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THE U.S. RESPONSE TO CASTRO'S AGGRESSION: TIGHTENING THE EMBARGO IS NOT ENOUGH

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The destruction by Cuban MIGs of two U.S.-registered civilian aircraft flying over international waters in the Florida Straits on February 24, 1996, proves once again that Fidel Castro will never allow real economic and democratic reforms in Cuba. The Castro regime is lying when it claims that the downed aircraft were inside the 12-mile territorial limit recognized by international law. The first aircraft shot down was approximately five miles north of Cuban airspace, and the second was at least 16 nautical miles north of Cuban airspace. Four American citizens were killed.

As usual, the Clinton Administration's rhetoric was sharp, but its initial actions were timid. In fact, the President did not get tough with Castro until it became clear that there was strong bipartisan support in Congress for immediate tightening of the economic sanctions against Castro. As a result, on February 28, 1996, the Administration and Congress finally reached an agreement on a new version of the Cuban Liberty and Democratic Solidarity Act (H.R. 927, the "Libertad" bill) that is much tougher than the House and Senate versions passed last fall. The new provisions include:

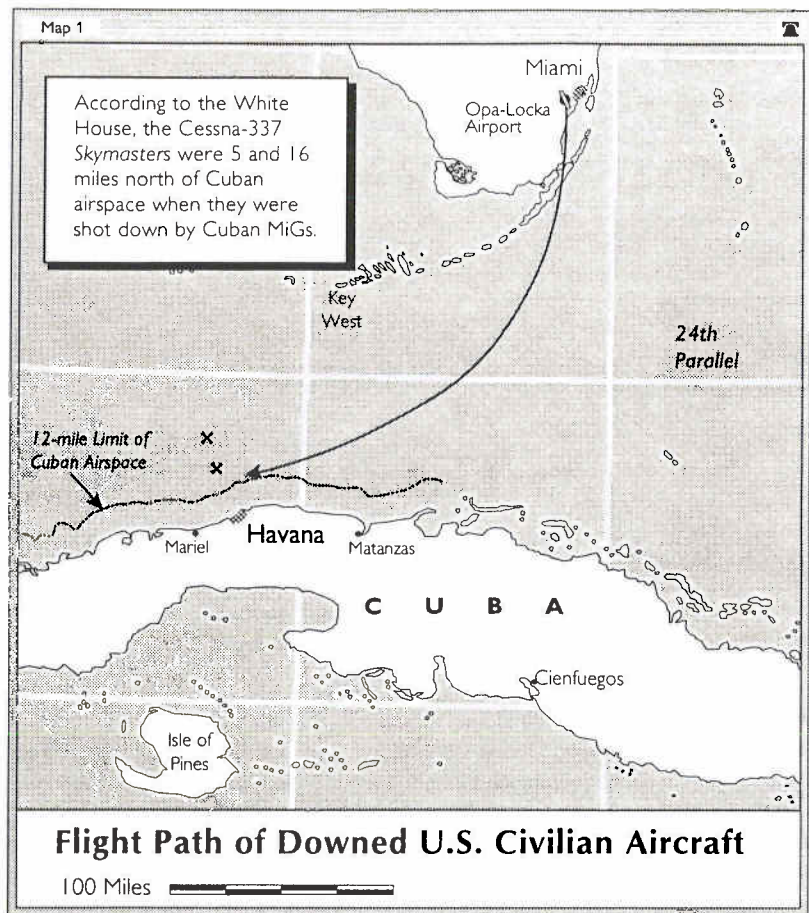
- ① **A section that gives the weight of law to all executive orders and regulations regarding Cuba**, thereby ensuring that the economic embargo against Cuba cannot be lifted by presidential order unless there is a democratic transition in Cuba without Castro.
- ② **The mandatory denial of U.S. visas to anyone**—corporate officers, principals, or shareholders—who acquires or uses American-owned property confiscated in Cuba by the Castro regime.
- ③ **The inclusion of Title III**, allowing U.S. citizens to use American courts to sue foreign companies and individuals who buy confiscated property in Cuba. This was not in the bill approved by the Senate last fall. However, to win Clinton's support, congressional negotiators agreed to language that gives the President the authority to waive the implementation of Title III for six-month periods. Since the waiver can be renewed, this means that Title III could be delayed indefinitely.

