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Cuba on the terrorist list: In defense of the nation or domestic political calculation?

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Preface

In July, the House of Representatives voted overwhelmingly to ease trade and travel restrictions on Cuba. Opponents of the decades-old sanctions argued that increased trade opportunities benefit U.S. businesses and that the travel ban violates the constitutional rights of American citizens. In August, House Majority Leader Dick Armey (R-TX) predicted that even if sanctions survived this year, “this will be the last year.”

After September 11th, embargo enthusiasts had counted on the Bush Administration’s inclusion of Cuba as a sponsor of terrorism to help maintain the shaky U.S. embargo. In July, Congressman Porter Goss (R-FL), chairman of the House Select Committee on Intelligence, offered an amendment to condition any liberalization of the travel ban on President Bush’s certifying that Cuba is no longer a state sponsor of terrorism.

Rep. Goss’s amendment was handily defeated in a full House vote and 15 of the 20 members of the House Select Intelligence Committee—the congressional body that has most access to classified intelligence—voted *against* the Goss amendment. The Congress clearly did not accept the Bush Administration’s allegations that Cuba is a terrorist state.

Congress is poised to move ahead with bipartisan legislation to relax trade and travel restrictions and

increase security cooperation. General Charles Wilhelm, former chief of U.S. Southern Command, calls Cuba a “47,000 square mile blind spot in [our] security rearview mirror.”¹ Wilhelm and many members of Congress believe that Cuba could be a key partner in stopping the flow of illegal drugs and migrants into the U.S.

After September 11th, countries around the globe are sharing intelligence in order to prevent further terrorist attacks. The United States has consistently declined Cuba’s offers of cooperation. Given the need for heightened border security, this refusal appears counterproductive.

Further, it should be emphasized that even if Cuba-specific sanctions, such as the 1996 Helms-Burton Act, were lifted, other measures would remain in place against Cuba until it is finally removed from the State Department

‘terrorism list’, as most analysts believe it long since should have been.

This policy report investigates early U.S. perceptions that Cuba supported terrorism, U.S. rationale for designating Cuba as a state sponsor of terrorism in 1982, the case for continuing to so designate it and the larger implications for U.S. foreign policy one year after September 11th.



General Charles Wilhelm, former chief of U.S. Southern Command, complains that U.S. refusal to cooperate with Cuba made the island “a 40,000 square blindspot in [his] security rearview mirror.”

¹ Prepared remarks by Gen. Charles Wilhelm at the National Summit on Cuba, National Press Club, Washington, DC, Sept. 17, 2002.

Early Cuban support for armed struggles

Some hard-line analysts claim the Castro regime has an unbroken record of support for terrorism from 1959 to the present. But this is to grossly simplify the historical record.

Fidel Castro came to power in 1959 vowing to turn the Andes into the Sierra Maestra of Latin America, i.e., to spread revolution throughout the hemisphere, and insisting that revolution could be brought about only through the barrel of a rifle. During most of the decade of 1960s, Cuba supported Latin American guerrilla groups in countries from Venezuela to Argentina, and as a result, in 1964, all members of the Organization of American States (OAS) – except for Mexico – broke diplomatic and trade relations with Cuba.

But Cuba's new allies in Moscow did not regard armed struggle as an appropriate tactic in Latin America. By the end of the decade, Castro had begun to listen. Armed struggle had achieved little. The guerrillas had been crushed in Venezuela. Che Guevara was defeated and killed in Bolivia in 1967. And then, in 1970, Salvador Allende, a socialist, was elected President of Chile. With that, Castro publicly acknowledged that armed struggle was *not* the only way for progressives to achieve victory in Latin America. He began to reach out to establish diplomatic relations with the same governments he had once vowed to overthrow.

In recognition of this more moderate Cuban policy, the OAS in 1975 voted to leave it to each member state to decide for itself whether to have diplomatic and trade relations with Cuba. Within a few years, most had re-engaged.

It was this moderation of Cuban policy that led the Nixon/Ford administrations to begin secret talks with Cuba looking to the improvement of relations. In 1977 the Carter administration reached an understanding with Castro, which led to the opening of Interests Sections in Havana and Washington so that the two governments could have direct diplomatic communications with one another.

Castro had not, however, given up support for armed struggle altogether. Targets of opportunity remained in Central America. Along with many other nations, Castro supported the Sandinistas in Nicaragua and then the FMLN guerrillas in El Salvador. In 1979, the Sandinistas succeeded in overthrowing the Somoza dictatorship and became the government of Nicaragua, with Cuba as a close ally.

The Reagan administration, which took office in 1981, responded by mounting a guerrilla offensive of its own in the form of the famous Contras, an armed group paid and armed by the U.S. with the purpose of overthrowing the Sandinista government. The Reagan Administration also increased military assistance to the Salvadoran army. Civil war raged in El Salvador and Nicaragua during most of the 1980s. There were various diplomatic initiatives by the Mexicans, the Central Americans and even the Cubans to end the fighting, but these were rejected by the United States, which was intent on crushing the revolutionaries militarily.

Thanks to the initiative of President Oscar Arias of Costa Rica, in 1986 a general peace accord was hammered out in Esquipulas, Guatemala, and was signed by all five Central American presidents a year later. The United States supported the Arias Plan reluctantly but finally, stand-

ing alone, gave in. Cuba supported—and honored—the Esquipulas accord.

