interferes with sovereign relations;

WHEREAS, over a dozen lawsuits have since been filed in 2019 since the activation of Title III, including several more recently that challenge the use of the ports of Havana and Santiago;

WHEREAS, Title III has been repudiated internationally and legislatures and supra-legislatures in the European Union, Canada, and elsewhere have passed laws forbidding compliance with Title III;

WHEREAS, the most widely-used sub-category for U.S. citizens to travel to Cuba, known as People-to-People, was eliminated on June 5, 2019, along with outlawing cruise ship travel;

WHEREAS, the State Department reduced visas this year so that Cuban citizens can only travel to the United States – where nearly every Cuban family has relatives - every three months instead of for an open five-year period;

WHEREAS, Cuban Americans are only allowed to send remittances to Cuban family members and friends in the amount of \$1,000 every three months, and many Cuban families depend on, given the economic blockade has prevented access to many critical supplies;

WHEREAS, in September 2019, the United States arbitrarily expelled two Cuban diplomats from the Cuban Mission to the United Nations in a hostile act meant to provoke a rupture in diplomatic relations that were established on December 17, 2014;

WHEREAS, the United States has escalated interference since September 2019 with Cuba's ability to receive necessary fuel shipments, provoking an energy crisis for millions of Cubans and compromising the safety and wellbeing of the citizen population;

WHEREAS, the U.S. State Department, in an aggressive and unwarranted act, issued a statement in September 2019 banning former head of state Raul Castro and his immediate family, including his daughter Mariela Castro who currently serves in the Parliament and is the Director of the respected Cuban National Sex Education Center (CENESEX), from visiting the United States, effectively making it impossible for them to participate in international convenings and activities at the United Nations should Cuba designate them to do so;

WHEREAS, the 58-year-old blockade against Cuba has been condemned by the entire international community and the United Nations, with the exception of Israel and the United States;

BE IT RESOLVED, that the National Lawyers Guild will continue to provide support to those seeking to support the self-determination of the Cuban people and Cuba's sovereignty, and to denounce all efforts by the U.S. government to illegally interfere with, sanction and intervene in the affairs of Cuba;

BE IT FURTHER RESOLVED, that if needed, the National Lawyers Guild will reactivate and organize legal support for those who wish to exercise their right to travel and of movement to visit Cuba, and will continue to provide legal support to challenge the existence, impact and new iterations of the illegal blockade.

This resolution will be implemented by the Cuba Subcommittee of the International Committee and will be shared with the International Association of Democratic Lawyers, the American Association of Jurists, the State Department and U.S. Congress, and representatives of the Republic of Cuba.