

# **AWAITING DEMISE, REFUSING RESCUE**

*by Ollie R. Jefferson, Attorney at Law - NLG Member*

Since 1961, the United States has imposed a comprehensive and unilateral embargo against Americans who want to trade with, travel to, or invest in the island nation of Cuba - which is estimated to be slightly smaller than Pennsylvania.

At the time, arguably, the position could have been taken that the US embargo was justified due to Fidel Castro's alliance with the Soviet Union, and the subsequent presence of Cuban troops in Central America and Africa. After the collapse of the Soviet Communist system and the discontinuation of their aide to Cuba, the embargo lost its rationale and thus it should have been relaxed. Instead, the 1992 Congress toughened its hold and seemingly changed its focus from national security to promotion political reform within Cuba.

Though generally off limits, US citizens are able to travel to Cuba if licensed to do so by the U.S. Treasury Department. I was able to benefit from such a license and was thus able to travel to Cuba in May of 2001 for a two week program at the University of Havana. When I arrived in Havana on May 5th, I was quite surprised at the number of construction projects underway and the extensive renovations of historic buildings along the Malecon in old Havana. New hotels were being developed by Spaniards, Germans and Mexicans, and a new airport terminal facility was built by Canadians. I was elated to see the happiness of the children as they played with pushcarts, pets and homemade toys and played baseball games in the streets.

The Cuban people received us very graciously, and were genuinely affectionate. Our movement was unrestricted and we engaged in many conversations with people whom we met. Most Cubans with whom I talked expressed a view that they were suffering, and they blame the US embargo for limiting their food rations and access to medical care. At a meeting with a top Cuban economist, I asked what products Cubans wanted from the US should the embargo be lifted today.

"Everything, but especially medicine," he said.

United Nations embargoes against South Africa, Iraq, Libya, Haiti, the former Yugoslavia, Southern Rhodesia, China, North Korea, Vietnam, Cambodia, Uganda, Iran and Nicaragua have each contained provisions for access to basic humanitarian goods such as food and medicine. But, at the time of my visit, such was not the case for Cuba.

Many organizations involved in human rights worldwide are of the view that the effects of these regulations are devastating and violate international human right accords, to which the United States is signatory. Hardest hit have been women, children and the elderly. These persons have been targeted for protection by the Cuban government due to nutritional deficits, and are receiving government aide through

rationing, public health education, workplace and school-based feeding programs, and the promotion of urban gardening.

Despite the government's efforts, the American Journal of Public Health reported that newborn birth weight declined after 1996, reversing 10 years of gradual progress. Further, anemia affected more than half the pregnant women and infants from age 6 months to 12 months, under-nutrition was assessed as the major risk factor associated with an epidemic of optic neuropathy, and mortality from diarrheal diseases rose. Medication shortages were associated with a 48% increase in tuberculosis deaths, a 67% increase in deaths due to infectious and parasitic diseases, and a 77% increase in deaths due to influenza and pneumonia.

The embargo is not generally supported, not even by America's allies. For years, the United Nations has made resolutions opposed to the embargo. In the last UN vote, there were 184 nations in favor of lifting the blockade and three against.

*Time Magazine* once reported that when a European diplomat asked a US official, "Why should the US maintain economic sanctions against Castro if it is willing to trade with Hanoi and Beijing?" the reply was, "History matters," citing the difficulty for a generation of Americans to forget events such as the Bay of Pigs and the Cuban Missile Crisis when the threat of nuclear war with Cuba was very real.

While many Cuban Americans continue to harbor an intense loathing toward Fidel Castro, Congressional leadership must now understand that an entire generation of US voters have no personal knowledge of these events, and only know of them through historical accounts. Consequently, we do not have the same emotional investment. It does not take much thought, however, to know the ultimate immorality of causing societies most vulnerable in any country to suffer and die based upon a continued irrational hatred of its leader. This embargo has failed to spark the Cuban people into overthrowing their own government and running the risk of becoming irrelevant. My conversations with Cuban nationals revealed a grudging respect for Castro (if not love) for having withstood what they properly termed as an imperial assault by the United States.

Former Senator Jesse Helms (R-NC), past Chairman of the Senate Foreign Relations Committee, for years led the anti-Castro charge of the United States, and once stated confidently, "Whether Castro leaves Cuba in a vertical or horizontal position is up to him. But he must, and he will leave Cuba."

In the summer of 2006, Fidel Castro ceded power to his younger brother, Raoul, underwent extensive medical treatment, and hasn't been seen much publicly since. Around the same time, US President George W. Bush approved \$80 million to boost democracy in Cuba - in anticipation of exploring US policy toward Cuba "after the eventual death of Fidel Castro." On subsequent occasions, US government officials have repeated their seemingly gleeful anticipation of Castro's demise.

As the US government waits to dance on Fidel Castro's grave, it would be well served to remember that he has outlasted nine US presidents already. Since his rise to power, Castro has seen Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, Bush Sr., and Clinton come and go. He has also seen Helms outstayed in 2001 in Washington's power shift. Instead of trying to outlast Fidel, maybe it is time for the U.S. to go in a new direction.

If the sheer inhumanity of this embargo is not sufficient to bring it to an end, then we should consider that the most vocal critics of the embargo are members of the US business community. Without US representation, numerous countries are capitalizing on the lack of American competition in areas such as real estate, tourism and mining. Cuba had signed deals in excess of 185 joint ventures. The only people left on the sidelines are the Americans, who should be demanding of our government, "Why not us?"

Due to its close proximity to the island, the US has the advantage over almost all other countries when it comes to trading with Cuba; and make no mistake, Cuba wants this partnership. If we do not re-evaluate the embargo, it eventually may not matter to Castro because other countries are now trading with Cuba, and will continue to reap the profits. The embargo is only effective if Cuba needs US trade. At the end of this game, when we find that we are not invulnerable, we will have already lost.

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