

## THE NEW ERA OF EXECUTIVE ACTION

# RESTORING DIPLOMATIC RELATIONS WITH CUBA

May 5, 2015

## Background

Since the 1959 Cuban Revolution—in which Fidel Castro overthrew the U.S.-supported government of Fulgencio Batista—the U.S.-Cuban relationship has been characterized by confrontation. After the new Cuban government began nationalizing foreign assets in Cuba and seeking closer relations with the Soviet Union, the United States responded in a series of escalating steps: embargo, a CIA-backed invasion by Cuban exiles, and covert operations seeking Castro's ouster.

While these policies of embargo and isolation have historically enjoyed bipartisan support, their effectiveness at changing the behavior of the Castro regime has been less than clear. For some time, analysts and former diplomats have recommended a change in approach.

## Action

President Barack Obama—with prompting by the personal intervention of Pope Francis, who acted as a go-between for the United States and Cuba—announced on December 17, 2014, that he would begin a process toward the normalization of relations with Cuba.

While the embargo can only be ended via congressional legislation, the president can use his authority to conduct foreign relations and the abilities of the Departments of State, Treasury, and Commerce to amend specific regulations to expand and formalize a diplomatic relationship with the Cuban government.

On May 5, the United States announced it was authorizing ferry service to operate between Cuba and Florida.

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This brief is part of The Century Foundation initiative, The New Era of Executive Action, which is available online at <https://tcf.org/atavist.com/executive-action>.

The State of New York also announced it was partnering with JetBlue to offer charter flight services between John F. Kennedy International Airport and Havana's José Martí International Airport, beginning July 3.

## What It Does

The restoration of diplomatic ties consists of a series of steps by both the United States and Cuban governments.

As an initial part of the process, both countries engaged in a joint deal that saw the return of imprisoned American Alan Gross, a U.S. Agency for International Development contractor who the Cubans had accused of espionage, in exchange for the U.S. return of Cuban agents who had been convicted of spying on anti-Castro groups based in Miami.

As part of the normalization process, the Obama administration promised to begin the process of re-opening a U.S. Embassy in Havana. The announcement also highlighted several issues of mutual importance to the United States and Cuba: migration, counternarcotics, the environment, and human trafficking.

The Obama administration will liberalize travel and remittance policies for Cuban-Americans who wish to visit or support their relatives in Cuba (Americans without Cuban relations who fall into twelve specific categories can also apply for visas to visit Cuba without need of a special license from the United States, but the general tourism travel to Cuba is still illegal). The quarterly cap on remittances will be lifted from \$500 to \$2,000. American visitors will be able to use their debit and credit cards in Cuba, and financial transactions between the two countries will be broadened. Visitors returning to the United States will be able to import Cuban goods worth up to \$400. The United States will also permit the export of certain commercial goods (telecommunications equipment, building materials, and agricultural equipment) in order to “empower the nascent Cuban private sector” and expand Cuban access to the Internet.

The U.S. Department of State will review Cuba's designation as a state sponsor of terrorism and report within six months whether that designation is still applicable.

## Status

Many of the initiatives announced on December 17, 2014, are already in effect, including formal discussions between U.S. and Cuban representatives about the state of the relationship between the two countries. Other plans are expected to roll out as progress in talks between the two nations proceed.

## Impact

On January 16, 2015, new rules went into effect, relaxing trade and travel restrictions for U.S. citizens. Those who meet twelve criteria for travel to Cuba (close relatives of those living in Cuba; journalists;

researchers; members of religious, charitable or research organizations; and so on) do not need to apply for a U.S. license in order to travel.

The United States began its high-level negotiations directly with the Cuban government in Havana on January 21, 2015, with a subsequent bilateral dialogue on February 25. On March 31, 2015, the United States and Cuba conducted their first formal dialogue on human rights. The meeting was described in a Reuters news story as “preliminary” and “professional,” in which both sides “expressed willingness to discuss a wide range of topics in future substantive talks.” No date has been announced for those future talks.

On April 9, 2015, the U.S. State Department transmitted to the White House its recommendation that Cuba be removed from the list of state sponsors of terrorism. That same day, Secretary of State John Kerry met with Cuban Foreign Minister Bruno Rodriguez, the highest-level meeting between U.S. and Cuban officials since the Revolution. At the Summit of the Americas in Panama, which Cuba attended for the first time, President Obama and Castro met, the first formal meeting between the heads of state of both countries since the 1950s. On Tuesday, April 14, 2015, the United States announced it would remove Cuba from the list of state sponsors of terrorism.

An additional positive impact was the release of Alan Gross, whose health was rapidly declining in Cuban prison. It was also a positive sign that Cuba released all of the fifty-three political prisoners it had promised to release as part of the negotiations.

## Response

The immediate response to the initial announcement was positive, coming from some surprising quarters:

- Julia Sweig, at the time the Council on Foreign Relations’ expert on Cuba, said the normalization process had “risks that are far outweighed by the rewards” and that, over time, the restoration of normal diplomatic relations would spur reforms in the Cuban economy and government.
- Cato’s Doug Bandow also celebrated the move, saying that there was no prevailing security or humanitarian grounds supporting the embargo, saying that, instead of pressuring Fidel Castro into reforming, it has made him the champion of leftist anti-Americanism in Latin America.
- Conservative columnist George Will said normalization was the right move, as the embargo and isolation of Cuba was a cold war anachronism.

Much initial opposition came from conservatives and many in the Cuban refugee community in Florida.

- Marco Rubio, Florida's junior senator, vowed to block the nomination of anyone named ambassador to Cuba (regardless of their qualifications) as well as spending for an embassy in Havana, and saying President Obama's efforts were an "illusion."

Recent polling actually has shown an increase in favorability toward the policy change among Cuban-Americans, however: 51 percent approval/40 percent disapproval, up from 48 percent/44 percent in December, when normalization was announced.