

February 15, 2019

## Cuba Partners Network

### Background Information for Advocacy Work

#### Introduction

Congress has completed its committee organizing and has begun in February the work on its legislative agenda. On February 8, U.S. Senators Klobuchar (MN), Enzi (WY), and Leahy (VT) introduced the *Freedom to Export to Cuba Act* that would effectively lift the Cuba trade embargo. The Act would repeal legal restrictions against doing business with Cuba including the original 1961 authorization for establishing the trade embargo, along with other restrictive statutes that prohibit transactions between U.S.-controlled firms and Cuba, as well as direct shipping. Rep. Crawford (AK) believes a Cuba trade bill has a better chance of passage in this Congress than in previous years. Rep. Jim McGovern gave a speech on the House floor on February 9 calling for a new U.S. policy toward Cuba and warning of the dangers of not waiving provisions of the 1996 Helms-Burton Act regarding investments and property expropriation.

In other words, legislative action is gearing up – and CPN advocates must as well! The Office of Public Witness with the September delegation of ecumenical church representatives is also currently in process of identifying and prioritizing Members and Senators for monthly visits. Some CPN members have asked for general background information on the Presbyterian Church in Cuba, church partnerships, and U.S. embargo legislation – in addition to the detailed LAWG *Cuba Advocacy Tool Kit* – in order to be better prepared for meetings with Congressional staff, Representatives, and Senators. This background paper provides that general information.

#### The Presbyterian Church in Cuba

The Presbyterian-Reformed Church in Cuba (PRCC) is thriving, alive and well! It now has 32 “organized” churches with 12,342 baptized members (1,894 active membership), in addition to 21 mission and house churches. There are 34 ordained Presbyterian pastors, 8 of whom are retired and 13 of whom are women. Cuban Presbyterian pastors have also worked or studied outside Cuba, e.g., in Geneva with the World Council of Churches. The PRCC was a founding member of the Cuban Council of Churches, and several Presbyterian pastors have served as President of the Council. The PRCC with the Episcopal Church in Cuba owns and operates the Evangelical Theological Seminary in Matanzas with more than 600 students in different programs. Eleven of these students are candidates to become pastors. The PRCC is actively involved in the World Council of Churches (WCC), the World Communion of Reformed Churches (WCRC), the Latin American Council of Churches (CLAI), and the Association of Presbyterian and Reformed Churches in Latin America (AIPRAL).

The Presbyterian Church in Cuba began in 1890, with support from the Presbyterian Church USA and mission workers in the early 1900s. The Presbytery of Havana of the PC(USA) was organized in 1904 and placed under the Synod of New Jersey. In 1967 the Presbyterian Church in Cuba became autonomous and was constituted as the Presbyterian-Reformed Church in Cuba.

### **U.S.-Cuba Presbyterian Church Partnerships**

In 1985 the PRCC invited the Presbyterian Church (USA) to develop together a Mutual Mission Agreement that was adopted by both General Assemblies in 1986. This Agreement authorized formation of partnerships between presbyteries of the two Churches. The Agreement was later amended to allow partnerships between congregations. Since then, 15 U.S. presbyteries and synods and more than 30 congregations have formed partnerships with Cuban presbyteries, congregations, and the seminary in Matanzas. In 2018 the Mutual Mission Agreement was updated and adopted. PC(USA) church partners visit Cuban partners regularly and have the opportunity to participate in church activities and to observe the growth and challenges Cuban church members confront, many of these challenges—particularly economic—a result of U.S. embargo policy. As frequently as possible, PC(USA) and its churches host Cuban pastors, church officers and members to the U.S. to participate in partner Presbyterian Church activities. The foundation of the partnerships is to support each other, learn from each other, and walk together in faith in Christ’s name.

### **U.S. Cuba Policy**

#### **History:**

The U.S. embargo against Cuba is a complex mix of legislative acts, executive orders, and interpretive regulations. President Eisenhower in 1958 prohibited arms sales during the conflict between Castro’s rebels and the Batista regime. In 1960 the Eisenhower Administration reduced sugar imports from Cuba and canceled U.S. exports of oil to Cuba. Following a wave of Cuban nationalizations of US properties, the Eisenhower Administration severed all diplomatic relations with Cuba in January 1961, and the partial trade embargo with Cuba continued under authority of the *Trading with the Enemy Act 1917*. Following the failed U.S. Bay of Pigs invasion in April 1961 (planned by Eisenhower), the *Foreign Assistance Act 1961* prohibited aid to Cuba and authorized the President to impose a complete trade embargo against Cuba. In 1963 President Kennedy extended the embargo by Executive Order to include travel restrictions and all trade except non-subsidized food and medicines.

