

REPORT WITH RESPECT TO THE PROPOSED
RECISSION OF CUBA'S DESIGNATION AS A STATE
SPONSOR OF TERRORISM

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT WITH RESPECT TO THE PROPOSED RECISSION OF
CUBA'S DESIGNATION AS A STATE SPONOR OF TERRORISM



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To the Congress of the United States:

I transmit herewith a report to the Congress with respect to the proposed rescission of Cuba's designation as a state sponsor of terrorism.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *January 14, 2025.*

CERTIFICATION OF RESCISSION OF CUBA’S DESIGNATION AS A STATE
SPONSOR OF TERRORISM

Pursuant to the Constitution and the laws of the United States, and consistent with sections 1754(c) and 1768(c) of the National Defense Authorization Act for Fiscal Year 2019 (50 U.S.C. 4813(c) and 4826(c)), I hereby certify with respect to the rescission of the determination of January 12, 2021, regarding Cuba that:

(i) The Government of Cuba has not provided any support for international terrorism during the preceding 6-month period; and

(ii) The Government of Cuba has provided assurances that it will not support acts of international terrorism in the future.

This certification shall also satisfy the provisions of section 620A(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(c)(2)), section 40(f)(1)(B) of the Arms Export Control Act, Public Law 90–629, as amended (22 U.S.C. 2780(f)(1)(B)), and, to the extent applicable, section 6(j)(4)(B) of the Export Administration Act of 1979, Public Law 96–72, as amended (50 U.S.C. App. 2405(j)), and as continued in effect by Executive Order 13222 of August 17, 2001.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *January 14, 2025.*

MEMORANDUM OF JUSTIFICATION FOR RESCISSION OF CUBA'S STATE SPONSOR OF TERRORISM DESIGNATION

Cuba was re-designated as a State Sponsor of Terrorism on January 12, 2021, by then Secretary of State Pompeo due to allegations of harboring 10 National Liberation Army (ELN) leaders living in Havana as part of the peace negotiation process in Colombia. Cuba was also cited as harboring several U.S. fugitives from justice, many of whom have resided in Cuba for decades. After careful review, and as described herein, the President has determined that the record supports the statutorily required certification that the Government of Cuba has not provided any support for international terrorism during the preceding six-month period and has provided assurances that it will not provide support for acts of international terrorism in the future.

The President's certification to permit rescission of Cuba's designation as a state sponsor of terrorism represents years of concerted monitoring of Cuba's behavior by the United States.

Cuba has not provided any support for international terrorism during the preceding six-month period.

In recent years, Cuba has taken a number of steps to fully distance itself from international terrorism, and has taken steps to strengthen its counterterrorism laws. Cuba continues to make significant progress in establishing the framework necessary to meeting international AML/CTF standards by, for example, adequately criminalizing money laundering and terrorist finance. Cuba has also continued to publicly condemn terrorism, including on October 4, 2023, when Cuba stressed at the United Nations in Geneva its condemnation of terrorism in all its forms and manifestations and the importance of cooperation to fight it.

Furthermore, Cuba has periodically engaged in meaningful dialogue on law enforcement issues with the United States since 2015. These Dialogues have enhanced the security of the United States through improved law enforcement coordination, and bringing criminals to justice. Through these Dialogues, there has been increased cooperation on key issues, including combatting drug trafficking and trafficking in persons through these periodic dialogues.

In adding Cuba to the SST list on January 12, 2021, Secretary Pompeo provided several justifications. First, he cited Cuba's refusal to extradite 10 ELN leaders living in Havana to Colombia. However, in August 2022, pursuant to an order from the Colombian president, the Colombian Attorney General announced that arrest warrants would be suspended against 17 ELN commanders, which included the ten members of the ELN cited by Secretary Pompeo in 2021 for being in Cuba for peace talks. Furthermore, citing the positive role Cuba has made toward peace in Colombia, on October 17, 2024 the Government of Colombia requested that Cuba be removed from the list of countries considered a State Sponsor of Terrorism.

Cuba was also cited in January 2021 for re-designation for harboring four U.S. fugitives. . While Cuba continues to refuse extradition of those individuals, the failure to extradite does not, by itself, constitute support for international terrorism. Those individuals have been on the island prior to the enactment of the law creating the SST list in 1978, and were not cited as a rationale for Cuba's original designation. In addition, those fugitives were in Cuba at the time of the 2015 rescission of Cuba's SST status, and their presence there at that time was not assessed to constitute support of international terrorism.

Following a review of all available information, there is no credible evidence at this time of ongoing support by Cuba for international terrorism, and there is a sufficient basis for certification by the President to Congress that Cuba has not provided any support for international terrorism during the preceding six-month period.

Cuba has provided assurances that it will not provide support for acts of international terrorism in the future.

Direct engagement with Cuba has also permitted the United States to secure additional direct assurances from the Government of Cuba. In multiple public and private fora, the government of Cuba has reiterated its full commitment to cooperate in combating terrorism, rejected, and condemned all terrorist acts, methods, and practices in all their forms and manifestations. The Government of Cuba provided further assurances to never allowing its territory to be used to organize, finance, or execute terrorist acts against any other country, including the United States.

Maintaining a credible and internationally recognized list of State Sponsors of Terrorism is vital to the security and national interest of the United States, and in protecting our allies. Having countries on the list that do not meet a clear standard would undermine the credibility of the list and the importance the United States places on counterterrorism. The Government of Cuba may engage in acts that are not consistent with our values or policies, either in the region or at home, but those actions are not reasons in themselves for Cuba to be listed as a State Sponsor of Terrorism. Those are separate matters that should be dealt with and negotiated through a separate process, but do not merit Cuba's inclusion on this list.

The President's report to Congress certifying that Cuba has not provided any support for international terrorism during the preceding 6-month period and has provided assurances that it will not provide support for acts of international terrorism in the future will permit the Secretary of State to rescind Cuba's designation following the 45-day Congressional review period. Rescission in this case will strongly support the objectives of the state sponsor legislation, which should not be used for political purposes, and will demonstrate to Cuba the benefits of cooperation with the international community, including the United States, to counter international terrorism.