Cuba in Africa

In the 1960s and early 1970s Cuba lent support to independence movements in Algeria, Guinea-Bissau and the Congo. In 1975, Cuba became involved in a major way in the civil war in Angola.²

Before leaving Angola, the Portuguese government brought together the three contending liberation groups – the MPLA, led by Agostinho Neto and sup-

CUBA'S DESIGNATION ON THE TERRORISM LIST IMPOSES FOUR SETS OF ECONOMIC SANCTIONS THAT REMAIN IN FORCE EVEN IF CUBA-SPECIFIC SANCTIONS SUCH AS THE 1996 HELMS-BURTON ACT ARE REPEALED:

1. *A ban on arms-related exports and sales;*
2. *Controls over exports of dual use items, [dual use includes medical technologies];*
3. *Prohibitions on economic assistance; and,*
4. *Financial and other restrictions, including:*
 - *U.S. opposition to World Bank and other international financial institution loans;*
 - *Denial of company and individual tax credits for income earned in terrorist list countries;*
 - *Denial of duty-free treatment for goods exported to the United States;*
 - *Prohibition of any U.S. person engaging in a financial transaction with terrorist list government without a Treasury Department license*

² See the book *Conflicting Missions: Havana, Washington and Africa 1959-1976*, by Piero Gleijeses. The author gained access to previously classified documents from 6 different countries and sheds new light on U.S., Cuban and South African involvement in the Angolan civil war.

ported by the Soviets and the Cubans; the FNLA, led by Holden Roberto and supported by the United States and Zaire; and UNITA, led by Jonas Savimibi and initially supported by South Africa and eventually by the United States. Under pressure from the Portuguese, the three agreed to share in a transitional government until elections could be held following independence.

Instead of supporting the Alvor accords and using its influence to achieve peace, the United States chose to fund Holden Roberto & the FNLA.

Shortly thereafter, Roberto's FNLA, backed by regular troops from Mobutu's Zaire, and accompanied by CIA advisors, began attacking the MPLA. Despite U.S. support, Roberto's forces fared badly. The U.S. response at each step was to escalate its support for Roberto, though neither Secretary of State Henry Kissinger nor President Gerald Ford acknowledged any U.S. involvement.

Washington's support for Roberto proved futile. Neither Roberto's nor Mobutu's troops fought well—if they fought at all. Hence, as Angola moved toward independence (set for November 11, 1975), the MPLA retained control of most provinces and the capital city, Luanda. Something had to be done.

That something was the invasion of Angola by South African forces which began on October 14, 1975. There is no documentary evidence confirming U.S. complicity, but from October 14 until mid-

November, when thousands of Cuban troops began to arrive, the United States never criticized the South African invasion.

The Cuban troops stopped the South Africans in their tracks. The United States claimed that the Cuban intervention was unprovoked—even though South African forces had clearly intervened first. And U.S. complicity was later demonstrated by Defense Minister P.W. Botha's statements to the South African Parliament in April of 1978. . . . South Africa had crossed into Angola, he said, "with the approval and knowledge of the Americans. But they left us in the lurch."³

President Ford labeled Castro an "international outlaw" and described the sending of Cuban troops to Angola as a "flagrant act of aggression." But if backing one of the contending factions in the Angolan civil war was a matter of supporting 'terrorism,' then the United States was guilty as well.

In 1978, Cuba came to the assistance of Ethiopia after it was invaded by Somalia. Ethiopian-Cuban forces expelled the invaders, but they did not then cross into Somalia, and eventually Cuban forces withdrew altogether from the Horn of Africa.

Cuba had been pressing for peace talks in Angola since the early 1980s. South Africa had refused but as the tide of battle turned against it in 1987, it finally agreed to talk. Negotiations brokered by the Soviet Union and the United States resulted in the with-

In his own words, Wayne Smith, Chief of the U.S. Interests Section in Havana from 1979 to 1982, describes an overture in 1981-82 in which the Cubans urged negotiations in Central America and between the U.S. and Cuba:

"Cuba had signaled several times during 1981 that it was interested in a dialogue with the United States and in negotiating several of the disagreements that separated us. In November of 1981, Cuban Vice President Carlos Rafael Rodriguez stated as much to Secretary of State Al Haig during a brief meeting in Mexico. Haig's response was that the U.S. was not interested in words; it wanted to see actions.

The following month, in December of 1981, a ranking Cuban official informed me that Cuba had halted all arms shipments to Central America, including even those to Nicaragua. Cuba hoped, he said, that this would improve the atmosphere for negotiations in Central America, and also between our two governments.

I reported the conversation to the Department of State and asked if we had any evidence that contradicted what the Cuban official had said? Did we have evidence of continuing Cuban arms shipments? If not, I commented, then it seemed to me that we might indeed explore the possibility of talks – both in Central America and between Washington and Havana.

Haig, after all, had called for "actions." The suspension of arms shipments to Central America was just such an "action," a major Cuban concession. It was clearly in our interests to respond by beginning preliminary discussions.

It took some time – and persistence – to get a response. "No", the Department answered finally, we did not have hard evidence of new Cuban arms shipments to Central America. It became clear, however, that that really did not matter, because the bottom line was that the U.S. was not interested in negotiations in Central America – not at that point in any event – and certainly not in a dialogue with Cuba.

There was never any response to this overture from the Cubans – except that in the same year, 1982, the Reagan administration placed Cuba on the list of 'state sponsors of terrorism' because of its support for the FMLN guerrillas in El Salvador."

