

The anti-Cuban U.S. economic blockade still exists; it needs to go

Please name a country that welcomes visitors from another country, has diplomatic relations with that country, yet still, after half a century, suffers under a cruel, immoral, and illegal economic blockade imposed by that country.

That would be Cuba, still under siege by the United States. Indeed, almost two years after President Obama announced the reopening of embassies in both countries, and five months after his visit to the island, the blockade remains. Adding to a whirlwind of contradictions, Obama says the U.S. blockade of Cuba must end.

Existing U.S. legislation cements that policy in place. The purpose of this report is to survey U.S. laws undergirding the blockade and show what needs to be done to change things.

There are signs of movement. A favorable sign emerged from Obama's explanation as to why he sought improved relations. He affirmed that harsh policies hurting the Cuban people hadn't worked. Consequently, his administration would befriend the Cuban people, the object being, he said, to separate them from their own government.

The helping-out part was good news for blockade opponents in the United States. The original rationale for the policy had been to make the Cuban people suffer so they would rebel against a government offensive to Washington officials. Now their successors have scrapped the old justification, and that's a start - especially because there's no new one.

The old idea of causing suffering, the reader must know, is no made-up story. As per State Department official Lester Mallory in 1959: a "line of action" is called for "that would bring about hunger, desperation and overthrow of government."

But the main foundations of the blockade policy remain in place. They are: one, the 1992 Cuban Democracy Act introduced by Congressman Robert Torricelli; two, the 1996 Cuban Liberty and Democratic Solidarity (Libertad) Act, known as the Helms – Burton Law; and, three, the Trading with the Enemy Act of 1917.

The Torricelli law prohibits ships from docking in a U. S. port for 180 days after they unload goods in Cuba, and it subjects foreign companies affiliated with U.S companies to fines if they sell goods to Cuba containing at least 10 per cent U. S. components.

The former provision increases shipping costs and thereby the cost of Cuban imports. The latter causes pain inasmuch as prior to 1992 Cuba had obtained most of its imported medical supplies and drugs from foreign subsidiaries of U.S. companies. The law barred sales of these goods to Cuba, and still does.

The Cuban Democracy Act also required that U.S. diplomats apply pressure to third countries to dissuade them from trading with Cuba. The law declared countries trading with Cuba to be ineligible for U.S. aid and debt relief.

The Helms Burton law added to restrictions imposed on foreign companies' dealings with Cuba. Those that "traffic" in confiscated property claimed by U.S. nationals are subject to court actions in the United States. The law prohibited their top officials from entering the

United States, and re-asserted sanctions against third – nation companies trading with Cuba.

The law gave Congress the power to overrule executive - branch measures taken to implement the blockade or, crucially, to end it. Prior to the Helms – Burton Law, regulations for the blockade were entirely administrative measures. This provision of the law, hamstringing the president, was and is very bad news for U.S. opponents of the blockade.

The Trading with the Enemy Act, initiated in 1917, requires that every year the president sign a statement re-authorizing the blockade. Doing so allows the United States to maintain an embargo for one more year, at which point the president signs again. Today the law targets Cuba alone. Obama signed the statement once more on September 13, 2016. His reasoning was that while the law is in effect, he retains flexibility to ease blockade regulations administratively. That's of little benefit in Cuba.

The 1992 and the 1996 laws also provide legal backing for U. S. sanctions to be imposed against foreign banks and other financial institutions. The Treasury Department may do so when those entities, against U. S. rules, handle dollars as they facilitate Cuba's transactions with foreign companies or agencies. The sanctions result in fines ascending into the millions of dollars. The financial institutions are leery of sanctions, and by and large comply. The result is a financial blockade leading to suffering and economic distress in Cuba.

The blockade continues. Yes, the Trade Sanctions Reform and Export Enhancement Act, passed in 2000, did ease a few regulations. That law opened up U. S. food sales to Cuba, and by 2015 had benefited U.S. agro-business exporters to the tune of \$5 billion. And the Obama administration now does allow a few U.S. telecommunications companies and banks to provide limited services in Cuba. Direct flights from the United States to Cuba have resumed. There are U. S. sales of "tools, equipment, supplies and instruments for use by private-sector entrepreneurs."

But, first and foremost, the blockade causes suffering in Cuba, interferes with Cuban economic development, and violates all sorts of international norms. Peoples in the world repudiate it. Each year for 24 years, overwhelming majorities in the United Nation General Assembly have approved a Cuban resolution calling for an end to the U.S. blockade. In 2015 all nations on the planet except the United States and Israel sided with Cuba.

There was a time when the United States wasn't so imperious but that it valued the opinion of others. In 1776, to be precise, Thomas Jefferson started out the Declaration of Independence he was writing by affirming a "decent respect to the opinions of mankind."

Polling data indicate most U.S. citizens, Cuban – Americans included, oppose the blockade. That, along with its continuance despite presidential rejection, calls into question the conduct of U. S. democracy.