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RESHAPING THE RELATIONS BETWEEN THE UNITED STATES AND CUBA

Jorge I. Domínguez

- Cooperative and professional military-to-military relations at the land border.
- Cooperative and professional coast-guard-to-coast-guard relations at sea.
- Mutually beneficial market-conforming large-scale agricultural trade.
- Effective bilateral migration relations agreement between sovereign equals.
- Respective peoples value each other's music, art, and culture.
- Longest-lasting highly effective hurricane tracking professional relations.
- Large diplomatic missions posted at the respective capital cities.

Cuba and the United States were already, in some respects, exemplary neighbors before Presidents Raúl Castro and Barack Obama announced on December 17, 2014, their intention to re-establish formal diplomatic relations and implement other constructive changes in their bilateral relationship. The list above is not social science fiction. It is accurate, even if most works on U.S.-Cuban relations do not start this way because they have highlighted the unrelenting hostility between the two governments. This list is one reason why U.S.-Cuban relations may now build on a good foundation.

When in the late 1980s I wrote my chapter for U.S.-Cuban Relations in the 1990s, such a list could not have been written. Cooperative and professional bilateral military and coast-guard relations had yet to develop around the U.S. base near Guantánamo (hereafter GTMO) and in the Straits of Florida. U.S. agricultural exports to Cuba, and Cuban payment in cash for them, seemed unthinkable. A bilateral migration agreement, signed in 1984, suspended, and then restarted in 1987, would be changed greatly in 1994–95. It was not difficult to imagine that bilateral academic and cultural relations might some day improve but that had yet to happen. Long-lived and successful relations between the Miami and Havana weather bureaus suggested the promise of increased bilateral
cooperation on environmental and scientific issues but such wider prospects had yet to be realized. Only the diplomatic representation in each other’s capital cities was in place. Nevertheless, the late 1980s and early 1990s was a significant turning point in the history of U.S.-Cuban relations and in the relations between each country and the world. With the collapse of the Soviet Union and the end of the Cold War in Europe, the international system changed dramatically, also reshaping U.S.- Cuban bilateral relations more than the authors of U.S.- Cuban Relations in the 1990s imagined.

An extraterrestrial should be forgiven, therefore, for making a logically impeccable but empirically inaccurate inference. The extraterrestrial would have observed the change in the structure of the international system and in U.S.- Cuban relations in the late 1980s and early 1990s as well as the many concrete instances that followed in bilateral cooperation between the United States and Cuba, enduring even in the 2000s. The extraterrestrial would have inferred that the prior, broader international structural change caused the cooperative agreements. Wrong.

The cooperative bilateral relationships that developed between the United States and Cuba did not stem from a strategic reconsideration of bilateral relations; each was an ad hoc response to a particular problem. The two governments torpedoed new strategic grand designs, even though each built customized spaces for bilateral cooperation. The rhetoric of official relations was bellicose even as they reached concrete agreements.3

Why, then, was there a strategic failure but many tactical successes in relations between the U.S. and Cuban governments? Why did these governments fail to seize the opportunity presented by the changed international systemic context to build a different bilateral strategic relationship to foster cooperation over practical matters? Why did bilateral relations change so little during both the William Clinton and the George W. Bush presidencies? Why did it take Barack Obama and Raúl Castro six years before they seized the opportunity for a strategic change in their relations?

The International Strategic Window Opened Wide

The disappearance of the Soviet Union cancelled U.S. concerns over the Soviet presence in Cuba. In part also as a result of this shift in the structure of the international system, Cuba repatriated its troops; such redeployments cancelled U.S. concerns over the remainder of Treverton’s U.S. security agenda. U.S.- Cuban Relations in the 1990s analyzed the successful negotiations—in which Cuba and the United States were key actors—toward the agreement to end the international wars in southern Africa and lead to South African troop withdrawal from Angola and Namibia’s independence from South Africa. Those southern African negotiations were part of the process to end the Cold War between the United States and the Soviet Union.

Treverton accorded lower salience to a fifth U.S. security concern with regard to Cuba, namely, U.S.- Cuban disputes over revolutionary regimes and processes in Central America, even if other U.S. observers worried more over this issue area. Treverton, instead, noted the relative prudence that had come to characterize Cuban and Soviet policies in Central America by the late 1980s. Treverton wrote that “much will depend on the peace process and how both regimes and oppositions in Nicaragua and El Salvador fare in it.” Writing in the same book, Juan Valdés Paz noted the two features of Cuban policy toward Central America in the late 1980s, namely, “on the one hand, to give the greatest possible support for the people’s movement against U.S. counterrevolutionary policies; on the other, to support a negotiated political solution to the conflict.”

The defeat of the Sandinista National Liberation Front in Nicaragua’s election in 1990 and the peace agreements in El Salvador in 1992 and Guatemala in 1996 ended the Central American wars. The United States and Cuba played constructive roles in the making and sustaining of such agreements.

The agenda of U.S. security concerns with regard to Cuba disappeared—a propitious incentive for improved U.S.- Cuban relations. Both governments had shown vision and competence in working with each other to bring the wars in southern Africa and Central America to an end.

Why, then, did these governments—creative, trustworthy, and capable at working with each other with regard to third-country areas—fail to build a new strategic bilateral relationship? The answer lies in discrete decisions, each of which at the time seemed rational to each side, although the result was adverse to a bilateral strategic settlement. Each government focused on the characteristics of the domestic political regime in Cuba. Each government responded to the other’s foreign policy initiatives with suspicion; only the narrowest bilateral initiatives survived such scrutiny. Only twice since the early 1990s has either government sought to reshape bilateral relations comprehensively—the United States in 1995, Cuba in late 2001 and early 2002—but “the other” was unprepared each time to respond in each case. The U.S. and Cuban governments, for the most part, remained stuck within, respectively, “sanctions-alone” or “resistance-alone” policy frameworks.

- Soviet offensive nuclear weapons based in Cuba.
- Cuba as a fortress for its own and Soviet military power.
- Cuban military deployments in Africa.
- Cuban military deployments in Latin America.
The “Bush 41” Years: No Bilateral Strategic Window Opens

The George H. W. Bush administration refrained from building on its positive experience of negotiations with Cuba over peace in southern Africa (1989) and El Salvador (1992) in order to await the collapse of Cuba’s political regime in the aftermath of the collapse of European communist regimes. In the bilateral realm vis-à-vis Cuba, this Bush administration, bold everywhere else in the world, chose to wait. At that time, this decision seemed rational, even if it would prove inaccurate, because Washington expected that the Cuban regime would collapse once the Soviet Union disappeared.

