

Last-minute deal: USA removes Cuba from terror list



U.S. Embassy in Havana (source: [Commons](#))

US President Joe Biden [officially revoked](#) the designation of Cuba as a “supporter of international terrorism” on Tuesday – in return, the country is releasing 553 prisoners.

In doing so, Biden reversed one of the last foreign policy decisions of his Republican predecessor, Donald Trump. On January 12, 2021, just days before leaving office, Trump had put the socialist Caribbean island back on the [list of “state sponsors of terrorism”](#).

The end of an arbitrary sanction

Besides Cuba, only North Korea, Iran and Syria are currently on the US list. Being listed on the list imposes massive restrictions on the affected countries' access to international financial markets and hinders their ability to do business with other countries and entities.

For international financial institutions, countries on the list are considered absolute [pariah states](#). When doing business with them or with entities based there, third parties also risk being targeted by the [US sanctions authority OFAC](#).

Representatives of various states and civil society actors had [sharply criticized](#) the island's renewed listing in recent years. Last February, a UN expert group warned that the listing adversely affected fundamental human rights such as the right to life, food, health, education, and economic and social rights, as well as the right to development.

Even top officials in the Trump and Biden administrations [described](#) the listing of Cuba as “absurd” in private. Former Colin Powell's former chief of staff called it “a fiction we created to support the rationale for the blockade.”

Cuba was first added to the US terror sponsor list in 1982 for supporting left-wing guerrilla organizations and was removed by former US President Barack Obama in 2015 after Havana became the host for peace talks between the FARC guerrillas and the Colombian government.

Biden reverses most of Trump's Cuba policy

In addition, further tightening of the [1960 economic blockade](#) has been reversed. Biden is repealing the right of action introduced by Trump under the third part of the Helms-Burton legislation from 1996.

The law, which was only activated years later by Trump, allows foreigners to legally assert claims to property confiscated after the victory of the 1959 revolution – a move that has massively worsened the investment climate on the island.

In addition, Biden suspended a blacklist of Cuban companies with which U.S. citizens and companies are not allowed to have business relationships.

This means that, shortly before the end of Biden's presidency, the most serious restrictions imposed by the first Trump administration have been lifted. Rather late, one might add, considering that Biden and Harris were already campaigning in the 2020 election for a return to Barack Obama's policy of normalization, but in practice they maintained Trump's Cuba policy almost throughout, with the exception of minimal steps.

The official review that was formally required to remove Cuba from the “terror list” dragged on without result for many years. In a statement from the White House, Biden then succinctly confirmed that the Cuban government had not supported international terrorism in the past six months – and at the same time he presented Secretary of State Antony Blinken, who only in mid-December [publicly stated](#) that there would be “no more changes to our policy” (regarding Cuba) under the current administration.

An unusually high price

To understand the background to the deal, it is important to bear in mind that it is a deal and not a “gift” from Biden.

Of the 553 prisoners that Cuba will release early in return, quite a few may have been arrested during the protests on July 11, 2021.

In the wake of the largest anti-government protests since the 1990s, over 800 people were sentenced to prison terms, some of them for many years, leading to massive international criticism of the government. There are also accusations of arbitrariness on the part of the authorities. For its part, Cuba [held the United States partly responsible for the outbreak of the protests](#) and pointed to a Twitter campaign financed from abroad.

Representatives of the Supreme Court [stated that](#) the prisoners in question were accused of various crimes and that individual case reviews were carried out after part of the sentence had been served on the basis of criteria such as age, illness, etc. They explicitly stated that this was not an amnesty. Cuba had offered multiple talks, with the mediation of the Vatican,

with which the island maintains good relations and which was also involved in the most recent development.

But why is such an agreement coming now, when Trump and his right-wing Secretary of State Marco Rubio are set to take office in a few days and threaten to undo everything?

From a Cuban perspective, the fact that a not inconsiderable number of those arrested will be released early in exchange for a relaxation of sanctions that may not even be in place for days would be an unusually high price. Why should Havana agree to this?

Agreements with Trump's team?

A possible answer to this question was provided by a spokesperson for the Biden administration, who [yesterday stated](#) that “the transition teams of the respective administrations of the Biden administration and the new Trump administration are in regular contact on a range of topics” and that the deal with Cuba “is among the topics they have discussed.”

It is difficult to imagine that Raúl Castro, who still has the last word on these issues in Cuba, would have accepted such a deal without corresponding promises from the incoming Trump administration. While Cuba may sometimes act naively and awkwardly in economic matters, the island is considered extremely adept at diplomacy.

For his part, Trump would be able to present his Cuban-American voter base in Florida with a humanitarian success story, and he would have more options vis-à-vis Russia and China, both of which are currently expanding their presence in Cuba.

But even if there were agreements to the effect that Trump will not return to his policy of “maximum pressure” on Cuba as announced and immediately reverse all relaxations, the question remains: what are such promises worth?

It would not be the first time that a US administration has failed to keep its promises, and Trump remains the most unpredictable wildcard in international politics. Only time will tell whether the agreement will help Cuba achieve a decisive breakthrough after years of economic crisis or whether the stakes were simply too high for Havana. ([Cubaheute](#))