

Guantánamo Bay

A Cuba Solidarity Campaign Fact sheet 2015



Guantánamo Bay – A colonial relic

The 'normalisation' of Cuba-US relations faces several obstacles, as Cuba's President Raúl Castro pointed out to President Barack Obama at the Summit of the Americas, and at the Third Summit of the Community of Latin American and Caribbean States (CELAC) in Costa Rica (January 28th 2015), where he said:

The re-establishment of diplomatic relations is the beginning of a process toward the normalization of bilateral relations, but this will not be possible while the blockade remains in effect; the territory illegally occupied by the Guantánamo Naval Base is not returned; the radio and television broadcasts breaching international rules and regulations do not cease; and, adequate compensation is not paid to our people for the human and economic damages sustained.'

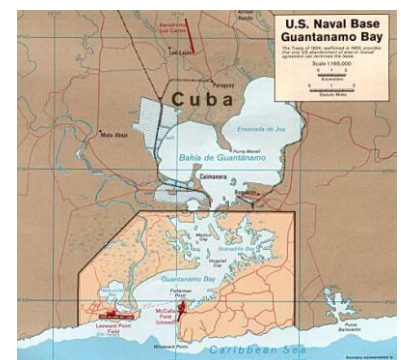
The US occupation of Guantánamo Bay is infamous for its C21st use as a torture camp. But how did the US come to occupy this colonial base in the early C20th?

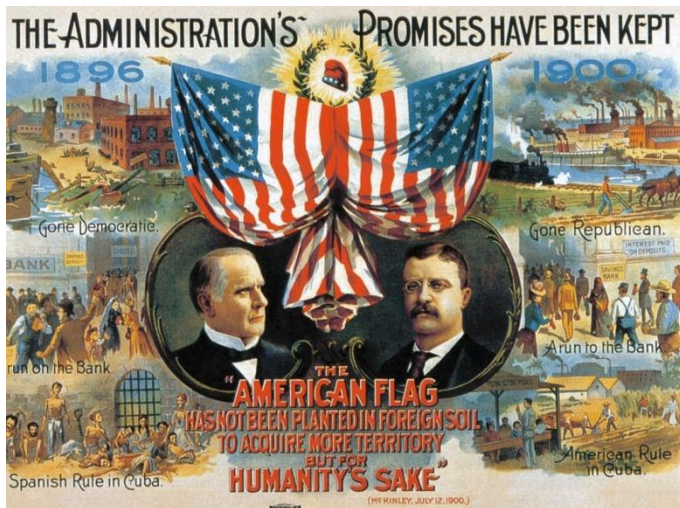
Invasion and colonial occupation

Guantánamo Bay is one of Cuba's largest bays, with deep and secure waters and lying about 60km east of Santiago de Cuba, on the island's south coast. The base

occupies some 120km² of Cuban territory. In the 1740s, it was occupied by a British expeditionary force that tried and failed to found a settlement. Its occupation by the US followed the US invasion and war on Spain in 1898, ostensibly as an ally of the Cuban independence fighters who had already exhausted the imperial Spanish forces. This brought to a conclusion a century of US attempts to buy or annex Cuba, and thirty years of heroic resistance by Cuban patriots.

In the 1898 Treaty of Paris, Spain ceded Cuba, Puerto Rico, the Philippines and Guam to the US, the fruits of the US's first imperial expansion since its seizure of northern Mexico in the 1840s. The US conceded Cuba's right to independence and sovereignty, but coerced the Cuban Constitutional Convention into incorporating the US Congress's 1901 Platt Amendment into the 1902 constitution of the new Republic of Cuba. The alternative was stark: indefinite military occupation. As well as granting the US the right to re-occupy Cuba on a variety of pretexts, the Platt Amendment required the Cuban government to allow the US to establish bases in sovereign Cuban territory, 'for the purposes of coaling and naval stations'.





A US propaganda poster after the Spanish-US war

Hence, a 1903 US-Cuba Agreement granted the US occupation of Guantánamo Bay in the south and Honda Bay in the north. The US paid Cuba to nationalise any privately-owned land that got in the way. Under FD Roosevelt's 'Good Neighbour Policy', and confronted with the overthrow of the Machado dictatorship by a general strike led by Cuban communists and nationalists, a 1934 Treaty removed the Platt Amendment and returned Honda Bay, but not Guantánamo Bay, to Cuba. Both the 1903 Agreement and the 1934 Treaty agreed to indefinite occupation of Guantánamo Bay, whatever Cuba might want, and for as long as the US did not withdraw.

Abuse of the 'coaling and naval station'

US behaviour in Guantánamo Bay has repeatedly abused the stated purposes of the 1903 Agreement and the 1934 Treaty, respectively 'to maintain the independence of Cuba' and 'to fortify the relations of friendship between the two countries', and abused its status as a 'coaling and naval station'. In 1912 and 1917, US troops marched out of the base to occupy Cuban towns and cities during political crises, in 1912 to support the Liberal Government's slaughter of thousands of supporters of the Independent Party of Colour that was campaigning for race equality. In 1957 and 1958, during the Rebel Army's campaign against the Batista dictatorship flew bombing raids on the rebels, and on civilians in the Sierra Maestra, from the US base.