³ *Ibid.*

drawal of South African forces from Angola and Namibia and of Cuban troops from Angola. Namibia became independent and, by 1991, all Cuban troops had left Africa.

Cuban policies after the Soviet collapse

Even though Cuba had favored negotiations in Central America, and even tried to promote them, in 1982 it was placed on the list of terrorist nations by the Reagan administration because of its support for the guerrillas in El Salvador. With the end of the conflicts in Central America, brought about by the Esquipulas accords in 1987, the grounds for including Cuba on the list, however strained initially, disappeared – and, many would argue, disappeared altogether with the end of the Cold War.

At the 30th anniversary missile crisis conference in Havana in 1992, Castro stated publicly that Cuba was no longer providing material support to revolutionary groups trying to overthrow established governments – not in Latin America or anywhere else in the world.⁴ In 1992, the State Department's annual report, *Patterns of Global Terrorism*, noted that the Castro government was no longer training or funding rebel groups: "Fidel Castro has impressed upon some of the insurgent leaders the need to make peace. In the past year Castro has welcomed the peace accord in El Salvador and has publicly advised Guatemalan and Colombian insurgents to negotiate seriously to end the armed struggle."⁵

In 1993, the State Department noted that Cuba had "minimized its ties to [subversive] groups in an attempt to upgrade diplomatic and trade relations."⁶

Cuba was not, however, removed from the terrorist list, even though from 1993 until 1999 State Department reports acknowledged that "Cuba no

longer actively supports armed struggle in Latin America and other parts of the world."⁷

During the 1980s, the United States had indicated to Cuba that if it were to withdraw its troops from Africa, stop supporting armed struggle in Central America and elsewhere and reduce its military ties with the Soviet Union, the United States would then be prepared to begin a significant improvement of relations.⁸

By 1992, all of those conditions had been met. Rather than improving relations as the United States had pledged, Washington did the exact opposite; the U.S. Congress passed the Cuban Democracy Act, which tightened the embargo still further. As Richard

Nuccio, President Clinton's special advisor on Cuba, put it at the time: "We've just moved the goal posts."

Nuccio maintains that by the mid 1990s, Cuba no longer belonged on the terrorist list: "In the 1980s, in the '60s and '70s, in several different countries, Cuba clearly created a guiding role in forging linkages for guerilla groups...The real issue was after the Soviet links with Cuba dissolved in the early 1990s, was Cuba still doing these things? The judgment was no."⁹

In 1998, the Pentagon released a comprehensive report—prepared by the Defense Intelligence Agency in conjunction with the Central Intelligence Agency, the Department of State Bureau of Intelligence and Research, the National Security Agency, and the United States Southern Command Joint Intelligence Center—which concluded that Cuba did not pose a threat to U.S. national security.¹⁰ In response to Senator Bob Graham's (R-FL) and Cuban American lawmakers' adamant protests, the report, to which



Billboards in downtown Havana and in the Cuban countryside illustrate Cuba's position in the war on terrorism:

"Cuba against terrorism and against war."

⁴ James Blight, Bruce Allen and David Welch, *Cuba on the Brink*. Rowman and Littlefield: Lanham, MD, 2002.

⁵ *Patterns of Global Terrorism*, Office of the Secretary of State, Office of the Coordinator for Counter-terrorism, April 30, 1992.

⁶ *Patterns of Global Terrorism*, Office of the Secretary of State, Office of the Coordinator for Counter-terrorism, April 30, 1994.

⁷ See *Patterns of Global Terrorism* for 1993-1999. Available at: <http://www.state.gov>

⁸ See Wayne S. Smith, *The Closest of Enemies: a personal and diplomatic history of the Castro years*, W.W. Norton: New York, 1987.

⁹ Vanessa Bauza, "Cuba expresses its sympathy for U.S. terrorism victims," *South Florida Sun Sentinel*, Sept. 16, 2001.

¹⁰ *The Cuban Threat to U.S. National Security*, prepared by the Defense Intelligence Agency in coordination with the Central Intelligence Agency, the Department of State Bureau of Intelligence and Research, the National Security Agency, and the United States Southern Command Joint Intelligence Center pursuant to Section 1228 of Public Law No. 105-85, 111 Stat. 1943-44, Nov. 18, 1997.

dozens of analysts had contributed, underwent an additional review. When the report came back and its findings were unchanged, Defense Secretary William Cohen obligingly attached a memo to the report that warned of the Cuba's biotech capability.¹¹

Before the September 11th attacks, the State Department's "terrorist list" had little impact on Capitol Hill or in the media. Though it might be demonstrated that Cuba no longer belonged on this list, absent a louder constituency, a handful of embargo supporters in Congress was able to table discussion of removing Cuba from it.

After the shock of September 11th and the war on terrorism that has ensued, America has turned to its ready-made "terrorist list" to identify countries of concern. Cuba's conduct contrasts sharply with that of Iraq, Iran, Libya, Syria, Sudan and North Korea.¹²

Cuba's response to September 11th attacks

Within hours of the September 11th terrorist attacks, the Cuban government issued a statement in which it condemned the attacks and rued the "distressing and unjustifiable loss of human lives."¹³

The statement went on to say, "In this bitter hour, our people is in solidarity with the American people, and expresses its absolute willingness to cooperate, to the extent of its modest resources, with American health and humanitarian institutions in taking care of, and rehabilitate the victims of today's events."¹⁴

The Cuban government also immediately offered its airspace to U.S. aircraft that were still en route to the United States when the FAA closed American airspace on September 11th.¹⁵

That weekend, thousands in Cuba marched "in solidarity with the American people during the national tragedy they are living through."¹⁶

¹¹ Christopher Marquis, "Report downplaying Cuban threat back for review," *The Miami Herald*, April 8, 1998; Christopher Marquis, "Cuba still no threat, Pentagon insists," *The Miami Herald*, May 8, 1998.