The Administration and Congress hailed the compromise package as the toughest bill ever passed to bring about the demise of Castro. However, while passage of the “Libertad” bill is a major step forward, Castro’s regime is not likely to be very impressed. In addition to tightening economic sanctions against Cuba, the U.S. government should make it clear to Castro that any further violations of international law or unprovoked military attacks against American citizens will be countered with appropriate and decisive force. Specifically, the U.S. government should:

- ✓ **Announce that the U.S. will enforce international laws in the region.** This means that Cuba’s so-called Air Defense Zone ends at the 12-mile limit established by international law, not the 24th parallel as claimed by the Castro regime. The U.S. should make clear to Cuba that

any more attacks against civilian aircraft or boats outside Cuba’s 12-mile territorial limit will prompt an immediate and proportional response by America’s armed forces. To make sure Castro gets the point, U.S. warplanes should patrol the Florida Straits below the 24th parallel and should respond to any provocation by Cuban air, sea, or ground-based forces both immediately and forcefully. A similar policy was pursued with regard to Libya. In February 1986, U.S. Navy aviators shot down two Libyan MIGs threatening them in international airspace over the Gulf of Sidra.

- ✓ **Inform Castro that a new refugee crisis will be considered a hostile act against the national security of the United States.** The Castro regime has agreed to abide by the immigration act signed in 1995 between the U.S. and Cuba. This agreement stipulates that up to 20,000 Cuban émigrés will be issued visas annually, that the Castro government will not permit any new mass departures by sea of illegal Cuban immigrants, and that any Cubans intercepted at sea by U.S. naval forces will be repatriated to a Cuban port. The U.S. should insist that all aspects of this agreement be respected by all parties.
- ✓ **Ban all cash remittances to Cuba from the U.S.** This undoubtedly would affect many Cubans who depend on regular remittances from their relatives in the U.S., but it also would deprive the Castro regime of a source of hard currency that now totals over \$500 million a year.
- ✓ **Prohibit all visits to Cuba by American citizens.** This prohibition should include journalists, academics, and business people and should be extended to include visits by way of third countries. Similarly, Cuban journalists, academics, and other professionals should not be



granted visas to visit the U.S. until the Castro regime allows independent Cuban professionals and opposition leaders the same travel privileges it allows its communist apparatchiks.

- ✓ **Declare that U.S. countermeasures are aimed at Castro, not the Cuban people.** Radio and television broadcasts to Cuba on Radio Martí and TV Martí should be expanded to inform the Cuban people that U.S. economic sanctions are directed not at the Cuban people, but at Fidel and Raul Castro. To undermine the Castro regime's efforts to rally the support of the Cuban people with anti-American communist propaganda, the U.S. should launch a vigorous, sustained effort to inform them that when Castro leaves power, the U.S. will lift the trade embargo, quickly restore Cuba's most favored nation status, and remain committed to supporting the economic and democratic reconstruction of Cuba. To make sure the broadcasts are beamed into Cuba, U.S. aircraft with broadcasting equipment should be stationed permanently in the international skies over the Florida Straits to break the Cuban government's jamming efforts. Any aggressive acts against these aircraft by Cuban forces should be countered immediately by American Navy and Air Force units patrolling the area.
- ✓ **Impose tight controls over the activities and movements of Cuban officials in the U.S.** Efforts by the Castro regime to spread its lies and propaganda in the U.S. should be banned. If the regime does not allow democratic and human rights groups to meet freely and openly in Cuba, and does not allow Americans to participate in such meetings, the U.S. should not allow Cuban officials to participate in any similar events within the United States. Moreover, any Cuban official who violates this restriction should be expelled from the U.S.
- ✓ **Declare that the U.S. opposes activation of the nuclear reactor in Cuba.** The U.S. should make clear to Castro that America will not allow Cuba to build and operate a nuclear reactor on the island, even if the reactor is to be used only for electrical power generation. Since 1991, construction of a nuclear reactor near Cienfuegos, about 130 miles east of Havana on Cuba's southern coast, has been stopped by a lack of funding to complete the project. Three-quarters of the construction needed to finish the project has been completed. The plant is not the same design as the Chernobyl reactor; it more closely matches safer ones built in East Germany during the Cold War. However, these plants were shut down by West German officials after unification because of their poor safety record, and the unfinished reactor in Cuba has been built with faulty rods and shoddy materials. If completed, Cuba's reactor could pose a broad safety risk to U.S. lives and property in Florida and the U.S. Southeast Coast.