After the Revolution, the government demanded that the US withdraw and return the Bay. Revolutionary Cuba has never cashed the 'rent' cheques for the Base (except apparently once, by accident, in 1959!). The US response

in the 1960s was to use the Base to provoke incidents. Cubans were murdered in the base, and Cuban border guards were shot dead from within the Base. Even more seriously, after the Cuban victory in the Bay of Pigs, the US Operation Mongoose planned to create pretexts for a direct US military invasion in 1962. In declassified Joint Chiefs of Staff documents we learn that, 'a series of well coordinated incidents will be planned to take place in and around Guantánamo to give genuine appearance of being done by hostile Cuban forces.' These deceptions included blowing up ammunition, planes and ships in the Base and the harbour entrance, bombing the Base, 'invading' the Base with mock Cuban forces. Other 'pretexts' included faking the sinking of US planes and ships outside the Base, a 'Cuban' invasion of a neighbouring state, mounting a 'communist Cuban' terrorist bombing campaign in Miami and, the document states, 'We could sink a boatload of Cubans enroute to Florida (real or simulated)! The missile crisis derailed these plans.

In the 1990s, the Base was used to support the US invasion of Haiti, and then to hold more than 45,000 Haitian boat people seized while seeking refuge in the US. During the 1990s, Cuban 'rafters', encouraged to flee Cuba's post-Soviet economic crisis by the US's open-entry (for Cubans only) Cuban Adjustment Act. Some 30,000 were captured by the US, now panicking at the numbers, and held in what Fidel Castro called a 'migratory concentration camp' on the Base. Later plans to hold Kosovan refugees in the Base during the 1999 NATO war against Serbia were dropped.



Opposition to the base long predates the Revolution, as this image of Cubans marching against US interference in Guantánamo in September 1933 illustrates



Cuban occupied land at Guantánamo Bay

And of course, after the declaration of a US 'war on terror', the Base became notorious for its use as an extrajudicial prison and torture camp. Some 800 prisoners abducted from 10 countries have been held without trial in the Base, of whom, according to Amnesty International, eight had died by 2012, six of them suicides. Cynically, the denial of US justice to the abductees was justified in terms of the Base not being in US territory but in sovereign Cuban territory! President Obama has never fulfilled his promise to close the prison camp, He never promised to close the Base itself, a common misconception.

The Agreement and Treaty are invalid

For most people, territory seized in colonial wars is by definition illegally occupied. There are, nevertheless, strong arguments in conventional international law that the 1903 Agreement, and the 1934 Treaty, that granted and then confirmed the US occupation of the Bay as a 'coaling and naval station' are no longer valid. Firstly, the 1903 Agreement was signed under coercion, given the

US refusal to end its military occupation of Cuba and recognise its independence unless granted the base (and the other colonial intervention 'rights' in the Platt Amendment). In respect of Guantánamo, the 1934 Treaty simply re-asserts the 1903 Agreement, and under the Vienna Convention on the Laws of Treaties (not in force in 1903 or 1934), 'a treaty is void if its conclusion has been procured by the threat or use of force in violation of the principles of international law embodied in the Charter of the United Nations'.

Secondly, the original, explicit rationales for the 1903 Agreement (maintaining Cuban independence) and the 1934 Treaty (strengthening friendship between the two countries) are self-evidently invalid, and hence so are the Agreement and the Treaty. Thirdly, the base has been used and abused for purposes far beyond those of a 'coaling and naval station': as a base for aggression against Cuba itself, as a refugee camp, and of course as a 'war on terrorism' torture centre.

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Campaign to end this colonial crime

The Base has no military rationale. One US aircraft carrier is more powerful. It is retained, as Fidel Castro wrote in 2007, 'to humiliate and to carry out the filthy deeds that take place there.' Roberta Jackson, the US State Department official leading the 'normalisation' talks with Cuba, assured a congressional hearing in 2015 that, 'the issue of Guantánamo is not on the table.' The Helms-Burton Act of 1996, that put the US embargo measures into law (which is why Obama cannot simply decree their ending) also explicitly ruled out returning Guantánamo to Cuba without regime change.

So, as in the case of the Cuban Five, in the end it will not be legalistic rights and wrongs that restore Cuban sovereignty in Guantánamo Bay. It will be the determination of the Cuban people and the international solidarity movement, and regional diplomatic pressure, expressed by ALBA and by CELAC, to create a 'region of peace' free of all foreign military bases in Latin America and the Caribbean, including Guantánamo Bay.

If President Obama is serious about rapprochement with Cuba, then the issue of Guantánamo Bay must be a central issue. Without substantial concessions, it is clear that US policy towards Cuba remains one of dominance and interference. Efforts by Obama to soften the blockade are to be welcomed; however failure to address the longstanding territorial dispute over Guantánamo will undermine any further efforts towards reconciliation and draw into question motivations behind recent US policy changes.

The continuing occupation of Guantánamo by the United States is a flagrant violation of international law, an affront to Cuba's sovereignty and an impassable



Unlike on the rest of the island where the blockade prohibits US companies from operating, Guantánamo is home to the only McDonalds and Subway fast food outlets in Cuba

obstacle to reconciliation. Only when the US can forgo its territorial claim on Guantánamo can Havana be assured that Washington finally recognises Cuba's right to self-determination. Until then, we must build the international campaign for Guantánamo to be returned to Cuba.

Find out more:

Further reading:

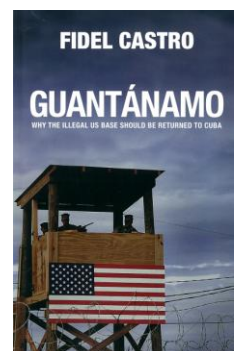
Undesirable Neighbors: The US Naval Base at Guantanamo by Olga Miranda Bravo

'Guantanamo - Why The Illegal Base Should Be Returned To Cuba' by Fidel Castro and others

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