¹² *Patterns of Global Terrorism*, Office of the Secretary of State, Office of the Coordinator for Counter-terrorism, May 21, 2002.

¹³ Statement by the Government of the Republic of Cuba, Havana, Cuba, Sept. 11, 2001.

¹⁴ *Ibid.*

¹⁵ Andrew Cawthorne, "Cuba offers aid and 'solidarity' to the U.S.," Reuters, Sept. 11, 2001.

¹⁶ "Cuba rallies against terrorism, supports the American people," The Associated Press, Sept. 16, 2001; Vanessa Bauza, "Cuba expresses its sympathy for U.S. terror victims," *South Florida Sun-Sentinel*, Sept. 17, 2001.

In a September 22 speech, Castro categorically condemned all terrorism as an "ethically indefensible phenomenon which must be eradicated." He vowed that, "The territory of Cuba will never be used for terrorist actions against the American people and we will do everything within our power to prevent such actions against that people."¹⁷

Cuba also quickly signed and ratified all 12 United Nations resolutions against terrorism that followed September 11th.

Despite these public rejections of terrorism by Castro and Cuba's responsible conduct, the State Department insisted in its 2001 report, *Patterns of Global Terrorism*, "Castro continued to view terror as a legitimate revolutionary tactic."

September 11th reopens debate, old wounds

Only a month after the September 11th attacks, Cuba marked the 25th anniversary of its own worst terrorist attack: the October 1976 bombing of a Cubana airliner in which all 73 passengers aboard were killed. The bombing was orchestrated by two Cuban exile terrorists and was the first airliner bombing of its kind.¹⁸

The anniversary struck a chord in both Cuba and the United States that it would not have otherwise, and 40 years of Cuban exile terrorist acts in the United States, Cuba and Latin America gained new relevance. The first Bush administration's 1989 pardon of Orlando Bosch—the exile terrorist

who masterminded the Cubana airliner bombing and some 30 acts of terrorism documented by the FBI—was revisited by several national newspapers in the United States.

Although Castro unwaveringly condemned terrorism, he ruffled feathers in Washington when he expressed alarm at the prospect of a seemingly open-ended war that he feared would entail, as President Bush had said, "every necessary weapon of war," and that would result in the loss of many more civilian lives. Cuba's foreign minister infuriated the United States when in a November 2001 speech at the United Nations he said, "It would seem that this war [in

"In this bitter hour, our people is in solidarity with the American people, and expresses its absolute willingness to cooperate, to the extent of its modest resources, with American health and humanitarian institutions in taking care of, and rehabilitate the victims of today's events."

—Statement released by the government of Cuba on September 11, 2001

¹⁷ Speech by Fidel Castro, San Antonio de los Baños, Sept. 22, 2001.

¹⁸ David Binder, "Two nations report anti-Castro exiles have plotted many terrorist acts," *The New York Times*, October 21, 1976.

Afghanistan] has targeted children, the civilian population and the International Red Cross hospitals and facilities as enemies.”¹⁹

Despite its misgivings about the U.S.-led war in Afghanistan, Cuba, surprisingly, did not protest the U.S. internment of ‘enemy combatants’ at the U.S. naval base at Guantanamo,²⁰ and Raul Castro promised to return any detainees who might escape from U.S. custody.²¹ The Cubans also offered medical aid to the Pentagon and permitted U.S. C-141 transport planes to over fly Cuban airspace.²²

In November, the island was devastated by Hurricane Michelle and the United States offered to send representatives to assess the damage and deliver aid to nongovernmental entities. Cuba thanked the United States for its offer and asked instead to buy U.S. foodstuffs on an expedited basis. The State Department allowed the transactions to be expedited and the first U.S. food sales to Cuba were made in late 2001.

Analysts speculated on an imminent warming of relations, but by early 2002, though more than 30 states across the nation had benefited from food sales to the island, the State Department began to complicate further transactions by denying visas to Cuban agriculture and trade officials invited by U.S. farm groups.

Cuban trade and cultural delegations are now further complicated by the passage of the USA Patriot Act, which imposes vigorous controls on entry visas for nationals from countries designated as state sponsors of terrorism.

In the spring of 2002, Cuba arrested a suspected Colombian drug-trafficker wanted by the United States and asked the United States to sign bilateral agreements to fight narco-trafficking and terrorism. The State Department declined the offer but at the

same time accused Cuba of being “uncooperative” in the war against terror.²³

Later in May, the State Department issued its 2001 report, *Patterns of Global Terrorism*,²⁴ which included a revamped, albeit short, argument justifying Cuba’s designation on the terrorist list.

