

A Let Cuba Live Special Report, Common Ground Country Fair, 2016

Hardly normal relations with Cuba while U.S. holds Guantanamo

For over 100 years, The United States has occupied 45 square miles of land and water in Guantanamo province in Eastern Cuba. Its naval base there is the oldest one outside the continental United States.

Writing in the NY Times in 2012, Jonathan Hanson, author of "Guantánamo: An American History," says that: "American presence there (at Guantanamo) has been more than a thorn in Cuba's side. It has served to remind the world of America's long history of interventionist militarism. Few gestures would have as salutary an effect on the stultifying impasse in American-Cuban relations as handing over this coveted piece of land."

The context of the occupation is a U.S. craving for control over Cuba dating from the presidency of Thomas Jefferson. According to Secretary of State John Quincy Adams in 1823, "Cuba, forcibly disjoined from its own unnatural connection with Spain, and incapable of self-support, can gravitate only towards the North American Union."

After three years of dreadful war, Cuban rebels had already, in effect, won their independence from Spain in 1898 when the United States intervened with its own troops to crush the Spanish colonial army and eventually to sign a treaty with Spain. U.S. troops occupied Cuba until 1902. The condition for their leaving was incorporation by Cuban political leaders of the so-called Platt Amendment – legislation passed by the U.S. Congress – into their new constitution. The Platt Amendment authorized the U.S. military to intervene at will in Cuba and it provided for a 100-year lease of areas the United States would use as naval bases and coaling stations, and nothing else.

According to Cuban analyst Rafael Hernández, the purpose of the base at Guantanamo, and others in the Caribbean, - after the Revolution took power in 1959 - has been "to control, police and spy on Cuba." Previously gambling and prostitution had taken root around the base and base personnel were implicated from time to time in the murder or abuse of Cuban citizens.

Pushed by a short-lived left-leaning Cuban government, the United States in 1936 signed a new treaty with Cuba concerning its enclave in Guantanamo; henceforth the U.S. occupation would remain until both parties agreed that the occupier would leave. The U.S. Helms-Burton Act of 1996 proclaimed that the United States would not leave

Guantanamo as long as Raul or Fidel Castro were part of Cuba's government.

The U.S. lease of the Guantanamo tract is illegal under international law, at least according to Alfred de Zayas in 2003, who is frequently cited on the matter. He says that the treaty was imposed by force, that a treaty from 1903 reflecting colonial prerogatives is illegal under the United Nations Charter reflecting new norms, that the treaty stipulated use of the area exclusively as a naval station and coaling station, never as a prison, and that the treaty breaks rules of sovereignty.

Use of the naval base as a prison began in the early 1990s as a means for incarcerating Haitian and Cuban migrants captured at sea. After the United States invaded Afghanistan in 2001 the U.S. prison in Guantanamo proved useful as a place where enemies apprehended in U.S. wars there, in Iraq, and elsewhere could be deposited – and, importantly, be beyond the reach of U.S. law and of the guarantees it provides.

And designated as “enemy combatants,” not prisoners of war, the prisoners also lacked protection under international law. The U.S. prison in Guantanamo, internationally decried as a locus for abuse and torture, is an added insult to the Cuban people.

As of August, 2016, the U.S. military has held 779 prisoners at the Guantánamo prison since its opening on January 11, 2002. Of those, 708 have been released or transferred, one having been transferred to the United States to be tried. Nine have died; 61 men are still held, of whom 20 have been recommended for release.

If not as a prison, why is its holding in Guantanamo still useful for the United States? James Stavridis, formerly the Supreme Allied Commander of NATO and presently dean of the Tuft University Fletcher School of Diplomacy, thinks it's a “strategic, and highly useful” asset; “It's hard to think of another place with the combination of a deep water port, decent airstrip and a lot of land,” he told the Washington Post (March, 2015). But it's not needed, he added, as a military installation.