The Cuban government had opposed most changes enacted in the late Soviet period under Mikhail Gorbachev. As European communist regimes tumbled, President Fidel Castro emphasized his government’s commitment to the preservation of socialism as it had existed. The Cuban government had negotiated over southern Africa and Central America but it would not concede any ground over its own political regime.

In the 1992 U.S. presidential election, Democratic Party candidate William Clinton outflanked the Bush administration on the political right in order to win Florida: he endorsed a bill whose main sponsor was U.S. Representative Robert Torricelli and whose main advocate was the Cuban American National Foundation. The Bush administration had opposed this bill but, in the midst of his presidential re-election campaign, President Bush reversed course and endorsed the bill, which was enacted with bipartisan support as the Cuban Democracy Act of 1992 (CDA). The rational behavior of each candidate led to an outcome that neither would support as statesmen.

The CDA enacted tougher trade sanctions to prevent subsidiaries of U.S. firms located in third countries to trade with Cuba. It stopped Cuban agricultural imports from U.S. subsidiaries, which had amounted to 18 percent of Cuba’s total trade in 1991. The law enabled the Cuban government to claim that it was U.S. policy to starve Cubans.

The Clinton Years: A Bilateral Strategic Window Opens, Then Closes

Angry about these new sanctions, the Cuban government opposed with fury other provisions in the CDA, which came to be known as Track II and were implemented gradually in 1993–95. The CDA envisaged authorizing U.S. pharmaceutical or agricultural exports to Cuba, donations of food and medicine to Cuban non-governmental organizations (NGOs), efficient telephone communications between the two countries, promoting academic and sports exchanges, easing Cuban-American travel to Cuba, opening news bureaus in both countries, and facilitating money remittances.

The Cuban government chose not to describe these U.S. measures as building blocks toward new bilateral relations and, instead, worried about their potential to destabilize its domestic political regime. It approached these new opportunities with caution and on a case-by-case basis, even though there was much for Cuba to gain. For example, by the mid-1990s Cuban-American remittances had become an engine for Cuba’s economic reactivation, ranking with sugar exports and tourism among the top three sources of Cuban foreign exchange.

Cuba and the United States reached agreements regarding NGO donations and better telephone services. Cubans became participants in academic exchanges, especially with the U.S.-based Latin American Studies Association (LASA). The Cuban Academy of Sciences also worked with the Inter-American Dialogue to develop professional exchanges that could lay the groundwork for better cooperation over environmental and related sciences. The U.S. government responded to such Cuban initiatives with suspicion, at times discouraging U.S. participants from such events.

Suddenly and unexpectedly, a bilateral strategic window opened. In the summer of 1994, a riot off Havana harbor—the first major disturbance since the early 1960s—led the Cuban government to permit unregulated emigration by boat or raft to the United States. By summer’s end, the U.S. and Cuban governments negotiated a new bilateral agreement, expanded in May 1995. These agreements remain in force and have handled the lawful emigration of over 500,000 Cubans to the United States.

Then, to avoid an accidental military conflict and enforce the respective migration laws in the Straits of Florida, the U.S. and Cuban governments negotiated ad hoc agreements to govern security cooperation between the Coast Guard and the Guardafuertes and between Cuba’s Eastern Army and the military authorities at GTMO (during the 1994 Rafters Crisis, many Cubans picked up by the U.S. Coast Guard were temporarily held at GTMO.) The Clinton administration refrained from publicizing these politically sensitive military agreements.

The migration agreements and security cooperation along the Straits of Florida and the perimeter of GTMO came about because both governments took advantage of an accident—the 1994 migration crisis—to work together to open the bilateral strategic window. No one compelled them to respond constructively to a crisis that could have led to a worse outcome. Instead, the two governments framed their policies toward each other to foster cooperation.

In the United States, moreover, the political situation was propitious: the 1994–95 migration agreements were a seaborne for the Cuban American National Foundation and its allies, temporarily freeing the Clinton administration from such entanglements. In October 1995, with bipartisan support, the Clinton administration defanged a bill sponsored by U.S. Senator Jesse Helms to tighten U.S. sanctions on Cuba; at the time, the U.S. Senate had a Republican majority.

The migration agreement, the security agreements, elements of the CDA’s much-maligned Track II, and the propitious U.S. domestic politics could have been the cornerstones for a new strategic bilateral relationship. The U.S.
government then launched a sustained effort to revamp its strategic approach, departing from a sanctions-alone policy; it would last until February 1996. This initiative would fail because its bedrock objective was to change Cuba’s domestic political regime—the Cuban government’s one non-negotiable item.

The architect of this short-lived albeit ambitious policy was Richard Nuccio, appointed special adviser to the president and the secretary of state for Cuba in May 1995. Nuccio’s Track II policies in fact had three tracks. Track II.1 sought to build support among Cuban-Americans to assist Cuban civil society to bring about change, weaning Cuban-Americans away from the sanctions-alone policy that their leaders had lobbied on. Track II.2 re-oriented U.S. policy to help Cuban civil society. Track II.3 worked with Latin American and European governments to fashion a common policy toward Cuba, deliberately ceding leadership in the design of Cuba policy to the European Commission.12

Track II.3 was the most successful. In early February 1996, European Commission Vice President Miguel Marín met separately, in Havana, with President Fidel Castro and the leaders of Concilio Cubano, a newly formed Cuban human rights and opposition coalition. Marín requested the revision of laws criminalizing certain political speech-making and the authorization of small-sized businesses; he proposed expanded economic and political cooperation with the European Union. Marín had Nuccio’s support and encouragement. No agreement was reached. Marín returned to Brussels empty-handed. Then the Cuban government arrested the leaders of Concilio Cubano.