Despite Cuba’s continued designation as a state sponsor of terrorism, which the Castro government has strenuously rejected, Cuba maintained its efforts to demonstrate its solidarity with the American people and held the first 4th of July gala in four decades in Havana’s Karl Marx Theater this year. And on September 11, 2002, the Cuban military gave a rare tour to journalists of the Cuban-controlled area just outside the U.S. detainment camp inside Guantanamo base. Cuban Brigadier General Jose Solar called the September 11th attacks a “crime” that “has no justification.”²⁵

In September 2002, U.S. agriculture and business interests joined Cuban American advocacy groups in urging the lifting of



A Cuban border guard surveys the area outside the U.S. naval base in Guantanamo. Raul Castro promised to return any Afghanistan detainees who might escape.

trade and travel restrictions against Cuba at the National Summit on Cuba in Washington, DC. In addition to inviting members of Congress and former U.S. military and intelligence officials to assess Cuban impact on U.S. national security, the Summit’s organizers invited Deputy Assistant Secretary of State Dan Fisk to offer the Bush administration’s perspective on U.S. policy towards Cuba.

Fisk rankled Summit attendees when he claimed that Cuba had been “impeding our efforts to defeat the threat of terrorism” by offering U.S. intelligence officials almost one lead a month since September 11th. According to Fisk, these leads “did not check out,” and in fact weakened “our ability to assess real threats,” by using up precious time and resources to investigate them.²⁶

Ironically, only hours before Fisk had complained of a drain on resources for the war on terrorism, Rep.

¹⁹ Speech by Felipe Perez Roque to the United Nations General Assembly, 56th session, Nov. 13, 2001.

²⁰ Following the U.S. victory in the Spanish-American war, the United States insisted on a U.S.-Cuban treaty that would lease Guantanamo naval base to the U.S. “in perpetuity.” The lease can only be broken if both parties agree. As a sign of protest, the Castro government has refused to accept any rent payments in more than forty years.

²¹ Mary Murray, “Cuban general joins anti-terror fight,” NBC news, Jan. 22, 2002.

²² *Ibid.*

²³ “Cuba seeks deals with U.S. to fight terror, migrant smuggling, drugs,” Agence France Presse, March 19, 2002.

²⁴ *Patterns of Global Terrorism*, 2002, *ibid.*

²⁵ “Cuban general criticizes Cuba’s inclusion on US terror list,” *The Wall Street Journal*, Sept. 11, 2002.

²⁶ Prepared remarks by Dan Fisk at the National Summit on Cuba, National Press Club, Washington, DC, Sept. 17, 2002.

Jeff Flake (R-AZ), an advocate of de-funding the travel ban, objected to Treasury Department resources being diverted from tracking real terrorists' activities to instead tracking down American citizens—well within their constitutional rights—who travel to Cuba.²⁷

Senator Byron Dorgan (D-ND) raised the same objection, at a hearing he chaired on travel ban enforcement earlier this year: “There is a greater need to deal with the terrorist threat these days than the threat of a retired teacher bicycling through Cuba,” Dorgan insisted.²⁸ Treasury Secretary Paul O’Neill admitted in his senate testimony that he favored freeing up his department’s Cuba travel ban resources for tracking terrorist funding instead.²⁹ When two Cuban American lawmakers demanded that O’Neill be fired for his remarks, the White House issued a statement saying that O’Neill was not proposing lifting the travel ban.³⁰

The State Department’s case against Cuba

The 2001 terrorism report, as in previous years, accuses Cuba of links to Colombian rebel groups and of harboring Spanish and U.S. fugitives. It also speculates on a possible past Cuban connection to two suspected rebels who turned up in Colombia and Brazil last year. All five arguments are examined below.

Basque separatists living in Cuba

The terrorism report refers to some 20 Basque ETA members living in Cuba. As Cuba analysts well know, many of those Basques came to live there as the result of an agreement with the previous government of Felipe Gonzalez (1983-1996) in Spain.

The State Department offers no evidence that any of the Basques living in Cuba today are involved in any terrorist activities. Though the present Spanish government does not consider the Gonzalez agree-

ment still operative, it has not asked for the extradition of any of the Basques that may be living in Cuba.³¹

In November 2000, two suspected ETA members sought asylum in the Cuban Embassy in Madrid. Cuban officials turned the suspects in to Spanish authorities, for which the Spanish foreign minister publicly thanked Cuba.³² In May 2002, the president of the autonomous Basque republic of Spain paid a state visit to Cuba, which he would not have done had he believed Cuba to be supporting ETA or its members.

The Colombian FARC and ELN

The terrorism report also asserts that Cuba has provided “some degree of safe haven and support to members of the Colombian FARC [Revolutionary Armed Forces of Colombia] and ELN [National Liberation Army] groups.”³³

In contrast with the State Department’s assessment, however, the conservative Pastrana administration (1998-2002), which signed drug interdiction and drug trafficker extradition agreements with Cuba in 1999, publicly embraced Cuba’s contact with the rebel groups as key to brokering peace.³⁴ The Havana –sponsored meetings with the ELN and the Colombian government that were cited in the 1999 terrorism report were actually peace talks. Havana sponsored

another round of peace talks late in 2001 and early in 2002.³⁵ The recently-inaugurated Uribe administration in Colombia also has begun preliminary talks with the ELN in Cuba.³⁶

In April 2002, the commander of Colombia’s armed forces, General Fernando Tapias, testified before the House Committee on International Relations



“There is no information ...that Cuba is in any way linked to terrorist activities in Colombia today. Indeed Cuban authorities are buttressing the peace movement.”

—General Fernando Tapias, then-commander of Colombia’s armed forces, before the House Committee on International Relations, April 24, 2002

²⁷ Prepared remarks by Congressman Jeff Flake at the National Summit on Cuba, National Press Club, Washington, DC, Sept. 17, 2002.

