

U.S. President Has Power to Annul Key Aspects of Blockade Against Cuba



Havana, February 3 (RHC-Prensa Latina)-- U.S. President Barack Obama has the power to annul key components of the economic, commercial and financial blockade imposed on Cuba, according to the General Director of the United States Department at Cuba's Foreign Ministry, Josefina Vidal.

During an interview broadcast on Cuban television Monday night, Vidal said that contrary to what some might think, this policy of sanctions is still in force, the only new elements are the modifications that came into force on January 16th by the U.S. Treasury Department.

The approved modifications, in some ways, make the current prohibitions on travel to Cuba imposed on U.S. citizens more flexible, she added. These changes will also allow certain commercial transactions, mainly in the field of telecommunications, and the possibility for U.S. financial institutions to begin operations in Cuba.

However, the ban on Cuba to use the U.S. dollar in transactions with other countries, something that the current resident of the White House can revert if he has the political will, is still in force, Vidal pointed out.

In general, President Obama can "bury the fundamental parts of the blockade" by using his executive faculties, she added. The Cuban diplomat noted in her statements on local television that only a small number of issues are ruled by laws approved by Congress, like the prohibition for U.S. citizens to travel to Cuba.

Josefina Vidal noted that the U.S. president cannot allow Cuba to make transactions with U.S. companies in third countries either, although he can authorize links between Cuban companies and corporations based in the United States.

In addition, the president does not have the legal authority to allow U.S. financial institutions to grant credits to their Cuban counterparts to acquire products or services, as payments must be made in cash and in advance.

Regarding the Cuban Adjustment Act (CAA), passed into law by the U.S. Congress in 1966, Vidal noted that it is the main stimulus for illegal emigration to the United States. She said that it is impossible to have a normal migration relation between the two countries as long as that legal statute is in force. The same happens with the "dry feet, wet feet" policy, which is not a statute approved by Congress, but a governmental decision made by President Bill Clinton in 1995. That policy grants refuge status to Cubans who arrive on U.S. soil and repatriates those who are intercepted at high sea.

Vidal stated that there is confusion about the implementation of the CAA, as it is a legislative element that grants discretionary faculties to the U.S. attorney general to grant benefits to Cubans or not. It is not an automatic action, as it has been done over the past few decades due to political motivations, the Cuban diplomat pointed out.

Vidal recalled that the Helms-Burton Act, which came into force in 1996, codified all stipulations of the blockade and turned them into a law that can only be changed by the U.S. Congress.

However, that act also grants the president of the United States the faculty to authorize by means of licenses some possibilities of interrelation with Cuba, which is the case of the recent measures taken to make the ban on U.S. citizens traveling to Cuba more flexible. Notwithstanding, Obama lacks the legal authority to allow U.S. citizens to visit Cuba as tourists.

The Cuban Foreign Ministry official noted the importance of the decision made by President Raul Castro and Barack Obama, announced on December 17th last year, to re-establish diplomatic relations and advance in a process of normalization of bilateral ties, on the basis of mutual respect and observance of the principles of international law.

She added that this will be a long and difficult process, which demands time, effort, work, and the solution of complex issues. But, she said, the main thing is that it will give the opportunity to improve communications between both countries, expand cultural exchanges and establish more positive dynamics in general between Cuba and the United States.

The diplomatic official repeated that in these negotiations, the principles on which Cuba's domestic political order is based will not be on the table. She pointed out that it is the United States that has to eliminate its negative projections against Cuba, particularly the policy of unilateral sanctions. It is also important to discuss the issue of the U.S. naval base in Guantanamo, in eastern Cuba, which Washington has maintained against the will of the Cuban people and government.

And Josefina Vidal said that the aggressive radio and TV broadcasts from the U.S. to Cuba, which violate international norms, must also be discontinued.

Delegations from Cuba and the United States held official talks on January 21st and 22nd to discuss

issues such as illegal migration and the course to re-establish diplomatic relations and open embassies in the two countries' capitals.

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