U.S. citizen travel restrictions lapsed in March 1977. The regulation was renewable every six months, but President Carter did not renew it, and the regulation on spending U.S. dollars in Cuba was also lifted. President Reagan reinstated the trade embargo in 1982 but travel restrictions applied to business and tourist travel, not to government officials, professional researchers, or persons visiting close relatives. This was modified by President Bush in 2004 with the Cuban Assets Control Regulations. Regulations do

not prohibit U.S.-citizen travel to Cuba *per se*, but rather prohibit and control transactions of money and gifts. Travel requires an issued license from the U.S. Treasury Department.

The embargo was reinforced in October 1992 by the *Cuban Democracy Act* and the 1996 *Cuban Liberty and Democracy Solidarity Act* (“Helms-Burton Act”), the latter affecting property in Cuba confiscated by the Cuban Government and penalizing foreign companies doing business in Cuba. The embargo was relaxed in 2000 by Congress (*Trade Sanctions Reform and Export Enhancement Act*) to allow the sale of agricultural goods and medicines. In 2004 President Bush tightened travel restrictions (eliminating the humanitarian travel category) generally and for Cuban Americans visiting family in Cuba. President Obama restored diplomatic relations and in 2015 loosened travel restrictions to Cuba. Visits for tourism, unless under a specific license, remain banned. Each piece of embargo legislation can be changed only by Congress.

### **Current U.S. Policy:**

In 2017 the Trump Administration again tightened travel restrictions to Cuba, but did not reverse all progress made by the Obama Administration, e.g., commercial flights and cruise ships to Cuba continue. The increased restrictions, however, have had a significant negative impact on US. tourism to Cuba and therefore on the economic condition of Cubans who relied on this business. The Trump Administration is considering putting Cuba back on the list of state sponsors of terrorism (having been rescinded in 2015). The latest tightening under consideration is **Title III** of the **Helms-Burton Act** that “allows Cuban exiles or their families and a few U.S. companies to seek remedies in U.S. courts for properties they lost in Cuba due to nationalization” by the Castro Government. Past Presidents have waived this Title due to the cost and time and effects of lawsuits in courts and for the negative impact on US foreign partners. In January 2019, the State Department announced that it is considering not waiving Title III, and the final decision will be made in late 2019.

The Trump Administration also has effectively closed U.S. Embassy Consular operations due to the unresolved illnesses caused to U.S. personnel in Havana (both U.S. and Canadian). This has effectively stopped Cubans from traveling to the U.S. as the rules now require them to travel to a third country to obtain a U.S. visa, a costly process that does not necessarily guarantee a granted visa.

### **Presbyterian Church Advocacy for the Cuban Church and People**

The negative effect of the U.S. embargo on Cubans and the Church in particular has been a consistent “current concern” of the PRCC expressed by Cuban church representatives. Most recently, the lack of access to U.S. visas has stopped church partnership exchanges and all Cubans wishing to visit family in the States for those Cubans requiring a visa. U.S. Presbyterians on congregational visits have heard repeated stories of the hardships endured by those Cubans known to them personally. The continued involvement of PC(USA) members with Cuban church members experiencing the effects of the U.S. embargo gives U.S. partners an unusual understanding of the impact of the embargo and

of the closed U.S. Consular Section in Havana, especially on the most vulnerable. As partners with Cubans Christians, we have a responsibility to make known to our legislators the need to change this failed policy.

At its 2018 annual meeting, the PC(USA) Cuba Partners Network agreed that advocacy is an inherent part of mutual mission, and that church partners will henceforth incorporate advocacy into their partnership program for improved U.S. policy toward Cuba, specifically lifting the embargo and restoring U.S. visa operations in Havana as a central tenet of its partnership role.

As partners with Cuban Presbyterian Churches and Presbyteries, U.S. church advocates should seek to meet with, or write to, Congressional staff, Members, and Senators focusing on the following:

- Provide information and greater understanding of the thriving church in Cuba using the experience and knowledge of being with the Cuban churches and people. Relay the stories of your visits, your impressions of living conditions, the energy, vitality, and needs of the faith-based communities.
- Offer to meet before a trip to Cuba to inform them of the partnership, your concerns, your impressions of Cubans' situations. Offer to meet with staff or Members after your trip to report on current conditions, observations on the economy and political situation (e.g., the new constitution being considered).
- Urge Congress to press the Administration to continue the waiver of Title III of Helms-Burton.
- Urge Members to press the Administration NOT to reinstate Cuba on the list of state sponsors of terrorism.
- Urge Members and Senators to support the introduced bills that would lift the U.S. trade embargo and restrictions on doing business in Cuba.
- Urge reopening of the U.S. Consular section explaining the hardship and expense this imposes on Cubans needing to visit the U.S., and especially on church partnerships that now have not been able to host Cuban pastors and church members as part of the partnership program.

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