²⁸ Carolyn Skorneck, O’Neill Favors Law Changes on Cuba, The Associated Press, March 14, 2002.

²⁹ Carolyn Skorneck, *ibid.*

³⁰ Fire O’Neill for remark on Cuba, Bush is urged. *The Miami Herald*, March 16, 2002; O’Neill veers from Bush policy, The Associated Press, March 15, 2002.

³¹ The Center for International Policy consulted with the Spanish Embassy in Washington, DC prior to writing this report.

³² Al Goodman, “Suspected ETA Members Arrested,” CNN.com, Nov. 7, 2000; “Alleged ETA terrorists held after Cuban asylum bid fails,” Agencia EFE, Nov. 7, 2000.

³³ *Patterns of Global Terrorism*, 2002, *ibid.*

³⁴ Dalia Acosta, “Castro strengthens vital ties with Colombia, Venezuela,” InterPress Service, Jan. 18, 1999; Tim Johnson, “Colombian leader takes new stance on Cuba ties,” *The Miami Herald*, Jan. 17, 1999; “Colombia’s president wins Castro’s support in seeking peace with rebels,” CNN.com, January 16, 1999.

³⁵ David Schweimler, “Stalled Colombian peace talks restart in Havana,” BBC.com, Jan. 30, 2002.

³⁶ “Colombia, rebels held meetings in Cuba,” Reuters, Sept. 12, 2002.

that, “there is no information ...that Cuba is in any way linked to terrorist activities in Colombia today...Indeed Cuban authorities are buttressing the peace movement...this is the information that I have from the president and the commissioners....”³⁷

Cuba was already an important player in the Colombian peace process before the Pastrana administration. In 1996 rebels kidnapped Juan Carlos Gaviria, the brother of OAS Secretary Cesar Gaviria (former president of Colombia). Gaviria called on Fidel Castro to mediate the crisis with the rebels who had threatened to kill their hostage. Cuban emissaries negotiated the release of Juan Carlos Gaviria; as part of the agreement, the rebel kidnapers were exiled to Cuba.³⁸

One of the two specific cases raised by the 2001 report is that of Niall Connolly, one of three alleged IRA [Irish Republican Army] members arrested in Colombia on suspicion of providing explosives to the FARC. The May 21 report says Connolly had been based in Havana for a number of years, which the Cuban government has corroborated. The Cuban government issued a statement in August 2001 saying that Connolly had been the representative in Havana of Sinn Fein, the political arm of the IRA. According to the Cubans, he had left Cuba and returned to Ireland some time earlier. Subsequently, he turned up in Colombia.³⁹

However, since the Colombian government’s position as of last April was that Cuba is not “in any way linked to terrorist activity in Colombia,” the State Department’s concerns regarding Connolly’s activities in Colombia—whatever those activities may have been— or regarding Cuban contact with the rebels are clearly not shared by Colombia itself.

Chilean terrorists harbored?

The May 21 report raises “the strong possibility

³⁷ House Committee on International Relations hearing on Global Terrorism and Illicit Drugs, FDCH political transcripts, April 24, 2002.

³⁸ Gerardo Reyes, “Solution to brother’s kidnapping backfires on Gaviria,” *The Miami Herald*, Oct. 31, 1996.

³⁹ Christopher Walker, David Adams, and Daniel McGrory, “IRA suspect is Sinn Fein’s Cuba envoy,” *The Times* (London). Aug. 18, 2001; Andrew Cawthorne, “Gerry Adams visits Cuba,” Reuters, Dec. 17, 2001.

that in the mid-1990s, the Cuban Government harbored FPMR (Frente Patriótico Manuel Rodriguez) terrorists wanted for murder in Chile.”

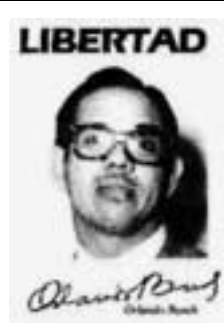
However, the State Department neglected to report the findings of the Chilean government itself, which in February sent a group of senators to Cuba to investigate. They returned satisfied with Cuban explanations and convinced that Cuba had not harbored any of the Chilean terrorists.⁴⁰

U.S. fugitives living in Cuba

As in previous years, the 2001 report raises the issue of American fugitives living in Cuba, most of whom came to live in Cuba in the 1970s. The report does not suggest that any of the fugitives are engaged in terrorist activities.

A September 2 article in *The Washington Post* reported that the Bush administration is linking the return of U.S. fugitives such as Guillermo Morales—a Puerto Rican separatist who escaped police custody in 1979 and now lives in Cuba—to the war against terrorism.

The article notes that there are many fugitives Cuba wants returned as well. “Cuba would be willing

	<p>“The conclusion is inescapable that it would be prejudicial to the public interest for the United States to provide a safe haven for [Orlando] Bosch. . . the security of this nation is affected by its ability to urge credibly other nations to refuse aid and shelter to terrorists, whose targets we too often become.”</p> <p>—The associate attorney general ordered Orlando Bosch—Cuban exile mastermind of the 1976 Cubana airliner bombing and 30 acts of terrorism documented by the FBI—deported in 1989. Rep. Ileana Ros-Lehtinen (R-FL) and her then-campaign manager, Jeb Bush, among others, pressured the first Bush administration for Bosch’s release, achieved in 1990. Bosch lives in Miami.</p>
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to negotiate on this issue as an issue of equity,” a Cuban official told the *Post*. “There are many people who have committed crimes in Cuba who are living in the United States.”⁴¹

First among the fugitives Cuba likely wants returned is Orlando Bosch, who was set free by the first Bush administration after intense lobbying by South Florida political leaders such as Ileana Ros-Lehtinen and Jeb Bush.⁴²

⁴⁰ Chile descarta que Cuba preste ayuda a un grupo terrorista. *El Pais*. Feb. 23, 2002.

