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“Evolución histórica de la cooperación bilateral oficial y no oficial entre Cuba y Estados Unidos. Su efecto para ambos países y respecto a terceros”

Panel 1: Desarrollo de las relaciones Cuba-EE.UU. durante la Administración Biden y perspectivas para 2024
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**The value of official and unofficial bilateral cooperation
between Cuba and the United States**

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Remarks

I would like to thank Ambassador Cabañas and his team at CIPI for inviting me to this important *conversación*.

We who have worked on our bilateral relationship, including almost everybody in this room, have been frustrated more years than not with the state of relations between our two governments. But these conversations and the discussions in our two capitals that they promote have been important, and knowing that smart people care has been a source of optimism.

In all but two of the past 64 years, our two governments have not found an effective way of communicating. I would argue, indeed, that both at times have maintained policies and programs spring-loaded to keep the bilateral relationship off balance. In the United States, we do it on an industrial scale, devoting tens of millions of dollars a year to initiatives to change Cuba. In the process, offices that used to be proud *policy* organizations have converted into *program* managers. Programs give bureaucrats something easy to do – established actions within established policies – and enable them to drop out of the debate of what we *should* do. The programs give them built-in constituencies on the Hill.

That’s why *reversal* of the historic normalization process launched by Presidents Barack Obama and Raúl Castro went so smoothly. Most of the bureaucrats were happy to go back to what Obama had called the “failed policies” of the past; there was no discernible resistance or debate. The “self-licking ice cream cone” of our programs marched on. The new ways of communicating between our governments were suspended. Programs and careers were safe.

The Trump Administration’s “maximum pressure” approach has also proven attractive to the Biden Administration. Biden’s former boss had declared – and Biden seemed to have agreed –

that “to impose policies that will render a country a failed state” was counterproductive, but Biden has kept all but a few Trump measures in place and actually strengthened implementation of some, such as denying ESTA visa waivers to Europeans who visit Cuba. As U.S. sanctions drive the Cuban economy into the ground, and drive Cubans to emigrate, the Administration is holding firm to the Trump policies.

Nonetheless, some positive aspects of the bilateral relationship and cooperation have endured albeit on a very limited basis – in people-to-people relations, migration, and security matters.

People-to-People Relations

Certain aspects of the people-to-people policies initiated in 1998-99, when President Clinton – after the disasters of the Brothers to the Rescue shootdowns and the Helms-Burton Act – determined that, if the two governments couldn’t get along, at least our two peoples could. Cubans and U.S. persons with shared affinities, based on faith or the arts or a shared commitment to caring for needy people, came to communicate and collaborate in a way their governments could not. It wasn’t about effecting “regime change,” but rather being neighbors. The policy came late in Clinton’s second term but had a sound foundation: Clinton believed that we should focus on national interests, not political; on people, not on a grudge match with political leaders; and on the future, not avenging the past. It worked.

Today, under the Trump/Biden policies, U.S. persons traveling under “people-to-people” are proscribed from staying at almost all hotels and required to commit to conduct only activities that are consistent with stated U.S. policies of promoting certain human rights, “a rapid, peaceful transition to democracy” as the United States envisions it, or “independent activity intended to strengthen civil society in Cuba.” This is far from the scope that President Clinton envisioned when he started the policy, and even more remote from what President Obama wanted. But at least the prohibition is not total.

Migration

Another area in which *at least a little* cooperation continues is migration. We all know that the Biden Administration finally resumed participation in the migration talks last year, even if it has put up relatively junior officials to read talking points to very senior representatives of the Cuban government. Unlike in Central America, where the United States acknowledges the “root causes” of migration, its talks with Havana instead have coordinated only a handful of technical matters. For example, Washington has slowly been restaffing U.S. Embassy positions closed after the alleged so-called “sonic attacks,” and the two sides have resumed arranging repatriation flights. That’s, of course, better than nothing.

Security

Cooperation in certain limited security areas has taken place in certain contexts since at least the late 1980’s. Even before, during, and after *Caso Número Uno*, we on occasion shared information, called “tippers,” about **narcotics** passing into or near each other’s waters and airspace. This was done with the utmost care to protect the information and utmost discretion to protect individuals from political recrimination. It was an important recognition by both sides – this was during the term of President George H.W. Bush – that national interests were more

important than rhetoric and political correctness. It was against a backdrop of successful negotiations at the end of the war in Angola, talks during which both sides set aside the rhetoric and did what was, coincidentally, in their mutual interest.