Then, on February 24, 1996, the Cuban Air Force shot down two unarmed civilian aircraft that had violated Cuban air space at times in the past, and at least one of them did so on that day; at the time of the shoot down, these airplanes were flying over international waters. The International Civil Aviation Association and the United Nations Security Council—with the votes of Russia and the People’s Republic of China—criticized the shootdown. The U.S. government considered direct military retaliation against Cuba but, instead, enacted the Cuban Liberty and Democratic Solidarity Act of 1996, better known as Helms-Burton. The executive branch also cancelled or made very difficult the collaborative endeavors of the preceding few years. For its part, the Cuban government imposed additional constraints on its own think-tanks, impairing its own capacity to understand the world beyond Cuba. The bilateral strategic window shut.

Even so, both governments attempted conciliation. The White House backed away from enforcing Helms-Burton. Under the law, the President of the United States may waive the implementation of Title III, which would otherwise authorize extensive litigation over property claims in Cuba. Since July 1996, Presidents Clinton, George W. Bush, and Barack Obama have waived Title III without fail every six months. Thanks to negotiations with the European Union, the United States for the most part avoided applying Title IV, which would deny visas to executives of international businesses that “traffic” with Cuba. Moreover, on May 16, 1996, the United States unilaterally decided to deactivate the 14,000 mines around GTMO’s perimeter; the process was completed by early 1999.13 In January 1999, the U.S. government re-authorized most of the cooperative measures that it had permitted prior to February 1996, expanded this time to include organized cultural travel to Cuba to visit museums, works of art, etc., direct air flights, Cuban-American remittances, and academic exchanges.

Cuba also adopted cooperative policies. On October 8, 1996, Cuba and the United States cooperated in the capture of 1.7 tons of cocaine aboard the boat Limerick. In the late 1990s, Cuba proposed further cooperation with the United States to combat drug trafficking. In July 1999, the two governments agreed to facilitate coordination and authorize joint boarding and inspection of ships suspected of illegal activity.14 But Cuban officials reacted angrily to the reappearance of Track II diplomacy, which the U.S. government now called “people to people” relations, although they welcomed the eased U.S. regulations regarding “cultural” tourism and other transactions.

In late 1999 and early 2000, the high-pitched emotional battle over the boy, Elián González, illustrates the importance of how U.S. and Cuban leaders “frame” their policies toward each other. The boy’s mother took off with her son, Elián, to cross the Straits of Florida without either Cuban government authorization to depart or U.S. government authorization to enter. She died in the crossing; the boy’s relatives in Miami claimed him. The father, still in Cuba, claimed the boy, to which he was entitled under the laws of Cuba and the United States, as both President Fidel Castro and President William Clinton agreed. The United States returned the boy to his father in Cuba.

The two governments could have celebrated the Elián incident as a breakthrough in bilateral relations, agreement between their presidents, and compliance with the rule of law. The Elián case could have opened the path to further cooperation (just as the 1994 Rafer Crisis did), not rhetorical thunderbolts. Instead, the incident generated intense emotional conflict. The bilateral strategic window remained shut.

The “Bush 43” Years: Cuba Reopens the Strategic Window, to No Avail

The Cuban government opened the bilateral strategic window in the fall of 2001, although the unfolding events had been unexpected by both governments. The window opened on September 11, 2001. President Fidel Castro’s instincts were exactly right: In response to the terrorist attacks on New York and Washington, the Cuban government condemned such incidents and offered its sympathy to the United States. It also offered medical assistance and opened its air space and airports to U.S. or other aircraft in need of emergency diversion or landing.15 In subsequent months, Cuba ratified all twelve United Nations conventions against terrorism.

That same fall, the Cuban government outmaneuvered the George W. Bush administration in negotiations over economic relations. In November 2001, the
U.S. government proposed donations to Cuba in response to the devastation of Hurricane Michelle, issuing two statements: a respectful letter from the State Department, and an undiplomatic statement from the White House. Cuba deliberately ignored the second statement and responded only to the first, with comparably respectful language—an old diplomatic technique known as Trollope’s ploy, the same ploy that the United States used in 1962 during the Missile Crisis in its negotiations with the Soviet Union. In 2001, Cuba proposed that it be allowed to buy food and medicine, paying in cash, making use of the U.S. Trade Sanctions Reform and Export Enhancement Act of 2000, enacted but not yet implemented. Cuba’s proposal became the basis for agreement; it was followed by a professional U.S.-Cuban negotiation to make such agricultural sales possible. By the end of Bush’s first term in 2004, the United States accounted for 44 percent of Cuba’s agricultural imports. Also in 2001, President Bush waived implementation of Title III of Helms-Burton twice and had implemented its Title IV only lightly.

On January 11, 2002, the Cuban government also reported that the U.S. government had given it “ample and detailed information on the steps that would be taken” to house Afghan/Taliban prisoners at GTMO and “ensure that the security of our people is in no way jeopardized.” Cuba vowed not to obstruct such deployments and refrained from increasing its troop presence around the base, even though more U.S. forces were sent there. Cuba pledged to “keep in contact with the personnel at the American naval base to adopt . . . measures . . . to avoid the risk of accidents.” The Cuban statement emphasized that it would “make every effort to preserve the atmosphere of détente and mutual respect that has prevailed in the past few years,” including additional medical and sanitation cooperation.

On January 19, 2002, Cuban Armed Forces Minister, General of the Army Raúl Castro noted the climate of mutual respect and cooperation in relations between military officers along GTMO’s perimeter had been evident for several years. He went on to say, “This minimal cooperation shows what might be in many other areas,” adding “we are prepared to cooperate as far as possible.”

In the 1990s Cuba had been a valued participant in scientific and academic exchanges, a reliable partner in implementing the migration agreement, and a professional colleague over shared security issues. It also cooperated in instances of drug trafficking interdiction and proposed a wider framework for bilateral cooperation; the U.S. government demurred at the time. General Castro’s remarks placed these other Cuban initiatives in a broader strategic context. Also in 2002, the Cuban government followed up on General Castro’s remarks, making a comprehensive proposal to sign agreements with the United States over migration, terrorism, and drug trafficking.

U.S. officials did not take public note of Cuba’s actions on September 11 or thereafter regarding terrorism, seemed embarrassed at being outmaneuvered into breaching the U.S. trade embargo, and acknowledged but otherwise dismissed Cuba’s cooperation around GTMO or in the Straits of Florida. In May 2002, former President Jimmy Carter traveled to Cuba. Undersecretary of State John Bolton sought to undercut Carter’s visit by accusing Cuba of undertaking a limited offensive biological warfare research and development effort. U.S. Secretary of State Colin Powell undercut: Bolton, stating that the only U.S. evidence was that Cuba possessed advanced biotechnological research capabilities, not that it had undertaken a biological weapons program. But the window for further change in U.S.-Cuban relations nearly shut.