⁴¹ Mary Jordan, “Fugitives sought by U.S. find a protector in Cuba: Administration ties return of felons to anti-terror effort,” *The Washington Post*, Sept. 2, 2002.

⁴² David Hancock, “U.S. decides to deport Bosch; terrorist activities are cited,” *The Miami Herald*, June 24, 1989; Christopher Marquis, “Indignant exiles rally for Bosch,” *The Miami Herald*, June 25, 1989; Jeffrey Schmalz, “Furor over Castro foe’s fate puts Bush on spot in Miami,” *The New York Times*, Aug. 16, 1989; “The Bosch case does violence to justice,” *The New York Times*, July 20, 1990; Mark Lacey, “Political memo; resurrecting ghosts of pardons past,” *The New York Times*, March 4, 2001; *Examples of controversial pardons by previous presidents*, A report prepared by minority staff, Committee on Government Reform, U.S. House of Representatives, April 20, 2001.

On July 20, 1990 *The New York Times* editorialized, “The release from jail of Orlando Bosch is a startling example of political justice. The Justice Department, under no legal compulsion but conspicuous political pressure, has let him out, winning cheers from local politicians—and squandering American credibility on issues of terrorism.”

Since his release, Bosch has continued to urge exiles to send arms to Cuba.⁴³ When questioned on the 1976 airliner bombing, Bosch said, “You have to fight violence with violence. At times you cannot avoid hurting innocent people.”⁴⁴ Recently he wrote an article in the Hispanic weekly *Diario las Americas* calling Cuban dissidents behind the Varela Project “pacifist traitors.”⁴⁵

Article VI of the 1904 U.S.-Cuban extradition treaty, which has been inoperative for more than forty years, barred the return of fugitives wanted for political crimes, which, as a precedent, would complicate the return of fugitives like Bosch and Morales.⁴⁶ Cuba claims it has accepted fugitives such as Morales because of their political motives.⁴⁷ This is also the response of the Cuban American far right regarding Bosch, who remains a folk hero to hard-line exiles in Miami.⁴⁸

A new treaty will have to be negotiated, but until that occurs, Cuba is unlikely to respond favorably to a unilateral demand for the return of U.S. fugitives.

Bioweapons: fact or fiction?

On May 6, 2002, just days before President Jimmy Carter was to travel to Cuba and just two weeks before President Bush’s scheduled appearance at a Miami fundraiser for his brother, Undersecretary for Arms Control John Bolton told an audience at the conservative Heritage Foundation that, the U.S.

believes that “Cuba has at least a limited offensive biological warfare research and development effort.”⁴⁹

Though analysts agree that Cuba has a highly sophisticated bio-tech industry which manufactures a number of advanced vaccines, Bolton’s public accusation was unexpected, particularly as only six months earlier, in a November 19th speech in Geneva, Bolton named six countries whose bioweapons capability was of concern: Iran, Iraq, Libya, North Korea, Sudan and Syria; Cuba was not among them.⁵⁰ The discrepancy between the two lists begs the question: did Cuba develop overnight bioweapons capability that now necessitates U.S. monitoring?



Undersecretary for Arms Control John Bolton did not offer any evidence to support his May 6th bioweapons charges against Cuba.

Bolton’s speech offended former President Jimmy Carter, who revealed, after his visit to the Center for Biotechnology and Genetic Engineering in Havana, that he had asked the high level White House and State Department intelligence experts who briefed him before his May trip to the island about any “possible terrorist activities that were supported by Cuba.” Carter went on, “I asked them specifically on more than one occasion is there any evidence

that Cuba has been involved in sharing any information to any other country on earth that could be used for terrorist purposes. And the answer from our experts on intelligence was *no*.”⁵¹

Secretary of State Colin Powell has sought to clarify Bolton’s charges, insisting that “We didn’t say it actually has some weapons but that it has the capacity and capability to conduct such research.”⁵²

The Cuban biotech industry is indeed sufficiently advanced technically that it would be capable of producing biological weapons, but this capability, as Rep. Jim McGovern (D-MA) pointed out last July in a House floor debate on lifting the travel ban to Cuba, is shared by “every single country in the world that produces aspirin.”⁵³

⁴³ Alfonso Chardy, “Send guns, cash to Cuba, Bosch urges exiles at rally,” *The Miami Herald*, Oct. 12, 1991.

⁴⁴ Appendix to hearings before the Select Committee on Assassinations of the U.S. House of Representatives, Ninety-fifth Congress, second session, vol. X: Anti-Castro activities and organizations, etc., March 1979, pages 89-93.

⁴⁵ Orlando Bosch, “Plan Varela vs. Castro-Osvaldo Paya,” *Diario las Americas*, June 16, 2002.

⁴⁶ See Treaty Series 440, 33 Stat. 2265, Article VI.

⁴⁷ Mary Jordan, *ibid*.

