MEMORANDUM OF UNDERSTANDING

BETWEEN THE GOVERNMENT
OF THE CAYMAN ISLANDS
AND THE GOVERNMENT
OF THE REPUBLIC OF CUBA

SIGNED ON 15TH DAY OF APRIL 1999

BY: HIS EXCELLENCY MR JAMES M RYAN, MBE, JP
ON BEHALF OF THE CAYMAN ISLANDS GOVERNMENT

AND

DR JOSE PERAZA CHAPEAU
ON BEHALF OF THE GOVERNMENT OF THE REPUBLIC OF CUBA
MEMORANDUM OF UNDERSTANDING

BETWEEN THE GOVERNMENT OF THE CAYMAN ISLANDS
AND THE GOVERNMENT OF THE REPUBLIC OF CUBA

Taking into account that, on various occasions, citizens of the Republic of Cuba have arrived directly and illegally in the territory of the Cayman Islands using various routes, but in particular by sea.

Considering the wish of the Government of the Cayman Islands and the Government of Cuba that these Cuban citizens be repatriated immediately to the Republic of Cuba.

The two Governments have reached the following understanding:

1. The Government of the Republic of Cuba shall accept the return of all Cuban citizens who left Cuban territory and illegally reached the territory of the Cayman Islands as from the entry into force of the present Memorandum of Understanding.

2. The Government of the Cayman Islands shall inform the Government of the Republic of Cuba, in no more than 7 days, of the illegal arrival of Cuban citizens from Cuban territory. This information shall consist of a list of the persons with their names, two surnames and alleged addresses.

This shall thereafter be completed, in as short a time as possible with details of sex, date of birth, their most recent address in Cuba to include street name, house number, flat number, municipality and province, as well as a photograph of each person and the place and date of their illegal arrival in the Cayman Islands.

3. In the interests of their security, the Cuban citizens repatriated to Cuba should be escorted by officials from the Government of the Cayman Islands.

4. The Government of the Republic of Cuba shall reply to the Government of the Cayman Islands, in no more than 20 days from the date of receipt of the information provided by the Government of the Cayman Islands, referred to in the above paragraph 2 item 2, its authorization to accept the return of the Cuban citizens to be repatriated.

5. Once the agreement from the Cuban Government has been obtained, the Government of the Cayman Islands shall inform the Cuban Government, at least 7 days notice, the date of repatriation to Cuba of the Cuban citizens, their names, as well as those of the officials of the Government of the Cayman Islands who shall accompany them.

6. The Government of the Cayman Islands shall repatriate those Cuban citizens who arrive illegally in the Cayman Islands and directly from Cuba and have been submitted to the procedures provided for in this Memorandum of Understanding and accepted by the Government of the Republic of Cuba. These citizens shall be repatriated by air via “José Martí” International Airport in Havana.
The Government of Cuba agrees not to charge arrival tax or any other tax related to the repatriation of these Cuban citizens.

The persons repatriated to the Republic of Cuba shall be able to bring with them only the belongings, which they had on their illegal arrival in the Cayman Islands directly from Cuba. They shall not be able to return with any money from other countries or other effects of any kind.

The Government of the Republic of Cuba shall facilitate the entry to Cuba of the officials from the Government of the Cayman Islands mentioned above in Article 3 of this Memorandum.

The present Memorandum of Understanding shall take effect from the date of signature.

Signed in the City of George Town this...day of...199... in two copies, one in English and one in Spanish, both texts having equal legal validity.

For the Government of the Cayman Islands

For the Government of the Republic of Cuba