The U.S. government made clear in June 2002 that it was not interested in Cuba’s proposal for a broad agenda for bilateral negotiation. And as the United States went to war in Iraq in March 2003, the Cuban government cracked down on the domestic opposition, imprisoning dozens of its leaders. The European Union imposed an array of mild sanctions on the Cuban government, to which the latter responded in anger.

In October 2003, President Bush created the Commission for Assistance to a Free Cuba. In May 2004, the Commission recommended, and the administration implemented, policies to impede society-to-society relations. Travel by U.S. citizens to Cuba became extraordinarily difficult. Cultural and academic exchanges became nearly impossible. Most Cuban scholars were summarily denied visas; U.S. college study-abroad programs in Cuba nearly ground to a halt. Cuban-Americans would be able to visit their family in Cuba only once every three years. The U.S. government dropped the word “peaceful” from its descriptions of U.S. policy toward a “democratic transition” in Cuba. The report dealt with Cuba’s future in harsh, ungenerous, and ill-informed terms. In July 2006, a differently constituted Commission issued a second report. It recommended some additional sanctions but it had some sensible statements. For example, the U.S. government “treasure[d] the Cuban people that the U.S. Government will not support an arbitrary effort to evict them from their homes.”

From mid-2002 to mid-2006, neither Cuba nor the United States took positive initiatives toward each other. Nevertheless, the bilateral cooperation noted at the start of this chapter remained, waiting to serve as the cornerstone of a new relationship.

Raúl Castro and George Bush: U.S.-Cuban Relations Reassessed

In the moments that followed President Fidel Castro’s transfer of power on July 31, 2006 to First Vice President Raúl Castro and a team of senior officials, the world was reminded about conflict scenarios for future U.S.-Cuban relations. Cuba mobilized its armed forces and called up its ready reserves. Some Cuban-American politicians in Miami called upon Cubans to rise up in arms. The U.S. government deployed Coast Guard cutters to prevent a massive emigration from Cuba to the United States. In fact, nothing happened, but these events forewarn us that much could go wrong.
U.S. Secretary of State Condoleezza Rice took a step on August, stating:

But I want to lay one thing to rest. The notion that somehow the United States is going to invade Cuba because there are troubles in Cuba is simply far-fetched and it's simply not true ... We are not going to do anything to stoke a sense of crisis or a sense of instability in Cuba.\(^{25}\)

In his first public statement upon assuming Cuba's top job, printed on August 17, 2006, Raúl Castro reassured Cubans that all was well and proposed negotiations with the U.S. government to build better relations. He repeated the theme on December 2, Cuba's Armed Forces Day, the fiftieth anniversary of the Granma yacht's landing, and the delayed celebration of Fidel Castro's eightieth birthday. Not to be misunderstood, the acting president noted that Cuba would resist U.S. efforts to impose its preferences on Cuba.\(^{26}\)

The Assistant Secretary of State for Western Hemisphere Affairs, Thomas Shannon, responded within a week of General Castro's first statement and within two weeks of the second. He resurrected a speech that President Bush had delivered on May 20, 2002 (to which Cuba had paid no attention) as the basis for U.S. policy toward Cuba, ignoring the two reports of the Commission for Assistance to a Free Cuba: "It is our view that Cuba's future has to be determined by the Cuban people, that ultimately no political solution can be imposed from the outside, neither from the United States nor any other country." Shannon reiterated Bush's expectations of domestic change in Cuba, noted that Cuba had not accepted Bush's expectations, but highlighted that "the offer's still on the table." Shannon went on to note, "what we're seeing [in Cuba] is a transfer of power to institutions and not to individuals," which corresponds to the way Cuban leaders officially described the processes in Cuba.\(^{27}\) On December 13, Secretary Shannon returned to the description of U.S. policy as supportive of a peaceful democratic transition in Cuba. In words uncommon among U.S. officials, he described President Fidel Castro as possessing "a revolutionary legitimacy going back to the late '50s. He had a charisma, a political skill."\(^{28}\)

Raúl Castro and Barack Obama

Barack Obama campaigned for U.S. president while saying little about Cuba. The United States was at war; its economy was in a tailspin—Cuba mattered less. He made three promises with regard to Cuban policy, however. First, he would facilitate relations between Cuban-Americans and Cubans, revoking the Bush administration policies that made Cuban-American travel and the sending of remittances exceedingly difficult. Second, as a worldwide policy, he would engage with any government to settle problems; he did not exclude Cuba from such a policy. Third, he would change little else in U.S. policy toward Cuba. By the end of his first year in office, he had fulfilled his first promise, taken some steps along the second, and tiptoed around the third.

On April 13, 2009, the U.S. government lifted restrictions (frequency, duration) on Cuban-American family visits to Cuba and on the frequency and amounts of remittances to relatives in Cuba. Also liberalized were rules regarding telecommunications links with Cuba and gift parcel regulations.\(^{29}\) Four days later, at the opening of the Summit of the Americas, President Obama adopted a new frame: "To move forward, we cannot le: ourselves be prisoners of past disagreements. I am very grateful that [Nicaragua's] President [Daniel] Ortega did not blame me for things that happened when I was three months old ... I didn't come here to debate the past—I came here to deal with the future." With regard to Cuba, he added, "I'm prepared to have my administration engage with the Cuban government on a wide range of issues—from drugs, migration, and economic issues, to human rights, free speech, and democratic reform."\(^{30}\)

On May 22 the United States proposed and on May 30 Cuba accepted a resumption of the bilateral migration talks that President Bush had suspended in 2003. Both governments also agreed to discuss resuming a direct mail service. Cuba also proposed holding bilateral talks on drug trafficking, fighting terrorism, and hurricane and disaster preparedness; the United States demurred. The first migration talks were held on July 14, 2009 and the first postal talks on September 17, 2009.\(^{31}\)