⁴⁸ “Two more cities set aside days to honor Bosch,” *The Miami Herald*, March 26, 1983; Jay Ducassi and Ana Veciana-Suarez, “Miami votes to let Bosch have his day,” *The Miami Herald*, March 25, 1983.

⁴⁹ “Beyond the Axis of Evil,” May 6, 2002, *ibid*.

⁵⁰ Alexander Higgins, “US accuses six nations of bio weapons,” *The Associated Press*, Nov. 19, 2001.

⁵¹ Statement by Carter in Cuba after his visit to the Center for Genetic Engineering and Biotechnology in Havana, *The Associated Press*, May 13, 2002.

⁵² “Powell eases off U.S. accusation on Cuba weapons,” *Reuters*, May 13, 2002.

⁵³ Proceedings and debates of the 107th Congress, second session, House *Congressional Record*: H5268, July 23, 2002.

No first strike capability or effort

In an effort to investigate Bolton's claims, Senator Christopher Dodd (D-CT) chaired a hearing of the Western Hemisphere Subcommittee of the Senate Foreign Relations Committee on Cuba and bioweapons. Secretary of State Colin Powell did not allow Bolton himself to testify; instead, he sent Assistant Secretary of State for Intelligence and Research Carl Ford, Jr.

However, Ford did not offer any evidence to back up the suggestion that Cuba was working on the development of biological weapons and passing technical data to other rogue states. Ford admitted that "all our information is indirect...we never tried to suggest that we have the evidence, the smoking gun." He went on to state, "I certainly see no indications that there is a first strike capability or effort to attack the United States."⁵⁴

Given that the United States sees no Cuban first strike capability or effort, Ford hypothesized that if the Cubans were interested in biological weapons, it could be in order to defend themselves against a U.S. first strike.

Following Ford's rationale, Senator Lincoln Chafee (R-RI) asked why, then, more wasn't being done to reassure the Cubans that the U.S. has no plans for its own first strike? That is, if the administration believes that Cuba may be trying to develop biological weapons in order to deter a U.S. first strike, then a policy which further stimulates that fear is decidedly counterproductive.

Violation of Biological Weapons Convention?

In several statements this year, the State Department has suggested that Cuba might be in violation of the Biological Weapons Convention (BWC) and had called on it to honor its commitments. But when asked by Senator George Allen (R-VA) if Cuba was in fact violating the BWC, Ford said he was simply the wrong person to ask; he had only a hazy knowledge of what was in the Convention.

What is clear is that were there any concern in the international community that Cuba is not honoring its commitments under the BWC, the United Nations could be called upon to inspect Cuban facilities as necessary. If the State Department is concerned about alleged Cuban violations of the BWC, it should ask the United Nations to investigate the matter.

Conclusion

None of the reasons given by the Bush administration for maintaining Cuba on the terrorist list withstand the most superficial examination. Yet, Cuba's presence on the terrorist list has domestic and international implications.

On the domestic side, it frustrates the growing insistence of American agricultural and business interests to broaden commercial ties.

Abroad, diplomats marvel at the inconsistency within the State Department itself on these issues. U.S. Cuba policy is already viewed negatively around the world—only two other countries vote with the United States in the United Nations General Assembly in favor of the embargo, and one of them, Israel, is among the biggest investors in Cuba.

Cuba remained on the terrorism list even when the former Taliban government in Afghanistan was not and benefited from millions in U.S. aid. This lack of U.S. clarity on what *really* constitutes support for terrorism is an issue which should be addressed by the 108th Congress.

As the United States fights an uphill public relations battle abroad this fall, America's increasingly high-pitched grudge match with Fidel Castro may only serve to undermine our credibility on the world stage when we need it most.



"I asked them specifically on more than one occasion is there any evidence that Cuba has been involved in sharing any information to any other country on earth that could be used for terrorist purposes. And the answer from our experts on intelligence was no."

—Nobel Laureate Former President Jimmy Carter on intelligence briefings he received from high-level U.S. officials before his May trip to Cuba.

Also by Wayne S. Smith and Anya K. Landau, the Nov. 20, 2001 CIP special report, "Keeping things in perspective: the question of Cuba and international terrorism," on allegations of Cuban and Cuban exile terrorism, encompassing more than 100 government and media sources. Available at: <http://www.ciponline.org>

⁵⁴ Senate Foreign Relations Committee Hearing: Subcommittee on Western Hemisphere Hearing on Cuba and Biological Weapons, June 5, 2002.

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Colombia: Adam Isacson's testimony before the Subcommittee on the Western Hemisphere, House International Relations Committee, April 11, 2002.

Cuba: "In reaching out to Cuba, Carter can bring reform," by Wayne Smith, *Atlanta Journal Constitution*, April 29, 2002.

"At a critical time in our history, the guilty verdict against the Salvadoran generals reminds us that the world of foreign policy is also a world of law, a world of ethics, and a world of responsibility."

-Robert E. White, President
"Cronies of Empire"
Commonweal, September 27, 2002.

Asia

"Bargain with North Korea"
by Selig S. Harrison,
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Melvin A. Goodman:

"Intelligence Failure Demands a Shake-up,"
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Iraq:

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We believe the administration should be pressing Iraq to disarm as part of a coordinated regional strategy of conflict resolution and democratization. Such an effort would be supported by our allies and would give a huge boost to beleaguered reformers throughout the Middle East. It is the only sure path to peace in the region.

-William Goodfellow, Executive Director

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