I can't quantify the number of narcotics interdictions and arrests such tippers led to, but the communication had value beyond law enforcement alone. It was valuable enough that President Clinton formalized and expanded it in 1998-99. He ordered the posting of a U.S. Coast Guard officer at the U.S. Interests Section to build on the evolving, mutually beneficial cooperation between professionals at the USCG Seventh District and Cuba's Ministry of Interior and its *Tropas Guardafronteras*.

While some bureaucrats objected and claimed there would be a backlash from a handful of Members of Congress, Clinton's position was that the national interest – dealing with the flows of migrants and illegal narcotics – superseded the short-term political grumbling from an entrenched constituency in Florida. (He was correct; the national-interest argument was very strong and complaints were minimal.) The State Department in has long seemed reluctant to tout the cooperation, but it's very significant operationally – and it shows that serious officials on both sides can do serious things.

Sharing information about **terrorist threats** has been another area that, at least during my time, has been above politics and rhetoric. During the Clinton Administration, even NSC colleagues known to be “tough” on Cuba never blinked about passing tippers to Cuban officials indicating a possible threat to President Fidel Castro inside the United States, in the Caribbean, and in Panama. I personally was involved on several occasions, and the result was that Cuban, local, and U.S. authorities were able to take effective action. (These were White House decisions, but the language of the tippers was always worked out by the agency or agencies producing the information.) On at least one occasion that I recall, we also received a Cuban tipper about a possible threat against a senior U.S. official, which enabled our security people to modify plans.

This cooperation may have bewildered Cuban officials – you would know better than I – because the U.S. government failed to prevent terrorist attacks against Cuba for many years, and declassified documents, such as those uncovered by the Church Committee, indicate that it actually sponsored some. Moreover, the U.S. government never fully investigated the horrific bombing of *Cubana de Aviación* Flight 455 in 1976, killing all 73 Cubans on board. One of the lead suspects, Luis Posada Carriles, was eventually tried on a minor immigration charge, not for his role in the bombing. Years later, the U.S. government sat on evidence from credible, untainted sources (reaching the U.S. government from outside U.S. intelligence channels) about Posada's possible role in the bombing of Havana hotels in 1997. The FBI did not question the accuracy of the information, but it took no action to investigate the U.S. persons who, the evidence suggested, funded the bombings. Despite this record of U.S. noncompliance with U.S. laws and international norms, Cuba accepted our tippers with professionalism.

Regarding what the Bush (43), Trump and Biden Administrations have done with Cuba on security matters, I have to admit up front that I do not know details. But I suspect such cooperation is much less than it could be. I remember occasions that the Bush-Cheney Administration tried to torpedo it entirely. In 2002, a senior Bush official alleged that the Cuban government was “impeding our efforts to defeat terrorism ... by feeding U.S. officials

misleading information” – beginning on 9/11 itself – “fabricated by Castro's intelligence apparatus.” He said, “This is not harmless game-playing – it is a dangerous and unjustifiable action that damages our ability to assess real threats.” The official claimed to have coordinated his statements with the Intelligence Community, which would mean with the National Intelligence Council. I was National Intelligence Officer at the time, and I had heard nothing of it – and I know that the 15 agencies of the Community would not have agreed with it.

Countries play spy games, for sure. Cat and mouse; false dangles; petty harassment; disinformation; etc. But this allegation was false and politically motivated – akin to the Trump Administration’s baseless decision to put Cuba back on the list of so-called state sponsors of terrorism and its decision to claim that Cuba is “not cooperating fully” in the U.S. fight against terrorism.

I don’t have factual knowledge of the trends in the Biden Administration, but I think it might be safe to say that – just as this State Department and NSC have been unwilling to take Cuba off the list of so-called state sponsors of terrorism and the list of so-called “not-fully-cooperating” nations, as all of the evidence demands – cooperation would appear to have been minimal, as it was during the Trump Administration. U.S. officials won’t say; maybe Cuban officials can clarify this without compromising promises Washington may have requested of them to keep it hush-hush.

The bottom line is that we have had important, sensitive, and responsible cooperation in the past – and the sky did not fall in. We have realized that actions in support of our national interests are OK even if they coincide with the interests of the other. But we have not done nearly enough.

Another panel in this conference will look more rigorously than I at the prospects for a return to past cooperation. They may tell us that a second-term Biden Administration may revive the Obama-Biden Administration’s normalization process, perhaps in its penultimate year (which would be 2027) as Obama did. A return to a policy based on our national interests would be ... well ... in our national interests.

Thank you.

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