At various times President Raúl Castro reiterated the views he had been expressing since August 2006 regarding his disposition to negotiate with the United States. His government would join the United States to resume discussions on migration and direct mail. On the eve of the Summit of the Americas meeting (from which Cuba was excluded), he broke new ground to affirm his willingness to discuss "any topic" with the United States, including freedom for those imprisoned in Cuba for actions against its government provided the United States would simultaneously free Cuba's so-called "Five Heroes"—Cuban agents whom the U.S. government imprisoned on the grounds of espionage.\(^{32}\) U.S. Secretary of State Hillary Clinton welcomed President Castro's offer.\(^{33}\) Days later, former President Fidel Castro, in his role as Op Ed columnist ("Reflections"), endorsed his brother's initiative, calling the willingness to discuss any topic an example of "courage and self-confidence in the principles of the Revolution." Fidel Castro compared Raúl Castro's offer to pardon those whom the two Castros called U.S. agents (otherwise known as dissidents), imprisoned in March 2003, to his own decision after the failed 1961 Bay of Pigs invasion to return the captured invaders to the United States.\(^{34}\)

By the end of 2009, however, the two governments had rediscovered their skill at aborting opportunities for conflict resolution. As President Raúl Castro put it in his December 20 speech to the Cuban National Assembly, the U.S. government, which retained all the "instruments of its policy of aggression against Cuba, ... does not turn away from its effort to destroy the Revolution and generate a change in our social and economic regime." In late 2009, the president said, the United States had supported "subversion" in Cuba; he reported the
arrest of a U.S. contractor (later identified as Alan Gross) operating in Cuba in support of civil society entities (Gross would be held in a Cuban prison until December 17, 2014), President Castro also denounced a “coordinated anti-Cuban campaign” to create the perception of increased repression in Cuba. He reiterated his pledge to resolve differences with the United States, still ready to discuss “any topic,” but not if it were to imply change in Cuba’s domestic regime. And he insisted that he was responding directly to Secretary Clinton’s previous remarks.35

Consistent with Barack Obama’s third promise during his presidential campaign, little else had changed in U.S. policy toward Cuba. The U.S. government remained committed to a change in Cuba’s domestic regime. On December 14, 2009, in a broad-ranging speech on U.S. human rights policy, Secretary Clinton asserted that Cuba’s government was “able but unwilling to make the changes their citizens deserve.” She pledged to “vigorously press leaders” such as Cuba’s “to end repression, while supporting those within societies who are working for change.”36 In November, President Obama had sent a statement for publication in Yoani Sánchez’s dissident blog.37

The fundamentals of the U.S. policy of economic sanctions on Cuba had also not changed. Helms-Burton remained the law, though the president had waived Title III sanctions (as Bush and Clinton had). For example, in August 2009 the U.S. government fined the Austral & New Zealand Bank Group for helping Cuba and Sudan finance their international purchases. Later on, it compelled Credit Suisse to pay $536 million for processing payments for Iran, Cuba, and other countries under U.S. sanctions.38 In October 2009, the U.S. Treasury denied a license to the U.S. Philharmonic to take its donors to the concerts that it had hoped to perform in Havana; without the donors, the Philharmonic had to cancel the concerts.39 Cuba remained on the list of states that support acts of terrorism; new U.S. antiterrorist measures announced early in 2010 failed to distinguish Cuba from other much more likely suspects.

Yet, an alternative reading of U.S.-Cuban relations was still possible as the century’s second decade opened. Reread the list at the start of this chapter. All of it remained true and small steps were under way in both countries to strengthen means of cooperation. The Obama administration had quietly but systematically changed the policy on granting visas to Cuban academics, artists, and performers. The Bush administration had stopped nearly all of those visits; in 2009, U.S. visa processes returned to what had prevailed at the start of the decade. In January 2011, the Obama administration reversed most of the Bush administration’s decisions taken in 2004 that had stopped nearly all academic and cultural group travel from the United States to Cuba. The new rules would make it easier for such exchanges necessitating travel to take place.

In addition, the U.S. Treasury’s Office of Foreign Assets Control had granted many specific licenses for trips to Cuba organized by sports, cultural, or academic entities, also matching the policy at the start of the decade. And in a decision brimming with symbolism, in April 2009 U.S. federal prosecutors added to the charges against Luis Posada Carriles, who was in U.S. custody. Cuba holds Posada responsible for blowing up a Cuban civilian airplane and committing other acts of terrorism. The Cuban government took note of this decision.40

Moreover, U.S.-Cuban relations had become denser than they had been at the end of the Clinton administration. U.S. agricultural exports to Cuba were first authorized in 2001. In 2008, Cuba imported agricultural goods worth over $711.5 million from the United States; the United States had become Cuba’s fourth most important import partner.41 By 2006, the United States supplied 96 percent of Cuba’s rice imports and 70 percent of its poultry meat imports.42 The number of undocumented migrants interdicted remained fairly stable for the years since the 1995 bilateral migration agreement, though they rose a bit from the late 1990s to the 2000s.43

Regarding narcotics, no government among the southern near-neighbors of the United States at that time ever got this much praise from the U.S. Department of State: “Cuba is neither a significant consumer nor a producer of illegal drugs ... The U.S. Government does not have direct evidence of current narcotics-related corruption among senior Government of Cuba officials.” The Obama administration noted some coordinated drug interdiction operations between Cuban security forces and the U.S. Coast Guard.44 Indeed, the Cuban government also publicized its bilateral cooperation in drug interdiction with the United States.45

Barack Obama and Raúl Castro could work out many of their lesser differences but it was not likely that there would be a meeting of minds over the characteristics of the domestic regime in Cuba. They could use a cooperation frame, as they did during the first half of 2009, or a conflict frame, as they did during the second half of 2009.

Imagining Several Futures for U.S.-Cuban Relations

At that juncture, with bilateral relations newly stuck at the end of President Obama’s first year in office, several scenarios were thinkable for U.S.-Cuban relations. They remained pertinent until the December 17, 2014, announcement by the two presidents that they would restore diplomatic relations in 2015 and work to change other aspects of bilateral relations.

Scenario 0. The prospects of Scenario 0 appeared in the hours that followed the transfer of powers in Cuba on July 31, 2006—military mobilizations in the United States and Cuba and a call to arms from zealots in the Miami Cuban-American community. Assume an accidental spark, and a conflagration ensues.

