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Migration Talks Between Cuba and the U.S. Resume Despite Tensions

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The US and Cuba returned to talks in Washington to assess the progress of their immigration agreements after two years of cooling bilateral relations caused by the imprisonment of subcontractor Alan Gross (NotiCen, Aug. 16, 2012), and they now face new concerns motivated by the latest scandal involving weapons covertly sent from the island to North Korea.

The discovery of military equipment in the North Korean vessel Chong Chon Gang on July 15 as it was passing through the Panama Canal seemed to compromise the rapprochement between the two countries, which systematically evaluate the immigration agreements signed during the administration of President Bill Clinton after the Balsero Rafter Crisis in the summer of 1994 when 35,000 Cubans headed toward US shores in rickety boats or on practically any object that would float.

The incident with the North Korean vessel led Sens. Robert Menendez (D-NJ) and Marco Rubio (R-FL) to recommend that President Barack Obama increase pressure on Havana. Rubio specifically suggested that the January 2011 decision to free up travel and remittances to Cuba be revoked (NotiCen, March 10, 2011), an always controversial topic in the Cuban American community because its consequences are more damaging to the island's population than to its rulers.

However, the White House felt that the 240 tons of weapons shipped to North Korea from Cuba was not a bilateral issue and continued with the meeting to discuss migration. Deputy Assistant Secretary of State for Western Hemisphere Affairs Edward Alex Lee and Josefina Vidal Ferreiro, head of the United States Division of the Cuban Ministerio de Relaciones Exteriores, participated in the discussions. The previous round of talks was held in January 2011.

Prior to the bilateral talks on migration, an article published in late June in Granma titled "Business is to deny visas, not to issue visas" created tensions. It argued that one purpose of the United States Interests Section (USINT) in Havana in denying temporary travel visas would be to "cause illegal travel to increase." Despite being published in the official newspaper of the Partido Comunista de Cuba (PCC), the article reflected the discontent of Cubans with family members living in the US who have to wait about a year for each consular interview and often are denied a visa.

The USINT immediately released a denial and pointed out on its Web site that in 2012 the US approved 29,000 visas, well above the 20,000 agreed upon in bilateral agreements, and that, in the first half of 2013, 16,767 visas were granted. It also announced that it would add a publicly available telephone number for reporting acts of corruption by US officials related to the granting of visas, an issue also presented in the Granma article.

Face to face again
The Obama administration has insisted that the migratory talks do not represent a significant change in relations between the two countries. This time, the US delegation requested the
immediate release of Alan Gross, arrested in early December 2009 and sentenced to 15 years in prison for distributing satellite-communications equipment to members of the Jewish community while he was acting as a contractor for the US Agency for International Development (USAID).

As usual during these meetings, Havana reiterated that a legal, safe, and orderly migration between the two countries cannot be achieved while the US maintains its wet-foot dry-foot policy (NotiCen, July 22, 1999), which allows asylum to Cubans who step onto US territory, as well as the Cuban Adjustment Act, which authorizes Cubans to apply for residency after one year.

The Cuban government says these provisions encourage illegal emigration and irregular entries into the neighboring country. However, the Cuban American community has reiterated that both provisions should be maintained to help islanders fleeing the country. The continuing exodus of Cubans leaving for various countries has become a symbol of the prolonged crisis on the island, and, in particular, the ongoing efforts of the Castro brothers to "update" the communist regime (NotiCen, June 28, 2012, and April 25, 2013).

New migratory provisions came into force in Cuba on Jan. 14, which allow Cuban nationals to temporarily reside abroad for two years and even apply for an extension from abroad. Long and costly procedures such as the exit permit were also eliminated. While the government maintains travel restrictions for some citizens, including members of the military, analysts note a relaxation on foreign travel for large sectors of the population.

The change in Cuban immigration regulations has raised concerns of an imminent modification of the Cuban Adjustment Act and the hypothetical possibility that Cuban travelers in the US could, after 12 months, receive the benefits of this US provision and return to the island in less than two years, thus achieving permanent residence in both countries. For now, the Cuban Adjustment Act remains as it was enacted in November 1963.

In late July, the State Department announced that the US will grant multiple-entry visas to Cuban citizens as of Aug. 1. The change helps Cubans receive the same treatment as citizens of other Latin American countries and will reduce the financial burden of those who visit relatives in the US. Thus, Cubans will no longer have to wait for months or years to be granted a single-entry visa.

The migratory talks were held this summer, the season that historically has seen the most significant migratory exodus. In late June, four boats were intercepted and 37 Cubans were repatriated as they tried to reach the Florida coast. In the 2012 fiscal year, 1,275 Cubans were intercepted by the US Coast Guard, an increase compared with 2011 when 985 were intercepted. Bilateral agreements determined that returnees would not suffer reprisals or imprisonment on the island.

In 2012, 46,662 Cubans permanently emigrated, according to the Oficina Nacional de Estadísticas (ONE). Thus, it becomes the year in which the largest number of Cubans emigrated permanently from the island since the 1994 Balsero Rafter Crisis.

The search for other sea lanes to aid their exit has led Cubans to the Bahamas, where 44 Cubans were detained as illegal immigrants in March. Reports of beatings and humiliations by officials of the Caribbean country have sparked outrage among Cuban exiles, as well as protests against the Bahamian Consulate in Miami and in the terminal where cruise ships set sail for the Bahamas.
A half-century break

After four years, the US and Cuba recently sat down to discuss the possible resumption of postal service between the two countries, discontinued in 1963 following the 1961 break in diplomatic relations and the implementation of the embargo against the island. An official statement from Havana said the island continues to believe that the trade embargo from its northern neighbor is an obstacle to restoring a stable and quality postal service between the two countries.

Both delegations "agreed to continue talks in the coming months," a Cuban statement said after the June meeting in the US capital. Correspondence between the two countries now must travel through a third country like Mexico, Panama, or Canada, even though it is a mere 40-minute flight between Miami and Havana. Mail sent from the US is 42% of the total received on the island, Cuban sources indicate.

Decisions from the September 2009 discussions about postal service between the two countries were suspended at the time of Gross' arrest and since then the issue has motivated complaints from the more politically conservative Cuban Americans that Obama should be more assertive toward Havana.

Cubans living in the US send mail to the island through the USPS by virtue of exemptions that allow a four-pound package of medicines and food to be sent. Condiments, dehydrated soups, powdered milk, tea, analgesics, and vitamins are mailed to the amazement of postal employees that can hardly imagine the scarcity of these basic commodities on the island.

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