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Amnesty International criticises President Obama's decision on Cuba

Amnesty International regrets President Barack Obama's recent decision to extend for another year US sanctions against Cuba under the Trading With the Enemy Act (TWEA). President Obama has failed to take a long overdue step toward dismantling a policy that is both ineffective and detrimental.

Amnesty International has consistently called on President Obama not to extend the exercise of his authorities under the TWEA, and for the USA to lift the embargo against the island. In a letter dated August 12, 2010, Amnesty International strongly urged President Obama to depart from a five-decade-old policy that has proven detrimental to human rights in Cuba.

The Cuban government has repeatedly used the embargo as a justification for maintaining restrictions on freedom of expression, association and peaceful assembly. In the June 2010 report, *Restrictions on Freedom of Expression in Cuba*, Amnesty International described how the embargo and political antagonism with the USA continue to be used as a pretext for curbing dissent and criticism of the Cuban government. As a result, independent journalists and political and human rights activists are continuously harassed, intimidated and many face criminal prosecution.

Amnesty International's 2009 report, *The US embargo against Cuba: Its impact on economic and social rights*, concluded that sanctions, which the USA has imposed since 1962, are negatively affecting Cubans' access to medicines and medical technologies and endangering the health of millions. United Nations agencies and programs operating in Cuba, such as UNICEF, UNAIDS and UNFPA, have reported that the US embargo has undermined the implementation of programs aimed at improving the living conditions of Cubans.

The US Congress has the ultimate authority to repeal this misguided embargo that has a devastating impact on the lives of everyday Cubans and curtails the freedom of US citizens to travel to the island and do business with and in Cuba. Legislators also have the opportunity to reduce the negative impact of the embargo by passing bills HR 4645 and S 1089 and effectively ending the travel ban to Cuba. This would be a step in the right direction and would hopefully embolden members of Congress to end the embargo outright.

President Obama does have the power to reverse his recent decision at any time with a new presidential determination putting an end to the application of the TWEA in relation to Cuba. Amnesty International will continue to call for the reversal of an antiquated stance, adopted during the Cold War, which proves detrimental to the enjoyment of human rights both for Cubans and US citizens.

Background information

Economic sanctions against Cuba were conceived under the TWEA in 1963. Application of the TWEA in relation to Cuba would have expired in mid-September, had President Obama not extended it until September 2011. Expiration would have led to an end to economic sanctions against Cuba, and allowed US citizens the right to travel freely to the island and US companies the possibility of doing business with and in Cuba.

The application of the TWEA to Cuba, constituting the bedrock for a set of sanctions named Cuban Assets Control Regulations, is the responsibility of the US President. Since 1978, every US administration has renewed the application of the TWEA to Cuba, insisting that it was in the United States' national interest.

The embargo against Cuba is embedded in US legislation mainly through the Torricelli and the Helms-Burton Acts. The Helms-Burton Act, adopted in 1996, states that sanctions can only be lifted if Cuba starts a process of democratization.

Since assuming office, President Obama has taken some positive steps to ease specific limitations, including by lifting restrictions on Cuban Americans who wish to travel to the island or send remittances to their relatives. However, President Obama renewed the application of sanctions against Cuba under the TWEA both in September 2009 and, more recently, on September 2, 2010.

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