Scenario 1. “Clinton plus.” U.S.-Cuban relations return to the level they were at the end of the Clinton administration. Some progress in this direction had been made in Obama’s first year. There was already the cooperation noted at the start of this chapter. The two governments had restarted discussions on migration and begun them on direct mail. The U.S. government had begun to issue visas to
Cuban artists and academics. In January 2011, the Obama administration reauthorized the “people to people” policies that permitted U.S. citizens to travel to Cuba for academic and cultural purposes (curriculum, undergraduate and graduate research, museums, monuments, musical concerts, and arts exhibits but not beach tourism) as well as exchanges of varying duration in the arts, sports, and related endeavors. Conceivable changes in this scenario include upgrading their exchanges regarding the GTMO perimeter and Coast Guard/Guardafronteras cooperation.

The “plus” in this scenario acknowledges that Bush administration authorization of U.S. agricultural product sales had continued, and that the Obama administration’s liberalization of Cuban-American travel and remittances—already beyond the Clinton administration standards—would likely remain in force.

Cuba’s domestic political and economic regimes would change little under this scenario. There would be no strategic rethinking of bilateral relations. The U.S. government would retain sanctions on Cuba. The Cuban government would resist the United States.

This scenario would make it difficult for Cuba to develop its economy. Cuba’s economic prosperity would remain tied to support from the Venezuelan government under President Hugo Chávez. Yet, it hardly seemed a winning long-term strategy for Cuba to hitch its star to highly volatile petroleum prices and to Venezuela, a country whose state had been, before Chávez, under Chávez, and dramatically under Chávez’s successor, President Nicolás Maduro, far less competent than Cuba’s—Venezuela has to import tens of thousands of Cubans to deliver basic social services that the Venezuelan state cannot otherwise deliver. This scenario is compatible with the survival of a Cuban political regime headed by General Raúl Castro or his successors but not with Cuban prosperity.

Scenario 2. Bilateral tactical cooperation. The two governments stop preventing each other’s diplomats from performing their normal tasks in the respective capital cities and shift to vitriol-free official rhetoric to express disagreement. They enhance and institutionalize their cooperation to interdict drug traffic. They design an approach to collaborate against international terrorism. Cuba had proposed such cooperation in the past but the U.S. government believed that Cuba’s initiatives “have not been offered with forthright or actionable proposals as to what the U.S. government should expect from future Cuban cooperation”—a difficulty that active diplomatic negotiation might have remedied. The United States would drop Cuba from its list of state sponsors of terrorism (the Obama administration did not drop Cuba from the list until 2015). Both governments expand academic and cultural exchanges much further, extending fellowship support to citizens of the other country for study at each country’s institutions. They develop environmental and scientific exchanges, first by permitting non-governmental organizations to take the lead, and then by undertaking inter-governmental cooperation. They start on topics of shared interest such as migratory species, hurricane tracking, oil and other spills in the Straits of Florida, and research on biodiversity. But that’s all.

Scenario 2 differs from Scenario 1 because in Scenario 2 each government takes modest initiatives to which the other reciprocates.

Scenario 3. Obama takes the lead. The Obama administration takes cognizance that, under Helms-Burton, the president may use his regulatory authority to permit exceptions to nearly every aspect of U.S. sanctions policy on Cuba except the authorization of free U.S. citizen travel to Cuba. The administration would accept a proposal from Cuba’s Foreign Minister Bruno Rodríguez. The U.S. government would unilaterally and unconditionally lift all U.S. restrictions that prevent the free flow of information between the two countries, including facilitating Cuban access to information technology and the Internet. The U.S. government would authorize trade as well as donations in such products. The president would similarly license trade in medical products, thereby permitting some Cuban exports to the United States.

The U.S. government motivation would be to foster the conditions for domestic change in Cuba. The Cuban government would react with self-confidence, not outrage or panic, expecting to gain more from economic growth. Time would tell who is right.

Scenario 4. Raúl Castro takes the lead. The Cuban government emulates the economic strategy successfully followed in China and Vietnam, leading to a market reorientation of the Cuban economy. China would support it. Canada and the European Union would encourage it. Such a strategy would make it much more difficult for the Obama administration not to shift its Cuba policies and to do so much more quickly.

Scenario 5. Regime change. Suppose Cuban citizens decide that multi-party contestation and competitive multi-party elections, the free expression of different and often opposed ideas, independent civil society organizations pursuing their own goals, deregulation of much social and economic life, mass media independent of the state, a market-economy, and reduction of the right of the state to shape much of daily life constitute an appropriate political framework for Cuba. This would open the prospects for qualitatively different relations with the United States, Canada, the European Union, the majority of Latin American countries, and Japan.

Not much happened in U.S.-Cuban relations between the end of 2009 and the end of 2014, except, importantly, for the secret negotiations that would culminate on December 17, 2014, when the two presidents made their key announcement at the start of the same hour and broadcast over radio and television.

On that day, Raúl Castro and Barack Obama declared that the two countries would restore diplomatic relations and exchanged the prisoners that each government had held under respective accusations of espionage. The two presidents also communicated new steps, which each characterized as unilateral, but that obviously would not have occurred in the absence of coordination.
In his speech, Raúl Castro averred, "The Government of Cuba, acting unilaterally, authorized the freeing of prisoners in whom the Government of the United States had expressed its interest." Also claiming to act unilaterally, Barack Obama instructed the U.S. Secretary of State to review Cuba's inclusion on the U.S. official list of states that promote terrorism, on which Cuba was first included in 1982.51

What was new, therefore? In this combination of scenarios 3 and 4, the most noteworthy feature was the change in tone. That is the key to Obama's speech and the ancillary information that the White House immediately provided to the public. In the same vein, Raúl Castro's speech notes that Obama's decision "deserves the respect and appreciation from our people."

No less important was the acceptance and public appreciation of the useful role that Pope Francis and the Canadian government played as mediators. Successive U.S. governments had at times objected when third parties had "interfered." Yet, this time others also deserved appreciation. One was the Panamanian government whose decision to invite Cuba to the 2015 Summit of the Americas set a deadline for the U.S. government to decide whether President Obama would attend the first Summit to which the President of Cuba had also been invited as a full member. Both Obama and Castro agreed, and indeed at the Summit held a long and cordial one-on-one side meeting. Also deserving of appreciation was Nelson Mandela, whose funeral both Castro and Obama had attended; that was the first time that they greeted each other face to face, exchanging brief and polite expressions. Mandela's funeral was held on December 15, 2013, and its effect would be seen on December 17, 2014. Mandela was effective even from his tomb.

