

160 Lawyers Push Biden to Take Cuba Off State Sponsors of Terrorism List

"Policy—and electoral—concerns appear to have always kept Cuba on the SSOT list, rather than actually meeting the legal requirements to be on there," the attorneys argue.

By [Brett Wilkins](#)

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*A group of 160 mostly American lawyers recently urged **President Joe Biden** to remove Cuba from the U.S. [State Sponsors of Terrorism list](#), a designation acknowledged as meritless and politically motivated by critics and proponents of the policy alike.*

Noting that numerous former Latin American and Caribbean heads of state, as well as "hundreds of civil society organizations and thousands of citizens" have [asked](#) the Biden administration to lift Cuba's State Sponsors of Terrorism (SSOT) status, the attorneys called on the president "to immediately initiate a review and notification process to remove Cuba from the SSOT list."

"There is no legal or moral justification for Cuba to remain on the State Sponsors of Terrorism list," the attorneys argued in an Alliance for Cuba Engagement and Respect (ACERE) [letter](#). "Given the tremendous economic, social, humanitarian, and commercial effect placement on the SSOT list has had for the Cuba people, maintaining it for such pretextual reasons continues to be a stain on U.S. foreign policy."

There is no legal or moral justification to list Cuba as a state sponsor of terror. This important letter signed by 160 lawyers makes that clear. We're proud to have helped gather signatures! [#LetCubaLive](#) <https://t.co/62wLuln5BH>

— CODEPINK (@codepink) [January 23, 2023](#)

In 2015, **then-President Barack Obama** [removed](#) Cuba from the SSOT during a promising but ultimately short-lived rapprochement between the two countries that abruptly ended

when former **President Donald Trump** took office in 2017. The lawyers' letter is a point-by-point refutation of the criteria cited by **then-U.S. Secretary of State Mike Pompeo** when the outgoing Trump administration [re-listed Cuba as an SSOT](#) in January 2021.

These include Cuba's refusal to extradite members of the National Liberation Army, a leftist rebel group from Colombia, who traveled to Havana for peace negotiations with the Colombian government. Such an extradition, the lawyers noted, would have violated Cuba's obligation to ensure the safety and well-being of all participants in the peace talks.

Pompeo also cited the fact that Cuba harbors U.S. fugitives wanted for acts of political violence committed nearly half a century ago, even though no other country has been placed on the SSOT list for such a reason. Aside from ignoring all the [Cuban exile terrorists](#) who enjoy not only citizenship but sometimes even [heroic status](#) in the United States, the lawyers note that "international law clearly prohibits extradition for acts of political violence."

As the letter states:

To the extent that the 1904 extradition treaty between Cuba and the United States remains in effect and continues to be honored by both parties, it contains a standard political offense exemption. This exception is premised upon a concept familiar to the United States, which is that "individuals have a right to resort to political activism to foster political change." Indeed, this is precisely the sort of "activism" that the United States designates millions of dollars to each year for regime change in Cuba.

"Policy—and electoral—concerns appear to have always kept Cuba on the SSOT list, rather than actually meeting the legal requirements to be on there," the lawyers' letter contends, citing a former Clinton administration Cuba expert who admitted that "frankly, I don't know anyone inside or outside of government who believes in private that Cuba belongs on the terrorist list."

"People who defend it know it is a political calculation," the expert added. "It keeps a certain part of the voting public in Florida happy, and it doesn't cost anything."

Much of that "certain part of the voting public in Florida" consists of Cuban-Americans, who—especially among the older generations—vehemently support isolating Cuba as long as it remains socialist.

"Frankly, I don't know anyone inside or outside of government who believes in private that Cuba belongs on the terrorist list."

Earlier this month, Rep. María Elvira Salazar (R-Fla.)—the daughter of Cuban exiles who believes that even the sort of democratic socialism found in many of the world's freest and most developed nations brings "misery, oppression, and exile"—[introduced](#) the FORCE Act. The proposed legislation would bar Biden from removing Cuba from the SSOT list "until the regime grants basic human rights protections."

Cuba was first placed on the SSOT list by the Reagan administration in 1982. By that time, the island nation and its socialist government had endured a decadeslong campaign of U.S.-backed [exile terrorism](#), [attempted subversion](#), [failed assassination attempts](#), [economic warfare](#), and covert operations [large](#) and [small](#) in a fruitless policy of toppling longtime

leader Fidel Castro. Cuba [says](#) U.S.-backed terrorism has killed or wounded more than 5,000 Cubans and cost its economy billions of dollars.

There is no comparable—or any—history of Cuban terrorism against the United States.

In stark contrast, the Reagan administration removed Iraq, then ruled by the dictator Saddam Hussein, from the SSOT list just days before Cuba was added. This was so that the U.S. could supply Hussein's forces with weaponry used to kill both Iranians and Iraq's own restive Kurdish and Shi'a people. Top officials in the Reagan and George W. Bush administrations [knew](#) that Iraqi forces were using chemical weapons—some of whose components [came](#) from the United States and its allies—against both Iranians and against Iraqi Kurds in the genocidal [Anfal campaign](#), but gave Hussein diplomatic cover until he ordered an invasion of Kuwait in August 1990.

The resolution by the Berkeley City Council (CA) marks 1 of the 65 different docs passed across the US, demanding the withdrawal of [#Cuba](#) from the SSOT list & the lifting of the blockade.

We thank the ppl of the US, which each day expresses its solidarity through these efforts. pic.twitter.com/NUdwNCbvj7

— Lianys Torres Rivera (@lianustr) [January 3, 2023](#)

More than 100 progressive groups and over 10,000 people have [signed](#) petitions and open letters urging Biden to lift Cuba's SSOT designation.

Last October, leftist Colombia **President Gustavo Petro** [asked](#) U.S. **Secretary of State Antony Blinken** to end the "injustice" of Cuba being listed as a sponsor of terrorism.

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Featured image: CodePink led a November 2, 2022 rally against the U.S. economic blockade of Cuba outside the White House in Washington, D.C. (Photo: CodePink)

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