Following the Castro-Obama agreement, some changes seemed easy. It was easy to change the sign in front of the respective Interest Section buildings in Havana and Washington. Yet, it took months for diplomats of both countries to negotiate an agreement to regulate the norms that would govern the behavior of their respective diplomats—a harbinger of the challenges for the inherently more complex negotiations to come. It is relatively easy for the United States to modify some of its economic sanctions on Cuba; it is more difficult for Cuba to benefit from those shifts unless it changes its own economic policy framework. For example, the United States has authorized the export of goods to Cuba's private sector but Cuba has yet to change its regulations to permit such trade.

On the anniversary of the Castro-Obama agreement, the two governments noted important changes.52 There was a new, generally cooperative framework to discuss a very wide array of topics, with each topic discussed in separate specialized bilateral meetings. The discussions on some topics led to early cooperative agreements, as well as to the array of topics, with each topic discussed in separate specialized bilateral meetings. The discussions on some topics led to early cooperative agreements, as well as to the coordinated environmental protection. On other topics, where the two sides differ strongly, such as human rights, or respective claims to compensation for damages that one government had inflicted upon the other (still-uncompensated Cuban government property expropriations from 1959–61; the decades of U.S. economic sanctions), the discussions were just the start of a long process. Never since revolutionary victory in 1959 had these governments committed to a sustained, respectful, and professional bilateral negotiating framework such as this one. The list of specific bilateral agreements was modest, however:

- The respective Interests Sections under the flag of the Swiss Confederation were born again as the respective embassies of Cuba and the United States in each other's capital cities.
- Bilateral cooperation deepened on the topics on which such cooperation had long existed, that is, with regard to migration, air traffic safety, and actions against drug trafficking.
- A bilateral agreement was signed with regard to environmental cooperation and joint scientific work on these matters expanded right away.
- Already-existing instances of trilateral cooperation deepened. In particular, Cuba and the United States for many years have had assistance programs in Haiti. Cuba has focused on health care, while the United States has had an array of programs. Cuba has long served as host and mediator toward a peace agreement between the Colombian government and the FARC (Revolutionary Armed Forces of Colombia), and the United States has supported such peace processes.
- Technical agreements were reached to facilitate direct mail and civil aviation regularly scheduled flights, but the first depended on an evolving pilot project and the second had yet to resolve how to protect Cubana de Aviación aircraft, upon landing at U.S. airports, from seizures through U.S. courts to satisfy uncompensated property claims.

Notwithstanding exuberant claims about the prospects for U.S.-Cuban business relations, as 2016 ended there was little to show for these efforts. Business groups and U.S. Cabinet secretaries visited Havana to promote economic relations but little of substance had begun to work. Only one U.S. company had been authorized for the Mariel Special Zone, which is Cuba's main opening for international investment. U.S. financial entities sought to make it possible for U.S.-based credit and debit cards to be used in Cuba, but none worked yet. Airbnb succeeded in developing a network of housing options and Sprint and Verizon had signed deals with Cuba's state telecommunications company, ETECSA, but the scope of these services benefited foreigners mainly.

The challenges and opportunities in U.S.-Cuban business relationships may be illustrated through the two longest-standing business relationships, namely, agriculture and tourism. From 2002 through 2014, the United States exported $5.1 billion dollars to Cuba, principally agricultural products and food manufactures. The annual exports peaked in 2008 at $711.5 million, dropped during the worldwide and Cuban economic crisis to $363 million in 2010, were steady 2010–13, and then fell to $299 million in 2014 and to $186 million in 2015.53
This is a trend line that might not have been imagined to follow the Castro-Obama agreement, yet it demonstrates how difficult it is to transfer the good feeling from a bilateral presidential accord to bilateral agricultural trade.

The business story in tourism is more encouraging. In 2014, the United States was formally the sixth principal source of international tourists to visit Cuba, with 91,254 arrivals. However, Cuban-Americans are counted separately because the Cuban government compels them to travel with Cuban passports even if they are principally citizens of other countries. As Perelló has shown, Cuba-Americans visited Cuba in 2014. The sum of the counted U.S. citizens and the Cuban-Americans was 350,091, comfortably ranking the United States in 2014 as second only to Canada as a supplier of tourists. Comparing the months between January and September in both 2014 and 2015, the number of Cuban-Americans went up 13.4 percent, a reasonable response to less cumbersome regulatory procedures and more charter flights out of U.S. airports. The number of U.S. visitors other than the Cuban-Americans, however, jumped by 62.2 percent, a far greater proportional increase than for any other country, confirming the United States as the second supplier of tourists to Cuba, with over 441,000 tourists for the first three quarters of the year 2015.

In late 2015 Cuba’s national statistical agency reported with great pride the marked increase in tourists during the year and it provided detailed information regarding the source countries. There was a noteworthy exception. The United States did not appear on the list of tourism suppliers but there was a very bulky category, labeled “Others,” presumably including the unmentionable tourists. Only in 2016 did Cuban officials report include U.S. tourists.

Cautions, Speculations, and Conclusion

It is not just right-wing zealots in the United States who care about a transition to a different political regime in Cuba. There is a wide consensus in the United States and throughout much of the Americas about the value of liberal democratic politics, institutionalized in the Inter-American Democratic Charter. The European Union is also self-consciously a union of democratic countries. The debate within the United States, and between its government and other governments, has been about the means to foster open competitive multi-party politics in Cuba, respectful and supportive of a vibrant and independent civil society, not about whether there is consensus regarding liberal democracy. The quality of Cuba’s future relations with the governments of democratic countries will depend, therefore, on the characteristics of Cuba’s domestic political regime. The quality of Cuba’s future relations with any government of the United States certainly will.

It is not just gerontocratic officials who care about Cuba’s socialist heritage and its accomplishments. Large numbers of Cubans care as well. Indeed, Cuba’s key assets are what its government calls the “achievements of the Revolution.” Cuba’s investment in health and education prepare its people to compete in the world. Cuba’s economic hardships since 1990 also lowered its costs of production by worldwide standards. The combination of high-quality and inexpensive human capital, with effective market incentives not unlike those that prevail in China and Vietnam, should make Cuba a vibrant competitor in world markets for quality products and services, powering its economy to prosperity.

Cuba today needs the United States to remove its sanctions regime, which remains in force following the December 2014 announcement, notwithstanding some specific important albeit limited changes. Cuba tomorrow needs more. Cuba is ready for many potential responses to the removal of U.S. sanctions. With regard to trade, Cuba does not have protectionist tariffs and non-tariff barriers to impede its engagement in international markets. With regard to intellectual property protection for Cuban patents and trademarks, Cuba would reap significant gains especially in U.S. markets from its biotechnology products, rum brands, and music.

Long-term U.S.-Cuban migration relations should be easier to manage than U.S. migration relations with Mexico, the Dominican Republic, or Central American countries because Cuba has been below the demographic replacement level since 1978. Cuba’s aging demographic structure most likely renders the long-term migration flow modest.

Cuba’s key asset is the creativity of its people. Its “human capital” generates culture as a source of value for its people’s enjoyment and enlightenment, the affirmation of its identity, and the export of an array of services. Cuba’s dynamic presence in a world economy can emulate Taiwan—another small former-sugar-producing country, long governed by a single party run on Leninist principles, existing for decades on the edge of a hostile huge northern neighbor, which made a partnership with its diaspora to become one of the world’s economic powerhouses.

Cuba’s diplomatic corps may serve the Cuba of the future with distinction, as it long has. Cuba’s armed forces could serve as peace-makers and peace-keepers in United Nations missions, drawing on their substantial experience and expertise working in African countries and elsewhere. Cuba’s public assets—the human capital embedded in its most successful state institutions—can safeguard and enhance its sovereignty in the future as they have in the past.

The governments of Cuba and the United States today can think afresh and big or, as they repeatedly have, they can rush yet one more opportunity to reshape their relations. The good news is that both countries have avoided war. The bad news is that both countries have lost the peace. And Cubans have suffered grievously from direct and opportunity costs. Cubans should not fear the future. They are already prepared for it in many ways thanks to the work of so many for so long. The future can be better if citizens and public officials in both Cuba and the United States take risks and build the basis for a shared success.
That is why the bets implicit in the announcements in December 2014 may help us imagine the future. Obama’s bet was that, sooner or later, a wider international opening would facilitate democratic change in Cuba. Slow was that process of opening in communist Poland and in Franco’s Spain. But past experiences suggest a hypothesis on which the new U.S. policy rests. The U.S. government authorized increased transfers of funds via remittances in order to facilitate the growth of a civil society independent from the State and also to make it possible to finance the development of small private firms. The U.S. government authorized the export of information technology goods, equipment, and services to ensure that the United States would stop its collaboration with Cuba’s State Security in preventing easy Internet access by ordinary Cubans. The U.S. government liberalized its procedures for travel to Cuba in order to make it more difficult for Cuban State Security to monitor conversations between U.S. and Cuban citizens. The U.S. government authorized new instruments to develop financial relations (banking operations, credit card use, etc.) that would permit more varied and complex bilateral relations. The two governments announced that they will negotiate over the delimitation of the maritime boundary that touches on Cuba, Mexico, and the United States, and steps are under way to facilitate the increased travel between Cuba and the United States. But the comprehensive U.S. economic sanctions, codified in the Helms-Burton Act, remain in place; only the U.S. Congress may repeal the Act. The president may exercise his executive powers to create lawful exceptions to the economic sanctions regime, but the president may not annul an Act of Congress.

Raúl Castro’s bet is the opposite. As he said in his speech on December 17, 2014, “Now, we will proceed, notwithstanding the challenges, to update our economic model in order to build a prosperous and sustainable socialism.” As for the prospects for a political opening, Raúl Castro added, “We have remained deeply loyal to those who died defending our principles from the start of our wars of independence in 1868.” Would this updated Cuban economy be boxed inside an authoritarian political regime, as in China? Who will turn out to be right, Barak or Raúl?

Notes
2 Following Laura K. Lipman, Guantánamo: A Working-Class History between Empire and Revolution (Berkeley: University of California Press, 2009), I will call the Cuban city Guantánamo and the U.S. base near that city, GTMO, as many who work there do.
5 Treverton, “Cuba in U.S. Security Perspective,” 75.
6 Juan Vélez Pazo, “Cuba’s Foreign Policy toward Latin America and the Caribbean in the 1980s,” in U.S.-Cuban Relations in the 1990s, 198.
7 The Bush administration also enacted nuisance provisions such as a $100 per day limitation on what authorized U.S. travelers could spend in Cuba, a restriction on flight arrival and departure times for charter operators between Miami and Havana airports, a reduction of the amount that Cuban-Americans could send to their relatives in Cuba every quarter from $500 to $300, etc.
9 I have personal knowledge of many of these exchanges. U.S. officials were unhappy about Cuban participation in LASA international congresses. The Inter-American Dialogue’s exchange with the Cuban Academy of Sciences was my project. Some U.S. officials were supportive; others eventually made the continued participation of U.S. scientists impossible after the enactment of the Helms-Burton Act in 1996.
15 Granma, January 7, 2010, for the Cuban Foreign Ministry’s use of the steps that Cuba took in 2001 to explain Cuba’s policy toward the United States in 2010.
22 Harvard College’s program for its undergraduates to study at the University of Havana has operated under the laws of both countries and it has never been interrupted.
24 U.S. Department of State, Commission for Assistance to a Free Cuba, “Report to the President,” July 2006, 39–42, 48, 69, 70, 73, 84, 86.
26 Granma, August 18, 2006 and December 2, 2006.
52 For each government’s account of bilateral accomplishments, see “Declaración del
Presidente de los Consejos de Estado y de Ministros, General de Ejército Raúl Castro
Ruz,” Granma December 19, 2015, 1; U.S. Department of State, Bureau of Public
54 Organización Nacional de Estadística e Información, Anuario estadístico de Cuba
October 14, 2015.
55 José Luis Perelló Cabrera, “El sector no estatal y su papel en el desarrollo del turismo
cubano en un escenario de relaciones con los Estados Unidos,” in Miradas a la economía
56 Oficina Nacional de Estadística e Información, “Turismo. Llegada de visitantes
internacionales” (November 2015), www.onei.cu/publicaciones/06turismoycomercio/
llegadadevisitantes/merusal/2.pdf.
on the authorization of Stonegate Bank to handle banking transactions between
the United States and Cuba.